SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ITEM: 23.1
(ID # 30176)
MEETING DATE:
Tuesday, May 05, 2026

FROM : TLMA-PLANNING

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA)/ PLANNING – CHANGE OF ZONE NO. 2400053 (CZ2400053) and CONDITIONAL USE PERMIT NO. 240025 (CUP240025) – Addendum to Initial Study/Mitigated Negative Declaration for Plot Plan No. 210016 (PPT210016), pursuant to State CEQA Guidelines Section 15164 – Applicant: Joseph Karaki – Second Supervisorial District – Meadowbrook Zoning Area – Elsinore Area Plan – Land Use: Commercial Retail (CR) – Zoning: Manufacturing–Service Commercial (M-SC) – Location: 28771 Central Avenue, west of Highway 74 and east of Chris Circle – APNs: 347-130-028 and 347-130-029 – 1.44 Acres – REQUEST: CZ2400053 is a request to change the existing zoning classification of the subject site from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) to allow for the sale of alcoholic beverages in conjunction with a gas station within the C-P-S zoning classification. CUP240025 is a request to allow for the sale of alcoholic beverages for off-premises consumption by establishing a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the proposed convenience store and gas station established under the previously approved Plot Plan No. 210016 (PPT210016). APN(s): 347-130-028, 347-130-029 totaling approx 1.44 acres – District 2. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT** the **ADDENDUM** to the previously adopted Initial Study/Mitigated Negative Declaration for Plot Plan No. 210016 (PPT210016) has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines Section 15164, and that the Addendum demonstrates the proposed project would not result in new significant environmental impacts or a substantial increase in the severity of previously identified impacts; therefore, no subsequent environmental review is required;

Continued on Page 2

ACTION:Policy

John Hildebrand, Planning Director 4/29/2026 Rania Odenbaugh, TLMA Director 4/29/2026

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above matter is approved as recommended and Ordinance 348.5054 is adopted with waiver of the reading.

Ayes:	Medina, Spiegel, Washington, and Perez
Nays:	None
Absent:	Gutierrez
Date:	May 5, 2026
xc:	Planning, COB/MC/AB/AG/DL

Kimberly A. Rector
Clerk of the Board
By: _____
Deputy

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

RECOMMENDED MOTION: That the Board of Supervisors:

2. **APPROVE CHANGE OF ZONE NO. 2400053 (CZ2400053); and, ADOPT ORDINANCE NO. 348.5054,** to change the existing zoning classification of APN: 347-130-028 and 347-130-029 from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) to allow for the sale of alcoholic beverages in conjunction with a gas station within the C-P-S zoning classification as shown on Map No. 2.2521, Change of Zone No. 2400053 attached hereto and incorporated by reference; and

3. **APPROVE CONDITIONAL USE PERMIT NO. 240025 (CUP240025)**, to allow for the sale of alcoholic beverages for off-premises consumption by establishing a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the proposed convenience store and gas station established under Plot Plan No. 210016, subject to the attached Advisory Notification Document, conditions of approval and based upon the findings and conclusions incorporated in the staff report and pending final adoption of CZ2400053 by the Board of Supervisors.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	$ 0	$ 0	$ 0	$ 0
NET COUNTY COST	$ 0	$ 0	$ 0	$ 0
SOURCE OF FUNDS: Applicant Fees 100%			Budget Adjustment: N/A	
			For Fiscal Year: 25/26	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On March 18, 2026, the Planning Commission voted four (in favor), zero (opposed), to approve the Planning staff's recommended motion to the Board of Supervisors for consideration of Change of Zone No. 2400053 (CZ2400053) and Conditional Use Permit No. 240025 (CUP240025), as described in detail below. Ordinance No. 348, Section 1.4.C., requires three affirmative votes to carry a motion. The proposed Project consists of the following:

Change of Zone No. 2400053 (CZ2400053) is a request to change the subject site from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) to allow for the sale of alcoholic beverages in conjunction with a gas station within the C-P-S zoning classification.

Conditional Use Permit No. 240025 (CUP240025) is a request to allow for the sale of alcoholic beverages for off-premises consumption by establishing a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the proposed convenience store and gas station established under Plot Plan No. 210016.

The project site is generally located west of Highway 74 and east of Chris Circle. Specifically, the project site is located at 28771 Central Avenue, Lake Elsinore, CA 92532, and is within the Elsinore Area Plan.

Conditions of Approval

No modifications were made to the Conditions of Approval between Planning Commission consideration and review by the Board of Supervisors. The final Conditions of Approval and Advisory Notifications are provided in Attachments D and E, respectively.

California Environmental Quality Act (CEQA)

An Initial Study/Mitigated Negative Declaration (IS/MND) (SCH No. 2023010470) was previously prepared and adopted for Plot Plan No. 210016 in accordance with CEQA. The IS/MND identified potential environmental impacts in areas including aesthetics, biological resources, cultural resources, hazards, paleontology, transportation, tribal cultural resources, wildfire, and mandatory findings of significance; however, all impacts were reduced to less than significant levels through mitigation measures.

An Addendum to the previously adopted IS/MND has been prepared pursuant to State CEQA Guidelines Section 15164 to evaluate the proposed zone change and conditional use permit. The Addendum concludes that the proposed project would not result in new significant environmental impacts or a substantial increase in the severity of previously identified impacts. The project remains subject to all previously adopted mitigation measures and conditions of approval. Therefore, no subsequent or supplemental environmental document is required.
All documents supporting this determination are located at the County of Riverside Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92502.

Public Opposition and Response/Mitigation

The project was advertised in the Press Enterprise Newspaper, and public hearing notices were mailed to property owners within 1,000 feet of the project site. At the time of preparation of this report, no written or verbal comments indicating support or opposition were received.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through interdepartmental review and environmental analysis. The proposed project does not include physical expansion or intensification of development and is consistent with surrounding commercial land uses.

SUPPLEMENTAL:

Additional Fiscal Information

All fees are paid by the applicant; there is no General Fund obligation.

ATTACHMENTS:

Attachment A – PC Report of Actions

Attachment B – PC Minutes
Attachment C – Planning Commission Staff Report
Attachment D – Advisory Notification Document
Attachment E – Conditions of Approval
Attachment F – PPT210016 - Conditions of Approval
Attachment G – Addendum to Initial Study/Mitigated Negative Declaration
Attachment H – Change of Zone Exhibit
Attachment I – Change of Zone Ordinance
Attachment J – Site Plan
Attachment K – Floor Plan
Attachment L – GIS Exhibits
Attachment M – Mailing Labels
Attachment N – Radius Map

Crystal Carrillo
Crystal Carrillo, Senior Management Analyst 4/30/2026

Aaron Gettis
Aaron Gettis, Chief Deputy County Counsel 4/28/2026

ORDINANCE NO. 348.5054

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Section 4.1 of Ordinance No. 348, and official Zoning Plan Map No. 2, as amended, are further amended by placing in effect in the Meadowbrook Area, the zone or zones as shown on the map entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map No. 2.2521, Change of Zone Case No. 2400053" which map is made a part of this ordinance.

Section 2. This ordinance shall take effect 30 days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

By: Karen S. Spiegel
Chair, Board of Supervisors
KAREN SPIEGEL

ATTEST:
KIMBERLY RECTOR
CLERK OF THE BOARD

By: _____
Deputy

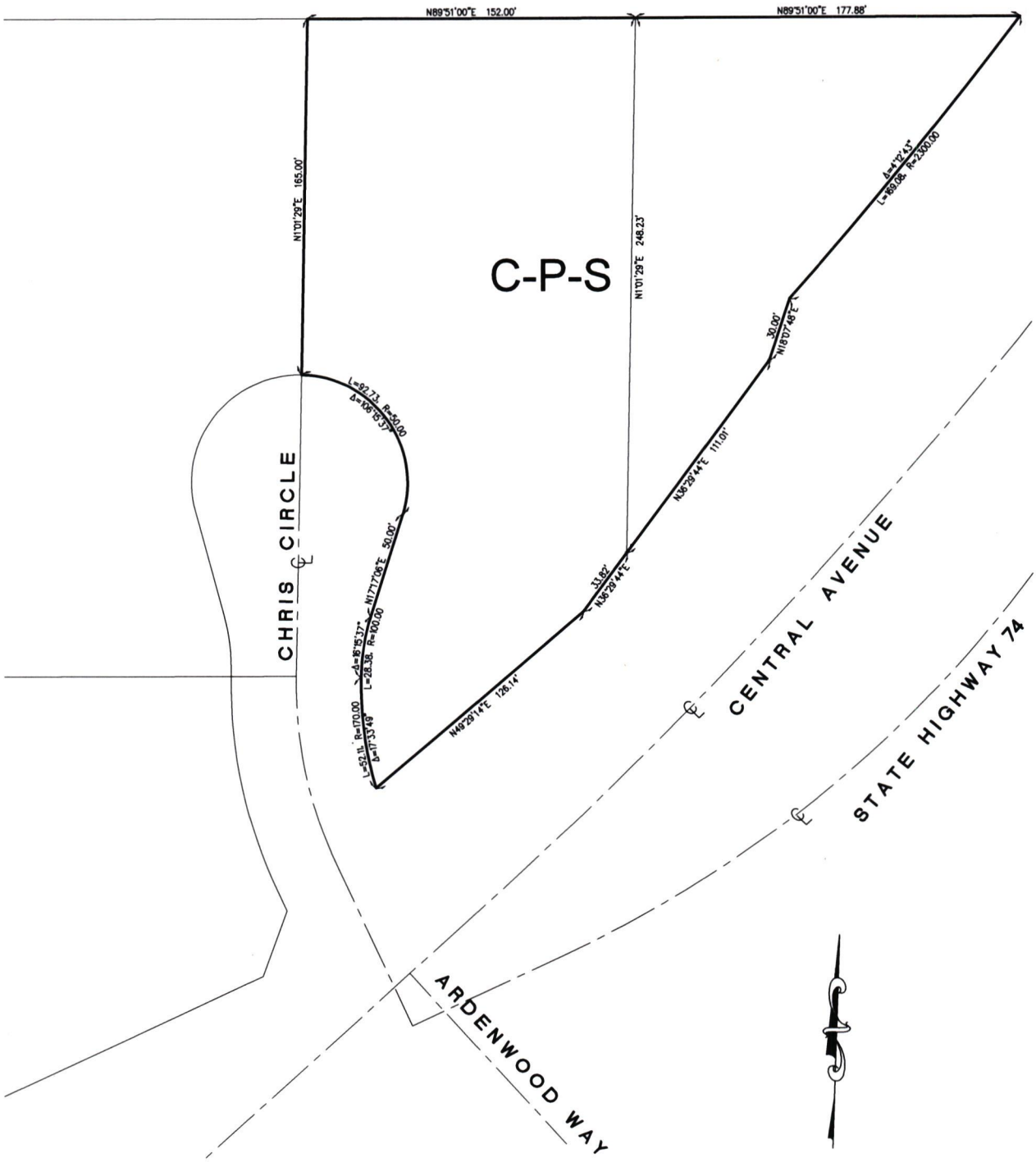
(SEAL)

APPROVED AS TO FORM
March 31, 2026

By: _____
BRADEN HOLLY
Deputy County Counsel

MAY 05 2026 23.1

SEC. 29, T5S., R. 4W. S.B.M.



LEGEND

C-P-S — SCENIC HIGHWAY COMMERCIAL

CHANGE OF OFFICIAL ZONING PLAN
AMENDING
MAP NO. 2.2521 ORDINANCE NO. 348.5054

CHANGE OF ZONE CASE NO. 2400053
ADOPTED BY ORDINANCE NO. 348.5054
MAY 5, 2026
RIVERSIDE COUNTY BOARD OF SUPERVISORS

APN'S: 347-130-028 and 347-130-029

STATE OF CALIFORNIA)
) ss
COUNTY OF RIVERSIDE)

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on May 5, 2026, the foregoing ordinance consisting of 2 Sections was adopted by the following vote:

AYES: Medina, Spiegel, Washington, Perez

NAYS: None

ABSENT: Gutierrez

ABSTAIN: None

DATE: May 5, 2026

KIMBERLY A. RECTOR
Clerk of the Board

BY: _____
Deputy

SEAL

RIVERSIDE COUNTY
PLANNING DEPARTMENT

REPORT OF ACTIONS
RIVERSIDE COUNTY PLANNING COMMISSION – MARCH 18, 2026
COUNTY ADMINISTRATIVE CENTER
1st Floor, Board Chambers, 4080 Lemon Street, Riverside, CA 92501

1st District	2nd District	3rd District	4th District	5th District
Ariel Savage	Marissa Gruytch Chair	Shellie Clack Vice-Chair	Bill Sanchez	Vacant

CALL TO ORDER: 9:00 a.m.
OATH OF OFFICE
ROLL CALL: Members Present: Savage, Gruytch, Clack, and Sanchez
Members Absent: None

1 CONSENT CALENDAR:

1.1 30088 SECOND EXTENSION OF TIME REQUEST FOR TENTATIVE TRACT MAP NO. 31810 (TR31810E02) – Applicant: Predico Properties c/o Michael Wright – Fifth Supervisorial District – Valle Vista District – San Jacinto Valley Area Plan: Community Development: Medium Density Residential, (CD: MDR) and Medium High Density Residential (CD: MHDR) – Location: north of Palm Ave, west of Lincoln Ave, south of Olive Ave, and east of Fairview Ave – 44.77 Acres – Zoning: R-4 (Planned Residential) – Project Description: Schedule "A" - Subdivision of 42.61 acres into 187 Single-Family Residential Lots including one (1) Open Space and one (1) Detention Basin was originally approved on March 10, 2020, and the First Extension of Time was approved on February 1, 2023 – REQUEST: Second Extension of Time Request for Tentative Tract Map No. 31810 (TR31810E02), extending the expiration date for three (3) years to March 10, 2029. APNs: 548-040-037 and 549-210-038 – Related Cases: TR31810 and TR31810E01 – Project Planner: Edward Lincoln at 951-955-8514, or email at elincoln@rivco.org. District 5.

Planning Commission Action:
Public Hearing: Closed

Motioned by Commissioner Sanchez, 2nd by Commissioner Gruytch

By a vote of 4-0, the Planning Commission took the following action:

APPROVED the Second Extension of Time Request for Tentative Tract Map No. 31810, subject to the previously approved and amended Conditions of Approval.

2 PUBLIC HEARINGS CONTINUED:
NONE

3. PUBLIC HEARINGS – NEW:

3.1 29899 CHANGE OF ZONE NO. 2400053 (CZ2400053) & CONDITIONAL USE PERMIT NO. 240025 (CUP240025) – Exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) – Applicant: Salim Daher, c/o DB Oil – Engineer/Representative: Western States Engineering c/o Joseph Karaki – Second Supervisorial District – Meadowbrook Zoning Area – Elsinore Area Plan: Community Development: Commercial Retail (CD:CR) – Location: northwest of Highway 74 and south of El Toro Cutoff – 1.44 Gross Acres – Zoning: Manufacturing-Service Commercial (M-SC) – REQUEST: CZ2400053 is a request to change the existing zoning classification of the subject site from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) to allow for the

Planning Commission Action:
Public Hearing: Closed

Motioned by Commissioner Gruytch, 2nd by Commissioner Sanchez

By a vote of 4-0, the Planning Commission recommended that the Board of Supervisors take the following actions:

TENTATIVELY APPROVE Change of Zone No. 2400053; and,

TENTATIVELY APPROVE Conditional Use Permit No. 240025, subject to the Advisory Notification Document and Conditions of Approval.

sale of alcoholic beverages in conjunction with a gas station within the C-P-S zoning classification. CUP240025 is a request to allow for the sale of alcoholic beverages for off-premises consumption by establishing a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the proposed convenience store and gas station established under the previously approved Plot Plan No. 210016 (PPT210016). APN(s): 347-130-028, 347-130-029. – Project Planner: Suhaim Bawany (951)955-3103, or email at sbawany@rivco.org.

4 GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS:

4.1 29807 INITIATION OF FOUNDATION COMPONENT GENERAL PLAN AMENDMENT NO. 240062 (GPA240062) – Applicant: RJ Noble Co. c/o Austin Carver – Engineer/Representative: Benchmark Resources c/o Andrew White – Second Supervisorial District – Glen Ivy Zoning Area/District – Temescal Canyon Area Plan – General Plan Foundation Component - Existing: Open Space (OS) - Proposed: Community Development (CD) – Location: north of Indian Truck Trail, east of Maitri Road, south of Glen Ivy Road & Temescal Canyon Road, and west of North Main Drive – 33.52 Gross Acres – Existing Zoning: M-R-A (Mineral Resources and Related Manufacturing) – REQUEST: The applicant requests that the County of Riverside consider whether to recommend the initiation of GPA240062 to change the General Plan Foundation Component of two (2) parcels from Open Space: Mineral Resources (OS: MIN) to Community Development: Heavy Industrial (CD: HI). Additional development applications and review by the County to confirm that the overall project complies with applicable standards, policies, findings, and other requirements will be required if the proposed GPA240062 is initiated by the Board of Supervisors. APNs: 290-110-020 & 290-110-059 – Project Planner: Edward Lincoln at (951) 955-8514, or email at elincoln@rivco.org. District 2.

Planning Commission Action:
Public Hearing: Closed

District 1 – Support
District 2 – Support
District 3 – Neutral
District 4 – Support
District 5 – Vacant

RECOMMENDED the Initiation of Foundation Component General Plan Amendment No. 240062 move forward to the Board of Supervisors.

5 COMPREHENSIVE AGRICULTURAL PRESERVE TECHNICAL ADVISORY COMMITTEE (CAPTAC):
NONE

6 SCOPING SESSION:

6.1 29987 SCOPING SESSION FOR AN ENVIRONMENTAL IMPACT REPORT FOR GENERAL PLAN AMENDMENT NO. 240089 (GPA240089), CHANGE OF ZONE NO. 2400043 (CZ2400043), TENTATIVE TRACT MAP NO. 39041 (TTM39041), AND CONDITIONAL USE PERMIT NO. 240021 (CUP240021) – Applicant: Michael Ingster – Representative: Morgan Gallagher – Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan – Community Development: Medium Density Residential (CD: MDR) – Location: north of 60th Avenue, east of Monroe Street, south of 58th Avenue, and west of Jackson Street – 29.99 Gross Acres – Zoning: R-1 (One-Family Dwellings) and R-5 (Open Area Combining Zone - Residential Developments) – REQUEST: GPA240089 is a proposal to amend the

Planning Commission Action:
Public Hearing: Closed

The item was presented and opened for public comment; comments were received.

existing land use designation from Community Development: Medium Density Residential (CD: MDR) to proposed Community Development: Mixed Use Planning Area (CD: MUA). CZ2400043 is a proposal to amend the existing zone classification from R-1 (One-Family Dwellings) and R-5 (Open Area Combining Zone - Residential Developments) to proposed MU (Mixed Use). TTM39041 is a proposal to allow a Schedule "A" subdivision, with the existing parcel being divided into the following: 70 numbered lots (including 58 single-family, 1 multi-family, 3 commercial, and 8 open space lots), and 4 lettered lots for the purpose of dedicated privately maintained streets (Lots “A”, “B”, “C”, and “D”). CUP240021 is a proposal to allow for the construction of a resort and residences development that consists of a 67-guestroom hotel with an event pavilion, event lawn, pool, and shared parking, a spa and fitness center with a pool and shared parking, 31 single-story casitas (located on a single parcel), and 58 single-family dwellings, including 26 luxury villas and 32 branded residences. APN: 764-230-009 – Related Cases: PAR210028 – Project Planner: Elizabeth Mora-Rodriguez at (951) 955-5719, or email at emorarodriguez@rivco.org. District 4.

6.2 29997 SCOPING SESSION FOR CABAZON COMMUNITY PLAN GENERAL PLAN AMENDMENT NO. 1206 (GPA01206) – APPLICANT: County of Riverside – Fifth Supervisorial District – ENGINEER: KTGY – AREA PLAN: The Pass and Western Coachella Area Plans – Cabazon Policy Area and San Gorgonio Pass Wind Energy Policy Area – Pass and Desert District, Cabazon Zoning District and Whitewater Zoning Area – Location: Properties generally located southwest of the 10th St. and Millard Pass intersection, southwest of the Railroad Ave. and Apache Trail Intersection, north of Seminole Dr. directly east of Casino Morongo, and northwest of Rushmore Ave. and Penland Rd. Intersection – Approximately 470 Acres – REQUEST: GPA01206 consists of General Plan Foundation Component changes and Land Use Designation and policy updates, generally within the Pass and Western Coachella Area Plans. The proposed project would include the implementation of the Cabazon Community Plan (CCP) and corresponding Cabazon Infrastructure Plan (CIP) in accordance with the County’s 6th Cycle Housing Element. The goal of the CCP is to address the Community of Cabazon’s land use and infrastructure needs to prepare the Cabazon area for significant anticipated economic growth and development, particularly as the region plans for the possibility of accommodating up to 25,000 new housing units over the next 30 years in this environmental justice community. It will also revise the Area Plans and create new policies and neighborhood planning areas to provide direction for future orderly development of the communities. This scoping session is for the circulation of the Programmatic Environmental Impact Report to analyze the broad environmental effects of the Cabazon Community

Planning Commission Action:
Public Hearing: Closed

The item was presented and opened for public comment; comments were received.

Plan, which is an item of the County's 6th Cycle Housing Element Action H-27. The scoping session begins on March 9th, 2026, and ends on April 08, 2026. – Project Planner: Candice Hughes at (951) 955-1639, or email at chughes@rivco.org. District 5.

7 WORKSHOPS:
NONE

8 PUBLIC COMMENTS:
NONE

9 PLANNING DIRECTOR'S REPORT:
NONE

10 PLANNING COMMISSIONER'S COMMENTS:
NONE

ADJOURNMENT: 10:25 A.M.

RIVERSIDE COUNTY
PLANNING DEPARTMENT

MINUTE ORDER
RIVERSIDE COUNTY PLANNING COMMISSION – MARCH 18, 2026
COUNTY ADMINISTRATIVE CENTER
1st Floor, Board Chambers, 4080 Lemon Street, Riverside, CA 92501

I. AGENDA ITEM 1.1

SECOND EXTENSION OF TIME REQUEST FOR TENTATIVE TRACT MAP NO. 31810 (TR31810E02) – Applicant: Predico Properties c/o Michael Wright – Fifth Supervisorial District – Valle Vista District – San Jacinto Valley Area Plan: Community Development: Medium Density Residential, (CD: MDR) and Medium High Density Residential (CD: MHDR) – Location: north of Palm Ave, west of Lincoln Ave, south of Olive Ave, and east of Fairview Ave – 44.77 Acres – Zoning: R-4 (Planned Residential) – Project Description: Schedule "A" - Subdivision of 42.61 acres into 187 Single-Family Residential Lots including one (1) Open Space and one (1) Detention Basin was originally approved on March 10, 2020, and the First Extension of Time was approved on February 1, 2023.

PROJECT DESCRIPTION:

Second Extension of Time Request for Tentative Tract Map No. 31810 (TR31810E02), extending the expiration date for three (3) years to March 10, 2029. APNs: 548-040-037 and 549-210-038 – Related Cases: TR31810 and TR31810E01. District 5.

II. MEETING SUMMARY:

The proposed item was presented by: Chair Gruytch

No one spoke in favor, opposition, or in a neutral position.

III. CONTROVERSIAL ISSUES:

None

IV. PLANNING COMMISSION ACTION:

Public Hearing: Closed

Motioned by Commissioner Sanchez, 2nd by Commissioner Gruytch

By a vote of 4-0, the Planning Commission took the following action:

APPROVED the Second Extension of Time Request for Tentative Tract Map No. 31810.

RIVERSIDE COUNTY
PLANNING DEPARTMENT

MINUTE ORDER
RIVERSIDE COUNTY PLANNING COMMISSION – MARCH 18, 2026
COUNTY ADMINISTRATIVE CENTER
1st Floor, Board Chambers, 4080 Lemon Street, Riverside, CA 92501

I. AGENDA ITEM 3.1

CHANGE OF ZONE NO. 2400053 (CZ2400053) & CONDITIONAL USE PERMIT NO. 240025 (CUP240025) – Addendum to Initial Study/Mitigated Negative Declaration for Plot Plan No. 210016 (PPT210016), pursuant to State CEQA Guidelines Section 15164 – Applicant: Salim Daher, c/o DB Oil – Engineer/Representative: Western States Engineering c/o Joseph Karaki – Second Supervisorial District – Meadowbrook Zoning Area – Elsinore Area Plan: Community Development: Commercial Retail (CD:CR) – Location: northwest of Highway 74 and south of El Toro Cutoff – 1.44 Gross Acres – Zoning: Manufacturing-Service Commercial (M-SC).

PROJECT DESCRIPTION:

CZ2400053 is a request to change the existing zoning classification of the subject site from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) to allow for the sale of alcoholic beverages in conjunction with a gas station within the C-P-S zoning classification. CUP240025 is a request to allow for the sale of alcoholic beverages for off-premises consumption by establishing a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the proposed convenience store and gas station established under the previously approved Plot Plan No. 210016 (PPT210016). APN(s): 347-130-028, 347-130-029. District 2.

II. MEETING SUMMARY:

The proposed item was presented by: Suhaim Bawany (951) 955-3103

No one spoke in favor, opposition, or in a neutral position.

III. CONTROVERSIAL ISSUES:

None

IV. PLANNING COMMISSION ACTION:

Public Hearing: Closed

Motioned by Commissioner Gruytch, 2nd by Commissioner Sanchez

By a vote of 4-0, the Planning Commission recommended that the Board of Supervisors take the following actions:

TENTATIVELY APPROVE Change of Zone No. 2400053; and,

TENTATIVELY APPROVE Conditional Use Permit No. 240025, subject to the Advisory Notification Document and Conditions of Approval.

RIVERSIDE COUNTY
PLANNING DEPARTMENT

MINUTE ORDER
RIVERSIDE COUNTY PLANNING COMMISSION – MARCH 18, 2026
COUNTY ADMINISTRATIVE CENTER
1st Floor, Board Chambers, 4080 Lemon Street, Riverside, CA 92501

I. AGENDA ITEM 4.1

INITIATION OF FOUNDATION COMPONENT GENERAL PLAN AMENDMENT NO. 240062 (GPA240062) – Applicant: RJ Noble Co. c/o Austin Carver – Engineer/Representative: Benchmark Resources c/o Andrew White – Second Supervisorial District – Glen Ivy Zoning Area/District – Temescal Canyon Area Plan – General Plan Foundation Component - Existing: Open Space (OS) - Proposed: Community Development (CD) – Location: north of Indian Truck Trail, east of Maitri Road, south of Glen Ivy Road & Temescal Canyon Road, and west of North Main Drive – 33.52 Gross Acres – Existing Zoning: M-R-A (Mineral Resources and Related Manufacturing).

PROJECT DESCRIPTION:

The applicant requests that the County of Riverside consider whether to recommend the initiation of GPA240062 to change the General Plan Foundation Component of two (2) parcels from Open Space: Mineral Resources (OS: MIN) to Community Development: Heavy Industrial (CD: HI). Additional development applications and review by the County to confirm that the overall project complies with applicable standards, policies, findings, and other requirements will be required if the proposed GPA240062 is initiated by the Board of Supervisors. APNs: 290-110-020 & 290-110-059. District 2.

II. MEETING SUMMARY:

The proposed item was presented by: Edward Lincoln (951) 955-8514

Spoke in favor:
Andrew White (Applicant)
Patrick Mitchell (Applicant's Representative)

Spoke in opposition:
Ruth Brissenden (Neighbor) – concerned w/status of mining report, traffic, hours of operation, bad procedures
Tracy Davis (Neighbor) – lack of information and communication to the community
Jerry Sincich (Neighbor) – lack of infrastructure, health and safety concerns, bad air quality

No one spoke in a neutral position.

III. CONTROVERSIAL ISSUES:

None

IV. PLANNING COMMISSION ACTION:

Public Hearing: Closed

District 1 – Support
District 2 – Support
District 3 – Neutral
District 4 – Support
District 5 – Vacant

RECOMMENDED the Initiation of Foundation Component General Plan Amendment No. 240062 move forward to the Board of Supervisors.

RIVERSIDE COUNTY
PLANNING DEPARTMENT

MINUTE ORDER
RIVERSIDE COUNTY PLANNING COMMISSION – MARCH 18, 2026
COUNTY ADMINISTRATIVE CENTER
1st Floor, Board Chambers, 4080 Lemon Street, Riverside, CA 92501

I. AGENDA ITEM 6.1

SCOPING SESSION FOR AN ENVIRONMENTAL IMPACT REPORT FOR GENERAL PLAN AMENDMENT NO. 240089 (GPA240089), CHANGE OF ZONE NO. 2400043 (CZ2400043), TENTATIVE TRACT MAP NO. 39041 (TTM39041), AND CONDITIONAL USE PERMIT NO. 240021 (CUP240021) – Applicant: Michael Ingster – Representative: Morgan Gallagher – Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan – Community Development: Medium Density Residential (CD: MDR) – Location: north of 60th Avenue, east of Monroe Street, south of 58th Avenue, and west of Jackson Street – 29.99 Gross Acres – Zoning: R-1 (One-Family Dwellings) and R-5 (Open Area Combining Zone - Residential Developments).

PROJECT DESCRIPTION:

GPA240089 is a proposal to amend the existing land use designation from Community Development: Medium Density Residential (CD: MDR) to proposed Community Development: Mixed Use Planning Area (CD: MUA). CZ2400043 is a proposal to amend the existing zone classification from R-1 (One-Family Dwellings) and R-5 (Open Area Combining Zone - Residential Developments) to proposed MU (Mixed Use). TTM39041 is a proposal to allow a Schedule "A" subdivision, with the existing parcel being divided into the following: 70 numbered lots (including 58 single-family, 1 multi-family, 3 commercial, and 8 open space lots), and 4 lettered lots for the purpose of dedicated privately maintained streets (Lots “A”, “B”, “C”, and “D”). CUP240021 is a proposal to allow for the construction of a resort and residences development that consists of a 67-guestroom hotel with an event pavilion, event lawn, pool, and shared parking, a spa and fitness center with a pool and shared parking, 31 single-story casitas (located on a single parcel), and 58 single-family dwellings, including 26 luxury villas and 32 branded residences. APN: 764-230-009 – Related Cases: PAR210028. District 4.

II. MEETING SUMMARY:

The proposed item was presented by: Elizabeth Mora Rodriguez (951) 955-5719

Spoke in a neutral position:
Salvador Amezquita (Neighbor/Interested Party) – project-generated jobs should go to community residents

No one spoke in favor or opposition.

III. CONTROVERSIAL ISSUES:

None

IV. PLANNING COMMISSION ACTION:

Public Hearing: Closed

The item was presented and opened for public comment; comments were received.

RIVERSIDE COUNTY
PLANNING DEPARTMENT

MINUTE ORDER
RIVERSIDE COUNTY PLANNING COMMISSION – MARCH 18, 2026
COUNTY ADMINISTRATIVE CENTER
1st Floor, Board Chambers, 4080 Lemon Street, Riverside, CA 92501

I. AGENDA ITEM 6.2

SCOPING SESSION FOR CABAZON COMMUNITY PLAN GENERAL PLAN AMENDMENT NO. 1206 (GPA01206) – APPLICANT: County of Riverside – Fifth Supervisorial District – ENGINEER: KTGY – AREA PLAN: The Pass and Western Coachella Area Plans – Cabazon Policy Area and San Gorgonio Pass Wind Energy Policy Area – Pass and Desert District, Cabazon Zoning District and Whitewater Zoning Area – Location: Properties generally located southwest of the 10th St. and Millard Pass intersection, southwest of the Railroad Ave. and Apache Trail Intersection, north of Seminole Dr. directly east of Casino Morongo, and northwest of Rushmore Ave. and Penland Rd. Intersection – Approximately 470 Acres.

PROJECT DESCRIPTION:

GPA01206 consists of General Plan Foundation Component changes and Land Use Designation and policy updates, generally within the Pass and Western Coachella Area Plans. The proposed project would include the implementation of the Cabazon Community Plan (CCP) and corresponding Cabazon Infrastructure Plan (CIP) in accordance with the County's 6th Cycle Housing Element. The goal of the CCP is to address the Community of Cabazon's land use and infrastructure needs to prepare the Cabazon area for significant anticipated economic growth and development, particularly as the region plans for the possibility of accommodating up to 25,000 new housing units over the next 30 years in this environmental justice community. It will also revise the Area Plans and create new policies and neighborhood planning areas to provide direction for future orderly development of the communities. This scoping session is for the circulation of the Programmatic Environmental Impact Report to analyze the broad environmental effects of the Cabazon Community Plan, which is an item of the County's 6th Cycle Housing Element Action H-27. The scoping session begins on March 9th, 2026, and ends on April 08, 2026. District 5.

II. MEETING SUMMARY:

The proposed item was presented by: Candice Hughes at (951) 955-1639

Spoke in a neutral position:
Sarah Wargo (Interested Party) – concerns with water, transportation, traffic, and public safety.

No one spoke in favor or opposition.

III. CONTROVERSIAL ISSUES:

None

IV. PLANNING COMMISSION ACTION:

Public Hearing: Closed

The item was presented and opened for public comment; comments were received.

COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT

Agenda Item No.
3.1
(ID # 29899)
MEETING DATE:
Wednesday, March 18, 2026

SUBJECT: CHANGE OF ZONE NO. 2400053 (CZ2400053) & CONDITIONAL USE PERMIT NO. 240025 (CUP240025) – Addendum to Initial Study/Mitigated Negative Declaration for Plot Plan No. 210016 (PPT210016), pursuant to State CEQA Guidelines Section 15164 – Applicant: Salim Daher, c/o DB Oil – Engineer/Representative: Western States Engineering c/o Joseph Karaki – Second Supervisorial District – Meadowbrook Zoning Area – Elsinore Area Plan: Community Development: Commercial Retail (CD:CR) – Location: northwest of Highway 74 and south of El Toro Cutoff – 1.44 Gross Acres – Zoning: Manufacturing-Service Commercial (M-SC) – REQUEST: CZ2400053 is a request to change the existing zoning classification of the subject site from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) to allow for the sale of alcoholic beverages in conjunction with a gas station within the C-P-S zoning classification. CUP240025 is a request to allow for the sale of alcoholic beverages for off-premises consumption by establishing a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the proposed convenience store and gas station established under the previously approved Plot Plan No. 210016 (PPT210016). APN(s): 347-130-028, 347-130-029 – Project Planner: Suhaim Bawany at (951) 955-3103, or email at sbawany@rivco.org. District 2.

PROPOSED PROJECT	
Case Number(s):	CZ2400053, CUP240025
Environmental Type:	Mitigated Negative Declaration Addendum
Area Plan No.	Elsinore
Zoning Area/District:	Meadowbrook Area
Supervisorial District:	Second District
Project Planner:	Suhaim Bawany
Project APN(s):	347-130-028, 347-130-029
Continued From:	

John Hildebrand, Planning Director 3/12/2026

PROJECT DESCRIPTION AND LOCATION

Change of Zone No. 2400053 (CZ2400053) is a request to change the subject site from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) to allow for the sale of alcoholic beverages in conjunction with a gas station within the C-P-S zoning classification; and

Conditional Use Permit No. 240025 (CUP240025) is a request to allow for the sale of alcoholic beverages for off-premises consumption by establishing a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the proposed convenience store and gas station established under Plot Plan No. 210016.

The project site is generally located west of Highway 74 and east of Chris Circle. Specifically, the project site is located at 28771 Central Avenue, Lake Elsinore, CA 92532, and is within the Elsinore Area Plan.

PROJECT RECOMMENDATION

STAFF RECOMMENDATION:

THAT THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

FIND that an **ADDENDUM** to the previously adopted Initial Study/Mitigated Negative Declaration for Plot Plan No. 210016 (PPT210016) has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines Section 15164, and that the Addendum demonstrates the proposed project would not result in new significant environmental impacts or a substantial increase in the severity of previously identified impacts; therefore, no subsequent environmental review is required.

TENTATIVELY APPROVE CHANGE OF ZONE NO. 2400053 (CZ2400053), to change the existing zoning classification of APN: 347-130-028 and 347-130-029 from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S), to allow for the sale of alcoholic beverages in conjunction with a gas station within the C-P-S zoning classification, in accordance with Attachment A - Change of Zone Map attached hereto and incorporated herein, subject to the attached Advisory Notification Document, conditions of approval and based upon the findings and conclusions incorporated in the staff report and pending final adoption of the Zoning Ordinance for CZ2400053 by the Board of Supervisors.

TENTATIVELY APPROVE CONDITIONAL USE PERMIT NO. 240025 (CUP240025), to allow for the sale of alcoholic beverages for off-premises consumption by establishing a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the proposed convenience store and gas station established under Plot Plan No. 210016, subject to the attached Advisory Notification Document, conditions of approval and based upon the findings and conclusions incorporated in the staff report and pending final adoption of CZ2400053 by the Board of Supervisors.

PROJECT DATA	
Land Use and Zoning:	
Existing General Plan Foundation Component:	Community Development
Existing General Plan Land Use Designation:	Commercial Retail (CR)
Policy / Overlay Area:	Highway 74 Policy Area
Surrounding General Plan Land Uses	
North:	Light Industrial (LI)
East:	N/A – City of Lake Elsinore
South:	City of Lake Elsinore
West:	Light Industrial (LI) and Commercial Retail (CR)
Existing Zoning Classification:	Manufacturing – Service Commercial (M-SC)
Proposed Zoning Classification:	Scenic Highway Commercial (C-P-S)
Surrounding Zoning Classifications	
North:	Manufacturing – Service Commercial (M-SC)
East:	N/A – City of Lake Elsinore
South:	N/A – City of Lake Elsinore
West:	Manufacturing – Service Commercial (M-SC)
Existing Use:	Vacant Land
Surrounding Uses	
North:	Automotive Repair and Residential
East:	Highway 74 and Residential (City of Lake Elsinore)
South:	Highway 74 and Residential (City of Lake Elsinore)
West:	Vacant Land

Project Details:

Item	*Value*	*Min./Max. Development Standard*
Project Site (SF/Acres):	62,726 SF (1.44 Acres)	No minimum lot area requirement
Proposed Building Area (SF):	3,516 SF	N/A (No min./max.)
Floor Area Ratio:	.11	N/A (No min./max.)
Building Height (FT):	33 FT	75 FT

Parking:

Type of Use	*Building Area (in SF)*	*Parking Ratio*	*Spaces Required*	*Spaces Provided*
Convenience Store	3,516 SF	1 space/ 200 sq. ft. gross floor area	18	21

Type of Use	*Building Area (in SF)*	*Parking Ratio*	*Spaces Required*	*Spaces Provided*
TOTAL:	3,516 SF		**18**	**21**

Located Within:

City's Sphere of Influence:	Yes – City of Lake Elsinore
Community Service Area ("CSA"):	No
Special Flood Hazard Zone:	No
Agricultural Preserve:	No
Liquefaction Area:	No
Subsidence Area:	No
Fault Zone:	No
Fire Zone:	Yes – Very High
Mount Palomar Observatory Lighting Zone:	Yes – Zone B
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	Yes – In the SKR Fee Area
Airport Influence Area ("AIA"):	No
Environmental Justice Community:	Yes - Warm Springs

PROJECT LOCATION MAP

Figure 1: Project Location Map

PROJECT B[illegible]ALYSIS

Background:

Plot Plan No. 210016 (PPT210016) was approved by the Director's Hearing on April 17, 2023, to establish a 3,516-square-foot convenience store (without alcoholic beverages), self-service fuel station, and freestanding canopy within the Manufacturing – Service Commercial (M-SC) zoning classification. All previously approved Conditions of Approval for PPT210016 remain applicable, and the current request does not modify the approved Plot Plan.

Following this approval, the Highway 74 Community Plan was adopted by the Board of Supervisors on December 12, 2023, through General Plan Amendment No. 1205 (GPA1205). As part of that amendment, the General Plan land use designation for the subject site was changed from Light Industrial (LI) to Commercial Retail (CR). However, the property's zoning remains Manufacturing – Service Commercial (M-SC), resulting in an inconsistency between the

General Plan land use designation and the zoning classification, which is not permitted under State law.

To resolve this inconsistency and to allow for the sale of alcoholic beverages, the applicant has submitted Change of Zone No. 2400053 (CZ2400053) to rezone the subject site from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S), and also concurrently submitted for Conditional Use Permit No. 240025 (CUP240025) to allow a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with a gas station within the C-P-S zoning classification.

Alcoholic Beverage License Concentrations

The California Department of Alcoholic Beverage Control (“ABC") is the controlling State entity which grants, renews, and revokes all ABC licenses. ABC determines how many “On-Sale,” and “Off-Sale” alcoholic beverage license types should be issued per census tract, based upon the tract's population. The proposed general convenience store is located within census tract no. 430.05 and the results of the census show that this tract has a total population of 5,744 persons. Pursuant to ABC, Off-Sale license types are issued at a rate of one (1) license per 2,000 residents. The census tract allows for three (3) Off-Sale licenses and five (5) On-Sale licenses. Currently there is one (1) Off-Sale ABC license and three (3) On- Sale ABC licenses. This Project requests to establish a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license within census tract no. 430.05 resulting in two Off-Sale ABC licenses, which is still beneath the threshold of three Off-Sale licenses for the census tract. ABC generally defers the decision-making process for allowing new ABC licenses in overconcentrated census tracts to the local jurisdiction which has land use authority when Public Convenience and Necessity (“PCN") findings can be made. In this case, the request is to establish a new Off-Sale ABC license, and the result is still beneath the threshold of three, so no PCN findings are necessary. Furthermore, the addition of alcoholic beverage sales for off-site consumption provides community convenience in addition to having access to general food items. As a result, County staff is supporting the request to establish the Off-Sale ABC license within census tract no. 430.05.

Sphere of Influence

The Project site is located within the City of Lake Elsinore sphere of influence area. During the initial review process the application was submitted to the City for review on May 1, 2025. County staff received no comments either in support or in opposition from the City of Lake Elsinore.

ENVIRONMENTAL REVIEW AND ENVIRONMENTAL FINDINGS

The proposed scope of work under Plot Plan No. 210016 (PPT210016) qualified as a "project" pursuant to the definition provided in the California Environmental Quality Act (CEQA). In accordance with CEQA requirements, an Initial Study (IS) and Mitigated Negative Declaration (MND) (SCH No. 2023010470) were prepared and circulated for public and agency review. The MND identified the potential for significant impacts from the proposed Project within the analysis areas of Aesthetics, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Paleontological Resources, Transportation, Tribal Cultural Resources, Wildfire and Mandatory Findings of Significance; however, with incorporation of the mitigation measures, the document concludes that all such potential impacts are determined to be reduced to "less than significant." PPT210016 was subsequently approved by the Director's Hearing on April 17, 2023, to establish a 3,516-square-foot convenience store, self-service fuel station, and freestanding canopy.

Separately, an Environmental Impact Report (EIR) was prepared in accordance with CEQA to evaluate the potential environmental impacts associated with the implementation of General Plan Amendment No. 1205 (GPA1205), also known as the Highway 74 Community Plan (SCH No. 2019059042). The EIR analyzed, among other components, the change in the General Plan land use designation for the subject site from Light Industrial (LI) to Commercial Retail (CR). GPA1205 was adopted by the Board of Supervisors on December 12, 2023, as part of the Second Cycle Land Use Element General Plan Update.

An Addendum to the previously adopted Initial Study/Mitigated Negative Declaration for Plot Plan No. 210016 (PPT210016) has been prepared pursuant to State CEQA Guidelines Section 15164 to evaluate the potential environmental impacts associated with the proposed project. The Addendum evaluates whether the proposed project would result in any new significant environmental impacts or a substantial increase in the severity of previously identified impacts beyond those analyzed in the adopted IS/MND. The Addendum concludes that the proposed project would not result in new significant environmental impacts, nor would it substantially increase the severity of previously identified impacts. The project will remain subject to all applicable mitigation measures and conditions of approval identified in the previously adopted IS/MND. Therefore, in accordance with CEQA Guidelines Section 15164, preparation of a subsequent or supplemental environmental document is not required.

FINDINGS AND CONCLUSIONS

In order for the County to approve a proposed project, the following findings are required to be made:

Land Use Findings:

1. The project site has a General Plan Land Use Designation of Community Development: Commercial Retail (CD:CR) and is located within the Elsinore Area Plan. Alcoholic beverage sales, in conjunction with a convenience store and gas station, is a compatible use within the Commercial Retail General Plan Land Use Designation, as it is characterized as a commercial activity.

2. The project site is currently zoned Manufacturing – Service Commercial (M-SC) and is proposed to be rezoned to Scenic Highway Commercial (C-P-S) to allow the sale of alcoholic beverages in conjunction with a gas station. The C-P-S zoning classification permits the sale of alcoholic beverages for off-site consumption, subject to the approval of a Conditional Use Permit (CUP).

3. The Project is consistent with Ordinance No. 348, Section 18.28 (Land Use) and is allowed within the Scenic Highway Commercial (C-P-S) zoning classification, subject to a Conditional Use Permit (CUP) approval. The Project is also consistent with Ordinance 348, Section 18.48 (Alcoholic Beverage Sales).

Change of Zone Findings:

The proposed Change of Zone No. 2400053 (CZ2400053) from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) is consistent with the site's Commercial Retail (CR) General Plan land use designation and will bring the property into conformance with the General Plan. The C-P-S zoning classification is appropriate for the site and surrounding area along Highway 74, which is characterized by commercial and service-oriented uses. The zone allows the sale of alcoholic beverages for off-site consumption with a Conditional Use Permit (CUP), consistent with the applicant's request. The proposed zone change will not result in physical changes or new environmental impacts and will not be detrimental to the public health, safety, or welfare.

Conditional Use Permit Findings:

1. *The proposed use conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County.*

As identified in the Land Use findings, the project site has a General Plan Land Use Designation of Community Development: Commercial Retail (CD: CR). The Commercial Retail land use designation permits vehicle fuel stations and retail uses, including the proposed sale of alcoholic beverages within the convenience store and gas station.

2. *The overall development of the land shall be designed for the protection of the public health, safety and general welfare.*

The project is designed and conditioned to protect the public health, safety, and general welfare through compliance with the development standards of Ordinance No. 348, Section 18.48 (Alcoholic Beverage Sales), which are intended to minimize potential adverse impacts associated with alcoholic beverage sales.

3. *The proposed use conforms to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.*

As identified in the Land Use Findings, the project complies with the site's General Plan land use designation of Commercial Retail (CR) and zoning classification of Scenic Highway Commercial (C-P-S). The project does not propose any deviation from uses permitted under the General Plan or Zoning Ordinance and maintains the existing convenience store and gas station, involving only an internal operational change. Therefore, the project does not introduce a new or incompatible use relative to surrounding properties.

4. *The plan for the proposed use shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof.*

The Project is a is a request to obtain a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the gas station and convenience store. The Project does not seek to expand any existing structures, nor does it propose any significant construction or grading to the project site.

5. *All use permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.*

The project proposes a convenience store and gas station operating together on two parcels. Due to their interrelated functions, there is no practical basis to divide the property into separate uses.

Development Standards Findings:

1. The proposed project is consistent with Ordinance No. 348, in particular with the permitted uses and development standards of the Scenic Highway Commercial (C-P-S) zone as detailed below:

    a. *There is no minimum lot area requirement, unless specifically required by zone classification for a particular area.*

The previously approved Project Site is over 62,000 square feet with a frontage of 461 feet to accommodate the proposed convenience store and gas station which is compliant with the standard. This project does not propose any physical changes, structural expansions, or significant construction or grading on the site.

    b. *There are no yard requirements for buildings which do not exceed 35 feet in height, except as required for specific plans. Any portion of a building which exceeds 35 feet in height shall be set back from the front, rear and side lot lines not less than two feet for each foot by which the height exceeds 35 feet. The front setback shall be measured from the existing street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line. The rear setback shall be measured from the existing rear lot line or from any recorded alley or easement; if the rear line adjoins a street, the rear setback requirement shall be the same as required for a front setback. Each side setback shall be measured from the side lot line or from an existing adjacent street line unless a specific plan has been adopted in which case it will be measured from the specific plan street line.*

While no portion of the subject property adjoins another designated with the Zones cited above, the property fronts Highway 74 and accordingly proposes a minimum 25-foot development setback along the entirety of the frontage. This project does not propose any physical changes, structural expansions, or significant construction or grading on the site.

    c. *No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34. of this ordinance. In no event, however, shall a building or structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27. of this ordinance.*

The previously approved project proposes the construction of two commercial structures (a canopy over fuel pumps and a convenience/retail store), neither of which would exceed 33 feet in height, compliant with the standards noted above. This project does not propose any physical changes, structural expansions, or significant construction or grading on the site.

d. *Automobile storage space shall be provided as required by Section 18.12. of this ordinance.*

The project complies with the parking requirements of Section 18.12 of the Zoning Ordinance. A total of 18 parking spaces are required for the 3,516-square-foot convenience store based on a parking ratio of one space per 200 square feet of gross floor area. The site plan provides 21 parking spaces, which exceeds the minimum requirement by three spaces. Therefore, the project meets the automobile storage space requirement of the ordinance and provides adequate parking to serve the proposed use. This project does not propose any physical changes, structural expansions, or significant construction or grading on the site.

e. *All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.*

The previously proposed scope of work does not include permanent manufacturing equipment and accordingly this standard is not applicable. This project does not propose any physical changes, structural expansions, or significant construction or grading on the site.

2. Pursuant to the County's zoning ordinance, Ordinance No. 348, Section 18.48 - Alcoholic Beverage Sales, this Project meets the following development standards:

a. *A conditional use permit shall be required for the concurrent sale of motor vehicle fuels and alcoholic beverages for off-premises consumption.*

A conditional use permit is being processed to establish a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the previously approved convenience store and gas station for the sale of alcoholic beverages for off-premises consumption in the Scenic Highway Commercial (C-P-S) zoning classification.

b. *A conditional use permit shall be required for the sale of alcoholic beverages for off premises consumption in all zoning classifications, excluding C/V, where such zoning would permit the sale with plot plan approval or conditional use permit approval, however, that the provisions of Subsection B.1. shall not apply to a retail commercial establishment which (1) contains at least 20,000 square feet of*

interior floor space and is primarily engaged in the sale of groceries and (2) does not sell motor vehicle fuels.

A conditional use permit is being processed to establish a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the previously approved convenience store and gas station for the sale of alcoholic beverages for off-premises consumption in the Scenic Highway Commercial (C-P-S) zoning classification.

c. *Such facilities shall not be situated in such a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, public park or playground.*

The Project site is located more than a half mile away from the nearest school, and there are no additional public facilities within the immediate area. Therefore, the vehicle traffic generated from the use will not impact any schools, churches, or playgrounds in the area.

d. *Notice of hearing shall be given to all owners of property within 1,000 feet of the subject facility, to any elementary school or secondary school district within whose boundaries the facility is located and to any public entity operating a public park or playground within 1,000 feet of the subject facility. The Planning Director may require that additional notice be given, in a manner the Director deems necessary or desirable, to other persons or public entities.*

Notices of hearing were sent to all property owners within 1,000 feet of the Project site. There are no public facilities within 1,000 feet of the Project site. Therefore, the Project meets the development standard.

e. *The following additional development standards shall apply to the concurrent sale of motor vehicle fuels and beer and wine for off-premises consumption:*

i. *Only beer and wine may be sold.*

ii. *The owner of each location and the management at each location shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violation of these laws. In addition, the owner and management shall provide health warnings about the consumption of alcoholic beverages. This educational requirement may be met by posting prominent signs, decals or brochures at points of purchase. In addition, the owner and*

management shall provide adequate training for all employees at the location as to these matters.

iii. *No displays of beer, wine or other alcoholic beverages shall be located within five feet of any building entrance or checkout counter.*

iv. *Cold beer or wine shall be sold from, or displayed in, the main, permanently affixed electrical coolers only.*

v. *No beer, wine or other alcoholic beverages advertising shall be located on gasoline islands; and no lighted advertising for beer, wine, or other alcoholic beverages shall be located on the exterior of buildings or within window areas.*

vi. *Employees selling beer and wine between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age.*

vii. *No sale of alcoholic beverages shall be made from a drive-in window.*

A conditional use permit is being processed to allow for the sale of alcoholic beverages for off-premises consumption by establishing a Type 21 (Off-Sale Beer, Wine & Spirits) ABC license in conjunction with the proposed convenience store and gas station established under Plot Plan No. 210016. This Conditional Use Permit does not propose any physical changes, structural expansions, or significant construction or grading on the site.

Other Findings:

1. The project site is not located within a Criteria Cell of the Multi-Species Habitat Conservation Plan ("WRCMSHCP").

2. The project site is located within the City of Lake Elsinore's Sphere of Influence. This project was provided to City of Lake Elsinore for review and comment. No comments were received either in favor or opposition of the project.

3. AB 52 tribal consultation occurred as part of the environmental review conducted for the previously adopted Initial Study/Mitigated Negative Declaration for Plot Plan No. 210016 (PPT210016). The preparation of an Addendum pursuant to CEQA Guidelines Section 15164 does not require additional tribal consultation.

4. The project site is not located within an Airport Influence Area ("AIA") boundary and is therefore not subject to the Airport Land Use Commission ("ALUC") review.

5. The project site is located within Zone B of the Mount Palomar Observatory Lighting Zone boundary, as identified by Ordinance No. 655 (Mt. Palomar). The project is required to comply with all lighting standards specified within Ordinance No. 655, pursuant to Zone B.

6. The project site is located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan (SKRHCP). Per County Ordinance No. 663 and the SKRHCP, all applicants who submit for development permits, including maps, within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation, as determined through the environmental review process, shall pay a Mitigation Fee of $500.00 per gross acre of the parcels proposed for development. Payment of the SKRHCP Mitigation Fee for this Project, instead of onsite mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen's Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP.

Fire Findings:

The project site is located within a Cal Fire State Responsibility Area ("SRA") and is also located within a high / very high hazard severity zone. This Conditional Use Permit does not propose any physical changes, structural expansions, or significant construction or grading on the site. Fire protection and suppression services will be available for the project through Riverside County Fire Department.

Conclusion:

For the reasons discussed above, the proposed Project conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. Moreover, the proposed project would not be detrimental to the health, safety or general welfare of the community.

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

This project was advertised in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 1,000 feet of the project site. As of the writing of

this report, Planning Staff has not received written communication/phone calls who indicated support/opposition to the proposed project.

APPEAL INFORMATION

The Planning Commission's decision may be appealed to the Board of Supervisors. Such appeals shall be submitted in writing to the Clerk of the Board, with the required fee as set forth in Ordinance No. 671 (Consolidated Fees for Land Use and Related Functions), within 10 days after the Planning Commission's decision.

10/21/25, 9:08 am **CUP240025**

ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for CUP240025. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

Advisory Notification

Advisory Notification. 1 AND - Preamble

This Advisory Notification Document is included as part of the justification for the recommendation of approval of this Conditional Use Permit (CUP240025) and is intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property in accordance with approval of that entitlement and are in addition to the applied conditions of approval.

Advisory Notification. 2 AND - Project Description & Operational Limits

This permit, File No. CUP240025, is to obtain a Type 21 (Off-Sale General) Alcoholic Beverage Control (ABC) License for Off-Site Consumption of Beer, Wine and Spirits at a proposed Gas Station and Convenience Store approved under PPT210016 at the Director's Hearing on April 17, 2023.

Advisory Notification. 3 AND - Exhibits

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT: Exhibit A (Site Plan) dated May 29th, 2025. Exhibit B (Floor Plan) dated May 29th, 2025.

Advisory Notification. 4 AND - Federal, State & Local Regulation Compliance

1. Compliance with applicable Federal Regulations, including, but not limited to: • National Pollutant Discharge Elimination System ("NPDES") • Clean Water Act • Migratory Bird Treaty Act ("MBTA") 2. Compliance with applicable State Regulations, including, but not limited to: • The current Water Quality Management Plan ("WQMP") Permit issued by the applicable Regional Water Quality Control Board ("RWQCB") • Government Code Section 66020 (90 Days to Protest) • Government Code Section 66499.37 (Hold Harmless) • State Subdivision Map Act • Native American Cultural Resources, and Human Remains (Inadvertent Find) • School District Impact Compliance • Civil Code Section 815.3 & Government Code Sections 65040.2 et al - SB 18 (Tribal Intergovernmental Consultation) • Public Resources Code Section 5097.94 & Sections 21073 et al - AB 52 (Tribal Intergovernmental Consultation) 3. Compliance with applicable County Regulations, including, but not limited to: • Ord. No. 348 (Land Use Planning and Zoning Regulations) {Land Use Entitlements} • Ord. No. 413 (Regulating Vehicle Parking) {Land Use Entitlements} • Ord. No. 421 (Excavation Covering & Swimming Pool Safety) {Land Use Entitlements} • Ord. No. 457 (Building Requirements) {Land Use Entitlements} • Ord. No. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program) {Geographically based} • Ord. No. 460 (Division of Land) {for TTMs and TPMs} • Ord. No. 461 (Road Improvement Standards) {for TTMs and TPMs} • Ord. No. 484

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 4 AND - Federal, State & Local Regulation Compliance (cont.)

(Control of Blowing Sand) {Geographically based on soil type} • Ord. No. 555 (Surface Mining and Reclamation) {for SMPs} • Ord. No. 625 (Right to Farm) {Geographically based} • Ord. No. 630 (Regulating Dogs and Cats) {For kennels and catteries} • Ord. No. 716 (Abandoned, Neglected or Cruelly Treated Animals) • Ord. No. 771 (Controlling Potentially Dangerous & Dangerous Animals) • Ord. No. 878 (Regarding Noisy Animals) • Ord. No. 655 (Regulating Light Pollution) {Geographically based} • Ord. No. 671 (Consolidated Fees) {All case types} • Ord. No. 679 (Directional Signs for Subdivisions) {for TTMs and TPMs} • Ord. No. 742 (Fugitive Dust/PM10 Emissions in Coachella Valley) {Geographically based} • Ord. No. 787 (Fire Code) • Ord. No. 847 (Regulating Noise) {Land Use Entitlements} • Ord. No. 857 (Business Licensing) {Land Use Entitlements} • Ord. No. 859 (Water Efficient Landscape Requirements) {Land Use Entitlements, and for TTMs and TPMs} • Ord. No. 915 (Regulating Outdoor Lighting) {Geographically based} • Ord. No. 916 (Cottage Food Operations) • Ord. No. 925 (Prohibiting Marijuana Cultivating) • Ord. No. 927 (Regulating Short Term Rentals) • Ord. No. 928 (Clarifying County Prohibition on Mobile Marijuana Dispensaries and Deliveries) 4. Mitigation Fee Ordinances • Ord. No. 659 Development Impact Fees (DIF) • Ord. No. 810 Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP) • Ord. No. 824 Western Riverside County Transportation Uniform Mitigation Fee (WR TUMF)

Advisory Notification. 5 AND - Hold Harmless

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following: (a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning CUP240025 or its associated environmental documentation; and, (b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning CUP240025, including, but not limited to, decisions made in response to California Public Records Act requests; and (a) and (b) above are hereinafter collectively referred to as "LITIGATION." The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY. The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such LITIGATION, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel. Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the Project, applicant/permittee shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars ($20,000). Applicant/permittee shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. To the extent such costs are not recoverable under the California Public Records Act from the records requestor, applicant/permittee agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the Project when the petitioner is using the Public Records Act request as a means of obtaining the administrative record for LITIGATION purposes. Within ten (10) days of written notice from COUNTY, applicant/permittee shall make such additional

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 5 AND - Hold Harmless (cont.)

deposits.

E Health

E Health. 1 DEH - ECP COMMENTS

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Program at (951) 955-8980, for further information.

E Health. 2 DEH- ERM Advisory Comments

DEH has reviewed the project scope and documents submitted. DEH shall verify the following each time: Proof of established water, sewer collection and solid waste collection see milestones.

Planning

Planning. 1 Gen - 90 DAYS TO PROTEST

The project developer has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project.

Planning. 2 Gen - BEER & WINE RESTRICTIONS

The following development standards shall apply to the sale of beer and wine for off-premises consumption associated with the sale of motor vehicle fuel: a. Only beer, wine and spirits may be sold. b. The owner and the management shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violation of these laws. In addition, the owner and management shall provide health warnings about the consumption of alcoholic beverages. This educational requirement may be met by posting prominent signs, decals or brochures at points of purchase. In addition, the owner and management shall provide adequate training for all employees at the location as to these matters. c. No displays of beer, wine or other alcoholic beverages shall be located within five feet of any building entrance or checkout counter. d. Cold beer or wine shall be sold from, or displayed in, the main, permanently affixed electrical coolers only. e. No beer, wine or other alcoholic beverage advertising shall be located on gasoline islands; and, no lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of buildings or within window areas. f. Employees selling beer and wine between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age. g. No sale of alcoholic beverages shall be made from a drive-in window.

Planning. 3 Gen - CAUSES FOR REVOCATION

In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 3 Gen - CAUSES FOR REVOCATION (cont.)

be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

Planning. 4 Gen - EXPIRATION DATE CUP USE

This approved permit shall be used within eight (8) years from the approval date; otherwise, the permit shall be null and void. The term used shall mean the beginning of construction pursuant to a validly issued building permit for the use authorized by this approval. Prior to the expiration of the 8 years, the permittee/applicant may request an extension of time to use the permit. The extension of time may be approved by the Assistant TLMA Director upon a determination that a valid reason exists for the permittee not using the permit within the required period. If an extension is approved, the total time allowed for use of the permit shall not exceed ten (10) years.

Planning. 5 Gen - EXTERIOR NOISE LEVELS

Exterior noise levels produced by any use allowed under this permit, including, but not limited to, any outdoor public address system, shall not exceed 45 db(A), 10-minute LEQ, between the hours of 10:00 p.m. to 7:00 a.m., and 65 db(A), 10-minute LEQ, at all other times as measured at any residential, hospital, school library, nursing home or other similar noise sensitive land use. In the event noise exceeds this standard, the permittee or the permittee's successor-in-interest shall take the necessary steps to remedy the situation, which may include discontinued operation of the facilities. The permit holder shall comply with the applicable standards of Ordinance No. 847.

Planning. 6 Gen - LIGHTING HOODED/DIRECTED

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.

Planning. 7 Gen - NO OUTDOOR ADVERTISING

No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.

Planning. 8 General - Maintain Licensing

At all times, the owner/operator shall maintain and keep in effect a valid license with the Department of Alcoholic Beverage Control ("ABC") and remain in good standing through compliance of all State and County requirements pertaining to use of the license.

Planning. 9 General - No Employee Drinking

No employee shall solicit, accept, or consume any alcoholic beverage while on the premises engaged in a work related activity.

Planning. 10 General - Security

If not already installed, a camera security system shall be installed with the appropriate amount of cameras

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 10 General - Security (cont.)

and locations, that can monitor the facility on the inside and outside, at all times.

Planning. 11 General - Training

The owner/operator shall provide sufficient training to all employees involved in alcoholic beverage sales. Training should include certification in the Licensee Education on Alcohol and Drugs (L.E.A.D.) program or a comparable training course.

Plan: CUP240025 Parcel: 347130029

60. Prior To Grading Permit Issuance

E Health

060 - E Health. 1 DEH- Health Clearance Not Satisfied

Grading engineer shall provide a letter of no finding of abandoned water wells and or abandoned septic systems. All found water wells or septic systems shall be destroyed under permit with DEH Land Use prior to permit issuance. Applicable fees shall apply. submit to dehowts@rivco.org.

80. Prior To Building Permit Issuance

E Health

080 - E Health. 1 DEH- Hazmat Tanks Not Satisfied

Construction plans must be reviewed and approved by the Hazardous Materials Division prior to the installation of the underground storage tank (UST) system. There is a construction fee based on the number of UST's installed. Permits from the Hazardous Materials Division must be obtained for the operation of the UST's prior to occupancy.

080 - E Health. 2 DEH- Health Clearance Not Satisfied

Prior to issuance of the building permit, clearance must be obtained from the Department of Environmental Health. Provide documentation from the purveyor that establishes water and sewer service to the project prior to building permit issuance. Please call 951-955-8980 for additional details. *Any changes that does not establish water and sewer service to EVMWD during building permit issuance may be subject to additional environmental review and revocation of DEH's approval of the project. Provide a proof of established solid waste service from the
appropriate purveyor. Ensure the letter acknowledges the project. Ensure the letter addresses compliance with the requirements of SB1383 in terms of organic waste and recyclable diversion and
trash collection.

080 - E Health. 3 DEH-Food Plans Not Satisfied

Construction or remodel of existing food facility will require a total of three complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with applicable California Health and Safety Code. Annual permit for food, beer and wine will be necessary for all regulatory agencies.

Plan: PPT210016 Parcel: 347130029

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 1 CURBS ALONG PLANTERS Not Satisfied

Prior to issuance of a grading permit, the grading plan shall include six inch high curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

060 - BS-Grade. 2 CURBS ALONG PLANTERS Not Satisfied

Prior to issuance of a grading permit, the grading plan shall include six inch high curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

060 - BS-Grade. 3 EASEMENTS/PERMISSION Not Satisfied

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.
A notarized letter of permission and/or recorded easement from the affected property owners or easement holders shall be provided in instances where off site grading is proposed as part of the grading plan.
In instances where the grading plan proposes drainage facilities on adjacent off site property, the owner/ applicant shall provide a copy of the recorded drainage easement or copy of Final Map.

060 - BS-Grade. 4 EASEMENTS/PERMISSION Not Satisfied

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.
A notarized letter of permission and/or recorded easement from the affected property owners or easement holders shall be provided in instances where off site grading is proposed as part of the grading plan.
In instances where the grading plan proposes drainage facilities on adjacent off site property, the owner/ applicant shall provide a copy of the recorded drainage easement or copy of Final Map.

060 - BS-Grade. 5 IF WQMP IS REQUIRED Not Satisfied

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the Final Water Quality Management Plan (WQMP) site plan for comparison to the grading plan.

060 - BS-Grade. 6 IF WQMP IS REQUIRED Not Satisfied

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the Final Water Quality Management Plan (WQMP) site plan for comparison to the grading plan.

060 - BS-Grade. 7 IMPROVEMENT SECURITIES Not Satisfied

Prior to issuance of a Grading Permit, the applicant may be required to post a Grading and/or

Plan: PPT210016 Parcel: 347130029

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 7 IMPROVEMENT SECURITIES (cont.) Not Satisfied

Erosion Control Security. Please contact the Riverside County Transportation Department for additional information and requirements.

060 - BS-Grade. 8 IMPROVEMENT SECURITIES Not Satisfied

Prior to issuance of a Grading Permit, the applicant may be required to post a Grading and/or Erosion Control Security. Please contact the Riverside County Transportation Department for additional information and requirements.

Planning

060 - Planning. 1 CEQA MM - BIO-1 Not Satisfied

Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist shall conduct pre-construction Nesting Bird Surveys (NBS) at least three (3) days prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action is required. If an active nest is found, the qualified Avian Biologist shall set appropriate no-work buffers (subject to the minimum radiuses listed herein) around the nest which will be based upon the nesting species, based on the individual species type, its sensitivity to disturbance, nesting stage and expected types of nest, and the intensity and duration of disturbance. Regardless of the aforementioned criteria, a minimum buffer/radius of 300-feet shall be set for songbirds and a minimum of 500-feet shall be set for raptors. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

Prior to issuance of grading permits, the project Permittee/Owner shall comply with the provisions of the MSHCP regarding the payment of the MSHCP Local Development Mitigation Fee.

060 - Planning. 2 CEQA MM - TCR-1 Not Satisfied

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for a Native American Monitor.

In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. In addition, the Native American Monitor(s) shall be on-site during all initial ground-disturbing activities and excavation of each portion of the project site, including clearing, grubbing, tree removals, grading, and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

The developer/permit applicant shall submit a fully executed copy of the agreement to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.

Plan: PPT210016 Parcel: 347130029

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 2 CEQA MM - TCR-1 (cont.) Not Satisfied

This agreement shall not modify any condition of approval or mitigation measure

Monitoring: Native American Monitoring will be conducted by a representative from the consulting tribe(s).

060 - Planning. 3 CEQA MM - TCR-2 Not Satisfied

In the event that human remains are encountered and by ensuring that no further disturbance occurs until the County Coroner has made the necessary findings as to the origin of the remains. Furthermore, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made

060 - Planning. 4 CEQA MM - TCR-3 Not Satisfied

Should unanticipated resources be discovered, the developer/permit holder or any successor in interest shall comply with the following for the life of this permit:

If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted, and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representatives), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc.) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other.
** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the significance of the cultural resource, attend the meeting described above, and continuous monitoring of all future site grading activities as necessary.

060 - Planning. 5 CEQA: Required Evidence of CDFW Fee Payment Not Satisfied

Prior to issuance of a Grading Permit, the Applicant shall provide the Planning Department evidence of payment (receipt) of required CEQA Document Filing Fee to the California Department of Fish and Wildlife (CDFW).

060 - Planning. 6 Construction Noise Not Satisfied

Grading Plans shall note that during all Project-related excavation and grading, the construction contractor(s) shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers consistent with manufacturer standards.

Plan: PPT210016 Parcel: 347130029

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 6 Construction Noise (cont.) Not Satisfied

Grading Plans shall note that the contractor(s) shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors (residences) nearest the Project site during all Project construction.

Grading Plans shall note that the use of amplified music or sound is prohibited on the Project site during construction.

060 - Planning. 7 Requirement to Pay Outstanding Fees Not Satisfied

Prior to the issuance of grading permits for approved PPT No. 210016, the Planning Department shall determine the status of the project's deposit account. If fees are outstanding, the Applicant shall pay the outstanding balance prior to issuance of any permit for grading.

060 - Planning. 8 SKR Fee Condition (If Applicable) Not Satisfied

If applicable, Prior to the issuance of a grading permit, the applicant shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663.

Planning-CUL

060 - Planning-CUL. 1 CRMP Project Archaeologist/ Archaeological Monitor Not Satisfied

** This Condition of Approval shall serve to satisfy compliance with CEQA Mitigation Measure CUL-1.

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A Cultural Resource Monitoring Plan shall be developed in coordination with the consulting tribe(s) that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural, tribal cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a digitally-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features, however, the frequency and location of all inspections will be determined and directed by the Project Archaeologist.

The Professional Archaeologist may submit a detailed letter to the County of Riverside during grading requesting a modification to the monitoring program if circumstances are encountered that reduce the need for monitoring.

Plan: PPT210016 Parcel: 347130029

60. Prior To Grading Permit Issuance

Planning-CUL

060 - Planning-CUL. 1 CRMP Project Archaeologist/ Archaeological Monitor (cont.) Not Satisfied

The landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project site(s) during any ground-disturbing activities, including previous investigations and/or Phase III data recovery.

060 - Planning-CUL. 2 Native Monitor Not Satisfied

Prior to the issuance of grading permits, the developer/permit applicant shall enter into agreement(s) with the consulting tribe(s) for Native American Monitor(s).

In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. In addition, an adequate number of Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

The developer/permit applicant shall submit a fully executed copy of the agreement(s) to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.
This agreement shall not modify any condition of approval or mitigation measure.

Planning-EPD

060 - Planning-EPD. 1 MBTA Nesting Bird Preconstruction Survey - EPD Not Satisfied

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season (February 1st through August 31st). If habitat must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted.

Prior to issuance of a permit for rough grading, the project’s consulting biologist shall prepare and submit a report, documenting the results of the survey, to EPD for review. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a rough grading permit.

When the requested documents/studies are completed and ready for EPD review, please upload them to our Secure File Transfer server to ensure prompt response and review. If you are unfamiliar with the process for uploading biological documents to the FTP site, please contact Matthew Poonamallee at mpoonama@rivco.org and Rigo Caballero at rcaballero@rivco.org for instructions.

Plan: PPT210016 Parcel: 347130029

60. Prior To Grading Permit Issuance

Planning-EPD

060 - Planning-EPD. 1 MBTA Nesting Bird Preconstruction Survey - EPD (cont.) Not Satisfied

Biological reports not uploaded to the FTP site may result in delayed review and approval.

Transportation

060 - Transportation. 1 RCTD-MAP-WQ - Santa Ana Region - FINAL WQMP Not Satisfied

The project is located in the Santa Ana watershed. An approved Water Quality Management Plan (WQMP) is required prior to recordation of a final map or issuance of a grading permit. The project shall submit a single PDF on two CD/DVD copies, in accordance with the latest version of the WQMP manual, found at https://rctlma.org/trans/Land-Development/WQMP. In addition, the project proponent shall ensure that the effects of increased peak flowrate for the 1, 3, 6, 24-hour storm events for the 2, 5, and 10-year return periods from the project are mitigated. All details necessary to build BMPs per the WQMP shall be included on the grading plans.

060 - Transportation. 2 RCTD-USE - File L&LMD Application Not Satisfied

File an application with the Transportation Department, L&LMD Section, 8th Floor, 4080 Lemon Street, Riverside, CA, for required annexation.
If you have any questions or for the processing fee amount, please call the L&LMD Section at (951) 955-6748.

060 - Transportation. 3 RCTD-USE - Sight Distance Not Satisfied

Sight distance shall be verified by the applicant using Std. No. 821, Ordinance No. 461 at all project access points and intersections to be improved. Sight lines and, if necessary, restricted use area(s) shall be shown on an exhibit for review.

or as approved by the Director of Transportation.

060 - Transportation. 4 RCTD-USE - Submit Grading Plans Not Satisfied

The project proponent shall submit two sets of grading plans (24” x 36”) to the Transportation Department for review and approval. If road right-of-way improvements are required, the project proponent shall submit street improvement plans for review and approval, open an IP account, and pay for all associated fees in order to clear this condition. The Standard plan check turnaround time is 10 working days. Approval is required prior to issuance of a grading permit.

70. Prior To Grading Final Inspection

Planning-CUL

070 - Planning-CUL. 1 Artifact Disposition Not Satisfied

In the event cultural resources are identified during ground disturbing activities, the landowner(s) shall relinquish ownership of all cultural resources and provide evidence to the satisfaction of the County Archaeologist that all archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), have been handled through the following methods.

Historic Resources

Plan: PPT210016 Parcel: 347130029

70. Prior To Grading Final Inspection

Planning-CUL

070 - Planning-CUL. 1 Artifact Disposition (cont.) Not Satisfied

All historic archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), have been curated at the Western Science Center, a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Prehistoric and/or Tribal Cultural Resources
One of the following treatments shall be applied.
1. Preservation–in-place, if feasible is the preferred option. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.
2. Reburial of the resources on the Project property. The measures for reburial shall be culturally appropriate as determined through consultation with the consulting Tribe(s)and include, at least, the following: Measures to protect the reburial area from any future impacts in perpetuity. Reburial shall not occur until all required cataloguing (including a complete photographic record) and analysis have been completed on the cultural resources, with the exception that sacred and ceremonial items, burial goods, and Native American human remains are excluded. No cataloguing, analysis, or other studies may occur on human remains grave goods, and sacred and ceremonial items. Any reburial processes shall be culturally appropriate and approved by the consulting tribe(s). Listing of contents and location of the reburial shall be included in the confidential Phase IV Report. The Phase IV Report shall be filed with the County under a confidential cover and not subject to a Public Records Request.

Human Remains
Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted by the Coroner within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the “Most Likely Descendant”. The Most Likely Descendant shall then make recommendations and engage in consultation with the property owner concerning the treatment of the remains and any associated items as provided in Public Resources Code Section 5097.98.

070 - Planning-CUL. 2 Phase IV Monitoring Report Not Satisfied

Prior to Grading Permit Final Inspection, a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department’s requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting and evidence that any artifacts have been treated in

Plan: PPT210016 Parcel: 347130029

70. Prior To Grading Final Inspection

Planning-CUL

070 - Planning-CUL. 2 Phase IV Monitoring Report (cont.) Not Satisfied

accordance to procedures stipulated in the Cultural Resources Management Plan.

80. Prior To Building Permit Issuance

BS-Grade

080 - BS-Grade. 1 NO BUILDING PERMIT W/O GRADING PERMIT Not Satisfied

Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Building and Safety Department.

080 - BS-Grade. 2 NO BUILDING PERMIT W/O GRADING PERMIT Not Satisfied

Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Building and Safety Department.

080 - BS-Grade. 3 ROUGH GRADE APPROVAL Not Satisfied

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:
1. Submitting a “Wet Signed” copy of the Soils Grading Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.
2. Submitting a “Wet Signed” copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.
3. Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.
4. Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage or other means of site stabilization as approved by the County Inspector prior to receiving a rough grade permit final.
Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

080 - BS-Grade. 4 ROUGH GRADE APPROVAL Not Satisfied

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:
1. Submitting a “Wet Signed” copy of the Soils Grading Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.
2. Submitting a “Wet Signed” copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.
3. Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.
4. Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative

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80. Prior To Building Permit Issuance

BS-Grade

080 - BS-Grade. 4 ROUGH GRADE APPROVAL (cont.) Not Satisfied

coverage or other means of site stabilization as approved by the County Inspector prior to receiving a rough grade permit final.
Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

E Health

080 - E Health. 1 EVMWD Water and Sewer Service Not Satisfied

Provide documentation from the purveyor that establishes water and sewer service to the project prior to building permit issuance. Please call 951-955-8980 for additional details.

*Any changes that does not establish water and sewer service to EVMWD during building permit issuance may be subject to additional environmental review and revocation of DEH's approval of the project.

080 - E Health. 2 Food Plans Not Satisfied

A total of three complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with applicable California Health and Safety Code.

080 - E Health. 3 Hazmat Tanks Not Satisfied

Construction plans must be reviewed and approved by the Hazardous Materials Division prior to the installation of the underground storage tank (UST) system. There is a construction fee based on the number of UST's installed. Permits from the Hazardous Materials Division must be obtained for the operation of the UST's prior to occupancy.

080 - E Health. 4 Removal/Destruction of OWTS Not Satisfied

Prior to Building Permit issuance, any existing onsite wastewater treatment system(s) shall be properly removed/abandoned under permit with the Department of Environmental Health. Applicable fees shall apply.

Fire

080 - Fire. 1 Fire - Water Not Satisfied

-Minimum fire flow for the construction of all commercial buildings is required per CFC Appendix B and Table B105.1. Prior to building permit issuance, the applicant/developer shall provide documentation to show there exists a water system capable of delivering the fire flow based on the information given. Per this submittal the minimum fire flow will be 1500 gpm at 20 psi for 2 hours. Subsequent design changes may increase or decrease the required fire flow.
-The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C. and NFPA 24. Fire hydrants shall be located no closer than 40 feet from a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6” x 4” x 2 ½” x 2 ½”) (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3)
-Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Office of the Fire Marshal for review and approval.
The required water system, including fire hydrants, shall be installed, made serviceable, and

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80. Prior To Building Permit Issuance

Fire

080 - Fire. 1 Fire - Water (cont.) Not Satisfied

be accepted by the Office of the Fire Marshal prior to beginning construction. They shall be maintained accessible.
-Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3)

080 - Fire. 2 Prior to permit Not Satisfied

Prior to building construction, fire apparatus access roads extending beyond 150 feet which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)
Prior to issuance of Building Permits, an approved site plan for fire apparatus access roads and signage shall be submitted and approved by the Office of the Fire Marshal. (CFC 501.3)
The Fire Apparatus Access Road shall be (all weather surface) capable of sustaining an imposed load of 75,000 lbs. GVW. The fire apparatus access road or temporary access road shall be reviewed and approved by the Office of the Fire Marshal and in place during the time of construction. (CFC 501.4)
Fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) feet as approved by the Office of the Fire Marshal and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches or 15 feet if project is located in a State Responsibility Area Fire Hazard Zone. (CFC 503.2.1)

080 - Fire. 3 Prior to permit Not Satisfied

Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a building permit.

Planning

080 - Planning. 1 CEQA MM - AES-1 Not Satisfied

Proposed staging areas shall be shown on all Pre-Construction and Construction documents for review and approval by the appropriate County Departments. The project construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment to the areas proposed on the plans. Construction equipment shall be parked and staged within the project site. Staging areas shall be screened from view from residential properties and Highway 74/Central Avenue. Where feasible, construction staging and laydown areas for equipment, personal vehicles, and material storage shall be sited to take advantage of natural screening opportunities provided by existing structures, topography, and/or vegetation within the project site.

080 - Planning. 2 CEQA MM - AES-2 Not Satisfied

The proposed Pre-Construction and Construction documents shall include language requiring that construction vehicles be kept clean and free of mud and dust prior to leaving the development site. In addition, Highway 74/Central Avenue shall be swept daily and maintained free of dirt and debris.

080 - Planning. 3 CEQA MM - TRA-1 Not Satisfied

The construction contractor shall evaluate the improvements needed based on the signed plans. Prior to construction staging, the construction contractor shall prepare a traffic control

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80. Prior To Building Permit Issuance

Planning

080 - Planning. 3 CEQA MM - TRA-1 (cont.) Not Satisfied

plan for the County and City of Lake Elsinore's approval for any construction activities encroaching into the public right-of-way. The traffic control plan shall include measures designed to reduce the impact of temporary construction traffic and any necessary lane closures. Such measures may include, but are not limited to, providing early notification of closures to the County Fire Department and Sherriff’s Department, residents, and nearby businesses; the use of signage before and during construction activities that clearly delineates detour routes around lane closures; and flaggers to direct traffic in the vicinity of the closure.

080 - Planning. 4 Graffiti Coating to be Placed on all Walls Not Satisfied

All walls approved with PPT No. 210016 shall be surfaced with an anti-graffiti coating.

080 - Planning. 5 Project Compliance with Ord. No. 787 (Fire) Not Satisfied

Prior to issuance of a Building Permit, the Planning Department shall confirm that the final Project has been found compliant with all applicable standards enumerated in Ordinance No. 787 (Fire Protection Regulation).

080 - Planning. 6 Renewable Energy Generation R2-CE1 Not Satisfied

In accordance with measure R2-CE1 of the County's Climate Action Plan, the approved project shall be required to offset its energy demand by 20 percent through provision of renewable energy generation. This is anticipated to be accommodated through solar panels mounted on the building rooftops.

The energy demand shall be determined at the initial building permit stage if the tenant/particular use is known at that time. If the tenant or particular use is not known at that time, this condition should be deferred to the tenant improvement building permit and to any subsequent tenant improvement permits as tenants may change.

Utilizing the energy demand calculated, the appropriate amount of solar panels shall be included with the related building permits to ensure their installation and operation.

As it relates to the initial building permit, the roof shall be designed to accommodate rooftop mounted solar panels.

[ALUC approval shall be required for rooftop mounted solar panels related glare prior to building permit issuance based on their separate conditions of approval and determination of consistency for this project.]

080 - Planning. 7 Requirement to Merge Lots Not Satisfied

As development cannot be permitted to straddle property lines, prior to issuance of a Building Permit for construction, the Applicant shall submit evidence to the Building/Safety Department that the two lots (APNs 347-130-029 and 347-130-028) have been merged.

080 - Planning. 8 Requirement to Pay Outstanding Fees Not Satisfied

Prior to the issuance of a Building Permit or Permits for approved PPT No. 210016, the Planning Department shall determine the status of the project's deposit account. If fees are outstanding, the Applicant shall pay the outstanding balance prior to issuance of any permit for grading.

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80. Prior To Building Permit Issuance

Planning

080 - Planning. 9 Screening of Roof-Mounted Equipment Not Satisfied

All roof-mounted equipment, including but not limited to, HVAC condensers shall be effectively screened from public, in accordance with approved project plans and applicable standards of Ordinance No. 348.

Survey

080 - Survey. 1 RCTD-USE - Prior to Road Construction Not Satisfied

1. Prior to road construction, if survey monuments including centerline monuments, tie points, property corners and benchmarks found it shall be located and tied out and corner records filed with the County Surveyor pursuant to Section 8771 of the Business & Professions Code. Survey points destroyed during construction shall be reset, and a second corner record filed for those points prior to completion and acceptance of the improvements.

2. Sufficient public street right of way along Highway 74 shall be convey for public use to provide for a 67-feet half width dedicated right of way. Access shall be restricted from Highway 74.

or as approved by the Director of Transportation.

Transportation

080 - Transportation. 1 80 - TRANSPORTATION - CITY OF LAKE ELSINORE Not Satisfied

Applicant shall provide landscaping or cash-in-lieu for areas in City of Lake Elsinore.

080 - Transportation. 2 80 - TRANSPORTATION - Landscape Inspection Deposit Not Satisfied

Landscape Inspection Deposit Required

This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall:
Prior to building permit issuance, the developer/permit holder shall verify all plan check fees have been paid and deposit sufficient funds to cover the costs of the required landscape inspections associated with the approved landscape plans. The deposit required for landscape inspections shall be determined by the Transportation Department, Landscape Section. The Transportation Department, Landscape Section shall clear this condition upon determination of compliance.

080 - Transportation. 3 80 - TRANSPORTATION - Landscape Plot Plan/Permit Req Not Satisfied

Landscape Plot Plan/Permit Required

This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall:
Prior to issuance of building permits, the developer/permit holder shall apply for a Plot Plan (Administrative/PPA) Landscape Permit (LSP) or Landscape Plot Plan (LPP) from TLMA Land Use along with applicable deposit (plan check and inspection are DBF fees).

Provide construction level landscape plans in PDF (all sheets compiled in 1 PDF file), along

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80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 3 80 - TRANSPORTATION - Landscape Plot Plan/Permit Req Not Satisfied

with an electronic transmittal memo in PDF (include Owner contact, Developer, if not the same as the owner, Project manager, person or persons most likely to inquire about the status of the plans, Landscape Architect, Principal or LA signing the plans, Landscape Architect, Project Manager, person responsible for making the corrections, if different from above), and a current set of grading plans in PDF, and submit all three PDF files on a CD (compact Disc) with application. The landscape plans shall be prepared in a professional manner by a California Licensed/Registered Landscape Architect and signed/stamped by such.

Drawings shall be completed on County standard Transportation Department title block, plan sheet format (24 inch x 36 inch), 1:20 scale, north arrow, limit of work lines, hardscape features, graphic scale, and street names, etc. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping. At minimum, plans shall include the following components:

1) Landscape and irrigation working drawings (stamped) by a California certified/registered landscape architect;
2) Weather-based controllers and necessary components to eliminate water waste;
3) A copy of the (stamped) approved grading plans; and,
4) Emphasis on native and drought tolerant species.

When applicable, plans shall include the following components:

1) Identification of all common/open space areas;
2) Natural open space areas and those regulated/conserved by the prevailing MSHCP and or ALUC;
3) Shading plans for projects that include parking lots/areas;
4) The use of canopy trees (24 inch box or greater) within the parking areas;
5) Landscaping plans for slopes exceeding 3 feet in height;
6) Landscaping and irrigation plans associated with entry monuments. All monument locations shall be located outside of the ROW and dimensions shall be provided on the plan; and/or,
7) If this is a phased development, then a copy of the approved phasing plan shall be submitted for reference.

Please reference Landscape Plan Checklists available online at RCTLMA.org.

NOTE: When the Landscaping Plot Plan is located within a special district such as LMD/CSA/CFD or Valleywide, the developer/permit holder shall submit plans for review to the appropriate special district for simultaneous review. The permit holder shall show evidence to the Transportation Department, Landscape Section that the subject district has approved said plans. Water Districts such as CVWD, TVWD, and EMWD may be required to approve plans prior to County approval.

Upon verification of compliance with this condition and the APPROVED EXHIBITS, the Transportation Department, Landscape Section shall clear this condition.

080 - Transportation. 4 80 - TRANSPORTATION - Landscape Project Specific Not Satisfied

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80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 4 80 - TRANSPORTATION - Landscape Project Specific Not Satisfied

Landscape Project Specific Requirements

This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall:
In addition to the requirements of the Landscape and Irrigation Plan submittal, the following project specific conditions shall be imposed:

a. Landscape screening within ten feet of an entry or exit driveway shall not be permitted to grow higher than eighteen (18) inches and no trees shall be planted within ten (10) feet of driveways, alleys, or street intersections.

b. Project shall comply with the latest version of Ord. 859 ETo of .45, for commercial applications, or .70 ETo for recycled water uses. Project shall comply with the latest State Model Water Efficient Landscape Ordinance. Project shall comply with the local servicing water purveyor/district/company landscape requirements including those related to recycled water.

c. Project proponent shall design overhead irrigation with a minimum 24 inch offset from non-permeable surfaces, even if that surface drains into a permeable area.

d. Landscaping plans shall incorporate the use of specimen (24 inch box or greater) canopy trees. All trees and shrubs shall be drawn to reflect the average specimen size at 15 years of age. All trees shall be double or triple staked and secured with non-wire ties.

e. Project shall prepare water use calculations as outlined in Ord 859.3.

f. Trees shall be hydrozoned separately.

g. Irrigation shall be designed using hydrozones by plant water type, irrigation type, and flat/sloped areas.

h. The developer/ permit holder/landowner shall use the County of Riverside’s California Friendly Plant List when making plant selections. Use of plant material with a LOW or VERY LOW water use designation is strongly encouraged.

i. All plant materials within landscaped areas shall be maintained in a viable growth condition throughout the useful plant life, and replaced with an equal or lessor water use plant.

j. Project shall use County standard details for which the application is available in County Standard Detail Format.

k. Monuments, boulders, and fan palms shall be located outside the County Maintained Road Right-of-Way (ROW).

l. Restricted plant species noted in MSHCP documents shall not be used if MSHCP areas are adjacent to the project.

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Transportation

080 - Transportation. 4 80 - TRANSPORTATION - Landscape Project Specific Not Satisfied

m. Plant species shall meet ALUC requirements, if applicable.

n. Hydroseeding is not permitted in stormwater BMP slope areas, container stock will be required on slopes. Trees must be located to avoid drainage swales and drain, utility, leach, etc. lines and structures.

o. Landscape and irrigation plans must meet erosion control requirements of Ordinance 457.

p. Project shall use Fifty (50) Percent (%) point source irrigation type regardless of meeting the water budget with alternative irrigation methods, except as needed within stormwater BMP areas as noted in an approved WQMP document. Point source is defined as one emitter (or two) located at each plant. In-line emitter tubing is not defined as point source for the purpose of this requirement.

q. Common areas and open space landscaping plans (construction document level package) shall be submitted to Transportation Department for approval.

r. The project proponent or current property owner shall connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site.

s. Project shall install purple/reclaimed/recycled components as deemed necessary and as determined by the County and/or water district.

t. Project proponent shall provide 12 inch wide concrete maintenance walkway on planter islands adjacent to parking spaces. Concrete maintenance walkway shall be shown on landscape and grading plans, typical.

080 - Transportation. 5 RCTD - Coordinate with Lake Elsinore regarding SR74 Not Satisfied

Coordinate with Lake Elsinore regarding SR74 ROW Landscaping. Meet and confer with the City of Lake Elsinore of their requirements for the project’s SR74 ROW landscape requirement. Options may be landscape plan review/approval by the City and/or cash-in-lieu, etc. City shall provide correspondence to the County to clear this condition prior to the issuance of a building permit.

080 - Transportation. 6 RCTD-COLE-USE - Improvements Not Satisfied

Prior to issuance of any building permits, the applicant shall comply with the conditioned titled "COLE-USE - Improvements" located above in the 015-series under Transportation.

or as approved by the Director of Transportation.

080 - Transportation. 7 RCTD-COLE-USE - Prior to Issuance of Building Permit Not Satisfied

Prior to issuance of any building permits, the applicant shall comply with the conditioned titled "COLE-USE - Prior to Issuance of Building Permit" located above in the 015-series under Transportation.

or as approved by the Director of Transportation.

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80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 8 RCTD-COLE-USE - Raised Median Not Satisfied

Per the recommendations from the project traffic study (October 2021, IEG), the project shall construct a raised median in the north-south direction along Highway 74/Central Avenue to restrict access to right in/right out only at the intersection of Highway 74/Central Avenue and Allan Street.

This improvement shall be coordinated with the City of Lake Elsinore and require the applicant to obtain an encroachment permit.

or as approved by the Director of Transportation and/or the City of Lake Elsinore.

080 - Transportation. 9 RCTD-USE - Annexation into L&LMD or Other District Not Satisfied

Prior to the issuance of a building permit, the project proponent shall comply with County requirements within public road rights-of-way, in accordance with Ordinance 461. Assurance of maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated by contacting the Transportation Department at (951) 955-6767, and/or any other maintenance district approved by the Transportation Department or by processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division. Said annexation should include the following:
(1) Landscaping
(2) Graffiti abatement of walls and other permanent structure.
(3) Street sweeping.
(4) Street lighting

080 - Transportation. 10 RCTD-USE - Landscaping Design Plans Not Satisfied

Landscaping within public road right of-way shall comply with Transportation Department standards, Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859 and shall require approval by the Transportation Department.

Landscaping plans shall be designed and submitted to the Transportation Department. Plans shall be submitted on standard County format (24" x 36"). Landscaping plans shall with the street improvement plans.

080 - Transportation. 11 RCTD-USE - Lighting Plan Not Satisfied

A separate street light plan shall be approved by the Transportation Department. Street lighting shall be designed in accordance with County Ordinance 460 and Streetlight Specification Chart found in Specification Section 22 of Ordinance 461. For projects within SCE boundaries use County of Riverside Ordinance 461, Standard No. 1000 or No. 1001.

080 - Transportation. 12 RCTD-USE - Road Improvements (County) Not Satisfied

Chris Circle (cul-de-sac) shall be constructed per Std. No. 805 modified with the following design criteria:

Right-of-way at intersection with Highway 74 shall be a minimum of 71 feet or more, as needed, to sufficiently accommodate the following cross-section:
- One left turn lane (12”)
- One shared through-right lane (14”)
- Two receiving lanes (12” per lane)

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80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 12 RCTD-USE - Road Improvements (County) (cont.) Not Satisfied

Note: Width of receiving lanes shall accommodate the turning template for anticipated refuel tanker.

Right-of-way radius around the bulb section of the cul-de-sac shall be 50 feet.

Parkway width shall be 8 feet.

Full-width AC pavement shall be provided with curb located 22-42 feet from centerline.

riveway on Chris Circle to be constructed per Standard 207A, Ordinance 461.

Chris Circle improvements shall be coordinated with the improvements on Highway 74. This will required coordination with the City of Lake Elsinore.

or as approved by the Director of Transportation.

080 - Transportation. 13 RCTD-USE - Utility Plan Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A disposition note describing the above shall be reflected on design improvement plans whenever those plans are required. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the Transportation Department for verification purposes.

080 - Transportation. 14 RCTD-USE-WQ - ESTABLISH WQMP MAINT ENTITY Not Satisfied

A maintenance plan and signed WQMP/BMP maintenance agreement shall be submitted to the Transportation Department shall be approved and recorded against the property. A maintenance organization will be established with a funding source for the permanent maintenance.

080 - Transportation. 15 RCTD-USE-WQ - IMPLEMENT WQMP Not Satisfied

The Project shall construct BMP facilities described in the approved Final County WQMP prior to the issuance of a building permit to the satisfaction of County Grading Inspection Section. The Project is responsible for performing all activities described in the County WQMP and that copies of the approved Final County WQMP are provided to future owners/occupants.

Waste Resources

080 - Waste Resources. 1 Gen - Waste Recycling Plan Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the

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80. Prior To Building Permit Issuance

Waste Resources

080 - Waste Resources. 1 Gen - Waste Recycling Plan (cont.) Not Satisfied

project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

080 - Waste Resources. 2 Waste - Recyclables Collection and Loading Area Not Satisfied

Prior to issuance of a building permit, the applicant shall submit one electronic (1) copy of a Recyclables Collection and Loading Area plot plan to the Riverside County Department of Waste Resources for review and approval to WastePlanning@rivco.org. The plot plan shall conform to Design Guidelines for Recyclables Collection and Loading Areas, provided by the Department of Waste Resources (found at http://www.rcwaste.org/business/planning/design) and shall show the location of and access to the collection area for recyclable materials, shall demonstrate space allocation for trash and recyclable materials and have the adequate signage indicating the location of each bin in the trash enclosure. The project applicant is advised that clearance of the Recyclables Collection and Loading Area plot plan only satisfies the Waste Resources' conditions for Recyclables Collection and Loading Areas space allocation and other Recyclables Collection and Loading Area Guideline items. Detailed drawings of the Trash Enclosure and its particular construction details, e.g., building materials, location, construction methods etc., should be included as part of the Project plan submittal to the Riverside County Department of Building and Safety.

080 - Waste Resources. 3 Waste - Recyclables Collection and Loading Area Not Satisfied

Prior to issuance of a building permit, the applicant shall submit one electronic (1) copy of a Recyclables Collection and Loading Area plot plan to the Riverside County Department of Waste Resources for review and approval to WastePlanning@rivco.org. The plot plan shall conform to Design Guidelines for Recyclables Collection and Loading Areas, provided by the Department of Waste Resources (found at http://www.rcwaste.org/business/planning/design) and shall show the location of and access to the collection area for recyclable materials, shall demonstrate space allocation for trash and recyclable materials and have the adequate signage indicating the location of each bin in the trash enclosure. The project applicant is advised that clearance of the Recyclables Collection and Loading Area plot plan only satisfies the Waste Resources' conditions for Recyclables Collection and Loading Areas space allocation and other Recyclables Collection and Loading Area Guideline items. Detailed drawings of the Trash Enclosure and its particular construction details, e.g., building materials, location, construction methods etc., should be included as part of the Project plan submittal to the Riverside County Department of Building and Safety.

080 - Waste Resources. 4 Waste Recycling Plan Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping

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80. Prior To Building Permit Issuance

Waste Resources

080 - Waste Resources. 4 Waste Recycling Plan (cont.) Not Satisfied

(receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 1 CURBS ALONG PLANTERS Not Satisfied

A six inch high curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

090 - BS-Grade. 2 CURBS ALONG PLANTERS Not Satisfied

A six inch high curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

090 - BS-Grade. 3 PRECISE GRADE APPROVAL Not Satisfied

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:
1. Requesting and obtaining approval of all required grading inspections.
2. Submitting a “Wet Signed” copy of the Grading Report from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.
3. Submitting a “Wet Signed” copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.
4. Submitting a “Wet Signed” copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.
Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

090 - BS-Grade. 4 PRECISE GRADE APPROVAL Not Satisfied

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:
1. Requesting and obtaining approval of all required grading inspections.
2. Submitting a “Wet Signed” copy of the Grading Report from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.
3. Submitting a “Wet Signed” copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.

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90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 4 PRECISE GRADE APPROVAL (cont.) Not Satisfied

4. Submitting a “Wet Signed” copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.
Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

E Health

090 - E Health. 1 Hazmat Clearance Not Satisfied

Prior to Building Final, clearance from DEH Hazardous Materials Management Branch (HMMB) shall be required.
For the storage and/or handling of any hazardous materials/waste, the operator shall be required to create an account with the California Environmental Reporting System (CERS) and upload all required hazardous materials related data as mandated by the California Health and Safety Code and AB 2286. (http://cers.calepa.ca.gov/)
An annual operating permit will be required. Please contact the Corona HMMB at (951) 273-9143 for application and requirements.

Planning

090 - Planning. 1 Project Site to be Cleared Prior to Final Inspection Not Satisfied

Prior to contacting the Planning Department for a final inspection of the completed project, the developer/permit holder shall ensure the entirety of the project site has been cleared of construction materials, including but not limited to, trash, fencing and trailers.

090 - Planning. 2 Requirement for EJ Contributions / Community Not Satisfied

In compliance with requirements of the Healthy Communities (Environmental Justice) Element of the General Plan, the Applicant agrees to provide the following contributions and community improvements, and to install and/or provide monetary payment in accordance with the requirements below.

1. Installation of a paved sidewalk traversing the project site frontage along Highway 74/Central Avenue, providing pedestrian connectivity along that roadway to adjacent properties. The final design of the sidewalk shall be in substantial compliance with Project plans approved by the Planning Director and presently on file with the Planning Department. This improvement shall be installed prior to final inspection of the completed Project by the Planning Department.

2. Installation of a meandering, paved pathway leading from the interior of the site to the aforementioned sidewalk, facilitating pedestrian access and enhanced by a variety of landscaping (including trees and groundcover) as well as several benches. The final design of these improvements shall be in substantial compliance with Project plans approved by the Planning Director and presently on file with the Planning Department. These improvements shall be installed prior to final inspection of the completed Project by the Planning Department.

3. Provision of funds for placement of one (1) new “Welcome to Warm Springs” monument sign as well as one (1) new bus stop, both to be placed at offsite locations. The final design (including form, dimensions and materials) of both the sign and bus stop shall be subject to review and approval by both the Planning and/or Transportation Departments.

Plan: PPT210016 Parcel: 347130029

90. Prior to Building Final Inspection

Planning

090 - Planning. 2 Requirement for EJ Contributions / Community Not Satisfied

4. Installation of new/enhanced landscaping within the right-of-way, forward of the property located to the immediate south. Final location and plant materials shall be in compliance with approved Final Landscape Plans approved by the Planning Director and presently on file with the Planning Department. All landscaping shall be installed prior to final inspection of the completed Project by the Planning Department.

090 - Planning. 3 Requirement for Final Inspection of Completed Project Not Satisfied

The Applicant shall contact the Planning Department to conduct a final inspection of the completed Project (the latter to specifically include all landscaping and Environmental Justice contributions). Until this inspection is completed, all remaining fees paid, and any corrections or project revisions remedied to the satisfaction of the Planning Department, no Planning sign-off or certificate of occupancy shall be granted.

Transportation

090 - Transportation. 1 90 - TRANSPORTATION - Landscape Inspection and Not Satisfied

Landscape Inspection and Drought Compliance

This condition applies to both onsite and offsite (ROW) landscaping:

The developer/ permit holder shall:

The developer/permit holder shall coordinate with their designated landscape representative and the Transportation Department landscape inspector to ensure all landscape planting and irrigation systems have been installed in accordance with APPROVED EXHIBITS, landscaping, irrigation, and shading plans. The Transportation Department will ensure that all landscaping is healthy, free of weeds, disease and pests; and, irrigation systems are properly constructed and determined to be in good working order. The developer/permit holder's designated landscape representative and the Transportation Department landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of Completion. All landscape inspection deposits and plan check fees shall be paid.

Upon determination of compliance, the Transportation Department, Landscape Section shall clear this condition.

090 - Transportation. 2 RCTD-COLE-USE - Prior to Occupancy, Final Closeout Not Satisfied

Prior to issuance of any occupancy permit, the applicant shall comply with the conditioned titled "COLE-USE - Prior to Occupancy, Final Closeout" located above in the 015-series under Transportation.

or as approved by the Director of Transportation.

090 - Transportation. 3 RCTD-USE - Landscaping Installation Not Satisfied

The project proponent shall comply in accordance with landscaping requirements within the streets associated with the project, in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859.

Landscaping shall be improved within the streets associated with the project.

Plan: PPT210016 Parcel: 347130029

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 3 RCTD-USE - Landscaping Installation (cont.) Not Satisfied

090 - Transportation. 4 RCTD-USE - Road Improvement and Dedication Not Satisfied

Approval of the Street Improvement plans by the Transportation Department will clear this condition. The Project shall provide the following improvements:

Chris Circle shall be constructed with the following lane configuration:
- One left turn lane (12")
- One shared through-right lane (14" min.)
- Two receiving lanes (12" per lane min.)

Driveway on Chris Circle to be constructed per Standard 207A, Ordinance 461.

090 - Transportation. 5 RCTD-USE - TUMF Fee Not Satisfied

Prior to the time of issuance of a Certificate of Occupancy or upon final inspection, whichever occurs first, the Project shall pay fees in accordance with the fee schedule in effect at the time of payment:

• All Transportation Uniform Mitigation Fees (TUMF) in accordance with Ordinance No. 824.

090 - Transportation. 6 RCTD-USE - Utility Install Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be installed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. This also applies to all overhead lines below 34 kilovolts along the project frontage and all offsite overhead lines in each direction of the project site to the nearest offsite pole. A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion for clearance.

In addition, the Project shall ensure that streetlights are energized and operational along the streets of those lots where the Project is seeking Building Final Inspection (Occupancy).

090 - Transportation. 7 RCTD-USE-WQ - WQMP COMPLETION Not Satisfied

Prior to Building Final Inspection, the Project is required to furnish educational materials regarding water quality to future owners/occupants, provide an engineered WQMP certification, inspection of BMPs, GPS location of BMPs, ensure that the requirements for inspection and cleaning the BMPs are established, and for businesses registering BMPs with the Transportation Department's Business Storm Water Compliance Program Section.

Waste Resources

090 - Waste Resources. 1 Waste - Mandatory Commercial and Organics Recycling Not Satisfied

Recycling and Organics Compliance: Prior to final inspection, the applicant shall complete a Mandatory Commercial Recycling and Organics Recycling Compliance form (Form D). Form D requires applicants to identify programs or plans that address commercial and organics recycling, in compliance with State legislation/regulation. Once completed, Form D shall be submitted to the Recycling Section of the Department of Waste Resources for approval. For more information go to: www.rcwaste.org/business/planning/applications. To obtain Form D, please contact the Recycling Section at 951-486-3200, or email to: Waste-CompostingRecycling@rivco.org.

Plan: PPT210016 Parcel: 347130029

90. Prior to Building Final Inspection

Waste Resources

090 - Waste Resources. 1 Waste - Mandatory Commercial and Organics Recycling Not Satisfied

090 - Waste Resources. 2 Waste - Mandatory Commercial Recycling and Organics Not Satisfied

Prior to final inspection, the applicant shall complete a Mandatory Commercial Recycling and Organics Recycling Compliance form (Form D). Form D requires applicants to identify programs or plans that address commercial and organics recycling, in compliance with State legislation/regulation. Once completed, Form D shall be submitted to the Recycling Section of the Department of Waste Resources for approval. For more information go to: www.rcwaste.org/business/planning/applications. To obtain Form D, please contact the Recycling Section at 951-486-3200, or email to: Waste-CompostingRecycling@rivco.org.

090 - Waste Resources. 3 Waste Reporting Form and Receipts Not Satisfied

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

090 - Waste Resources. 4 Waste Reporting Form and Receipts Not Satisfied

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

ADDENDUM NO. 1
TO THE
PLOT PLAN NO. 210016
INITIAL STUDY / MITIGATED NEGATIVE DECLARATION
CEQ200087
SCH#2023030196

County of Riverside
Planning Department
4080 Lemon Street, 12th Floor
Riverside, California 92501

Mitigated Negative Declaration Approved: April 17, 2023
Addendum No. 1 Completed: March 11, 2026

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1. PROJECT DESCRIPTION

A. 2023 Approved Project

An Initial Study and Mitigated Negative Declaration (IS/MND) were prepared for Plot Plan No. 210016 (PPT210016) in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the proposed development of a convenience store and gasoline service station on the project site. The environmental analysis was completed under Environmental Assessment No. CEQ200087, and the Mitigated Negative Declaration was adopted by the County of Riverside on April 17, 2023.

Concurrent with adoption of the Mitigated Negative Declaration, the County approved Plot Plan No. 210016, which authorized the development of a 3,516-square-foot convenience store with a self-service gasoline station and freestanding fuel canopy. The approved project included construction of the convenience store building, a canopied fueling station containing six (6) multi-product fuel dispensers (12 fueling positions), underground fuel storage tanks, vehicle circulation areas, and associated site improvements including parking, landscaping, lighting, and drainage infrastructure on a two-parcel site totaling approximately 1.44 acres. The approved convenience store and fueling station are designed to operate 24 hours per day, seven days per week, and are anticipated to employ approximately eight employees.

The project site is located at 28771 Highway 74/Central Avenue, north of Highway 74 between Rosetta Canyon Drive and Ardenwood Way, within the Warm Springs Community of the Elsinore Area Plan in unincorporated Riverside County.

B. Proposed Modifications

The Change of Zone No. 2400053 (CZ2400053) proposes to change the zoning classification of the subject site from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) to allow for the sale of alcoholic beverages in conjunction with the previously approved convenience store and gasoline service station under Plot Plan No. 210016. Conditional Use Permit No. 240025 (CUP240025) proposes to establish a Type 21 (Off-Sale Beer, Wine & Spirits) Alcoholic Beverage Control (ABC) license within the approved 3,516-square-foot convenience store located on a 1.44-acre site comprised of two parcels (APNs 347-130-028 and 347-130-029) (“Proposed Project”). The requested entitlements would not modify the previously approved site design, building footprint, fueling canopy, or circulation improvements associated with Plot Plan No. 210016.

This Addendum document compiles the necessary information required to update the County’s CEQA adopted IS/MND in accordance with Sections 15162 (Subsequent EIRs and Negative Declarations) and 15164 (Addendum to an EIR or Negative Declaration) of the State CEQA Guidelines.

C. Environmental Review Process

The County has prepared this Addendum in accordance with the current (2026) CEQA Statute and Guidelines for implementing CEQA. State CEQA Guidelines Section 15164 includes the following procedures for the preparation and use of an Addendum:

> (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary and none of the conditions described in

Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

(c) An addendum need not be circulated for public review but can be included in or attached to the Final EIR or adopted negative declaration.

(d) The decision-making body shall consider the addendum with the Final EIR or adopted negative declaration prior to making a decision on the project.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Note that Section 15164(b) addresses use of an Addendum in conjunction with a negative declaration, which is the procedure being used in this document. If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)) When only minor technical changes or additions to an adopted negative declaration (ND) are necessary and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or ND have occurred, CEQA allows the lead agency to prepare and adopt an Addendum. (State CEQA Guidelines, Section 15164(b)).

Under Section 15162, a subsequent EIR is required only when:

(1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous negative declaration;
(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or
(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects

on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The Proposed Project does not constitute substantial changes to the previously approved project evaluated under Environmental Assessment No. CEQ200087. The previously approved project under Plot Plan No. 210016 authorized development of a 3,516-square-foot convenience store with a self-service gasoline station and associated site improvements on a 1.44-acre site.

The Proposed Project does not modify the approved building size, site layout, fueling canopy, circulation patterns, parking configuration, or other physical development analyzed in the adopted Mitigated Negative Declaration. Instead, the Proposed Project includes a Change of Zone from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) to resolve the zoning inconsistency with the General Plan to allow alcohol sales, and a Conditional Use Permit to establish a Type 21 (Off-Sale Beer, Wine & Spirits) Alcoholic Beverage Control (ABC) license within the previously approved convenience store.

The addition of off-sale alcoholic beverage sales would occur within the previously approved building footprint and would not increase the physical intensity of development, require expansion of the building or site improvements, or introduce new operational characteristics that would result in significant new environmental effects or a substantial increase in the severity of previously identified impacts. Therefore, the Proposed Project does not constitute a substantial change to the project requiring major revisions to the previously adopted Mitigated Negative Declaration.

Furthermore, the proposed Change of Zone from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) would not increase the development potential of the site. The proposed zoning classification is more restrictive because the C-P-S zone does not permit uses by right in the same manner as the existing M-SC zoning classification. Any future development within the C-P-S zone would require discretionary review and approval by the County, which would provide the opportunity for additional environmental review under CEQA if warranted. Therefore, the Change of Zone reduces the potential for impacts that could otherwise occur under the existing zoning designation, and any future development beyond the currently approved project would be speculative at this time.

No new information of substantial importance has become available that was not known and could not have been known with the exercise of reasonable diligence, at the time the Mitigated Negative Declaration for Environmental Assessment No. CEQ200087 was adopted. The Proposed Project would allow the sale of alcoholic beverages for off-premises consumption within the previously approved 3,516-square-foot convenience store associated with the gasoline service station approved under Plot Plan No. 210016. The Proposed Project does not involve any expansion of the approved building footprint, fueling facilities, parking areas, or other physical site improvements previously analyzed in the adopted Mitigated Negative Declaration.

Because the physical development of the site remains unchanged, the environmental impact areas analyzed in the Initial Study—including aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, utilities and service systems, and wildfire—remain applicable to the Proposed Project and would not result in new significant environmental effects beyond those previously evaluated. Furthermore, the Proposed Project would not increase the severity of any previously identified impacts, nor would it render previously infeasible mitigation measures feasible or require substantially different mitigation measures to reduce environmental impacts. Therefore, the Proposed Project would not result in

significant effects that were not previously analyzed in the Mitigated Negative Declaration, and no subsequent or supplemental environmental document is required.

Based on the findings of Environmental Assessment No. CEQ200087, the provisions of the State CEQA Guidelines, the County of Riverside, and the information presented above, the Proposed Project would not result in any new or substantially increased significant environmental impacts beyond those previously analyzed in the adopted Mitigated Negative Declaration. Therefore, pursuant to CEQA Guidelines Section 15164, no supplemental or subsequent Mitigated Negative Declaration or Environmental Impact Report is required for the Proposed Project.

2. PROCEDURAL CONSIDERATIONS

On April 17, 2023, the County of Riverside adopted a Mitigated Negative Declaration (MND) for Environmental Assessment No. CEQ200087 and approved Plot Plan No. 210016, which authorized the development of a 3,516-square-foot convenience store with a self-service gasoline station and freestanding fuel canopy. The approved project included construction of the convenience store building, a canopied fueling station containing six multi-product fuel dispensers (12 fueling positions), underground fuel storage tanks, vehicle circulation areas, and associated site improvements including parking, landscaping, lighting, and drainage infrastructure on a two-parcel site totaling approximately 1.44 acres.

Change of Zone No. 2400053 (CZ2400053) proposes to change the zoning classification of the subject site from Manufacturing – Service Commercial (M-SC) to Scenic Highway Commercial (C-P-S) to allow for the sale of alcoholic beverages in conjunction with the previously approved convenience store and gasoline service station under Plot Plan No. 210016. Conditional Use Permit No. 240025 (CUP240025) proposes to establish a Type 21 (Off-Sale Beer, Wine & Spirits) Alcoholic Beverage Control (ABC) license within the approved 3,516-square-foot convenience store located on a 1.44-acre site comprised of two parcels (APNs 347-130-028 and 347-130-029) (“Proposed Project”). The requested entitlements would not modify the previously approved site design, building footprint, fueling canopy, or circulation improvements associated with Plot Plan No. 210016.

Pursuant to CEQA and the State CEQA Guidelines, the County’s environmental review of the proposed project modifications is limited to examining the environmental effects associated with the physical changes in the environment from implementing the modified project in comparison to the approved project. This narrow focus is due to the fact that the previous IS/MND has already addressed the environmental impacts of constructing and operating the original project (Refer to Appendix A).

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the County of Riverside is the Lead Agency for the proposed project revisions and is charged with the responsibility of deciding whether or not to approve the proposed modifications to the project as described above and relying on this Addendum as the second-tier CEQA environmental determination. As part of its decision-making process, the County is required to review and consider the potential environmental effects that could result from implementing the modified project relative to the previously approved project. The County has compiled this Addendum as the basis for making a second-tier CEQA environmental determination for the modified project being proposed.

4. CONCLUSION

The information presented in the 2023 IS/MND was used as a basis for the analysis in this Addendum. Upon review of the 2023 IS/MND, the information and findings in this Addendum conclude that the potential adverse environmental impacts from implementing the proposed revised project, as described in this document, will not cause any new or more significant impacts to the environment than forecasted in the 2023 IS/MND document. The Project will be required to comply with the adopted 2023 IS/MND mitigation measures and conditions of approval as applicable for construction and operation of the facility. The County will require all of the applicable mitigation measures to be implemented for the revised Project. There are no new or more significant impacts that result from the proposed revised Project modifications, based on continuing to implement the commitments in the 2023 IS/MND.

Pursuant to State CEQA Guidelines Section 15164, the IS/MND adopted in 2023, as updated with this Addendum, can be relied upon for documentation of the effects of approving the modified project. Because the changes in this project do not exceed the thresholds outlined in Sections 15162 and 15164 of the State CEQA Guidelines, no further analysis of the environmental impacts of the project is required in a Supplemental/Subsequent EIR or MND. The proposed revised project does not substantially alter the conclusions contained in the 2023 IS/MND as adopted by the County in 2023. The analysis presented above of the changes to the approved project justifies the issuance of Addendum No. 1 to the County's original 2023 IS/MND.

5. REVIEW AUTHORITY

The County of Riverside serves as the CEQA lead agency for this project. It is recommended that an Addendum be adopted as the appropriate CEQA environmental determination for the proposed project modifications, which is to allow the sales of alcohol. All mitigation measures and Conditions of Approval for the original project still apply and are available at the County of Riverside Planning Department at 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

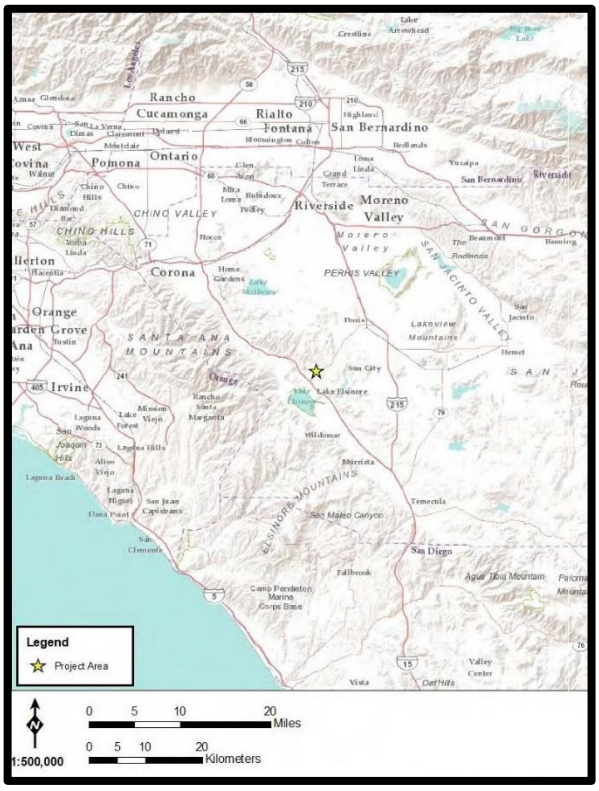
6. CERTIFICATION

Signature	March 11, 2026 Date
Suhaim Bawany TLMA Senior Planner Printed Name	For: John Hildebrand *Planning Director*

APPENDIX A

COUNTY OF RIVERSIDE
ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (CEQ / EA) Number: CEQ200087
Project Case Type (s) and Number(s): PLOT PLAN – PPT-210016 (previously CUP-200043)
Lead Agency Name: County of Riverside Planning Department
Address: 4080 Lemon Street 12th Floor, Riverside, CA 92501
Contact Person: Evan Langan, AICP, Principal Planner
Telephone Number**:** 951-955-9294
Applicant's Name: Jospeh Karaki, Karaki Western States
Applicant's Address: 4887 E, La Palma Avenue, Suite 7-7, Anaheim, CA 92807



I. PROJECT INFORMATION

Project Description:

The project proposes to develop two vacant parcels totaling 1.44 acres with a new gas station. The site is triangular, taking access from a proposed cul-de-sac, Chris Circle, at the southerly point of the triangle. It will be developed with a 3,160-square-foot fueling canopy, six multi-product dispensers, and a 3,516-square-foot convenience store. Access to the project site will be provided via a newly constructed driveway and cul-de-sac on the northwestern leg of Highway 74/Central Avenue and Ardenwood Way signalized intersection.

The project site is in the Warm Springs Community, which forms a portion of the northern boundary of the Elsinore Area Plan. The project site is in the area of the Warm Springs Community in a place where development is concentrated adjacent to Interstate 15 and focused along State Route 74 adjacent to the City of Lake Elsinore. The site is in the County of Riverside at 28771 Highway 74/Central Avenue, northerly of Highway 74/Central Avenue between Rosetta Canyon Drive and Ardenwood Way.

The project was initially proposed for a gas station and convenience store with a Type 20 ABC license, necessitating a Conditional Use Permit, a General Plan Amendment, and a Change of Zone. The applicant no longer wishes to seek a Type 20 ABC license; therefore, the Conditional Use Permit, General Plan Amendment, and Change of Zone are unnecessary. The current proposal is permitted under a Plot Plan approval, whereas the project was changed from a Conditional Use Permit application (CUP200043) to a Plot Plan Application (PPT210016).

The proposed convenience store and fueling station will operate twenty-four hours a day, seven days a week, with eight (8) part-time and full-time employees, including a manager. The project will create new job opportunities for the area.

The service station canopy will cover the six (6) Multi-Product Dispenser (twelve (12) fueling positions) and will provide ADA-accessible fueling positions. To the south of the proposed canopy will be the underground fuel tanks.

The convenience store is of contemporary commercial building design with light and dark brown colors accented with white, light brown, and dark grey colors. The building will be designed with stucco walls and brick veneers. The primary focal point is at the main entrance on the south elevation, with a decorative tower element over the doors extending above the parapet. Another tower element rises further above the parapet on the easterly side of the south elevation with a curved aluminum cladding fascia for interest.

The project includes the following off-site improvements:

- Extension of Chris Circle to ½ street dimensions, with curb, gutter, sidewalk, and streetlights, including a raised median at the intersection.
- Extension of the eight-inch Elsinore Valley Municipal Water District (EVMWD) water line from the center of Highway 74/Central Avenue up proposed Chris Circle, approximately 284 feet.
- Extension of the EVMWD sewer line from the center of Highway 74/Central Avenue up proposed Chris Circle as a three-inch forcemain, approximately 406 feet.
- Extension of other required utilities as needed.
- The proposed striping of crosswalks across Chris Circle and across State Route 74/Central Avenue on both the east and west sides.
- The installation of ADA ramps at the crosswalks on the east and west sides of the crosswalk is proposed across Chris Circle.
- ADA path of travel from Highway 74/Central Avenue.
- A raised median in the north-south direction is proposed at Highway 74/Central Avenue and Allan Street to restrict access to right-in/right-out only at the intersection.
- Construction to ultimate half-width street improvements on Highway 74/Central Avenue. Highway 74/Central Avenue is classified as an Urban Arterial Highway with a 67-foot ultimate half-width. Improvements include but are not limited to curb (with curb line located 55 feet from centerline), gutter, sidewalk, curb ramps, widened pavement section, and signal modification.
- Implementation of a signal modification at the intersection of Highway 74/Central Avenue and Ardenwood Way.
- Streetlighting along Highway 74/Central Avenue.
- Installation of a sidewalk along the Highway 74/Central Avenue frontage adjacent to the car wash project site.
- Addition of a community sign “Welcome to Warm Springs.”

The applicant is also proposing the following project design considerations:

- Two underground fuel tanks are proposed. One 20,000-gallon tank will hold 8,000 gallons of 91-octane and 12,000 gallons of E85-octane unleaded gasoline, and the other 22,000-gallon tank will hold 7,000 gallons of diesel fuel and 15,000 gallons of 87-octane unleaded gasoline;
- Twenty parking spaces, including two clean air vanpool/EV and two ADA-compliant spaces;
- One loading space;
- Air and water dispensers;
- 500-gallon above-ground propane tank;
- One monument sign;
- One gas price sign;
- One trash enclosure with two bins; and
- Landscaping totaling 31,446 square feet of permeable surface and 25,177 square feet of impervious surface.

Construction Characteristics

The applicant proposes construction to begin in February 2023, with construction completed in eight months. The grading is proposed to balance with no import or export proposed.

A. **Type of Project:** Site Specific ☒; Countywide ☐; Community ☐; Policy ☐.

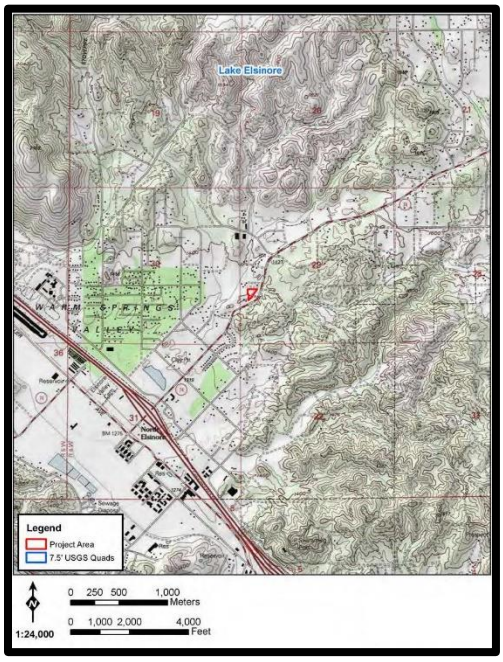
B. **Total Project Area:** 1.44 acres

Residential Acres:		**Lots:**		**Units:**		**Projected No. of Residents:**	
Commercial Acres:	1.44	**Lots:**	2.0	**Sq. Ft. of Bldg. Area:**	3,516	**Est. No. of Employees:**	8
Industrial Acres:		**Lots:**		**Sq. Ft. of Bldg. Area:**		**Est. No. of Employees:**	
Other:							

C. **Assessor's Parcel No(s):** 347-130-028 & 347-130-029

Street References: Northwest corner of Ardenwood Way & Highway 74/Central Avenue

D. **Section, Township & Range Description or reference/attach a Legal Description:** Lake Elsinore, California USGS 7.5-minute quadrangle within Township 5 South, Range 4 West, Section 29



E. **Brief description of the existing environmental setting of the project site and its surroundings:**

The site was once developed with a commercial building, a barn-style structure, and various other outbuildings, including at least one recreational vehicle that may have been used for residential purposes. Currently, the project site consists of vacant land that has been subject to a variety of disturbances. The northeast corner is undisturbed and contains a mix of salt cedar, eucalyptus, and willow scrub.

The willow and salt cedar thickets grow because of a roadside swale originating from Highway 74/Central Avenue, the frontage road located along the northeastern boundary of the site. Street runoff enters the project site in the northern portion of APN 347-130-028 and continues westerly along the property boundary between the project site and the parcel north of the project site. This swale collects street runoff and is not natural or jurisdictional. No bed or bank is associated

with this swale, indicating a flow of water. The water runoff from Highway 74/Central Avenue travels west, backflows to the southeast, and percolates in the well-drained soils.

North: The property to the north is developed with the F & A Custom Wheels and Tires Shop.

South: The south and eastern edges of the project area border an improved storm drain system that appears to be associated with the development along Central Avenue. The southern border of the east parcel also contained a low-lying concrete retaining wall/curb, which appeared to be modern in construction style. Highway 74/Central Avenue, the frontage road, lies adjacent to the site, with single-family residential beyond in the City of Lake Elsinore.

East: The eastern parcel, APN 347-130-028, did not appear to have been previously graded or disturbed except for the southern edge, which had been benched, presumably for slope retention.

West: The parcel immediately west of the project has been developed with the Eco Express Wash and Lube on the same cul-de-sac, Chris Circle. Further to the west of the site is the PTI Sand and Gravel business.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. **General Plan Elements/Policies:**

1. Land Use: The project General Plan Land Use Designation is Community Development – Light Industrial (CD:LI) (0.25-0.60 FAR), permitting industrial and related uses, including warehousing/distribution, assembly, light manufacturing, repair facilities, and supporting retail uses. The project proposes a 3,516-square-foot convenience store with a 3,160-square-foot fueling canopy on a 1.44-acre site with a FAR of 0.11. The use is considered a supporting retail use consistent with the land use designation of Light Industrial.

The project is in the Warm Springs Policy area within the Elsinore Area Plan (ELAP). As designed and conditioned, the project is consistent with the General Plan Land Use designation and Land Use policies. The following is a sampling of the Land Use Element and ELAP policies the project has been designed and conditioned for consistency with the General Plan and ELAP.

As noted, the use is a supporting retail use permitted in the Light Industrial land use category. The site is on a planned transportation corridor with access from a signalized intersection. Highway 74/Central Avenue is a State eligible scenic highway per CalTrans Scenic Highways website. The County also gives this same designation on Figure C-8 – Scenic Highways in the General Plan and on Figure 9 – Elsinore Area Plan Scenic Highway of the ELAP. Landscaping and signage will be as permitted by the County's ordinances.

Although typically, the undergrounding of electric and communication distribution lines would be required for a scenic highway, to do so at this location would be problematic. The poles on either side of the project have not been undergrounded, and complete improvements of Highway 74/Central Avenue have not been fully developed. Therefore, undergrounding the single pole at this location would be challenging and is being deferred until the entire system can be undergrounded.

The landscape plans have been prepared in accordance with the County's Water conservation and water-efficient requirements.

Land Use Compatibility

LU 7.1 Require land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts.

Circulation

LU 13.2 Locate employment and service uses in areas that are easily accessible to existing or planned transportation facilities.

Scenic Corridors

LU 14.3 Ensure that the design and appearance of new landscaping, structures, equipment, signs, or grading within Designated and Eligible State and County scenic highway corridors are compatible with the surrounding scenic setting or environment.

LU 14.4 Maintain an appropriate setback from the edge of the right-of-way for new development adjacent to Designated and Eligible State and County Scenic Highways based on local surrounding development, topography, and other conditions.

LU 14.5 Require new or relocated electric or communication distribution lines, which would be visible from Designated and Eligible State and County Scenic Highways, to be placed underground.

LU 14.6 Prohibit offsite outdoor advertising displays that are visible from Designated and Eligible State and County Scenic Highways.

Water Conservation and Water-Efficient Landscaping

LU 18.1 Ensure compliance with Riverside County's water-efficient landscape policies. Ensure that projects seeking discretionary permits and/or approvals develop and implement landscaping plans prepared in accordance with the Water-Efficient Landscape Ordinance (Ordinance No. 859), the County of Riverside Guide to California Friendly Landscaping and Riverside County's California Friendly Plant List. Ensure that irrigation plans for all new development incorporate weather based controllers and utilize state-of-the-art water-efficient irrigation components.

LU 18.2 Minimize use of turf. Minimize the use of natural turf in landscape medians, front-yard typical designs, parkways, other common areas, etc. and use drought tolerant planting options, mulch, or a combination thereof as a substitute. Limit the use of natural turf to those areas that serve a functional recreational element. Incorporate other aesthetic design elements such as boulders, stamped concrete, pavers, flagstone, decomposed granite, manufactured rock products to enhance visual interest and impact.

LU 18.3 Design and field check irrigation plans to reduce run-off. Emphasize the use of subsurface irrigation techniques for landscape areas adjoining non-permeable hardscape. Utilize subsurface irrigation or other low volume irrigation technology in association with long, narrow, or irregularly shaped turf areas. Minimize use of irregularly shaped turf areas.

LU 18.4 Coordinate Riverside County water-efficiency efforts with those of local water agencies. Support local water agencies' water conservation efforts.

LU 18.5 Emphasize and expand the use of recycled water in conjunction with local water agencies. Recycled water determined to be available pursuant to Section 13550 of the California State Water Code shall be used for appropriate non-potable uses whenever it: a) provides a beneficial use to the customer; b) is economically and technically feasible; c) is consistent with applicable regulatory requirements; and d) is in the best interests of public health, safety, and welfare. With the exception of non-common areas of single-family home residential developments, all other irrigation systems must be designed and installed to accommodate the current or future use of recycled water for irrigation. If no recycled water availability exists or is imminent in the vicinity of a project (as determined by prevailing water agency), all subsurface piping shall be installed as "recycled water ready" to reduce future retrofit costs. Such irrigation plans shall be developed in accordance with standards and policies of the applicable recycled water purveyor. Recycled water systems shall be designed to meet regulatory requirements of the California Department of Public Health and the local recycled water purveyor.

Policies:

ELAP 1.1 Protect the life and property of residents and maintain the character of the Gavilan Hills through adherence to the Hillside Development and Slope section of the General Plan Land Use Element, the Environmentally Sensitive Lands section of the Multipurpose Open Space Element, and the Slope and Soil Instability Hazards and Fire Hazards sections of the General Plan Safety Element.

ELAP 1.2 Require that development of contiguous areas designated as Light Industrial be designed in a coordinated manner.

ELAP 1.3 Require that all commercial and industrial uses be sensitive to environmental hazards (i.e., flooding) and not substantially impact environmental resources (i.e., biological and water quality).

ELAP 1.4 Require commercial and industrial uses to not substantially impact circulation systems.

2. Circulation: The northwestern side of Highway 74/Central Avenue is in the County, whereas the southwestern side is in the City of Lake Elsinore. The County designates Highway 74/Central Avenue as a 184-foot Expressway. Expressways are designed with six or eight lanes, sometimes requiring rights-of-way at intersections. An Expressway is a multi-modal highway corridor for through traffic to which access from abutting property is restricted. Intersections with other streets or highways are limited to approximately one-half-mile intervals.

The City of Lake Elsinore designates Highway 74/Central Avenue as an augmented eight-lane state Highway at 134 feet of right-of-way.

As noted in the Elsinore Area Plan, Highway 74/Central Avenue has been designated an Eligible State Scenic Highway. The western segment is a secondary County entrance road and will serve as a link to Orange County's system of scenic routes.

A project-specific Vehicle Mile Traveled (VMT) analysis has been prepared pursuant to CEQA and was less than significant. The project, as designed and conditioned, is consistent with the General Plan Circulation Element.

Although not a CEQA-related issue, a Traffic Impact Analysis (TIA) was prepared to determine the project's impacts on traffic and circulation for the County's and the City of Lake Elsinore's transportation system. The result of this TIA will be analyzed with needed improvements to the circulation system to accommodate the new project added as conditions of approval.

C 2.2 Require that new development prepare a traffic impact analysis as warranted by the Riverside County Traffic Impact Analysis Preparation Guidelines or as approved by the Director of Transportation. Apply level of service targets to new development per the Riverside County Traffic Impact Analysis Preparation Guidelines to evaluate traffic impacts and identify appropriate mitigation measures for new development.

C 2.3 Traffic studies prepared for development entitlements (tracts, public use permits, conditional use permits, etc.) shall identify project related traffic impacts and determine the significance of such impacts in compliance with CEQA and the Riverside County Congestion Management Program Requirements. (AI 3)

C 2.4 The direct project related traffic impacts of new development proposals shall be mitigated via conditions of approval requiring the construction of any improvements identified as necessary to meet level of service targets.

C 2.5 The cumulative and indirect traffic impacts of development may be mitigated through the payment of various impact mitigation fees such as County of Riverside Development Impact Fees, Road and Bridge Benefit District Fees, and Transportation Uniform Mitigation Fees to the extent that these programs provide funding for the improvement of facilities impacted by development.

C 3.1 Design, construct, and maintain Riverside County roadways as specified in the Riverside County Road Improvement Standards and Specifications. The standards shown in Figure C-4 may be modified by Specific Plans, Community Guidelines, or as approved by the Director of Transportation if alternative roadway standards are desirable to improve sustainability for the area.

C 3.2 Maintain the existing transportation network, while providing for future expansion and improvement based on travel demand, and the development of alternative travel modes.

C 3.3 Implement design guidelines that identify intersection improvements consistent with the lane geometrics in Table C-2 unless additional lanes are needed to maintain consistency with Policy C 2.2. Where roadway classifications change on a continuous alignment, the standards of the higher classification will normally be transitioned on a portion of the roadway that has the lower classification, particularly where the change takes place at roadway intersections. This may result in additional right of way or lanes being required above the standards shown in Figure C-4 for the segment with the lower classification to accommodate the transition.

C 3.6 Require private developers to be primarily responsible for the improvement of streets and highways that serve as access to developing commercial, industrial, and residential areas. These may include road construction or widening, installation of turning lanes and traffic signals, and the improvement of any

drainage facility or other auxiliary facility necessary for the safe and efficient movement of traffic or the protection of road facilities.

C 3.7 Design interior collector street systems for commercial and industrial subdivisions to accommodate the movement of heavy trucks.

C 3.11 Generally locate commercial and industrial land uses so that they take driveway access from General Plan roadways with a classification of Secondary Highway or greater, consistent with design criteria limiting the number of such commercial access points and encouraging shared access. Exceptions to the requirement for access to a Secondary Highway or greater would be considered for isolated convenience commercial uses, such as standalone convenience stores or gas stations at an isolated off ramp in a remote area. Industrial park type developments may be provided individual parcel access via an internal network of Industrial Collector streets.

C 3.13 Design street intersections, where appropriate, to assure the safe, efficient passage of through-traffic and the negotiation of turning movements.

C 3.15 Provide adequate sight distances for safe vehicular movement at a road's design speed and at all intersections.

C 3.16 Dedicate necessary rights-of-way as part of the land division and land use review processes.

Pedestrian Facilities

C 4.4 Plan for pedestrian access that is consistent with road design standards while designing street and road projects. Provisions for pedestrian paths or sidewalks and timing of traffic signals to allow safe pedestrian street crossing shall be included.

C 4.6 Consult the Riverside County Transportation Department as part of the development review process regarding any development proposals where pedestrian facilities may be warranted. The County of Riverside may require both the dedication and improvement of the pedestrian facilities as a condition of development approval.

C 4.7 Make reasonable accommodation for safe pedestrian walkways that comply with the Americans with Disabilities Act (ADA) requirements within commercial, office, industrial, mixed use, residential, and recreational developments.

C 4.8 Coordinate with all transit operators to ensure that ADA compliant pedestrian facilities are provided along and/or near all transit routes, whenever feasible. New land developments may be required to provide pedestrian facilities due to existing or future planned transit routes even if demand for pedestrian facility may not be otherwise warranted.

System Access

C 6.2 Require all-weather access to all new development.

C 6.3 Limit access points and intersections of streets and highways based upon the road's General Plan classification and function. Require that access points be located so that they comply with Riverside County's minimum intersection spacing standards. Under special circumstances the Transportation Department may consider exceptions to this requirement.

C 6.4 Discourage parcel access points taken directly off General Plan designated highways. Access may be permitted off of General Plan designated highways only if no local streets are present.

C 6.5 Provide common access via shared driveways and/or reciprocal access easements whenever access must be taken directly off a General Plan designated highway. Parcels on opposite sides of a highway shall have access points located directly opposite each other, whenever possible, to allow for future street intersections and increased safety.

C 7.8 Collaborate with all incorporated cities and all adjacent counties to implement and integrate right-of-way requirements and improvement standards for General Plan roads that cross jurisdictional boundaries. Detailed procedures have been developed and include the following:

a. For development under Riverside County jurisdiction but within the sphere of influence (SOI) of a city having roadway standards different from Riverside County, city and Riverside County staff will cooperate and agree on a reasonable choice of design standards for the particular circumstances involved, and negotiate logical transitions from city to Riverside County standards.

b. In general, for such development under Riverside County jurisdiction but within the SOI of an incorporated jurisdiction, city standards should apply if the staffs concur that annexation to the City will logically occur in the short to intermediate range future. Where annexation seems doubtful into the long-term future, Riverside County standards should apply.

c. Transition areas at meeting points of roadways designed to differing city and Riverside County standards or differing functional classifications should be individually designed to facilitate satisfactory operational and safety performance. Further, Riverside County should update the road standards to reflect the intent of this policy and standards agreed upon by the County of Riverside and other local agencies.

Combination Class I Bikeway/Regional Trails

C 17.1 Develop Class I Bike Paths, Class II Bike Lanes and Class I Bike Paths/Regional Trails (Combination Trails) as shown in the Trails Plan (Figure C-7), to the design standards as outlined in the California Department of Transportation Highway Design Manual, adopted Riverside County Design Guidelines (for communities that have them), the Riverside County Regional Park and Open Space Trails Standards Manual, and other Riverside County Guidelines.

Policies:

ELAP 11.1 Protect Interstate 15 and State Route 74 from change that would diminish the aesthetic value of adjacent properties through adherence to the Scenic Corridors sections of the General Plan Land Use and Circulation Elements.

3. **Multipurpose Open Space:** Although the Elsinore Area Plan is generally located in the Santa Margarita River watershed, the project site is in the Santa Ana River water shed and the sub-watershed of Temescal Creek. The site is not located in a floodplain, and no naturally occurring watercourses occur on the property. As previously noted, the northeast corner of the site is a drainage caused by a roadside swale originating from Highway 74/Central Avenue. The project will adhere to all required WQMP, BMPs, NPDES, and SWPPP requirements. The site is not designated as an open space area on the County General Plan.

Water Quality

OS 3.4 Review proposed projects to ensure compliance with the National Pollutant Discharge Elimination System (NPDES) Permits and require them to prepare the necessary Stormwater Pollution Prevention Program (SWPPP).

OS 3.6 Design the necessary stormwater detention basins, recharge basins, water quality basins, or similar water capture facilities to protect water-quality. Such facilities should capture and/or treat water before it enters a watercourse. In general, these facilities should not be placed in watercourses, unless no other feasible options are available.

OS 3.7 Where feasible, decrease stormwater runoff by reducing pavement in development areas, reducing dry weather urban runoff, and by incorporating "Low Impact Development," green infrastructure and other Best Management Practice design measures such as permeable parking bays and lots, use of less pavement, bio-filtration, and use of multi-functional open drainage systems, etc.

Scenic Corridors

OS 22.1 Design developments within designated scenic highway corridors to balance the objectives of maintaining scenic resources with accommodating compatible land uses.

OS 22.3 Encourage joint efforts among federal, state, and county agencies, and citizen groups to ensure compatible development within scenic corridors.

4. **Safety:** A Preliminary Geotechnical Investigation Report for Foundation Design was prepared for the project. A review of the FEMA Flood Maps, Airport Land Use Commission Maps, and the General Plan Safety Element Maps has been performed to determine the project's compliance with the County's General Plan Safety Element. Safety can come in the form of hazards that are both natural and manmade conditions. The property is not located within:

- An airport influence area,
- A floodplain,
- A dam inundation area,

- A fault zone area,
- On a fault line,
- A liquefaction area, or
- An area subject to subsidence.

However, the site is located in a very high fire severity zone under the state's responsibility. In addition, the project will be storing and dispensing a hazardous material, vehicle fuel. As such, the project has been designed and conditioned for these hazards.

Fire Hazards

S 4.1 All development and construction within Fire Hazard Severity Zones shall be reviewed by the Riverside County Fire Department and Building and Safety Department for consistency with the following requirements before the issuance of any building permits:

a) All proposed development and construction shall meet minimum state, county, and local standards, and other legal requirements for fire safety, as defined in the Riverside County Building or Fire Codes, or by County zoning, or as dictated by the Building Official or the Transportation Land Management Agency, based on building type, design, occupancy, and use.

b) In addition to the standards and guidelines of the California Building Code, California Fire Code, the Riverside County Code of Ordinances, Title 14 of the California Code of Regulations, and other appropriate fire safety provisions, developments shall incorporate additional standards for high-risk, high-occupancy, and dependent facilities where appropriate under the Riverside County Fire Code (Ordinance No. 787) Ordinance. These shall include assurance that structural and nonstructural architectural elements of the building will not impede emergency egress for fire safety staffing/personnel, equipment, and apparatus; nor hinder evacuation from fire, including potential blockage of stairways or fire doors.

c) Proposed development and construction in Fire Hazard Severity Zones shall provide secondary public access, in accordance with Riverside County ordinances, where required. There shall be multiple points of ingress and egress that allow for emergency response vehicle access. Points of access shall also include visible street addresses and signs and sufficient water supplies, infrastructure for structural fire suppression, and other applicable local and state requirements.

d) Proposed development and construction in Fire Hazard Severity Zones shall use single loaded roads to enhance fuel modification areas, unless otherwise determined by the Riverside County Fire Chief.

e) Proposed development and construction in Fire Hazard Severity Zones shall provide a defensible space or fuel modification zones to be located, designed, constructed, and maintained to provide adequate defensibility from wildfires.

f) Prior to the approval of all parcel maps and tentative maps, the County shall require, as a condition of approval and as feasible and appropriate, the developer meet or exceed the State Responsibility Area Fire Safe Regulations and the Fire Hazard Reduction Around Buildings and Structures Regulations, particularly those regarding road standards for

ingress, egress, and fire equipment access (see Gov. Code, Section 66474.02.)

g) Proposed development and construction of more than four residential units or more than 10,000 square feet of nonresidential space located in Very High Fire Hazard Severity Zones, or other appropriate zones as determined by the Riverside County Fire Department, shall submit, and implement a fire protection plan as feasible and appropriate. This plan shall include provisions for roadways and access, firefighting infrastructure, signage, vegetation management, construction materials, and evacuations.

S 4.3 Monitor fire-prevention measures (e.g., fuel reduction) through a site-specific fire-prevention plan to reduce long-term fire risks in Very High Fire Hazard Severity Zones.

S 4.5 Require proposed development in High or Very High Fire Hazard Severity Zones be located where fire and emergency services are available or will be constructed as part of the proposed development activities, to the extent such locations are available. These services should meet the minimum response times as established by the Riverside County Fire Department.

S 4.6 Request that conceptual landscaping plans for development in Fire Hazard Severity Zones be reviewed by TLMA and Fire Department prior to the issuance of development permits. The conceptual landscaping plan of the proposed development should, at a minimum, include:

a) Plant palette suitable for high fire hazard areas to reduce the risk of fire hazards.
b) Retention of existing natural vegetation to the maximum extent feasible.
c) Removal of on-site combustible plants.

Hazardous Waste and Materials

S 5.2 Review all proposed development projects that manufacture, use, or transport hazardous materials for compliance with the CHWMP. Such projects shall provide a buffer zone, to be determined by the County, between the installation and property boundaries sufficient to protect public safety.

S 5.3 Require that applications for discretionary development projects that will generate hazardous wastes or use hazardous materials include detailed information on hazardous waste reduction, recycling, and storage.

S 5.4 Ensure that industrial facilities are constructed and operated in accordance with current safety and environmental protection standards.

S 5.5 Regulate the storage of hazardous materials and wastes and require secondary containment and periodic examination for all such materials as necessary.

S 5.6 Require that any business that handles a hazardous material prepare a plan for emergency response to a release or threatened release of a hazardous material, including providing updated information to emergency responders on the type and quantity of hazardous materials kept on-site.

S 5.8 Ensure that the use and disposal of hazardous materials in the County complies with local, state, and federal safety standards.

S 5.9 Require commercial businesses, utilities, and industrial facilities that handle hazardous materials to install automatic fire and hazardous materials detection, reporting, and shut-off devices, and install an alternative communication system in the event power is out or telephone service is saturated following an earthquake.

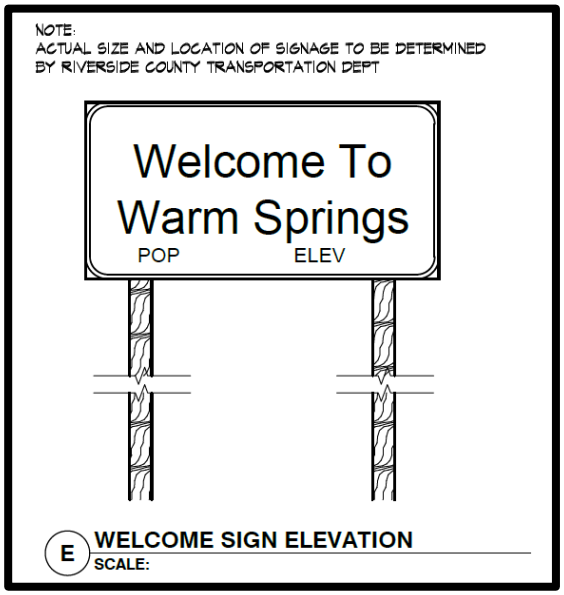
5. **Noise:** A project-specific Noise Impact Study was prepared for the project. It was determined that the project would comply with the County's General Plan and Zoning Regulations when operational. See the Noise Impact Study (Appendix L) for specific General Plan policies.

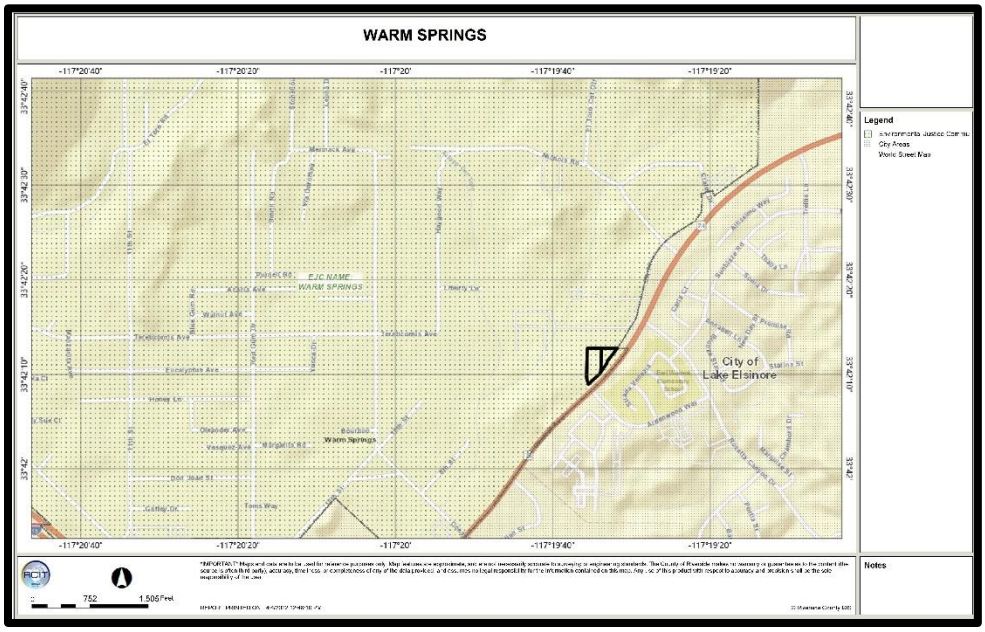
6. **Housing:** The project does not include the development or demolition of housing. It is not expected that a project of this size would create a demand for housing beyond that planned under the County's General Plan.

7. **Air Quality:** The project will meet all requirements of the South Coast Air Quality Management District (SCAQMD) and, as designed and conditioned, complies with the County's General Plan Air Quality Element. A project-specific Air Quality and Greenhouse Gas Impact Study has been prepared for the project that further details the project's compliance with SCAQMD's requirements and the County's General Plan. It is noted that a Health Risk Assessment is provided in Section 8 of the Air Quality and Greenhouse Gas Impact Study. See the Air Quality and Greenhouse Gas Impact Study (Appendix A) for specific General Plan policies.

8. **Healthy Communities:** The Healthy Communities Element addresses areas where public health and planning intersect, including transportation and active living, access to nutritious foods, health care, mental health, quality of life, and environmental health. The project would introduce a vehicle-oriented commercial use on a heavily traveled state highway. While the project does not promote the policies of the Healthy Communities Element due to the site location, it also does not conflict with those policies.

9. **Environmental Justice:** The project site is located in the Warm Springs Environmental Justice Community. The project is located on the outer edge of the community adjacent to Highway 74/Central Avenue. After a thorough review of the Environmental Justice Form, the project is compatible through project design features and conditions of approval. The project design features shown on the plans include the ADA path of travel from Highway 74/Central Avenue to the project site and the proposed community signage. The project is also to be conditioned to provide a sidewalk along the Highway 74/Central Avenue frontage adjacent to the car wash project site.





B. **General Plan Area Plan(s):** Elsinore Area Plan

C. **Foundation Component(s):** Community Development

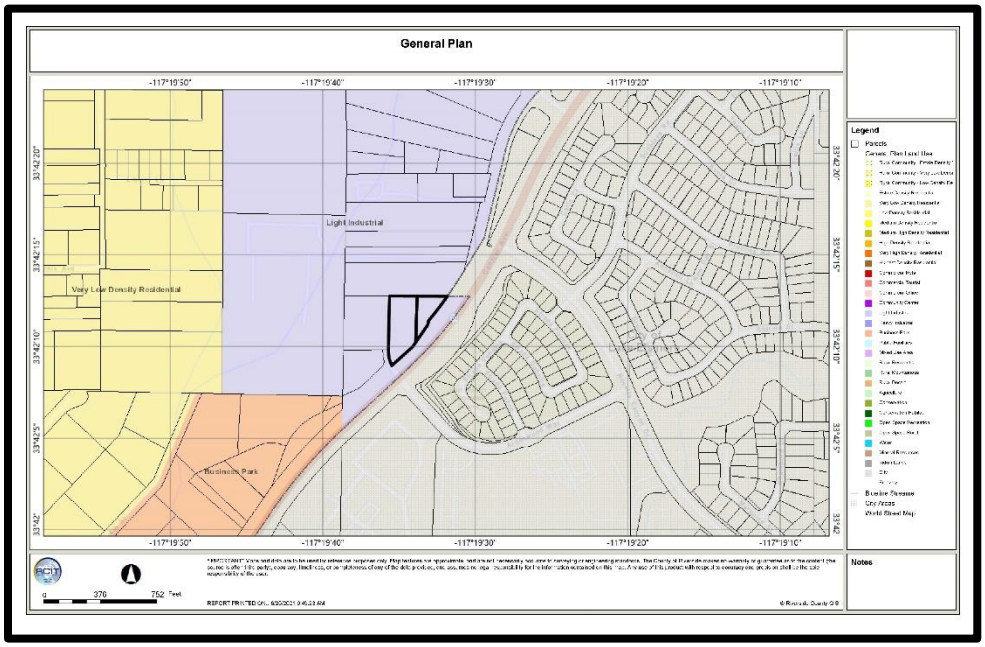
D. **Land Use Designation(s):** Light Industrial – LI

E. **Overlay(s), if any:** None

F. **Policy Area(s), if any:** Warm Springs Policy Area

G. **Adjacent and Surrounding:**

1. **General Plan Area Plan(s):** Elsinore Area Plan and to the east across Highway 74/Central Avenue in the City of Lake Elsinore is the Lake Elsinore Hills District Specific Plan



2. **Foundation Component(s):** Community Development

3. **Land Use Designation(s):** Light Industrial – LI (0.25 – 0.60 FAR) and to the east across Highway 74/Central Avenue in the City of Lake Elsinore is the Medium Density Residential Land Use Designation

4. **Overlay(s), if any:** None

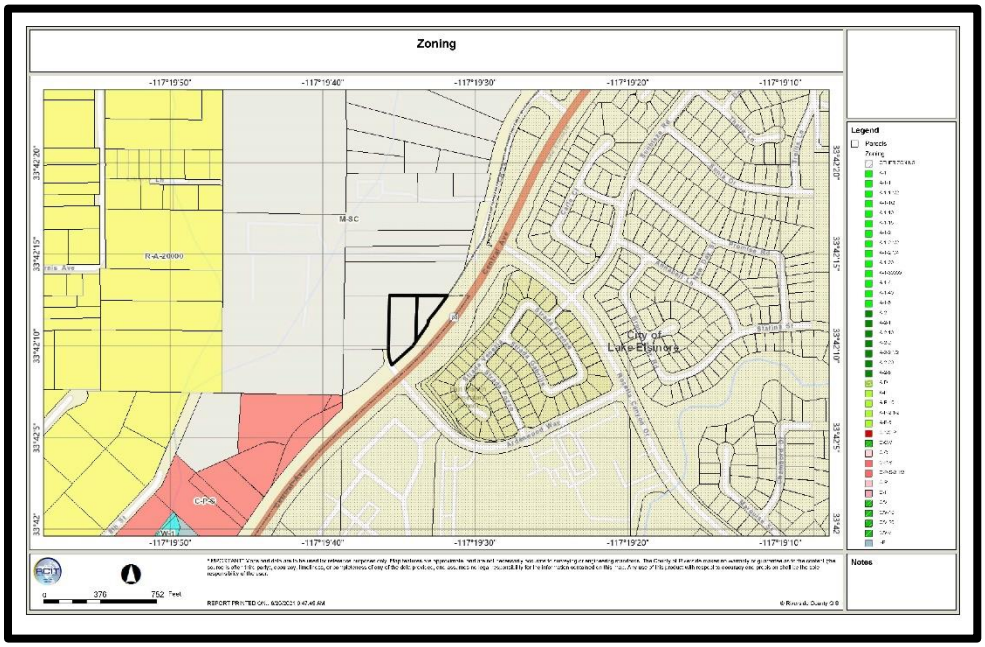
5. **Policy Area(s), if any:** Warm Springs Policy Area

H. **Adopted Specific Plan Information**

1. **Name and Number of Specific Plan, if any:** None in the County and to the east across Highway 74/Central Avenue in the City of Lake Elsinore is the Lake Elsinore Hills District Specific Plan

2. **Specific Plan Planning Area, and Policies, if any:** None in the County

I. **Existing Zoning:** M-SC – Manufacturing – Service Commercial Zone



J. **Proposed Zoning, if any:** None

K. **Adjacent and Surrounding Zoning:** M-SC – Manufacturing – Service Commercial Zone. Across Highway 74/Central Avenue in the City of Lake Elsinore, to the east, is the Medium Density Residential Lake Elsinore Hills District.

III. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g., permits, financing approval, or participation agreement)

A. Elsinore Valley Municipal Water District (EVMWD)
B. Southern California Edison
C. Southern California Gas
D. AT&T
E. Spectrum
F. Frontier
G. Riverside County Flood Control and Water Conservation District (RCFCWCD)
H. Riverside County Environmental Health
I. South Coast Air Quality Management District (SCAQMD)
J. Statewide Construction General Permit

IV. APPENDICES – (Found as Separate Documents and Incorporated by Reference into this IS/MND Pursuant to CEQA Guidelines Section 15150)

A. Gas Station & Convenience Store – Lighting Study, County of Riverside, CA, prepared by MD Acoustics, Updated March 30, 2021
B. Air Quality and Greenhouse Gas Impact Study – Central Avenue Gas Station, prepared by MD Acoustics, December 19, 2022
C. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis, Commercial Retail – 76 Station Central Avenue (Hwy 74) and Eighth Street, prepared by Jericho Systems, Inc, March 2021
D. Biological Resources Assessment (BRA), Jurisdictional Delineation (JD), Commercial Retail (76 Station) – APN: 347-130-029 & 347-130-028, Central Avenue (Hwy 74) and

Eighth Street, City of Lake Elsinore, Riverside County, California, prepared by Jericho Systems, Inc, February 23, 2021, revised May 1, 2021

E. Phase 1 Cultural Resources Assessment Report for the 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Lake Elsinore, Riverside County, California, prepared by Red Tail Environmental, February 2021

F. Gas Station & Convenience Store – CEQA Energy Review, County of Riverside, CA, prepared by MD Acoustics, December 19, 2022

G. Phase 1 Environmental Site Assessment, Vacant Property, 28771 Central Avenue, Lake Elsinore, CA 92532, Prepared by Geotechnical and Environmental Engineering Consultants, Inc., December 28, 2020

H. Revised Work Plan for a Supplemental Site Assessment, Proposed Gasoline Service Station, 28771 Central Avenue, Lake Elsinore, County of Riverside, California, prepared by Geotechnical and Environmental Engineering Consultants, Inc., April 26, 2021

I. Supplemental Environmental Site Assessment, Vacant Property, 28771 Central Avenue, Lake Elsinore, RSCO, California, Geotechnical and Environmental Engineering Consultants, Inc., June 15, 2021

J. Hydrology Report for 28771 Central Avenue Gas Station, prepared by Kamal Mchantaf, March 10, 2021

K. Project Specific Water Quality Management Plan, 28771 Central Avenue Gas Station, prepared by Western States Engineering, Inc., September 23, 2020, Revised May 3, 2021

L. Gas Station & Convenience Store, Noise Impact Study County of Riverside, CA, prepared by MD Acoustics LLC, January 26, 2023

M. Paleontological Resources Assessment Report for the 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Lake Elsinore, Riverside County, California, prepared by Red Tail Environmental, April 2021

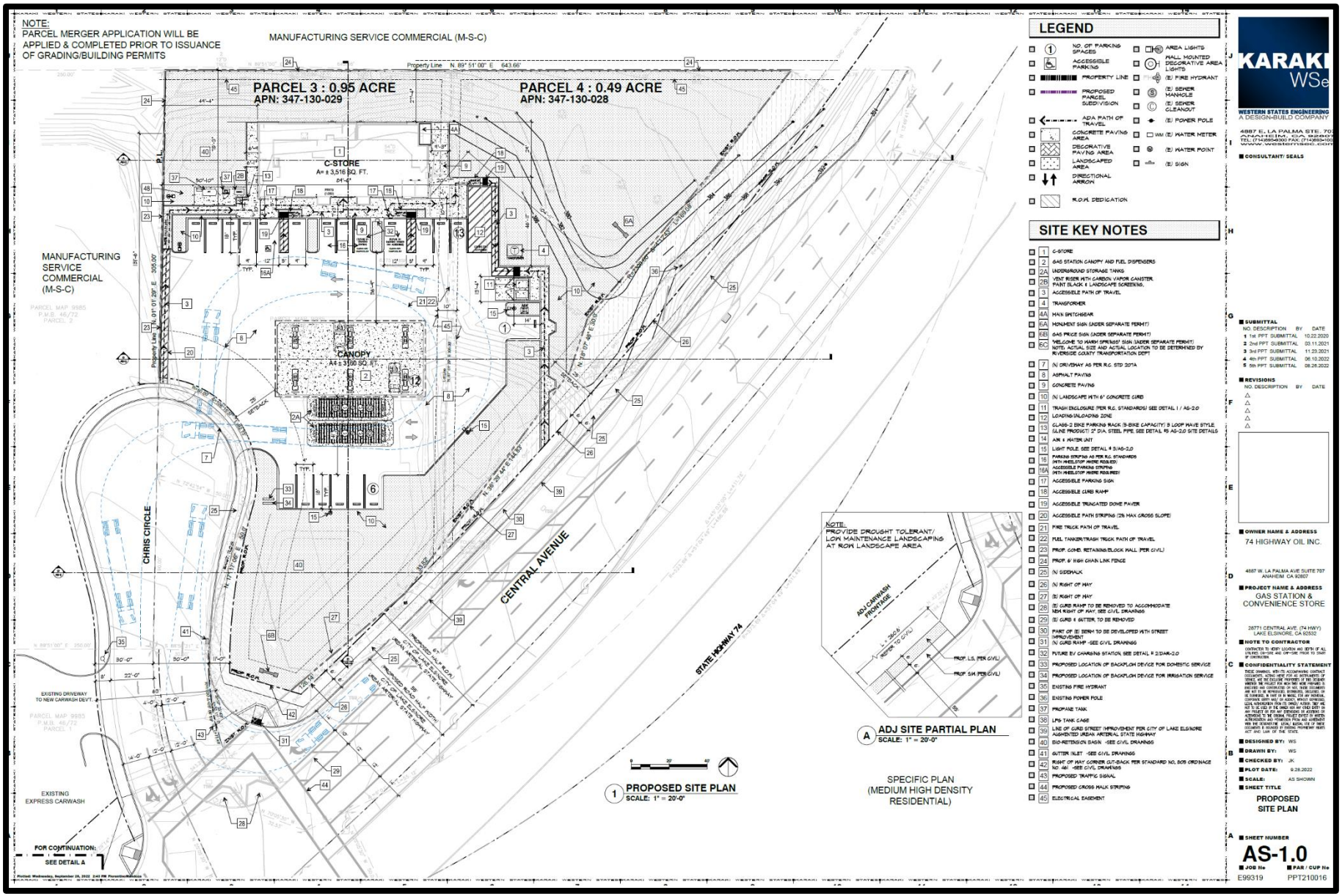
N. Central Avenue Gas Station Vehicle Miles Traveled (VMT) Analysis, prepared by Integrated Engineering Group, March 2021

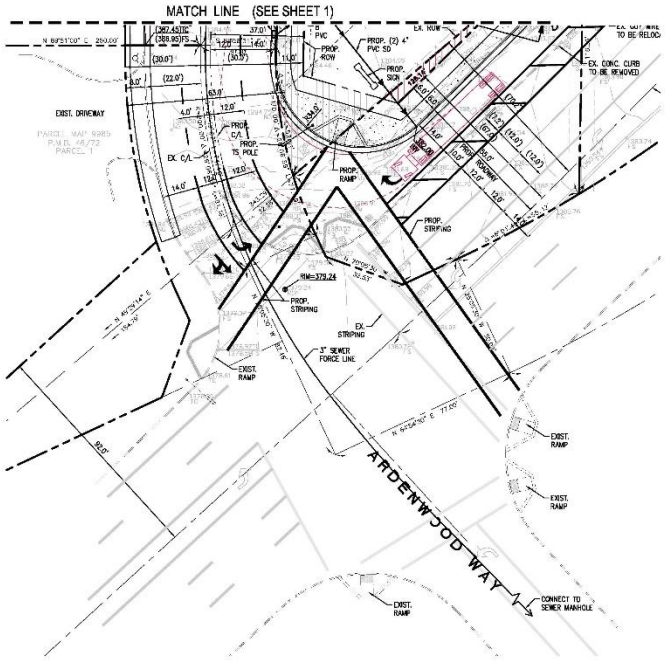
O. Central Avenue Gas Station Traffic Impact Analysis, prepared by Integrated Engineering Group, October 2021

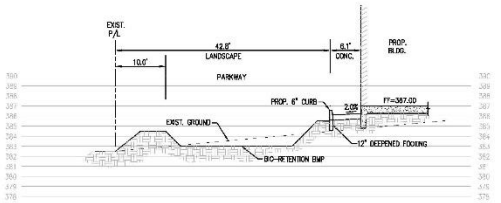
ACRONYMS

ABC -	Alcohol Beverage Control
ACM -	Asbestos Containing Materials
ACCM -	Asbestos Construction Containing Materials
ADA -	Americans with Disabilities Act
ALUC -	Airport Land Use Commission
ALUCP -	Airport Land Use Compatibility Plan
AQMP -	Air Quality Management Plan
BMP -	Best Management Practice
CEQA -	California Environmental Quality Act
CIWMD -	California Integrated Waste Management District
CMP -	Congestion Management Plan
CUP -	Conditional Use Permit
DOSH -	Division of Occupational Safety and Health Administration
DP -	Development Plan
DTSC -	Department of Toxic Substance Control
DWR -	Department of Water Resources
EIR -	Environmental Impact Report
EOP -	Emergency Operations Plan
FEMA -	Federal Emergency Management Agency
FMMP -	Farmland Mapping and Monitoring Program
GIS -	Geographic Information System
GHG -	Greenhouse Gas
GP -	General Plan
GPU -	General Plan Update
HCM -	Highway Capacity Manual
HCP -	Habitat Conservation Plan
HOA -	Homeowners' Association
IS -	Initial Study
LBP -	Lead-Based Paint
LEUSD	Lake Elsinore Unified School District
LHMP -	Local Hazard Mitigation Plan
LID -	Low Impact Development
LOS -	Level of Service
LST -	Localized Significance Threshold
MCUP -	Minor Conditional Use Permit
MM -	Mitigation Measure
MSHCP -	Multiple Species Habitat Conservation Plan
MWD -	Metropolitan Water District
NCCP -	Natural Communities Conservation Plan
NPDES -	National Pollutant Discharge Elimination System
OEM -	Office of Emergency Services
OSHA -	Occupational Health and Safety Administration
OPR -	Office of Planning & Research, State
PEIR -	Program Environmental Impact Report
PW -	Public Works
PWQMP -	Preliminary Water Quality Management Plan
RCEH -	Riverside County Environmental Health
RCFCWCD -	Riverside County Flood Control & Water Conservation District
RCP -	Regional Comprehensive Plan
RTA -	Riverside Transit Agency
RTIP -	Regional Transportation Improvement Plan

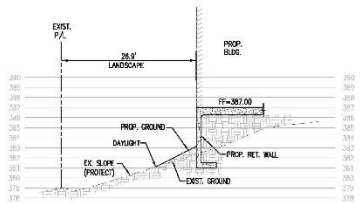
RTP -	Regional Transportation Plan
SCAG -	Southern California Association of Governments
SCAQMD -	South Coast Air Quality Management District
SCE -	Southern California Edison
SCH -	State Clearinghouse
SEIR -	Supplemental Environmental Impact Report
SKRHCP -	Stephens' Kangaroo Rat Habitat Conservation Plan
SWPPP -	Storm Water Pollution Prevention Plan
SWRCB -	State Water Resources Control Board
UBC -	Uniform Building Code
USFWS -	United States Fish and Wildlife
USGS -	United States Geologic Survey
VMT -	Vehicle Miles Traveled
WMWD	Western Municipal Water District
WQMP -	Water Quality Management Plan
WRCOG -	Western Riverside Council of Governments


NOTE:
PARCEL MERGER APPLICATION WILL BE APPLIED & COMPLETED PRIOR TO ISSUANCE OF GRADING/BUILDING PERMITS
MANUFACTURING SERVICE COMMERCIAL (M-S-C)
PARCEL 3 : 0.95 ACRE
APN: 347-130-029
PARCEL 4 : 0.49 ACRE
APN: 347-130-028
C-STORE
A= ± 3,516 SQ. FT.
CANOPY
A= ± 3,100 SQ. FT.
MANUFACTURING SERVICE COMMERCIAL (M-S-C)
CHRIS CIRCLE
CENTRAL AVENUE
STATE HIGHWAY 74
EXISTING EXPRESS CARWASH
EXISTING DRIVEWAY TO NEW CARWASH DEVT.
FOR CONTINUATION:
SEE DETAIL A
1 PROPOSED SITE PLAN
SCALE: 1" = 20'-0"
A ADJ SITE PARTIAL PLAN
SCALE: 1" = 20'-0"
ADJ CARWASH FRONTAGE
PROP. LS. PER CIVIL
PROP. SW PER CIVIL
SPECIFIC PLAN
(MEDIUM HIGH DENSITY
RESIDENTIAL)
LEGEND
NO. OF PARKING SPACES
ACCESSIBLE PARKING
PROPERTY LINE
PROPOSED PARCEL SUBDIVISION
ADA PATH OF TRAVEL
CONCRETE PAVING AREA
DECORATIVE PAVING AREA
LANDSCAPED AREA
DIRECTIONAL ARROW
R.O.W. DEDICATION
AREA LIGHTS
WALL MOUNTED DECORATIVE AREA LIGHTS
(E) FIRE HYDRANT
(E) SEWER MANHOLE
(E) SEWER CLEANOUT
(E) POWER POLE
(E) WATER METER
(E) WATER POINT
(E) SIGN
SITE KEY NOTES
1 C-STORE
2 GAS STATION CANOPY AND FUEL DISPENSERS
2A UNDERGROUND STORAGE TANKS
2B VENT RISER WITH CARBON VAPOR CANISTER. PAINT BLACK & LANDSCAPE SCREENING.
3 ACCESSIBLE PATH OF TRAVEL
4 TRANSFORMER
4A MAIN SWITCHGEAR
6A MONUMENT SIGN (UNDER SEPARATE PERMIT)
6B GAS PRICE SIGN (UNDER SEPARATE PERMIT)
6C "WELCOME TO VANNY SPRINGS" SIGN (UNDER SEPARATE PERMIT) NOTE: ACTUAL SIZE AND ACTUAL LOCATION TO BE DETERMINED BY RIVERSIDE COUNTY TRANSPORTATION DEPT
7 (N) DRIVEWAY AS PER R.C. STD 207A
8 ASPHALT PAVING
9 CONCRETE PAVING
10 (N) LANDSCAPE WITH 6" CONCRETE CURB
11 TRASH ENCLOSURE (PER R.C. STANDARDS) SEE DETAIL 1 / AS-2.0
12 LOADING/UNLOADING ZONE
13 CLASS-2 BIKE PARKING RACK (5-BIKE CAPACITY) 3 LOOP WAVE STYLE, GLINE PRODUCT 2" DIA. STEEL PIPE SEE DETAIL #5 AS-2.0 SITE DETAILS
14 AIR & WATER UNIT
15 LIGHT POLE, SEE DETAIL # 3/AS-2.0
16 PARKING STRIPING AS PER R.C. STANDARDS (WITH HELLOP PAINT REQUIRED)
16A ACCESSIBLE PARKING STRIPING (WITH HELLOP PAINT REQUIRED)
17 ACCESSIBLE PARKING SIGN
18 ACCESSIBLE CURB RAMP
19 ACCESSIBLE TRUNCATED DOME PAVER
20 ACCESSIBLE PATH STRIPING (2% MAX CROSS SLOPE)
21 FIRE TRUCK PATH OF TRAVEL
22 FUEL TANKER/TRASH TRUCK PATH OF TRAVEL
23 PROP. CONC. RETAINING/BLOCK WALL (PER CIVIL)
24 PROP. 6' HIGH CHAIN LINK FENCE
25 (N) SIDEWALK
26 (N) RIGHT OF WAY
27 (E) RIGHT OF WAY
28 (E) CURB RAMP TO BE REMOVED TO ACCOMMODATE NEW RIGHT OF WAY, SEE CIVIL DRAWINGS
29 (E) CURB & GUTTER, TO BE REMOVED
30 PART OF (E) BERM TO BE DEVELOPED WITH STREET IMPROVEMENT
31 (N) CURB RAMP -SEE CIVIL DRAWINGS
32 FUTURE EV CHARGING STATION, SEE DETAIL # 2/DIAK-2.0
33 PROPOSED LOCATION OF BACKFLOW DEVICE FOR DOMESTIC SERVICE
34 PROPOSED LOCATION OF BACKFLOW DEVICE FOR IRRIGATION SERVICE
35 EXISTING FIRE HYDRANT
36 EXISTING POWER POLE
37 PROPANE TANK
38 LPG TANK CAGE
39 LINE OF CURB STREET IMPROVEMENT PER CITY OF LAKE ELSINORE AUGMENTED URBAN ARTERIAL STATE HIGHWAY
40 BIO-RETENTION BASIN -SEE CIVIL DRAWINGS
41 GUTTER INLET -SEE CIVIL DRAWINGS
42 RIGHT OF WAY CORNER CUT-BACK PER STANDARD NO. 805 ORDINANCE NO. 461 -SEE CIVIL DRAWINGS
43 PROPOSED TRAFFIC SIGNAL
44 PROPOSED CROSS WALK STRIPING
45 ELECTRICAL EASEMENT
NOTE:
PROVIDE DROUGHT TOLERANT/ LOW MAINTENANCE LANDSCAPING AT ROW LANDSCAPE AREA
KARAKI WSe
WESTERN STATES ENGINEERING
A DESIGN-BUILD COMPANY
4887 E. LA PALMA STE. 707
ANAHEIM, CA. 92807
TEL: (714)685-6000 FAX: (714)685-6010
WWW.WESTERNSTATESENG.COM
CONSULTANT SEALS
SUBMITTAL
NO. DESCRIPTION BY DATE
1 1st PPT SUBMITTAL 10.22.2020
2 2nd PPT SUBMITTAL 03.11.2021
3 3rd PPT SUBMITTAL 11.23.2021
4 4th PPT SUBMITTAL 06.10.2022
5 5th PPT SUBMITTAL 08.26.2022
REVISIONS
NO. DESCRIPTION BY DATE
OWNER NAME & ADDRESS
74 HIGHWAY OIL INC.
4887 W. LA PALMA AVE SUITE 707
ANAHEIM CA 92807
PROJECT NAME & ADDRESS
GAS STATION & CONVENIENCE STORE
28771 CENTRAL AVE. (74 HWY)
LAKE ELSINORE, CA 92532
NOTE TO CONTRACTOR
CONFIDENTIALITY STATEMENT
DESIGNED BY: WS
DRAWN BY: WS
CHECKED BY: JK
PLOT DATE: 9.28.2022
SCALE: AS SHOWN
SHEET TITLE
PROPOSED SITE PLAN
SHEET NUMBER
AS-1.0
JOB No E99319
PAR / CUP No PPT210016





SECTION A–A
VERT. SCALE = 1"=5'
HORIZ. SCALE = 1"=10'



SECTION B–B
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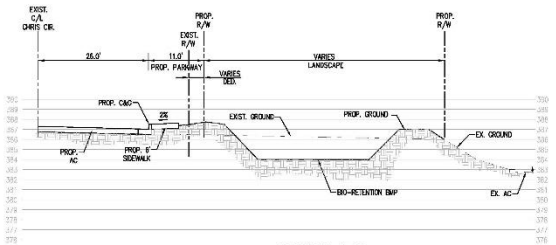
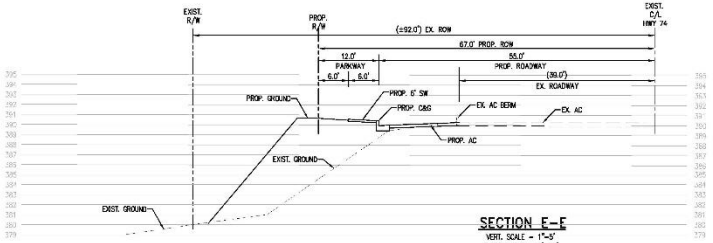
HORIZ. SCALE = 1"=10'



SECTION D–D
VERT. SCALE = 1"=5'
HORIZ. SCALE = 1"=10'



SECTION E–E
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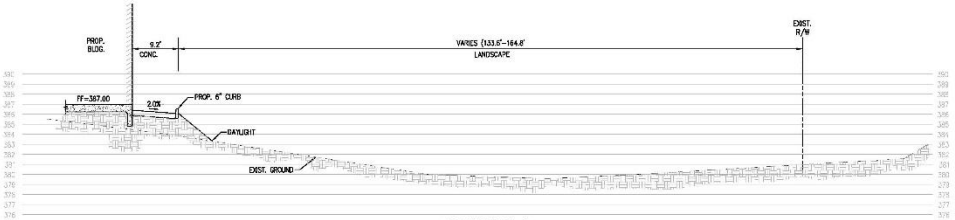
HORIZ. SCALE = 1"=10'



SECTION C–C
VERT. SCALE = 1"=5'
HORIZ. SCALE = 1"=10'

MARK	REVISIONS	APPR.	DATE

THESE PLANS HAVE BEEN REVIEWED FOR COMPLIANCE WITH THE APPROPRIATE CONDITIONS OF DEVELOPMENT AND/OR CITY AND STATE LAWS AND A PERMIT MAY BE ISSUED

BRAD FAGRELL, RCE No. 43920
CITY ENGINEER
CITY OF LAKE ELSINORE
DATE

PREPARED BY:

KARAKI | Western States
A DESIGN-BUILD COMPANY
4887 E. LA PALMA STE. 707
ANAHEIM, CA. 92807
TEL. (714)695-9500 FAX. (714)695-1002
www.westernsec.com
KAMAL MCHANTAF, RCE C051050

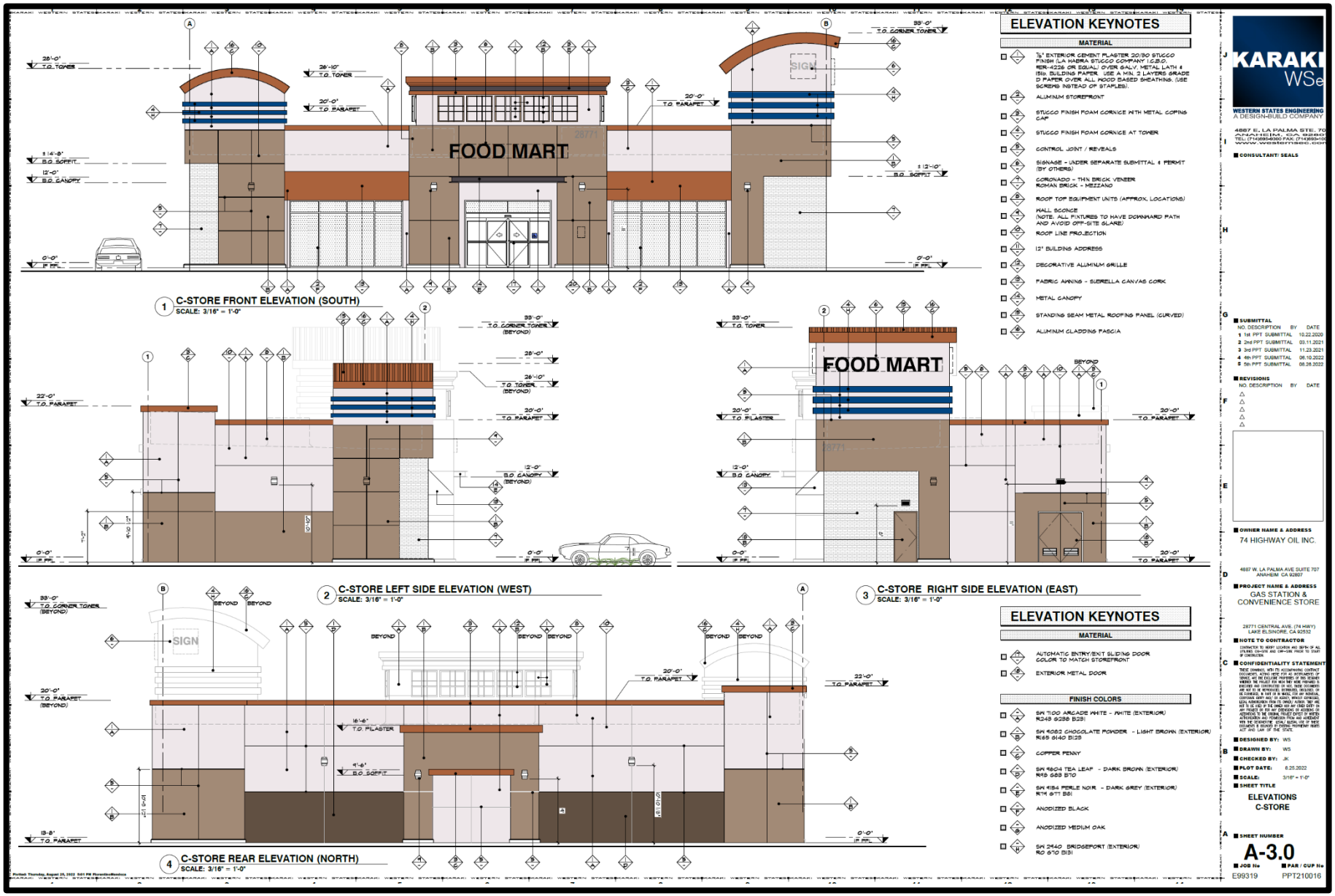
11.09.21
DATE

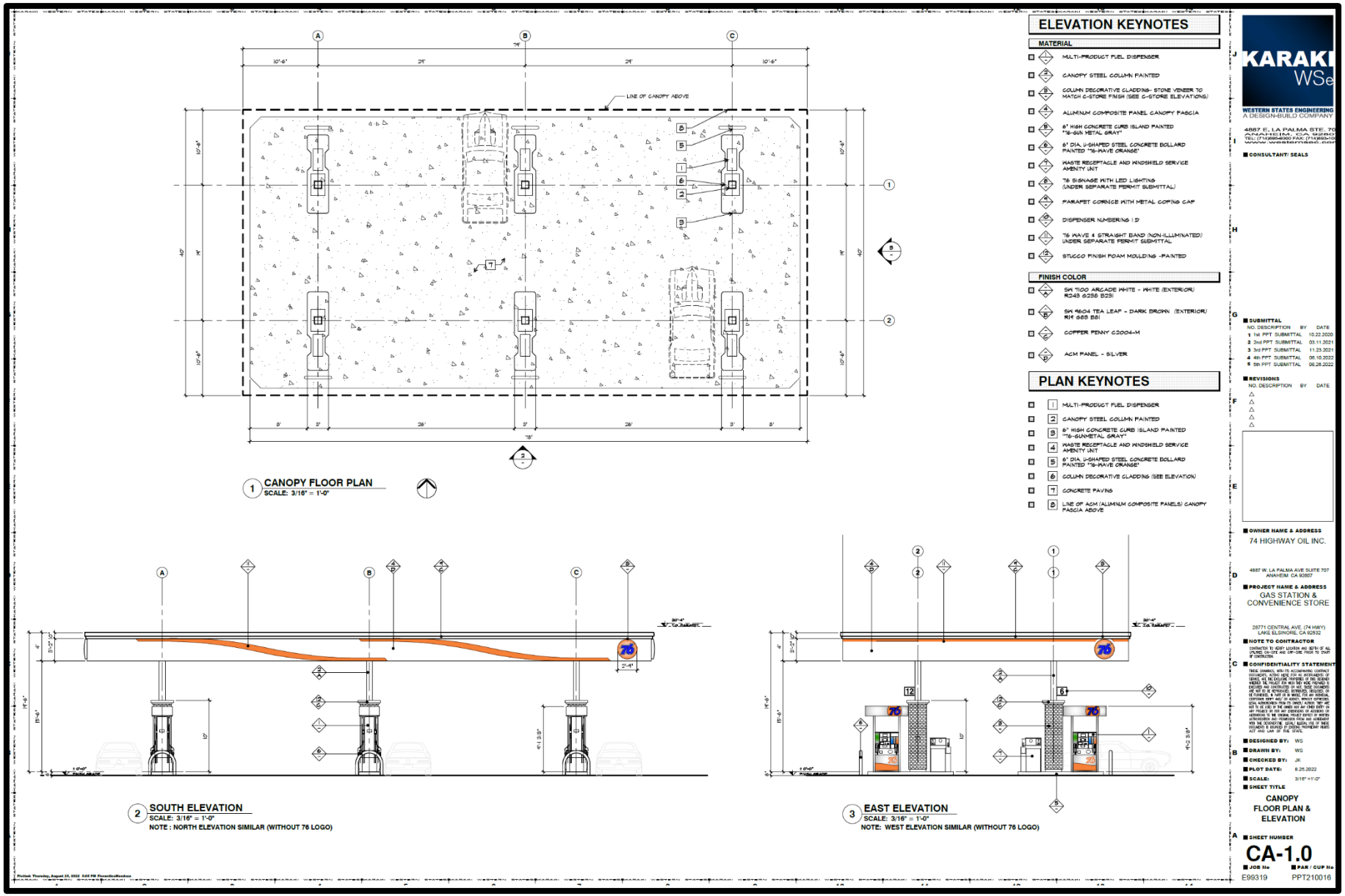
SEAL:

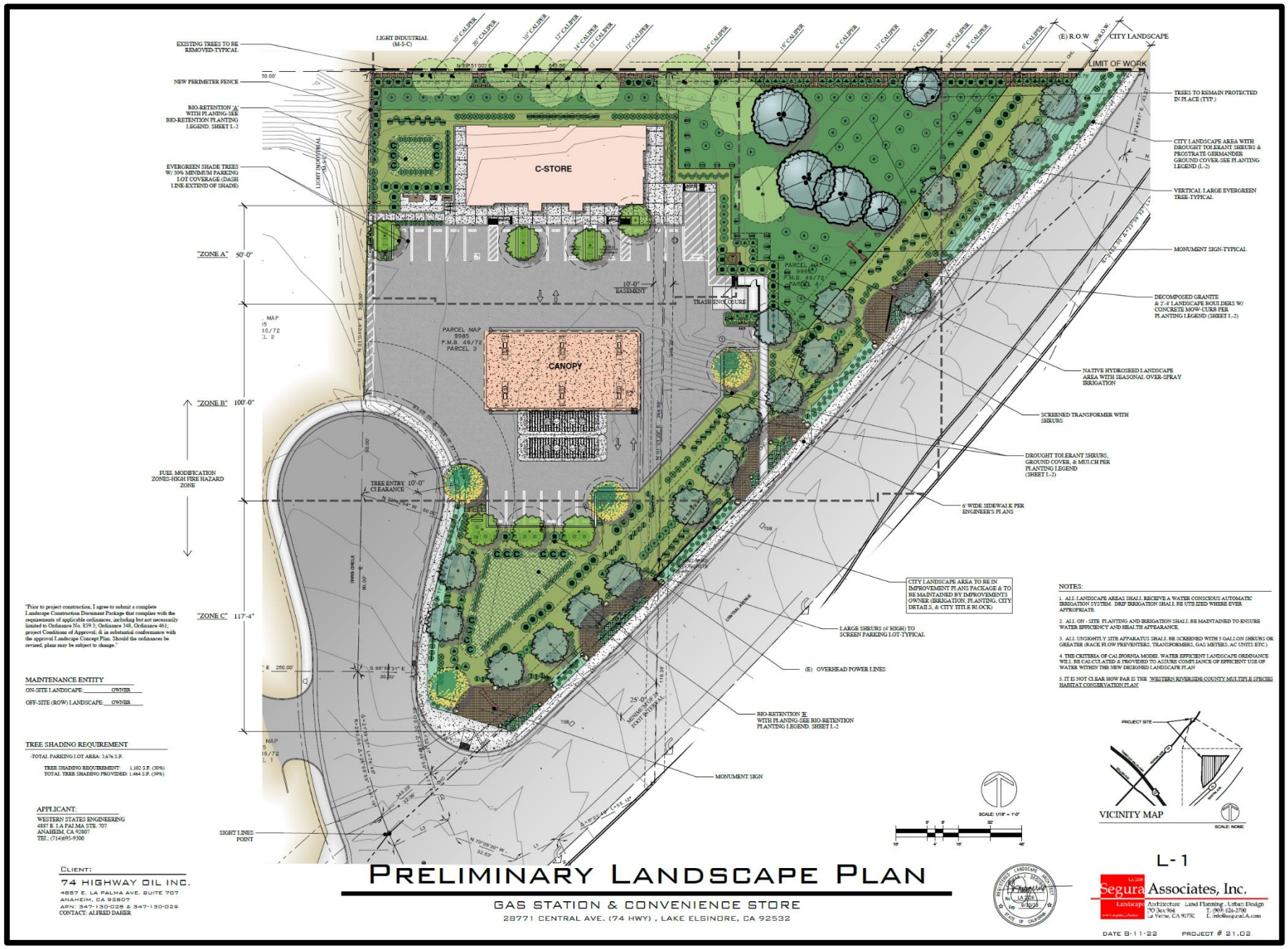
"AS-BUILT"
RCE. _____ EXP. _____ DATE: _____
REVIEWED BY: _____
INSPECTOR _____ DATE _____
SCALE : AS NOTED
DATE: NOV. 9, 2021
BENCH MARK: SEE ABOVE

CITY OF LAKE ELSINORE
PRELIMINARY GRADING PLAN
28771 CENTRAL 74 HWY,
LAKE ELSINORE, CA
CUP200043

SHEET 2 OF 2 SHEETS
FILE No.


FOOD MART
1 C-STORE FRONT ELEVATION (SOUTH)
SCALE: 3/16" = 1'-0"
FOOD MART
2 C-STORE LEFT SIDE ELEVATION (WEST)
SCALE: 3/16" = 1'-0"
3 C-STORE RIGHT SIDE ELEVATION (EAST)
SCALE: 3/16" = 1'-0"
4 C-STORE REAR ELEVATION (NORTH)
SCALE: 3/16" = 1'-0"
ELEVATION KEYNOTES
MATERIAL
7/8" EXTERIOR CEMENT PLASTER 20/30 STUCCO FINISH (LA HABRA STUCCO COMPANY LGB.O. RDR-4228 OR EQUAL) OVER GALV. METAL LATH & 15lb. BUILDING PAPER. USE A MIN. 2 LAYERS GRADE D PAPER OVER ALL WOOD BASED SHEATHING. (USE SCREWS INSTEAD OF STAPLES).
ALUMINUM STOREFRONT
STUCCO FINISH FOAM CORNICE WITH METAL COPING CAP
STUCCO FINISH FOAM CORNICE AT TOWER
CONTROL JOINT / REVEALS
SIGNAGE - UNDER SEPARATE SUBMITTAL & PERMIT (BY OTHERS)
CORONADO - THIN BRICK VENEER ROMAN BRICK - MEZZANO
ROOF TOP EQUIPMENT UNITS (APPROX. LOCATIONS)
WALL SCONCE (NOTE: ALL FIXTURES TO HAVE DOWNWARD PATH AND AVOID OFF-SITE GLARE)
ROOF LINE PROJECTION
12" BUILDING ADDRESS
DECORATIVE ALUMINUM GRILLE
FABRIC AWNING - SUNBRELLA CANVAS CORK
METAL CANOPY
STANDING SEAM METAL ROOFING PANEL (CURVED)
ALUMINUM CLADDING FASCIA
ELEVATION KEYNOTES
MATERIAL
AUTOMATIC ENTRY/EXIT SLIDING DOOR COLOR TO MATCH STOREFRONT
EXTERIOR METAL DOOR
FINISH COLORS
SW 7100 ARCADE WHITE - WHITE (EXTERIOR) RGB 238 236 229
SW 6082 CHOCOLATE POWDER - LIGHT BROWN (EXTERIOR) RGB 140 113 93
COPPER PENNY
SW 6804 TEA LEAF - DARK BROWN (EXTERIOR) RGB 68 68 57
SW 4154 PERLE NOIR - DARK GREY (EXTERIOR) RGB 67 71 81
ANODIZED BLACK
ANODIZED MEDIUM OAK
SW 2940 BRIDGEPORT (EXTERIOR) RGB 67 70 81
KARAKI WSe
WESTERN STATES ENGINEERING
A DESIGN-BUILD COMPANY
CONSULTANT: SEALS
SUBMITTAL
NO. DESCRIPTION BY DATE
1 1st PPT SUBMITTAL 10.22.2020
2 2nd PPT SUBMITTAL 03.11.2021
3 3rd PPT SUBMITTAL 11.23.2021
4 4th PPT SUBMITTAL 06.10.2022
5 5th PPT SUBMITTAL 08.26.2022
REVISIONS
NO. DESCRIPTION BY DATE
OWNER NAME & ADDRESS
74 HIGHWAY OIL INC.
4687 W. LA PALMA AVE SUITE 707 ANAHEIM CA 92807
PROJECT NAME & ADDRESS
GAS STATION & CONVENIENCE STORE
28771 CENTRAL AVE. (74 HWY) LAKE ELSINORE, CA 92532
NOTE TO CONTRACTOR
CONFIDENTIALITY STATEMENT
DESIGNED BY: WS
DRAWN BY: WS
CHECKED BY: JK
PLOT DATE: 8.25.2022
SCALE: 3/16" = 1'-0"
SHEET TITLE
ELEVATIONS C-STORE
SHEET NUMBER
A-3.0
JOB No E99319
PAR / CUP No PPT210016


ELEVATION KEYNOTES
MATERIAL
1 MULTI-PRODUCT FUEL DISPENSER
2 CANOPY STEEL COLUMN PAINTED
3 COLUMN DECORATIVE CLADDING- STONE VENEER TO MATCH C-STORE FINISH (SEE C-STORE ELEVATIONS)
4 ALUMINUM COMPOSITE PANEL CANOPY FASCIA
5 6" HIGH CONCRETE CURB ISLAND PAINTED "76-GUN METAL GRAY"
6 6" DIA. U-SHAPED STEEL CONCRETE BOLLARD PAINTED "76-WAVE ORANGE"
7 WASTE RECEPTACLE AND WINDSHIELD SERVICE AMENITY UNIT
8 "76 SIGNAGE WITH LED LIGHTING (UNDER SEPARATE PERMIT SUBMITTAL)
9 PARAPET CORNICE WITH METAL COPING CAP
10 DISPENSER NUMBERING I.D
11 "76 WAVE & STRAIGHT BAND (NON-ILLUMINATED) UNDER SEPARATE PERMIT SUBMITTAL
12 STUCCO FINISH FOAM MOULDING -PAINTED
FINISH COLOR
A SW 7100 ARCADE WHITE - WHITE (EXTERIOR) RGB 235 236 229
B SW 6604 TEA LEAF - DARK BROWN (EXTERIOR) RGB 68 68 58
C COPPER PENNY C2004-M
D ACM PANEL - SILVER
PLAN KEYNOTES
1 MULTI-PRODUCT FUEL DISPENSER
2 CANOPY STEEL COLUMN PAINTED
3 6" HIGH CONCRETE CURB ISLAND PAINTED "76-GUNMETAL GRAY"
4 WASTE RECEPTACLE AND WINDSHIELD SERVICE AMENITY UNIT
5 6" DIA. U-SHAPED STEEL CONCRETE BOLLARD PAINTED "76-WAVE ORANGE"
6 COLUMN DECORATIVE CLADDING (SEE ELEVATION)
7 CONCRETE PAVING
8 LINE OF ACM (ALUMINUM COMPOSITE PANELS) CANOPY FASCIA ABOVE
LINE OF CANOPY ABOVE
1 CANOPY FLOOR PLAN
SCALE: 3/16" = 1'-0"
2 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"
NOTE : NORTH ELEVATION SIMILAR (WITHOUT 76 LOGO)
3 EAST ELEVATION
SCALE: 3/16" = 1'-0"
NOTE: WEST ELEVATION SIMILAR (WITHOUT 76 LOGO)
KARAKI WSe
WESTERN STATES ENGINEERING
A DESIGN-BUILD COMPANY
4887 E. LA PALMA STE. 70
CONSULTANT/ SEALS
SUBMITTAL
NO. DESCRIPTION BY DATE
1 1st PPT SUBMITTAL 10.22.2020
2 2nd PPT SUBMITTAL 03.11.2021
3 3rd PPT SUBMITTAL 11.23.2021
4 4th PPT SUBMITTAL 06.10.2022
5 5th PPT SUBMITTAL 08.26.2022
REVISIONS
NO. DESCRIPTION BY DATE
OWNER NAME & ADDRESS
74 HIGHWAY OIL INC.
4887 W. LA PALMA AVE SUITE 707
ANAHEIM, CA 92807
PROJECT NAME & ADDRESS
GAS STATION & CONVENIENCE STORE
28771 CENTRAL AVE. (74 HWY)
LAKE ELSINORE, CA 92532
NOTE TO CONTRACTOR
CONFIDENTIALITY STATEMENT
DESIGNED BY: WS
DRAWN BY: WS
CHECKED BY: JK
PLOT DATE: 8.25.2022
SCALE: 3/16" =1'-0"
SHEET TITLE
CANOPY FLOOR PLAN & ELEVATION
SHEET NUMBER
CA-1.0
JOB No E99319
PAR / CUP No PPT210016


EXISTING TREES TO BE REMOVED-TYPICAL
NEW PERIMETER FENCE
RIO-RETENTION 'A' WITH PLANING-SEE RIO-RETENTION PLANTING LEGEND. SHEET L-2
EVERGREEN SHADE TREES W/ 30% MINIMUM PARKING LOT COVERAGE (DASH LINE-EXTEND OF SHADE)
"ZONE A" 50'-0"
"ZONE B" 100'-0"
FUEL MODIFICATION ZONES-HIGH FIRE HAZARD ZONE
"ZONE C" 117'-4"
LIGHT INDUSTRIAL (M-S-C)
C-STORE
CANOPY
PARCEL MAP 9985 P.M.B. 46/72 PARCEL 3
PARCEL MAP 9985 P.M.B. 46/72 PARCEL 4
10'-0" EASEMENT
TRASH ENCLOSURE
TREE ENTRY 10'-0" CLEARANCE
LIMIT OF WORK
(E) R.O.W
CITY LANDSCAPE
TREES TO REMAIN PROTECTED IN PLACE (TYP.)
CITY LANDSCAPE AREA WITH DROUGHT TOLERANT SHRUBS & PROSTRATE GERMANDER GROUND COVER-SEE PLANTING LEGEND (L-2)
VERTICAL LARGE EVERGREEN TREE-TYPICAL
MONUMENT SIGN-TYPICAL
DECOMPOSED GRANITE & 2'-4' LANDSCAPE BOULDERS W/ CONCRETE MOW-CURB PER PLANTING LEGEND (SHEET L-2)
NATIVE HYDROSEED LANDSCAPE AREA WITH SEASONAL OVER-SPRAY IRRIGATION
SCREENED TRANSFORMER WITH SHRUBS
DROUGHT TOLERANT SHRUBS, GROUND COVER, & MULCH PER PLANTING LEGEND (SHEET L-2)
6' WIDE SIDEWALK PER ENGINEER'S PLANS
CITY LANDSCAPE AREA TO BE IN IMPROVEMENT PLANS PACKAGE & TO BE MAINTAINED BY IMPROVEMENTS OWNER (IRRIGATION, PLANTING, CITY DETAILS, & CITY TITLE BLOCK)
LARGE SHRUBS (4' HIGH) TO SCREEN PARKING LOT-TYPICAL
(E) OVERHEAD POWER LINES
RIO-RETENTION 'B' WITH PLANING-SEE RIO-RETENTION PLANTING LEGEND. SHEET L-2
MONUMENT SIGN
SIGHT LINES POINT
"Prior to project construction, I agree to submit a complete Landscape Construction Document Package that complies with the requirements of applicable ordinances, including but not necessarily limited to Ordinance No. 859.3; Ordinance 348, Ordinance 461; project Conditions of Approval; & in substantial conformance with the approval Landscape Concept Plan. Should the ordinances be revised, plans may be subject to change."
MAINTENANCE ENTITY
ON-SITE LANDSCAPE: OWNER
OFF-SITE (ROW) LANDSCAPE: OWNER
TREE SHADING REQUIREMENT
-TOTAL PARKING LOT AREA: 3,674 S.F.
TREE SHADING REQUIREMENT: 1,102 S.F. (30%)
TOTAL TREE SHADING PROVIDED: 1,464 S.F. (39%)
APPLICANT:
WESTERN STATES ENGINEERING
4687 E. LA PALMA STE. 707
ANAHEIM, CA 92807
TEL.: (714)695-9300
CLIENT:
74 HIGHWAY OIL INC.
4687 E. LA PALMA AVE. SUITE 707
ANAHEIM, CA 92807
APN: 347-130-028 & 347-130-029
CONTACT: ALFRED DAHER
NOTES:
1. ALL LANDSCAPE AREAS SHALL RECEIVE A WATER CONSCIOUS AUTOMATIC IRRIGATION SYSTEM. DRIP IRRIGATION SHALL BE UTILIZED WHERE EVER APPROPRIATE.
2. ALL ON - SITE PLANTING AND IRRIGATION SHALL BE MAINTAINED TO ENSURE WATER EFFICIENCY AND HEALTHY APPEARANCE.
3. ALL UNSIGHTLY SITE APPARATUS SHALL BE SCREENED WITH 5 GALLON SHRUBS OR GREATER (BACK FLOW PREVENTERS, TRANSFORMERS, GAS METERS, AC UNITS ETC.)
4. THE CRITERIA OF CALIFORNIA MODEL WATER EFFICIENT LANDSCAPE ORDINANCE WILL BE CALCULATED & PROVIDED TO ASSURE COMPLIANCE OF EFFICIENT USE OF WATER WITHIN THE NEW DESIGNED LANDSCAPE PLAN
5. IT IS NOT CLEAR HOW FAR IS THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN
PROJECT SITE
VICINITY MAP
SCALE: NONE
SCALE: 1/16" = 1'-0"
L-1
PRELIMINARY LANDSCAPE PLAN
GAS STATION & CONVENIENCE STORE
28771 CENTRAL AVE. (74 HWY) , LAKE ELSINORE, CA 92532
Segura Associates, Inc.
Landscape Architecture Land Planning, Urban Design
DATE 8-11-22 PROJECT # 21.02

V. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (x) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

☒ Aesthetics	☒ Hazards & Hazardous Materials	☐ Recreation
☐ Agriculture & Forest Resources	☐ Hydrology / Water Quality	☒ Transportation
☐ Air Quality	☐ Land Use / Planning	☒ Tribal Cultural Resources
☒ Biological Resources	☐ Mineral Resources	☐ Utilities / Service Systems
☒ Cultural Resources	☐ Noise	☒ Wildfire
☐ Energy	☒ Paleontological Resources	☒ Mandatory Findings of Significance
☐ Geology / Soils	☐ Population / Housing	
☐ Greenhouse Gas Emissions	☐ Public Services	

VI. DETERMINATION

On the basis of this initial evaluation:

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED
☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.
☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED
☐ I find that although the proposed project could have a significant effect on the environment, **NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED** because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible.
☐ I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.
☐ I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.
☐ I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and **a SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1)

Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following:(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

Signature

Evan Langan

Evan Langan, AICP (Principal Planner)

Printed Name

Date
3/1/2023

For:
John E. Hildebrand III
(Planning Department Director)

VII. ENVIRONMENTAL ISSUES ASSESSMENT

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the proposed project to determine any potential significant impacts upon the environment that would result from construction and implementation of the project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the County of Riverside, in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the proposed project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS Would the project:				
1. Scenic Resources a) Have a substantial effect upon a scenic highway corridor within which it is located?	☐	☒	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐

Source(s): Zoning Ordinance – Ordinance No. 348, April 1, 2021
General Plan, December 8, 2015
Figure C-8 – Scenic Highways
Elsinore Area Plan, August 4, 2020
Figure 7 – Elsinore Area Plan Circulation
Figure 9 – Elsinore Area Plan Scenic Highway
CalTrans Scenic Highways – Accessed June 20, 2020

Findings of Fact:

a) *Would the Project have a substantial effect upon a scenic highway corridor within which it is located?*

Less than Significant Impact with Mitigation

The project site is adjacent to Highway 74/Central Avenue. Highway 74/Central Avenue is a State eligible scenic highway per CalTrans Scenic Highways website. The County also gives this same designation on Figure C-8 – Scenic Highways in the General Plan and on Figure 9 – Elsinore Area Plan Scenic Highway in the Elsinore Area Plan.

Short-Term Construction Impacts

Visual impacts of construction activities include exposed pads and staging areas for grading, excavation, and construction equipment. In addition, temporary structures could be located on the respective development site during various stages of construction, within materials storage areas, or associated with construction debris piles on site. Exposed trenches, roadway bedding, spoils/debris piles, and steel plates would be visible during street and utility infrastructure improvements. These construction steps could degrade the existing visual character and quality of the development site and its surroundings during the construction phase.

Construction-related impacts would be short-term and temporary; construction activity would not be continuous. With the application of mitigation measures **AES-1** and **AES-2,** the short-term visual construction impacts are reduced to **less than significant with mitigation**.

Long-Term Operational Impacts

The project site is located in an urbanized area and is appropriate and permitted at the proposed location. The project site is visible from Highway 74/Central Avenue and the residential uses to the southeast. The project has a contemporary design and color palette that will complement the new development to the west. This design is accentuated by a stand of willow and salt cedar thicket preserved along the northeastern boundary of the site, providing mature trees that work in combination with the rest of the project's proposed landscaping.

Section II A of this Initial Study states that the site is located on a planned transportation corridor with access from a signalized intersection. Highway 74/Central Avenue is a State eligible scenic highway per CalTrans Scenic Highways website. The County also gives this same designation on Figure C-8 – Scenic Highways in the General Plan and on Figure 9 – Elsinore Area Plan Scenic Highway of the ELAP.

The General Plan has several policies concerning scenic highways, including LU 14.3 through 14.6, OS 22.1, and OS 22.3. Landscaping and signage will be as permitted by the County's ordinances. These policies also address the undergrounding of electric and communication distribution lines.

Typically, a scenic highway would require undergrounding electric and communication distribution lines. To do so at this location would be problematic as the poles on either side of the project have not been undergrounded, and complete improvements of Highway 74/Central Avenue have not been fully developed. Therefore, undergrounding the single pole at this location would be challenging and has been deferred until the entire system can be undergrounded.

The project has been evaluated against the Zoning Ordinance, the Countywide Standards and Design Guidelines. As designed and conditioned, it will have a **less than significant impact with mitigation**, directly, indirectly, or cumulatively, on a scenic highway corridor.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?*

Less than Significant Impact

The project site consists of vacant, undeveloped land that has been subject to a variety of disturbances, except the northeast corner, which consists of a mix of salt cedar, eucalyptus, and willow scrub.

The willow and salt cedar thickets grow because of a roadside swale originating from Highway 74/Central Avenue, the frontage road located along the northeastern boundary of the site. Street runoff enters the project site in the northern portion of APN 347-130-028 and continues westerly along the property boundary between the project site and the parcel north of the project site. This swale collects street runoff and is not natural or jurisdictional. No bed or bank is associated with this swale, indicating a flow of water. The water runoff from Highway 74/Central Avenue travels west, back flows to the southeast, and percolates in the well-drained soils.

This area of salt cedar, eucalyptus, and willow scrub is proposed to be protected, maintaining the visual character and any possible biological resources it may provide. With the protection of this area, the damage to scenic resources will be **less than significant**, directly, indirectly, and cumulatively.

c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Less than Significant Impact

The project is located in the M-SC – Manufacturing – Service Commercial Zone, and the use is permitted with a Plot Plan review. The project will include the development of a 3,160-square-foot fueling canopy with six multi-product dispensers and a 3,516-square-foot convenience store. Access to the project site will be provided via a newly constructed driveway and cul-de-sac on the northwestern leg of Highway 74/Central Avenue and Ardenwood Way signalized intersection.

While the site is currently vacant, it is in an area developing with commercial uses along a major highway classified on the County's General Plan as an Expressway. The project has been designed in compliance with the Zoning Ordinance, the Countywide Standards and Design Guidelines, and as designed and conditioned, will have a **less than significant impact,** directly, indirectly, or cumulatively, upon an urban area urbanized area, nor would it conflict with applicable zoning and other regulations governing scenic quality.

Mitigation:

MM AES-1: Proposed staging areas shall be shown on all Pre-Construction and Construction documents for review and approval by the appropriate County Departments. The project construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment to the areas proposed on the plans. Construction equipment shall be parked and staged within the project site. Staging areas shall be screened from view from residential properties and Highway 74/Central Avenue. Where feasible, construction staging and laydown areas for equipment, personal vehicles, and material storage shall be sited to take advantage of natural screening opportunities provided by existing structures, topography, and/or vegetation within the project site.

MM AES-2: The proposed Pre-Construction and Construction documents shall include language requiring that construction vehicles be kept clean and free of mud and dust prior to leaving the development site. In addition, Highway 74/Central Avenue shall be swept daily and maintained free of dirt and debris.

Monitoring: No monitoring is required.

2. Mt. Palomar Observatory a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?	☐	☐	☒	☐

Source(s):
Map My County GIS Database, accessed June 17, 2021
Ord. No. 655 (Regulating Light Pollution)
Zoning Ordinance – Ordinance No. 348, April 1, 2021
Code of Ordinance – Chapter 8.80 – Outdoor Lighting
General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
Figure 6 – Elsinore Area Plan Mt. Palomar Nighttime Lighting Policy Area
Gas Station & Convenience Store – Lighting Study, County of Riverside, CA, prepared by MD Acoustics, Updated March 30, 2021 (Appendix A)

Findings of Fact:

a) *Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?*

Less than Significant Impact

The project site is in Zone B of the Mount Palomar Observatory in San Diego County. Zone B is a circular ring forty-five (45) miles in radius centered on Palomar Observatory. The Mount Palomar Observatory requires unique nighttime lighting standards to allow the night sky to be viewed clearly. Ordinance No. 655 – Regulating Light Pollution, Title 8, and Zoning Ordinance No. 348 regarding M-SC – Manufacturing – Service Commercial Zone Lighting Standards restricts specific light fixtures emitting undesirable light rays that have a detrimental effect on the night sky astronomical observation and research. The project lighting will be designed, installed, and operated consistent with the County's Zoning Ordinance requirements. Therefore, the project would have a **less than significant impact** on the Mount Palomar Observatory nighttime views directly, indirectly, or cumulatively.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

3. Other Lighting Issues a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
b) Expose residential property to unacceptable light levels?	☐	☐	☒	☐

Source(s):
Zoning Ordinance – Ordinance No. 348, April 1, 2021
Code of Ordinance – Chapter 8.80 – Outdoor Lighting
Ord. 655 – Regulating Light Pollution
Ord. 915 – Regulating Outdoor Lighting
General Plan, December 8, 2015
Figure C-8 – Scenic Highways
Elsinore Area Plan, August 4, 2020
Figure 6 – Elsinore Area Plan Mt. Palomar Nighttime Lighting Policy Area
Figure 7 – Elsinore Area Plan Circulation
CalTrans Scenic Highways – Accessed June 20, 2020
Gas Station & Convenience Store – Lighting Study, County of Riverside, CA, prepared by MD Acoustics, Updated March 30, 2021 (Appendix A)
On-site Inspection

Findings of Fact:

a) & b) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Expose residential property to unacceptable light levels?

Less than Significant Impact

A project-specific Lighting Study was prepared for this project by MD Acoustics (MD) (Appendix A). As noted in that study, some land uses are considered more sensitive to light than others, such as hotels, residential neighborhoods, and nursing homes. Although humans may observe light at 0.1-foot candles, it would not make a substantial difference, especially if the lighting is already present within the area of introduction. For example, approximately 37.1-foot candles would be generally acceptable for a reading area.

Thus, a significant impact would occur if sensitive land uses (such as residences) were exposed to a substantial increase in light sources if that light level was not previously present. Similarly, mobile source lighting impacts would be significant if residential or other light-sensitive uses are introduced to new light sources along roadways and driveways.

MD measured the lighting levels in foot candles (in 50-foot increments) along the perimeter of the project site, which considers the light from vehicles along Highway 74/Central Avenue and existing streetlights. The existing light levels measured between 0 to 0.9-foot candles.

The project will utilize nighttime lighting for operational and security purposes (per the County's ordinance). The preliminary lighting plan shows that the project's lighting levels at the perimeter will range between 0 to 4.5-foot candles at the project site's property line. When the light reaches Highway 74/Central Avenue, the foot-candle drops to 0.2.

At the west boundary of the project site, there is an area toward the north of the western property line where the level is 4.2-foot candles. The level quickly drops to 0.2-foot-candles within 50 feet of the property line. Currently, the land to the west is vacant and is zoned rural community (Estate Density Residential).

The nearest residences are the residential dwelling unit located adjacent to the north, the multi-family residential uses located approximately 165 feet south (across Highway 74), and the single-family residential uses located approximately 235 feet east/southeast (across Highway 74) of the project site. The foot-candle readings at the nearest residences would be 0. Vehicles entering and exiting the site during nighttime hours could shine headlights across property lines. The dense vegetation along the northern property line and the reverse frontage wall for the housing track to the east will ensure light spillage from vehicles does not interfere with existing residential dwellings.

The greatest potential lighting change will be along the west boundary toward the north and the southeastern perimeter, where a 4.2 and 2.5 to 3 foot-candle increase will occur, respectively. Furthermore, the photometric design has been laid out to comply with the County's exterior light ordinance.

Glare would be kept to a minimum as the project setback from Highway 74/Central Avenue, and building materials (painted stucco or stone veneer) would not contribute to substantial amounts of daytime glare as the majority of the building front faces in a southern direction with the gas canopy blocking the line of sight to the setting sun.

Chapter 8.80 – Outdoor Lighting, Ordinance 655 – Regulating Light Pollution, and Ordinance 915 – Regulating Outdoor Lighting provide minimum requirements for outdoor lighting to reduce light trespass and protect the health and property, and well-being of residents in the area. Compliance with the regulations found in these ordinances will ensure the project will be compatible with the surrounding environment and not create a new source of substantial light or glare.

Therefore, the project will not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area or expose a residential property to unacceptable light levels, including nighttime headlight impacts. The impact will be **less than significant**, directly, indirectly, and cumulatively.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURE & FOREST RESOURCES Would the project:				
4. Agriculture a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?	☐	☐	☐	☒
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	☐	☐	☐	☒
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Source(s): Zoning Ordinance – Ordinance No. 348, April 1, 2021
Ord. No. 625 – Right-to-Farm
General Plan, December 8, 2015
Figure OS-2 – Agricultural Resources
Elsinore Area Plan, August 4, 2020
Farmland Mapping and Monitoring Program – Accessed June 21, 2021
Riverside County DEIR No. 521 – Section 04-05 – Agricultural and Forestry Resources
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

No Impact

The project site consists of vacant, undeveloped land subject to a variety of disturbances, except for the northeast corner, which is generally undisturbed and contains a mix of trees and shrubs consisting of salt cedar trees, eucalyptus trees, and black willow shrubs. The surrounding properties are developed with existing industrial and commercial uses consisting of F&A Custom Wheels and Tires to the north, Eco Express Car Wash and Lube to the southwest with a vacant lot and PTI Sand and Gravel to the west, and residential uses across Highway 74/Central Avenue to the east in the City of Lake Elsinore.

A review of the Department of Conservation, California Farmland Mapping and Monitoring Program (FMMP) mapping system has found the project site as Other Land. Other Land is defined as:

Other Land (X): Land which does not meet the criteria of any other category. Typical uses include low density rural development, heavily forested land, mined land, or government land with restrictions on use.

Therefore, the project would not affect any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and **no impact,** directly, indirectly, or cumulatively, would occur on farmland.

b) *Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?*

No Impact

The project site is General Plan designated and Zoned for industrial/commercial uses. The M-SC – Manufacturing – Service Commercial Zone permits the proposed use with a Plot Plan review. The surrounding properties are developing industrial and commercial uses to the north and west with residential uses across Highway 74/Central Avenue to the east in the City of Lake Elsinore, and the Zoning supports these uses. As such, the property is not intended for agricultural uses. A review of the County's GIS has revealed no Williamson Act contracts or Agricultural Preserve on the subject property and no Williamson Act or Agricultural Preserves on the surrounding properties. Therefore, the project will have **no impact,** directly, indirectly, or cumulatively, on zoning for agricultural uses, Williamson Act contracts, or Agricultural Preserves.

c) & d) *Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?*

Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

No Impact

The County's Right to Farm Ordinance (Ord. No. 625) is designed to "conserve, protect and encourage the development, improvement and continued viability of agricultural land and industries for the long-term production of food and other agricultural products, and for the economic well-being of the county's residents." It seeks to "balance the rights of farmers to produce food and other agricultural products with the rights of non-farmers who own, occupy or use land within or adjacent to agricultural areas." Thus, the ordinance includes regulations to reduce the loss of agricultural resources in Riverside County by limiting the circumstances under which agricultural operations may be deemed a "nuisance." It states that an agricultural activity that has been operating for more than three years on a site (and assuming it was not a nuisance at the time it began) cannot be later classed as a public or private nuisance due to "any changed condition in or about the locality." The ordinance prevents, for example, existing dairies from being targeted by odor complaints from residents of housing units constructed in the surrounding area three or more years after the dairy use began. Further, it requires buyers of properties within 300 feet of land zoned primarily for agricultural purposes to be given notice of the pre-existing agricultural use and its right to continue. As previously stated, the project site is General Plan designated and Zoned for industrial/commercial uses. The M-SC – Manufacturing – Service Commercial Zone permits the proposed use with a Plot Plan review. The surrounding properties are developing industrial and commercial uses to the north and west with residential uses across Highway 74/Central Avenue to the east in the City of Lake Elsinore, and the Zoning supports these uses.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The property is not intended for agricultural uses, and no uses on the surrounding properties include farming or agricultural use of any kind. Therefore, this project will have **no impact** on the development of non-agricultural uses within 300 feet of agriculturally zoned property or the conversion of Farmland to non-agricultural use.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

5. Forest	☐	☐	☐	☒
a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?				
b) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?	☐	☐	☐	☒

Source(s): General Plan, December 8, 2015
Figure OS-3a – Forestry Resources Western Riverside County Parks, Forests, and Recreation Areas
Figure OS-3b – Forestry Resources Eastern Riverside County Parks, Forests, and Recreation Areas
Elsinore Area Plan, August 4, 2020
Riverside County DEIR No. 521 – Section 04-05 – Agricultural and Forestry Resources
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

a) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?*

No Impact

In Southern California, including Riverside County, climate and topography limit forest land types and locations and their potential for commercial or industrial timber utilization. Accordingly, there is no existing or currently proposed zoning of forest land, timberland, or Timberland Production Zones within the project area. Also, figures released by the State of California indicate that no "California forest land" ownership, either public or private, is mapped for Riverside County. Therefore, the project would not conflict with the existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. The project will have **no impact,** directly, indirectly, or cumulatively, on forest land.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

b & c) *Result in the loss of forest land or conversion of forest land to non-forest use?*

Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?

No Impact

There is no forest land, nor would the project convert forest land to a non-forest use. The closest forest land in proximity to the project site is the "Woodland Forest" area, approximately 8,200 feet to the southwest off Highway 74 in the City of Lake Elsinore. Therefore, the project would not result in forest land loss or conversion to non-forest use. The project will have **no impact,** directly, indirectly, or cumulatively, on the loss of forest land or forest land conversion to a non-forest use or other changes in the existing environment, which would result in the loss of forest land to a non-forest use.

Monitoring: No monitoring is required.

AIR QUALITY Would the project:				
6. Air Quality Impacts a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Source(s): Zoning Ordinance – Ordinance No. 348, April 1, 2021
General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
Riverside County Climate Action Plan ("CAP")
SCAQMD CEQA Air Quality Handbook
South Coast Air Quality Management District's 2016 Air Quality Management Plan
Air Quality and Greenhouse Gas Impact Study – Central Avenue Gas Station, prepared by MD Acoustics, December 19, 2022(Appendix B)
- 8.0 – Health Risk Assessment

Findings of Fact:

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

No Impact

MD Acoustics prepared the Air Quality and Greenhouse Gas Impact Study (Appendix B) quoted throughout this Section.

The SCAQMD CEQA Handbook states that "New or amended General Plan Elements (including land-use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP." Strict consistency with all aspects of the plan is usually not required. A proposed project should be considered consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

(1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, delay timely attainment of air quality standards, or the interim emission reductions specified in the AQMP.

(2) Whether the project will exceed the assumptions in the AQMP in 2016 or increments based on the year of project buildout and phase.

Both of these criteria are evaluated in the following sections.

A. Criterion 1 - Increase in the Frequency or Severity of Violations

Based on the air quality modeling analysis contained in the Air Quality and Greenhouse Gas Impact Study (Section 6 pages 44 – 48 Appendix B), neither short-term construction nor long-term operations will not result in significant air quality impacts based on the SCAQMD regional and local thresholds of significance below.

AQMP Regional Significance Thresholds for Construction Emissions

The following CEQA significance thresholds for construction emissions are established for the Basin:

- 75 pounds per day (lbs/day) of VOC
- 100 lbs/day of NO_x
- 550 lbs/day of CO
- 150 lbs/day of PM_{10}
- 55 lbs/day of $PM_{2.5}$
- 150 lbs/day of SO_2

AQMP Regional Significance Thresholds for Operational Emissions

The daily operational emissions significance thresholds for the basin are as follows:

- 55 pounds per day (lbs/day) of VOC
- 55 lbs/day of NO_x
- 550 lbs/day of CO
- 150 lbs/day of PM_{10}
- 55 lbs/day of $PM_{2.5}$
- 150 lbs/day of SO_2

Therefore, the project is not projected to contribute to the exceedance of any air pollutant concentration standards and is consistent with the AQMP for the first criterion.

B. Criterion 2 - Exceed Assumptions in the AQMP?

Consistency with the AQMP assumptions is determined by performing an analysis of the project with the assumptions in the AQMP. This criterion's emphasis is to ensure that the analyses conducted for the project are based on the same forecasts as the AQMP. The 2016-2040 Regional Transportation/Sustainable Communities Strategy, prepared by SCAG 2016, includes

chapters on the challenges in a changing region, creating a plan for our future, and the road to greater mobility and sustainable growth. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments must use these as the basis of their plans for consistency with applicable regional plans under CEQA. For this project, the County of Riverside and the City of Lake Elsinore Land Use Plans define the assumptions represented in the AQMP.

According to the County of Riverside Elsinore Area Plan, the project has a current land use designation of Light Industrial. Per the County of Riverside General Plan, the Light Industrial land use designation allows a wide variety of industrial and related uses, including assembly and light manufacturing, repair and other service facilities, warehousing, distribution centers, and supporting retail uses. In addition, the City of Lake Elsinore North Central Sphere Specific Plan identifies the land use classification of the site as Business Professional. The City of Lake Elsinore General Plan states that the Business Professional land use designation provides office and administrative uses, light industrial, research and development, office-based firms, including office support facilities, restaurants, medical clinics, and public quasi-public uses, and similar and compatible uses.

The project is to develop a convenience store with a gasoline service station. Therefore, the project would not be inconsistent with the land use designation in the County or City's General Plans. Thus, the project is not anticipated to exceed the AQMP assumptions for the project site and is consistent with the AQMP for the second criterion.

Based on the above, the project will not be inconsistent with the SCAQMD AQMP. Therefore, a **less than significant impact** will occur on the SCAQMD AQMP directly, indirectly, or cumulatively.

b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

Less Than Significant Impact

MD Acoustics prepared the Air Quality and Greenhouse Gas Impact Study (Appendix B) quoted throughout this Section.

The EPA and the ARB designate air basins where ambient air quality standards are exceeded as "nonattainment" areas. The area is designated as an "attainment" area if standards are met. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered "unclassified." National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards. Each standard has a different definition, or 'form' of what constitutes attainment, based on specific air quality statistics. For example, the Federal 8-hour CO standard is not to be exceeded more than once per year; therefore, an area is in the attainment of the CO standard if no more than one 8-hour ambient air monitoring value exceeds the threshold per year. In contrast, the federal annual PM2.5 standard is met if the three-year average of the annual average PM2.5 concentration is less than or equal to the standard. The following table lists the South Coast Air Basin criteria pollutants attainment status, which applies to the Project area.

South Coast Air Basin Attainment Status				
Pollutant	Standard[1]	Averaging Time	Designation[2]	Attainment Date[3]
1-Hour Ozone	NAAQS	1979 1-Hour (0.12 ppm)	Nonattainment (Extreme)	2/6/2023 (not attained)[4]
	CAAQS	1-Hour (0.09 ppm)	Nonattainment	N/A
8-Hour Ozone[5]	NAAQS	1997 8-Hour (0.08 ppm)	Nonattainment (Extreme)	6/15/2024
	NAAQS	2008 8-Hour (0.075 ppm)	Nonattainment (Extreme)	7/20/2032
	NAAQS	2015 8-Hour (0.070 ppm)	Nonattainment (Extreme)	8/3/2038
	CAAQS	8-Hour (0.070 ppm)	Nonattainment	Beyond 2032
CO	NAAQS	1-Hour (35 ppm)	Attainment (Maintenance)	6/11/2007 (attained)
	CAAQS	8-Hour (9 ppm)	Attainment	6/11/2007 (attained)
NO_2 [6]	NAAQS	1-Hour (0.1 ppm)	Unclassifiable/Attainment	N/A (attained)
	NAAQS	Annual (0.053 ppm)	Attainment (Maintenance)	9/22/1998 (attained)
	CAAQS	1-hour (0.18 ppm) Annual (0.030 ppm)	Attainment	-
SO_2[7]	NAAQS	1-Hour (75 ppb)	Designations Pending (expect Uncl./Attainment)	N/A (attained)
	NAAQS	24-Hour (0.14 ppm) Annual (0.03 ppm)	Unclassifiable/Attainment	3/19/1979 (attained)
PM10	NAAQS	1987 24-Hour (150 µg/m^3)	Attainment (Maintenance)[8]	7/26/2013 (attained)
	CAAQS	24-Hour (50 µg/m^3) Annual (20 µg/m^3)	Nonattainment	N/A
PM2.5 [9]	NAAQS	2006 24-Hour (35 µg/m^3)	Nonattainment (Serious)	12/31/2019
	NAAQS	1997 Annual (15.0 µg/m^3)	Attainment	8/24/2016
	NAAQS	2021 Annual (12.0 µg/m^3)	Nonattainment (Serious)	12/31/2025
	CAAQS	Annual (12.0 µg/m^3)	Nonattainment	N/A
Lead	NAAQS	3-Months Rolling (0.15 µg/m^3)	Nonattainment (Partial)[10]	12/31/2015
Hydrogen Sulfide (H2S)	CAAQS	1-Hour (0.03 ppm/42 µg/m3)	Attainment	----
Sulfates	CAAQS	24-Hour (25 µg/m3)	Attainment	----
Vinyl Chloride	CAAQS	24-Hour (0.01 ppm/26 µg/m3)	Attainment	----

South Coast Air Basin Attainment Status				
Pollutant	Standard[1]	Averaging Time	Designation[2]	Attainment Date[3]

Notes:
Source: http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/naaqs-caaqs-feb2016.pdf
[1] NAAQS = National Ambient Air Quality Standards, CAAQS = California Ambient Air Quality Standards
[2] U.S. EPA often only declares Nonattainment areas; everywhere else is listed as Unclassifiable/Attainment or Unclassifiable.
[3] A design value below the NAAQS for data through the full year or smog season prior to the attainment date is typically required for attainment demonstration.
[4] 1-hour O3 standard (0.12 ppm) was revoked, effective June 15, 2005; however, the Basin has not attained this standard based on 2008-2010 data and is still subject to anti-backsliding requirements.
[5] 1997 8-hour O3 standard (0.08 ppm) was reduced (0.075 ppm), effective May 27, 2008; the revoked 1997 O3 standard is still subject to anti-backsliding requirements.
[6] New NO2 1-hour standard, effective August 2, 2010; attainment designations January 20, 2012; annual NO2 standard retained.
[7] The 1971 annual and 24-hour SO2 standards were revoked, effective August 23, 2010; however, these 1971 standards will remain in effect until one year after U.S. EPA promulgates area designations for the 2010 SO2 1-hour standard. Area designations are still pending, with Basin expected to be designated Unclassifiable /Attainment.
[8] Annual PM10 standard was revoked, effective December 18, 2006; 24-hour PM10 NAAQS deadline was 12/31/2006; SCAQMD request for attainment redesignation and PM10 maintenance plan was approved by U.S. EPA on June 26, 2013, effective July 26, 2013.
[9] Attainment deadline for the 2006 24-Hour PM2.5 NAAQS (designation effective December 14, 2009) is December 31, 2019 (end of the 10th calendar year after the effective date of designations for Serious nonattainment areas). The annual PM2.5 standard was revised on January 15, 2013, effective March 18, 2013, from 15 to 12 µg/m3. Designations effective April 15, 2015, so Serious area attainment deadline is December 31, 2025.
[10] Partial Nonattainment designation – Los Angeles County portion of Basin only for near-source monitors. Expect redesignation to attainment based on current monitoring data.

Ozone

Of the seven NAAQS/CAAQS pollutants, Ozone is the only one not measured in CalEEMod. During the 2017 to 2019 monitoring period, the State 1-hour concentration standard for ozone was exceeded for four days in 2017 and two days in 2018 at the Winchester Station. The State's 8-hour ozone standard (0.07 ppm) has been exceeded between seven and 49 days each year over the past three years at the Winchester Station. The Federal 8-hour ozone standard has been exceeded between six and 47 days each year over the past three years at the Winchester Station.

Ozone is a secondary pollutant as it is not directly emitted. Ozone results from chemical reactions between other pollutants, most importantly hydrocarbons and NO2, which occur only in the presence of bright sunlight. Pollutants emitted from upwind cities react during transport downwind to produce the oxidant concentrations experienced in the area. Many areas of the SCAQMD contribute to the ozone levels experienced at the monitoring station, with the more significant areas being those directly upwind.

Construction Air Quality Emissions Impact

Typical emission rates from construction activities were obtained from CalEEMod Version 2016.3.2. CalEEMod is a computer model published by the SCAQMD for estimating air pollutant emissions. The CalEEMod program uses the EMFAC2014 computer program to calculate the emission rates specific for the southwestern portion of Riverside County for construction-related employee vehicle trips and the OFFROAD2011 computer program to calculate emission rates for heavy truck operations. EMFAC2014 and OFFROAD2011 are computer programs generated by CARB that calculate composite emission rates for vehicles. Emission rates are reported by the program in grams per trip and grams per mile or grams per running hour. Using CalEEMod, the peak daily air pollutant emissions were calculated and presented below. These emissions represent the highest level of emissions for each construction phase in terms of air pollutant emissions.

The analysis assesses the emissions associated with the proposed project's construction. The phases of the construction activities which have been analyzed below are: 1) site preparation, 2) grading, 3) building, 4) paving, and 5) architectural coating.[1]

The project will be required to comply with existing SCAQMD rules to reduce fugitive dust emissions. SCAQMD Rule 403 establishes these procedures. Compliance with this rule is achieved through the application of standard best management practices in construction and operation activities, such as the application of water or chemical stabilizers to disturbed soils, managing haul road dust by application of water, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 mph, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph and establishing a permanent, stabilizing ground cover on finished sites. In addition, projects that disturb 50 acres or more of soil or move 5,000 cubic yards of materials per day are required to submit a Fugitive Dust Control Plan or a Large Operation Notification Form to SCAQMD. Based on the size of the Project area (approximately 1.44 acres) and the fact that the project won't export more than 5,000 cubic yards of material a day, a Fugitive Dust Control Plan or Large Operation Notification would not be required.

SCAQMD's Rule 403 minimum requirements require that the application of the best available dust control measures are used for all grading operations and include the application of water or other soil stabilizers in sufficient quantity to prevent the generation of visible dust plumes. Compliance with Rule 403 would require using water trucks during all phases where earth-moving operations occur. Compliance with Rule 403 is required.

Regional Construction Emissions

The construction emissions for the project would not exceed the SCAQMD's daily emission thresholds at the regional level, as demonstrated in the Regional Significance – Construction Emissions (pounds/day) Table 8 of the Air Quality and Greenhouse Gas Impact Study (Appendix B) below and therefore would be considered **less than significant**.

Table 8 – Regional Significance – Construction Emissions (pounds/day)

Regional Significance - Construction Emissions (pounds/day)						
	Pollutant Emissions (pounds/day)					
Activity	**VOC**	**NOx**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Site Preparation						
On-Site[2]	0.19	1.90	2.26	0.00	0.19	0.11
Off-Site[3]	0.04	0.02	0.30	0.00	0.09	0.02
Total	**0.23**	**1.92**	**2.56**	**0.00**	**0.28**	**0.14**
Grading						
On-Site[2]	1.29	14.33	6.33	0.01	2.55	1.57
Off-Site[3]	0.04	0.02	0.30	0.00	0.09	0.02
Total	**1.33**	**14.35**	**6.63**	**0.01**	**2.64**	**1.60**
Building Construction						
On-Site[2]	2.36	19.58	16.96	0.03	0.98	0.93
Off-Site[3]	0.15	1.00	1.13	0.01	0.36	0.10
Total	**2.51**	**20.57**	**18.08**	**0.04**	**1.34**	**1.03**
Paving						
On-Site[2]	0.87	6.77	8.81	0.01	0.35	0.32

[1] All previously existing structures have already been demolished. The site is currently vacant. No demolition is required.

Table 8 – Regional Significance – Construction Emissions (pounds/day)						
Regional Significance - Construction Emissions (pounds/day)						
	Pollutant Emissions (pounds/day)					
Activity	**VOC**	**NOx**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Off-Site[3]	0.06	0.03	0.44	0.00	0.15	0.04
Total	**.92**	**6.81**	**9.25**	**0.01**	**0.49**	**0.36**
Architectural Coating						
On-Site[2]	5.54	1.41	1.81	0.00	0.08	0.08
Off-Site[3]	0.02	0.01	0.17	0.00	0.06	0.02
Total	**5.56**	**1.42**	**1.98**	**0.00**	**0.14**	**0.10**
Total of overlapping phases[4]	**8.99**	**28.80**	**29.32**	**0.05**	**1.97**	**1.49**
SCAQMD Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Exceeds Thresholds	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
[1] Source: CalEEMod Version 2016.3.2
[2] On-site emissions from equipment operated on-site that is not operated on public roads.
[3] Off-site emissions from equipment operated on public roads.
[4] Construction, architectural coatings, and paving phases may overlap.

Regional Operational Emissions

The project's operations-related criteria air quality impacts have been analyzed using the CalEEMod model. It should be noted that the project analyzed emissions from natural gas usage based on CalEEMod default usage data for the project; however, the project will not be using natural gas which will result in a reduction in emissions and therefore this analysis conservative. The summer and winter emissions created by the project's long-term operations were calculated. The highest emissions from either summer or winter are summarized in the Regional Significance – Unmitigated Operational Emissions (lbs/day) Table 10 below.

Table 10 – Regional Significance – Unmitigated Operational Emissions (lbs/day)						
Regional Significance – Unmitigated Operational Emissions (lbs/day)						
	Pollutant Emissions (pounds/day)[1]					
Activity	**VOC**	**NOx**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Area Sources[2]	0.11	0.00	0.01	0.00	0.00	0.00
Energy Usage[3]	0.00	0.03	0.03	0.00	0.00	0.00
Mobile Sources[4]	1.91	13.04	15.90	0.07	4.52	1.24
Total Emissions	**2.02**	**13.07**	**15.94**	**0.07**	**4.52**	**1.24**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
[1] Source: CalEEMod Version 2016.3.2
[2] Area sources include consumer products, architectural coatings, and landscaping equipment emissions.
[3] Energy usage consists of emissions from generation of electricity and on-site natural gas usage based on CalEEMod defaults for the project. However, the project will not use natural gas and will have lower emissions than determined here and therefore this analysis is conservative under these assumptions.
[4] Mobile sources consist of emissions from vehicles and road dust.

The table above provides the project's unmitigated operational emissions and shows that the project does not exceed the SCAQMD daily emission threshold, and regional operational emissions are **less than significant.**

Tables 8 and 10 show how the project would have a **less than significant impact** on a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment.

c) *Expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations?*

Less Than Significant Impact

MD Acoustics prepared the Air Quality and Greenhouse Gas Impact Study (Appendix B) quoted throughout this Section.

Understanding the project as it relates to sensitive receptors will help understand the analysis in this Section. Sensitive receptors are considered land uses or other population groups more sensitive to air pollution than others due to their exposure. Sensitive population groups include children, the elderly, the acutely and chronically ill, and those with cardio-respiratory diseases. For the California Environmental Quality Act (CEQA) purposes, a sensitive receptor would be a location where a sensitive individual could remain for 24 hours or longer, such as residencies, hospitals, schools, etc.

The closest existing sensitive receptors (to the site area) are the multi-family residential uses located approximately 165 feet south (across Highway 74/Central Avenue) and the single-family residential uses located approximately 235 feet east/southeast (across Highway 74/Central Avenue) of the project site (Air Quality and Greenhouse Gas Impact Study (Appendix B) Section 1.2.3 – Sensitive Receptors, page 2).

Localized Construction Emissions

The data provided in the Localized Significance – Construction Table 9 below shows that none of the analyzed criteria pollutants would exceed the local emissions thresholds at the nearest sensitive receptors. Therefore, a **less than significant** local air quality impact would occur from the construction of the project.

Table 9 – Localized Significance – Construction

Localized Significance – Construction				
	On-Site Pollutant Emissions (pounds/day)[1]			
Phase	**NOx**	**CO**	**PM_{10}**	**$PM_{2.5}$**
Site Preparation	1.90	2.26	0.19	0.11
Grading	14.33	6.33	2.55	1.57
Building Construction	19.58	16.96	0.98	0.93
Paving	6.77	8.81	0.35	0.32
Architectural Coating	1.41	1.81	0.08	0.08
Total of overlapping phases	**27.76**	**27.58**	**1.41**	**1.33**
SCAQMD Threshold for 25 meters (82 feet) or less[2]	**162**	**750**	**4**	**3**
Exceeds Threshold?	**No**	**No**	**No**	**No**

Notes:
[1] Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for one acre in Temecula Valley Source Receptor Area (SRA 26). The project will disturb up to a maximum of 2 acres a day during grading (see Table 7). However, South Coast AQMD's LST methodology specifically states that if acres graded are larger than the project site area disturbed, the screening thresholds for localized significance are based on on-site acreage. The site is approximately 1.8 acres; therefore, the look-up tables for one acre have been utilized to be conservative.
[2] The nearest sensitive receptors are located adjacent to the south of the project site. However, according to LST methodology, any receptor located closer than 25 meters should be based on the 25-meter threshold.

Localized Operational Emissions

The Localized Significance – Unmitigated Operational Emissions Table 11 below shows the calculated emissions for the proposed operational activities compared with appropriate Localized Significance Thresholds (LSTs). The LST analysis only includes on-site sources; however, the CalEEMod software outputs do not separate on-site and off-site emissions for mobile sources. For a worst-case scenario assessment, the emissions shown in the table below include all on-site project-related stationary sources and 10% of the project-related new mobile sources. This percentage is an estimate of the amount of project-related new vehicle traffic that will occur on-site.

Table 11 – Localized Significance – Unmitigated Operational Emissions

Localized Significance – Unmitigated Operational Emissions				
On-Site Emission Source	**On-Site Pollutant Emissions (pounds/day)[1]**			
	NOx	**CO**	**PM10**	**PM2.5**
Area Sources[2]	0.00	0.01	0.00	0.00
Energy Usage[3]	0.03	0.03	0.00	0.00
On-Site Vehicle Emissions[4]	1.30	1.59	0.45	0.12
Total Emissions	**1.34**	**1.63**	**0.45**	**0.13**
SCAQMD Threshold for 25 meters (82 feet)[5]	**162**	**750**	**1**	**1**
Exceeds Threshold?	**No**	**No**	**No**	**No**

Notes:
[1] Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for one acre in Temecula Valley Source-Receptor Area (SRA 25).
[2] Area sources include consumer products, architectural coatings, and landscaping equipment emissions.
[3] Energy usage consists of emissions from the generation of electricity and on-site natural gas usage based on CalEEMod defaults for the project. However, the project will not use natural gas and will have lower emissions than determined here and therefore this analysis is conservative under these assumptions.
[4] On-site vehicular emissions based on 1/10 of the gross vehicular emissions and road dust.
[5] The nearest sensitive receptors are located adjacent to the south of the project site. However, according to LST methodology, any receptor located closer than 25 meters should be based on the 25-meter threshold.

The table above indicates that the local operational emission would not exceed the LST thresholds at the nearest sensitive receptors located adjacent to the project. Therefore, the project **will not result in significant Localized Operational emissions**.

CO Hot Spot Emissions

Carbon Monoxide (CO) is the pollutant of major concern along roadways because motor vehicles are the most notable source of CO. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential local air quality impacts. Local air quality impacts can be assessed by comparing future without and with project CO levels to the State and Federal CO standards.

To determine if the proposed project could cause emission levels in excess of the CO standards, a sensitivity analysis is typically conducted to determine the potential for CO "hot spots" at a number of intersections in the general project vicinity. Because of reduced speeds and vehicle queuing, "hot spots" potentially can occur at high traffic volume intersections with a Level of Service E or worse.

Micro-scale air quality emissions have traditionally been analyzed in environmental documents where the air basin was a non-attainment area for CO. However, the SCAQMD has demonstrated in the CO attainment redesignation request to EPA that there are no "hot spots"

anywhere in the air basin, even at intersections with much higher volumes, much worse congestion, and much higher background CO levels than anywhere in Riverside County. If the worst-case intersections in the air basin have no "hot spot" potential, any local impacts will be below thresholds.

Per the Central Avenue Gas Station Traffic Impact Analysis (page 2 Appendix P), the project will generate 1,217 average daily trips, with 128 trips during the AM peak hour and 122 trips during the PM peak hour. The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) showed that an intersection with a daily traffic volume of approximately 100,000 vehicles per day would not violate the CO standard. The traffic volume at project buildout would be well below 100,000 vehicles and below the necessary volume to even get close to causing a violation of the CO standard. Therefore, no CO "hot spot" modeling was performed, and **no significant long-term air quality impact** is anticipated on local air quality with the on-going use of the project

Construction-Related Toxic Air Contaminant Impact

The greatest potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during the project's construction. The Office of Environmental Health Hazard Assessment (OEHHA) has issued the Air Toxic Hot Spots Program Risk Assessment Guidelines and Guidance Manual for the Preparation of Health Risk Assessments, February 2015, to describe the algorithms, recommended exposure variates, cancer, and noncancer health values The air modeling protocols needed to perform a health risk assessment (HRA) under the Air Toxics Hot Spots Information and Assessment Act of 1987. Hazard identification includes identifying all substances evaluated for cancer risk and/or non-cancer acute, 8-hour, and chronic health impacts and identifying any multi-pathway substances that present a cancer risk or chronic non-cancer hazard via non-inhalation routes of exposure.

Given the relatively limited number of heavy-duty construction equipment and construction schedule, the project would not result in a substantial long-term source of toxic air containment emissions and corresponding individual cancer risk. Furthermore, construction-based particulate matter (PM) emissions (including diesel exhaust emissions) do not exceed any local (Table 9) or regional (Table 8) thresholds. Therefore, **no significant short-term toxic air contaminant impacts would occur during the project's construction**.

Health Risk Assessment (HRA) – Operational

The California Air Resources Board (CARB) (and the California Air Pollution Control Officers Association (CAPCOA)) recommend a 50-foot separation between gas stations and sensitive receptors; therefore, the approximately 138-foot separation from the property line of the commercial/single-family residential dwelling unit to the north to the fueling canopy and approximately 177-foot separation to the underground storage tanks should be more than adequate. Although the SCAQMD sets no specific distance for the vent riser to be setback from residential use, the project's vent riser is setback approximately 76 feet from the northern property line, and the residential unit on the northern property is setback over 120 feet from this point. The other sensitive receptors are the multi-family residential uses located approximately 165 feet south (across Highway 74/Central Avenue) and the single-family residential uses located approximately 235 feet east/southeast (across Highway 74/Central Avenue) with

adequate separation. Furthermore, the SCAQMD gasoline station HRA screening tables show that the Maximum Individual Cancer Risk (MICR) at residential receptors 25 meters (82 feet) (the fueling canopy is located further away at approximately 42 meters (137.8-feet)) from the fuel source would not even exceed 2.978 in a million (per 1,000,000 gallons of throughput). Given the size of the project and the number of pumps, a reasonable assumption would be an estimated annual through put per year of approximately 1.4MM gallons which equates to an approximate 4.17 in a million MICR, at a distance of approximately 25 meters (82 feet). The risk is below SCAQMD's 10 in a million threshold, and therefore no additional mitigation is required.

Furthermore, the project includes constructing and operating a convenience market with 12 fuel pumps. SCAQMD will permit the fuel pump portion of the project, and fuel-related emissions will be regulated by the SCAQMD Rule 461 and must obtain a Permit To Operate. Gasoline dispensing facilities must use Phase I/II EVR (enhanced vapor recovery) systems. Phase II EVR has an average efficiency of 95.1 percent, and Phase I EVR has an average efficiency of 98 percent. Therefore, the potential for fugitive Volatile Organic Compounds (VOC) or Toxic Air Contaminants (TAC) emissions from gasoline pumps is negligible. The project will not be a source of TAC or fugitive VOC emissions, and sensitive receptors (located as close as approximately 138 feet from the proposed gasoline fueling pumps) would not be exposed to toxic sources of air pollution. The separating distance between the gas station and the closest sensitive receptors is greater than the SCAQMD's minimum 50-foot separation. SCAQMD Rules are not considered mitigation measures as the project is required to incorporate these rules and requirements during operation by default.

According to the ARB's: *Revised Emission Factors for Gasoline Marketing Operations at California Gasoline Dispensing Facilities (12/23/2013)*[2], both Phase I and Phase II EVR systems have a minimum of 95.1% efficiency at capturing emissions. The emission inventory is based upon two (2) factors: 8.4 lbs of TOG per thousand gallons dispensed (lbs/kgal) and 0.74 lbs/kgal for Gasoline Dispensing Facilities with Phase II pre-EVR vapor recovery.

These factors are based upon pre-EVR vapor recovery systems. Most of the emissions would be captured, and the additional VOCs that would potentially escape these mandatory recovery systems are anticipated to be relatively small, assuming a 95% recovery rate. Per the Regional Significance – Unmitigated Operational Emissions (lbs/day) Table above, the project's operational VOC emissions are 2.03 lbs/day. At 3,836 gallons per day, the calculated uncontrolled ORVR VOC would be 32.2 lbs/day. Even if an additional 32.2 lbs/day (the **uncontrolled** [no ORVR or phase II] vehicle fueling emission factor for every 1,000 gallons pumped) were added to the project's operational VOC emissions), the total emissions of 34.23 lbs/day would not even exceed the SCAQMD's operational threshold of significance of 55 lbs per day for VOC. However, the vehicle fueling emissions factor with ORVR and Phase II EVR in place is 0.021 lbs per thousand gallons which equates to 0.081 lbs/day. The emissions amount is below the VOC threshold of significance, and the **impact is less than significant**. Furthermore, both ORVR and Phase II EVRs are required per regulation in California.

To exceed the VOC daily emissions threshold, the gas pumps at the project site would have to pump over a million gallons of fuel per day to exceed the daily VOC threshold.

[2] https://www.arb.ca.gov/vapor/gdf-emisfactor/gdf%20umbrella%20document%20-%2020%20nov%202013.pdf

The construction and operational emission rates would not exceed the LST thresholds for the project**.** Therefore, the project will have a **less than significant impact** on exposing sensitive receptors to substantial pollutant concentrations.

d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Less Than Significant Impact

MD Acoustics prepared the Air Quality and Greenhouse Gas Impact Study (Appendix B) quoted throughout this Section.

Potential sources that may emit odors during construction activities include applying materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are short-term in nature. The odor emissions are expected to cease upon the drying or hardening of the odor-producing materials. Diesel exhaust and VOCs would be emitted during the project's construction, which are objectionable to some; however, emissions would disperse rapidly from the project site and, therefore, should not reach an objectionable level at the nearest sensitive receptors. Due to the short-term nature and limited amounts of odor-producing materials being utilized, **no significant impact related to odors would occur during the project's construction**.

The SCAQMD recommends that odor impacts be addressed qualitatively. Such analysis shall determine whether the project would result in excessive nuisance odors, as defined under the California Code of Regulations and Section 41700 of the California Health and Safety Code, and thus would constitute a public nuisance related to air quality.

Potential sources that may emit odors during the project's ongoing operations would include odor emissions from the service station operations. Due to the distance of the nearest receptors from the project site and through compliance with SCAQMD's Rule 402, no significant impact related to odors would occur during the project's ongoing operations. Furthermore, Gasoline dispensing facilities must use Phase I/II EVR (enhanced vapor recovery) systems. Therefore, **no significant impact related to odors would occur during the project's operation**.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

BIOLOGICAL RESOURCES Would the project:				
7. Wildlife & Vegetation a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?	☐	☐	☒	☐
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	☐	☐	☐	☒

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	☐	☐	☒	☐
f) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

Source(s): Map My County GIS Database, accessed June 17, 2021
Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)
Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP)
Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis, Commercial Retail – 76 Station Central Avenue (Hwy 74) and Eighth Street, prepared by Jericho Systems, Inc, March 2021 (Appendix C)
Biological Resources Assessment (BRA), Jurisdictional Delineation (JD), Commercial Retail (76 Station) – APN: 347-130-029 & 347-130-028, Central Avenue (Hwy 74) and Eighth Street, City of Lake Elsinore, Riverside County, California, prepared by Jericho Systems, Inc, February 23, 2021, revised May 1, 2021 (Appendix D)

Findings of Fact:

a) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?*

Less Than Significant Impact

See also responses b) and c) below. The subject property is located within the boundaries of the MSHCP. The project will be conditioned for the payment of the MSHCP Development Mitigation Fees, which will mitigate potential impacts on MSHCP-covered species.

The project site is not within the MSHCP Criteria Area, adjacent to an MSHCP-designated Conservation Area, so no additional mitigation measures or provisions are required. The project will not conflict with the provisions of any Habitat Conservation Plans or Natural Community Conservation Plans.

Consistency with the biological requirements of the MSHCP is identified in the responses below.

With Standard Condition **SC BIO-1**, the project will have a **less than significant impact**, directly, indirectly, or cumulatively, on an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or other approved state habitat conservation plan. These are standard conditions for the County of Riverside and are not considered unique mitigation under CEQA.

SC BIO-1: Prior to issuance of grading permits, the project Permittee/Owner shall comply with the provisions of the MSHCP regarding the payment of the MSHCP Local Development Mitigation Fee.

b) &c) *Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?*

Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service?

No Impact

Jericho Systems, Inc. (Jericho) conducted a Biological Resources Assessment (BRA) and Jurisdictional Delineation (JD) for the project and MSHCP Consistency Analysis (Appendices C and D). The focus of the assessments was to identify potential habitats for special status wildlife within the project area, focusing on specific sensitive species documented in the project vicinity and/or whose habitat requirements are present within the project site as identified through the database search. The report also addressed the potential for jurisdictional waters and resources to be present on the site.

Because the project is also located within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) area, Jericho also completed an MSHCP Consistency Analysis, which addressed species surveys specific to the MSHCP requirements, as well as riverine/riparian resources in accordance with the MSHCP guidelines.

The project site is located within the Elsinore Area Plan of the MSHCP and requires that a project complies with the MSHCP policies identified in Section 6 of the MSHCP. The project site is not located within any cell designated as a “criteria” area for potential or existing conservation. Also, the project site is not located in an area where additional surveys are required for any Narrow Endemic Plant, Amphibian, Mammal, Invertebrate, or other Criteria Area Species.

The MSHCP and RCA Mapping tool identified that the project site is required to be evaluated for potential habitat for burrowing owls (BUOW). Due to the presence of willow scrub thicket, the following three bird species potential for habitat also had to be addressed. Therefore, habitat assessments were performed for these species in compliance with the MSHCP.

BURROWING OWL (BUOW)

BUOW is known to occur locally within suitable habitat areas. The closest occurrence was 3.6 miles northeast of the project site along Highway 74/Central Avenue near Ethanac Road and Eugene Street in 1999.

The BUOW is currently designated as a California Species of Special Concern. It is a grassland specialist distributed throughout western North America, where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. They use a wide variety of arid and semi-arid environments with level to gently sloping areas characterized by open vegetation and bare ground. BUOWs rarely dig their own burrows and are instead dependent upon the presence of burrowing mammals (i.e., California ground squirrels [Otospermophilus beecheyi], coyotes, and badgers [Taxidea taxus]) whose burrows are often used for roosting and nesting. The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of BUOWs. Where mammal burrows are scarce, burrowing owls have been found occupying manufactured cavities, such as buried and non-functioning drainpipes, stand-pipes, and dry culverts. They also require low growth or open vegetation, allowing line-of-sight observation of the surrounding habitat to forage and watch for predators. In California, the BUOW breeding season extends from the beginning of February through the end of August.

Under the MSHCP, burrowing owl is considered an adequately conserved covered species that may still require focused surveys in certain areas, as designated in Figure 6-4 of the MSHCP. The survey for burrowing owls requires a systematic survey of all areas that provide suitable habitat plus a 150-meter (approximately 500 feet) zone of influence on all sides of suitable habitat, where applicable.

The area on-site requiring BUOW surveys is densely vegetated in a three-story canopy cover structure with eucalyptus trees, salt cedar and willows, and non-native grasses and weeds. The habitat composition and structure are not suitable for BUOW. No burrows, feathers, whitewash, castings, prey remains, or BUOW individuals were observed on-site or in the survey buffer area, which was surveyed by binoculars. (The adjacent properties are private property, and access was not granted to survey). Based on the survey results, BUOWs are absent, and the habitat within the required survey area is unsuitable; therefore, further investigation is not recommended or warranted. Therefore, no further action relative to BUOW is required, and the project will have **no impact** on BUOW, directly, indirectly, or cumulatively.

d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Less Than Significant Impact with Mitigation

Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts on wildlife. In summary, habitat fragmentation is dividing or breaking up larger habitat areas into smaller areas that may or may not sustain wildlife and plant populations independently. Wildlife movement (more properly recognized as species movement) is the temporal movement of species along with diverse types of corridors. Wildlife corridors are especially important for connecting fragmented wildlife habitat areas.

The property is in an area undergoing fragmentation. It is surrounded by paved roads and commercial and residential development on two sides, with further development underway on the other two sides. The eucalyptus and salt cedar vegetation growing in the property's northeast corner provides a potentially suitable nesting habitat for birds, including raptor species. Therefore, **MM BIO-1** is required to avoid potential impacts on nesting birds and/or raptors (common and special status) during nesting season. The project will have **less than significant impact with mitigation,** directory or indirectly**,** on habitat fragmentation and wildlife movement.

MM BIO-1: Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist shall conduct pre-construction Nesting Bird Surveys (NBS) at least three (3) days prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action is required. If an active nest is found, the qualified Avian Biologist shall set appropriate no-work buffers around the nest which will be based upon the nesting species, based on the individual species type, its sensitivity to disturbance, nesting stage and expected types of nest, and the intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

e) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?*

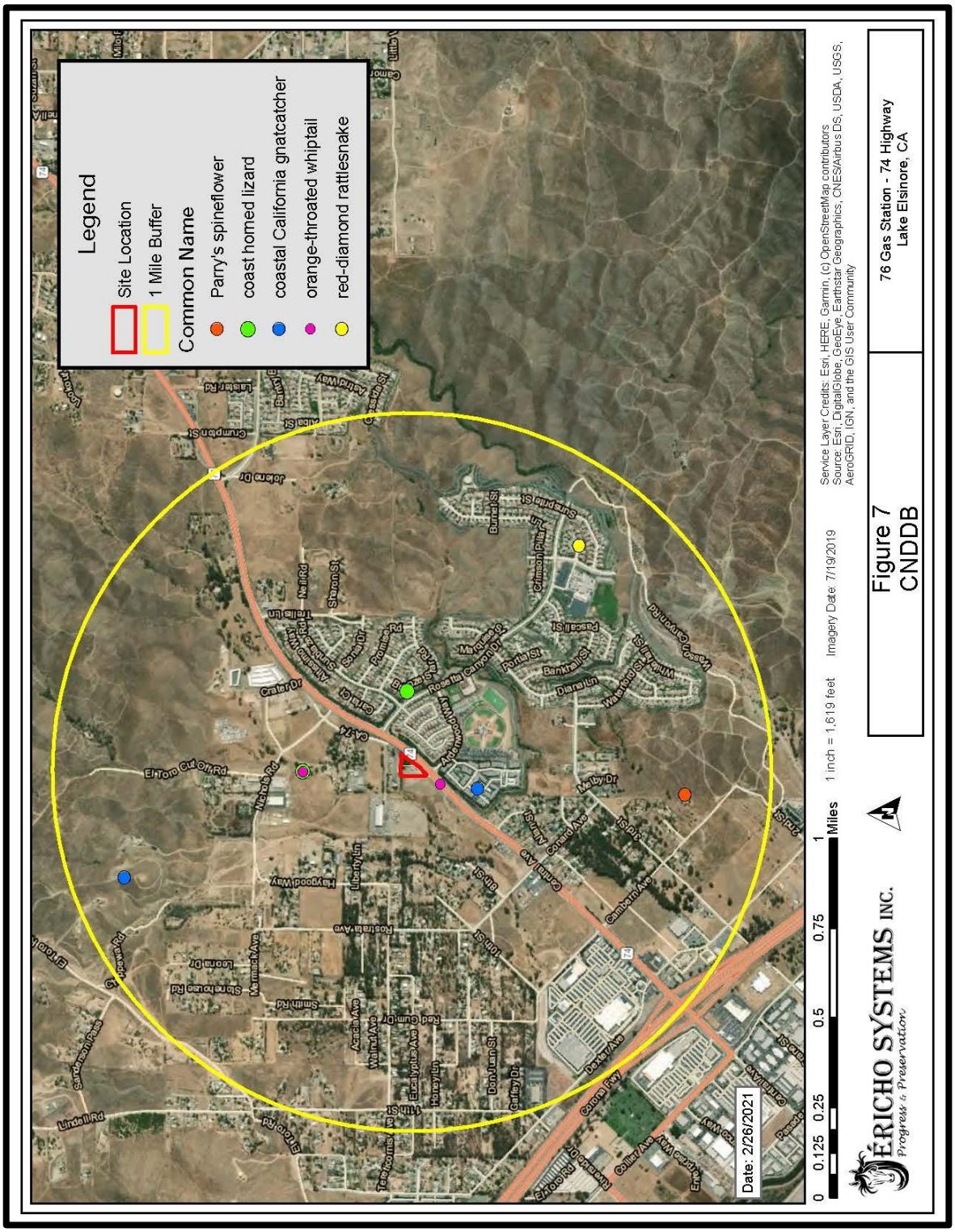
Less Than Significant Impact

Jericho Systems, Inc. (Jericho) conducted a Biological Resources Assessment (BRA) and Jurisdictional Delineation for the project. The report addressed potential jurisdictional resources in addition to an evaluation of sensitive wildlife resources. The MSHCP Consistency Analysis also addressed the potential for riverine/riparian resources in accordance with the MSHCP guidelines (Appendices C and D).

Riverine/Riparian Areas and Jurisdictional Waters

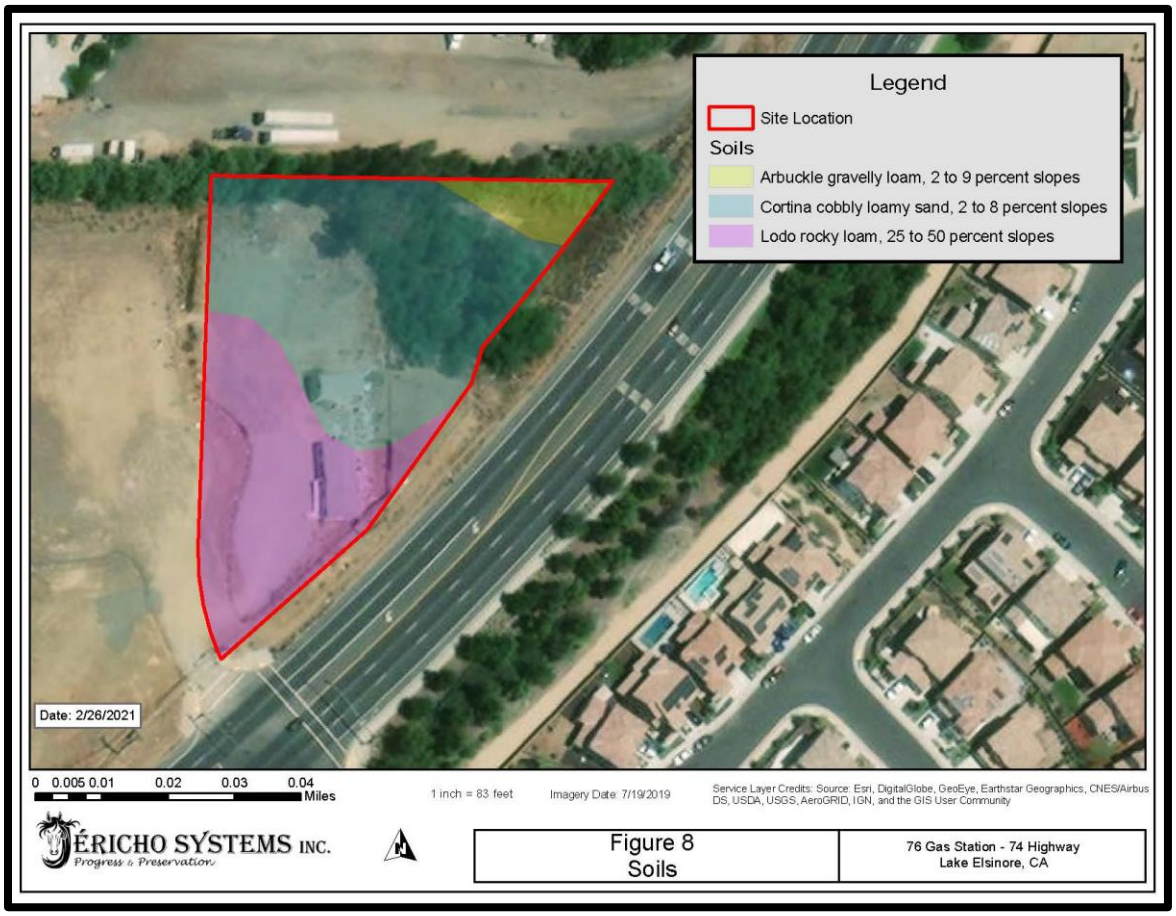
A roadside swale originating from Highway 74/Central Avenue and N. Frontage road located along the northeastern boundary of the site enters the project site in the northern portion of APN 347-130-028 and continues westerly along the property boundary between the project site and the parcel north of the project site (Figure 7 of the MSHCP Consistency Analysis, shown below). This swale collects street runoff and is not a natural or jurisdictional feature subject to Sections 1600 of the FGC or 404/401 of the federal CWA. No bed or bank is associated with this swale, indicating a flow of water. The water runoff from Highway 74/Central Avenue travels west, back flows to the southeast, and percolates in the well-drained soils. There is no evidence that the swale connects to the blue line stream off-site to the west.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact



This roadside swale results from roadside water diversion from Highway 74/Central Avenue and is not considered jurisdictional or riverine/riparian. Although the patch of willows growing in the mid-story of the swale is riparian, it is not the intent of the MSHCP to conserve small patches of riparian species growing as a direct result of manufactured features. The willows occur as a direct result of roadside runoff. If the runoff were redirected, these willows would not exist. For further clarification, as defined under Section 6.1.2 of the MSHCP, *Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools*, riparian/riverine areas are areas dominated by trees, shrubs, persistent emergent plants, or emergent mosses and lichens which occur close to or are dependent upon nearby freshwater, or areas with freshwater flowing during all or a portion of the year. Conservation of these areas is intended to protect habitat essential to a number of listed or special status water-dependent fish, amphibian, avian, and plant species.

Based on the project's Site Plan (Figure 8 of the MSHCP Consistency Analysis, shown below), 0.41 acres will be permanently impacted by grading and construction.



No mitigation or permitting is required because the swale is artificially created, and artificially created areas are not included in the definitions of a Riverine/Riparian Area, as defined Section 6.1.2 of the MSHCP, *Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools* as identified previously. Further investigation is not warranted. Therefore, the project will

have a **less than significant impact** on Riverine/Riparian Areas and Jurisdictional Waters, directly, indirectly, and cumulatively.

Riparian Birds

Section 6.1.2 of the MSHCP identifies that the conservation of Riverine/Riparaian Areas and Vernal Pools is intended to protect habitat essential to a number of listed or special status water-dependent fish, amphibian, avian, and plant species. And though the willow thicket on site is the result of an artificially created roadside water diversion from Highway 74/Central Avenue and not considered a Riverine/Riparian Area according Section 6.1.2 of the MSHCP, the following analysis is provided for the three bird species:

- Southwestern willow flycatcher (Empidonax trallii extimus) [SWWF]
- least Bell's vireo (Vireo bellii pusillus) [LBVI]
- yellow-billed cuckoo (Coccyzus americanus) [YBCU]

Southwestern willow flycatcher
The southwestern willow flycatcher (SWWF) is a State and federally listed species. In 1992, it was listed by the California Fish and Game Commission as endangered under the California Endangered Species Act (CESA) of 1970. It was federally listed as endangered on February 27, 1995, under the ESA (60 FR 10694). The USFWS designated critical habitat for the species on July 22, 1997. This habitat includes 18 units with a total of 599 miles of river in California, New Mexico, and Arizona. In California, critical habitat was designated along portions of the Santa Ana River, San Luis Rey River, San Diego River, Santa Margarita River, Tijuana River, and south fork of the Kern River (62 FR 39129). On May 11, 2001, the critical habitat designation from 1997 was struck down by the U.S. 10th Circuit Court of Appeals, which required further economic analysis. USFWS finalized a recovery plan in March of 2003. Critical habitat designations for this species were re-proposed and finalized in June 2004 (USFWS, 2003c).

The species historical range included Arizona, California, Colorado, New Mexico, Texas, and Utah. Southwest Region (Region 2) Counties in California in which this population is known to or is believed to occur: Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Santa Cruz, Tulare, Tuolumne, Ventura.

The SWWF is a small passerine bird measuring approximately 5.7 inches in length. It has a grayish-green back and wings, whitish throat, a light gray-olive breast, and pale yellowish belly. It has two visible white wing bars and a faint or absent eye ring. The call consists of a repeated "whit," and their song is a sneezy "fitz-bew." (60 FR 10694). The SWWF is currently one of the four recognized subspecies of the willow flycatcher. This flycatcher is a neotropical migrant that breeds in the southwestern United States from mid-April to early September. In the fall, it migrates south to its wintering grounds in portions of South America, Central America, and Mexico. (60 FR 10694)

The SWWF breeds in dense riparian habitats along rivers, streams, and other wetlands at elevations ranging from sea level to 8,500 feet (Sogge 1997). Occupied habitat is generally dominated by shrubs and trees 13 to 23 feet or more in height, which provide dense lower and mid-story vegetation approximately 10 to 13 feet aboveground. This dense vegetation is often interspersed with open water, small openings, or sparse vegetation, creating a mosaic that is

not uniformly dense (62 FR 39129). Plant species closely associated with the flycatcher include willows (Salix spp.), boxelder (Acer negungo), seepwillow (Baccharis spp.), with an overstory of cottonwood (Populus fremontii) (62 FR 39129).

The SWWF has not been documented on-site or within a 1-mile radius according to the California Natural Diversity Database (refer to Figure 7 in Appendix D). The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street runoff and does not have the structure preferred by this species. Therefore, SWWF has a very low potential to occur on-site and /or in the project vicinity.

Least Bell's vireo

Least Bell's vireo (LBVI) was first proposed for listing as endangered by the USFWS on May 3, 1985 (50 FR 18968) and was subsequently listed as federally endangered on May 2, 1986 (60 FR 10694). Critical habitat units were designated by the USFWS on February 2, 1994 (59 FR 4845) and included reaches of ten streams in six counties in southern California and the surrounding approximately 38,000 acres. The critical habitat units exist in the Santa Ynez River, Santa Clara River, Santa Ana River, Santa Margarita River, San Luis Rey River, Sweetwater River, San Diego River, Tijuana River, Coyote Creek, and Jumul-Dulzura Creek.

The species historical range included California; California/Nevada Region (Region 8). Counties in California in which this population is known to or is believed to occur include Imperial, Inyo, Kern, Los Angeles, Monterey, Orange, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, Stanislaus, Tulare, Ventura, Yolo.

The LBVI is a small, olive-gray migratory songbird that nests and forages almost exclusively in riparian woodland habitats. Bell's vireos are highly territorial and are almost exclusively insectivorous. LBVI generally begin to arrive from their wintering range in southern Baja California and establish breeding territories by mid-March to late March. A large majority of breeding vireos depart their breeding grounds by the third week of September, and only a very few have been found wintering in the United States.

Nests are usually placed in forks of branches between 2 and 5 feet from the ground. Females lay two to five eggs with both parents incubating the clutch for approximately 14 days and the young fledging after 10 to 12 days. The fledglings will remain in the parental territory for up to a month. LBVI leave the breeding grounds and migrate south in mid to late September.

Their nesting habitat typically consists of well-developed overstory, understory, and low densities of aquatic and herbaceous cover. The understory frequently contains dense sub-shrub or shrub thickets. The overstory usually contains black willow, cottonwood, and Sycamore. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. Although LBVI uses a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. Vireos forage in riparian habitats up to 984 feet from the nest and use both high and low scrub layers as foraging substrate.

The LBVI has not been documented on-site or within a 1-mile radius according to the California Natural Diversity Database (refer to Figure 7 in Appendix D). The small willow scrub thicket

onsite is highly degraded and occupied by transients. The habitat formed as a result of street runoff and does not have the structure preferred by this species. Therefore, LBVI has a very low potential to occur on-site and /or in the project vicinity.

Yellow-billed cuckoo

The YBCU is listed as endangered in California and was federally listed as threatened in 2014. Designation of critical habitat for the western distinct population segment of the Yellow-Billed Cuckoo (Coccyzus americanus) was made by the USFWS in 2014 (50 CFR Part 17). In 1971 it was listed by the California Department of Fish and Game as Rare. By 1977 it had become "one of the rarest birds" in the state. A 1977 survey of historical sites and suitable habitat at six widely scattered rivers turned up 54 birds in the Sacramento Valley (Tehama, Putte, Glenn, Colusa, and Sutter counties), nine on the South Fork of the Kern River near Weldon, three along the Santa Ana River, Riverside County, four in Owens Valley, Inyo County, six on the Armargosa River south of Tecopa, Inyo and San Bernardino County, and 65 on both sides of the Colorado River from the Nevada state line to the Mexican border (Gaines 1977). By 1986 the entire breeding population in California had dropped to 31-42 pairs (Laymon and Halterman 1987).

The YBCU was once common in riparian habitats throughout the western United States. In California, the YBCU has declined from a "fairly common breeding species" throughout most of the state to a current population of less than 50 pairs (Gaines and Laymon 1984; Laymon and Halterman 1991). The geographical breeding range of the YBCU in the western United States North America includes suitable habitat within the low- to moderate-elevation areas, including the upper and middle Rio Grande, the Colorado River Basin, the Sacramento, and San Joaquin River systems, the Columbia River system, and the Fraser River.

The species historical range included Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming. The California/Nevada Region (Region 8) Counties in California in which this population is known to or is believed to occur include Alameda, Butte, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kern, Lake, Lassen, Madera, Marin, Mendocino, Modoc, Mono, Plumas, Sacramento, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuma.

The YBCU is a medium-sized bird with a long and slim profile. Its legs are short and bluish-gray, and its tail is gray-brown above and black below, with three striking pairs of large white dots visible in flight. Its body is brown above with white underparts. The undersides of its pointed wings are rufous. Adult birds have a long-curved bill which is blue-black above and yellow at the base of the mandibles. Juveniles have a completely blue-black bill.

Though the YBCU will occupy a variety of marginal habitats, particularly at the edges of their range, YBCU in the West are overwhelmingly associated with relatively expansive stands of mature cottonwood willow forests. Canopy height ranged from 5-25 m, canopy cover from 20-90 percent, and understory cover from 30-90 percent. Willows and open water are required, and the habitat will vary from dense willow-cottonwood forests to marshy bottomlands with scattered willow thickets. Today, five of the remaining eight populations in California are in immediate danger of extinction, including two sites in Owens Valley, the Armargosa River near Tecopa, the Mojave River, and the Santa Ana River. These populations only harbor 1-2 individuals in some years and none in others, making them highly vulnerable to extirpation from both stochastic and systemic processes. According to the California Department of Fish and Wildlife (1980), remnant

patches of suitable habitat in sizes sufficient to support breeding yellow-billed cuckoos are scarce.

The YBCU has not been documented on-site or within a 1-mile radius according to the California Natural Diversity Database (refer to Figure 7 in Appendix D). The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street runoff and does not have the structure preferred by this species. Therefore, YBCU has a very low potential to occur on-site and /or in the project vicinity.

Therefore, small willow scrub patch in the project site's northeast corner is not suitable for supporting LBVI, SWWF, or YBCU, and protocol surveys are not warranted. These migratory songbirds nest and forage almost exclusively in riparian woodland habitats, with nesting habitats typically consisting of well-developed overstory, understory, and low densities of aquatic and herbaceous cover. The understory frequently contains dense sub-shrub or shrub thickets. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. These conditions do not occur on site. Although these songbirds use a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. Territories for these three species range in size from 0.5 to 7.5 acres, with an average size of approximately 2 acres. The willow scrub on site is 0.27 acre in size and does not meet the habitat structure requirements of these three species. Further, the consistent presence of transients in the willow thicket presents a major disturbance that is not conducive to bird nesting in general. For these reasons the project will have a **less than significant impact** on these three riparian bird species and their habitat directly or indirectly.

f) *Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact

Jericho Systems, Inc. (Jericho) conducted a Biological Resources Assessment (BRA) and Jurisdictional Delineation for the project. The report addressed potential jurisdictional resources in addition to an evaluation of sensitive wildlife resources. The MSHCP Consistency Analysis also addressed the potential for riverine/riparian resources in accordance with the MSHCP guidelines (Appendices C and D).

Vernal Pools

Vernal pools are seasonally inundated, ponded areas that only form in regions where specialized soil and climatic conditions exist. During fall and winter rains typical of Mediterranean climates, water collects in shallow depressions where downward percolation of water is prevented by the presence of a hardpan or claypan layer (duripan) below the soil surface. Later in the spring, when rains decrease and the weather warms, the water evaporates, and the pools generally disappear by May. The shallow depressions remain relatively dry until late fall and early winter with the advent of greater precipitation and cooler temperatures.

Vernal pools provide unusual "flood and drought" habitat conditions to which certain plant and wildlife species have specifically adapted and invertebrate species such as fairy shrimp.

One of the factors for determining the suitability of the habitat for fairy shrimp would be demonstrable evidence of seasonal ponding in an area of topographic depression that is not subject to flowing waters. These astatic pools are typically characterized as vernal pools. More specifically, vernal pools are seasonal wetlands that occur in depression areas without a continual source of water. They have wetland indicators of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetland indicators of hydrology and/or vegetation during the drier portion of the growing season. Obligate hydrophytes and facultative wetlands plant species are normally dominant during the wetter portion of the growing season. The determination that an area exhibits vernal pool characteristics and the definition of the watershed supporting vernal pool hydrology is made on a case-by-case basis. Such determinations should consider the length of time the area exhibits upland and wetland characteristics and the manner in which the area fits into the overall ecological system as a wetland. The seasonal hydrology of vernal pools provides a unique environment that supports plants and invertebrates specifically adapted to a regime of winter inundation, followed by an extended period when the pool soils are dry.

The MSHCP lists two general classes of soils known to be associated with special-status plant species; clay soils and Traver-Domino Willow association soils. The specific clay soils known to be associated with special-status species within the MSHCP plan area include Bosanko, Auld, Altamont, and Porterville series soils, whereas Traver-Domino Willows association includes saline-alkali soils largely located along floodplain areas of the San Jacinto River and Salt Creek. Without the appropriate soils to create the impermeable restrictive layer, none of the special-status species associated with vernal pools can occur on the project site.

No ponding was observed on-site. Soils are well-drained, and no mud/soil cracks or other pooling indicators were observed on site.

From a review of historic aerial photographs and observations during the field investigation, it is concluded that no vernal pools or suitable fairy shrimp habitats exist on site. Further, no special-status plant and/or wildlife species associated with vernal pools were observed during the field visit. Additionally, the routine disturbances on-site and well-drained soils also preclude vernal pools from existing on-site.

Fairy Shrimp

Fairy shrimp can be found in non-vernal pool features such as stock ponds, ephemeral pools, road ruts, human-made depressions, or other depressions that may pond water. No habitat features suitable for fairy shrimp exist on site.

Therefore, evaluations for the presence of fairy shrimp were not warranted or required. No further discussion on fairy shrimp is made in this report.

Therefore, **no impacts** on vernal pools or fairy shrimp will occur because none exist on-site, the soil type on-site does not support the potential for vernal pools, and no habitat features suitable for fairy shrimp exist on site.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

g) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

No Impact

Riverside County Ordinance No. 559 prohibits the removal of any living native tree on any parcel greater than one-half acre in size, located in an area above 5,000 feet in elevation. The project site elevation ranges in elevation from approximately 1,389 feet above msl to approximately 1,414 feet above mean sea level (amsl). The site is developed/disturbed land except for the northeast corner, which consists of a mix of salt cedar, eucalyptus, and willow scrub. As such, Ordinance No. 559 does not apply to the project. Therefore, **no impact** on native trees within the County will occur.

Since the project is located across the street from the City of Lake Elsinore, a review of their tree preservation ordinances was conducted. The City of Lake Elsinore does have a Palm Tree Preservation Program, but it is limited to palm species within the City limits. Palm trees are not on-site; therefore, the project will **not impact** heritage trees in the City of Lake Elsinore.

Mitigation:

MM BIO-1: Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist shall conduct pre-construction Nesting Bird Surveys (NBS) at least three (3) days prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action is required. If an active nest is found, the qualified Avian Biologist shall set appropriate no-work buffers around the nest which will be based upon the nesting species, based on the individual species type, its sensitivity to disturbance, nesting stage and expected types of nest, and the intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactivee.

Monitoring: No monitoring is required.

CULTURAL RESOURCES Would the project:				
8. Historic Resources a) Alter or destroy a historic site?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of a historical resource, pursuant to California Code of Regulations, Section 15064.5?	☐	☐	☐	☒

Source(s): Phase 1 Cultural Resources Assessment Report for the 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Lake Elsinore, Riverside County, California, prepared by Red Tail Environmental, February 2021 (Appendix E)

Findings of Fact:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The Phase 1 Cultural Resource Assessment prepared by Red Tail Environmental is quoted throughout this section (Appendix E).

a) and b) *Alter or destroy a historic site?*

Cause a substantial adverse change in the significance of a historical resource, pursuant to California Code of Regulations, Section 15064.5?

No Impact

Eastern Information Center Record Search Results

The EIC record search of the project site and one-mile record search radius indicated that a total of 56 cultural resources studies had been completed within the one-mile record search radius. Two of the previously conducted studies intersect the area of potential effect (APE). In addition, nine previously recorded historic resources were located within one mile of the project sitea. No historic resources were previously recorded within the project site.

Historic Map and Aerial Photograph Research Results

Red Tail reviewed historic United States Geologic Survey (USGS) topographic maps and aerial photographs. Historical topographic maps were reviewed using USGS Historical Topographic Map Explorer, and aerial imagery was accessed via HistoricalAerials.com, part of NETROnline.com. The earliest that any type of structure was depicted was in 1980.

Field Survey

The archaeological survey was negative, and no historic cultural resources were identified within the project site.

Based upon analysis of records and a survey of the property, it has been determined that there will be no impacts to historical resources as defined in the California Code of Regulations, Section 15064.5, because they do not occur on the project site. As such, no change in the significance of historical resources would occur with the implementation of the proposed project. Therefore, there will be no impacts in this regard

Mitigation: None

Monitoring: None

9. Archaeological Resources a) Alter or destroy an archaeological site?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to California Code of Regulations, Section 15064.5?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Source(s): Phase 1 Cultural Resources Assessment Report for the 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Lake Elsinore, Riverside County, California, prepared by Red Tail Environmental, February 2021 (Appendix E)

Findings of Fact:

The Phase 1 Cultural Resource Assessment prepared by Red Tail Environmental is quoted throughout this section (Appendix E).

a), and b) *Alter or destroy an archaeological site?*

Cause a substantial adverse change in the significance of an archaeological resource, pursuant to California Code of Regulations, Section 15064.5?

Less Than Significant Impact with Mitigation

Eastern Information Center Record Search Results

The EIC records search also indicated that eight (8) previously recorded prehistoric resources were located within one mile of the project site. One previously recorded resource, P-33-000641/CA-RIV-641, was identified within the project site limits. The resource consists of a prehistoric site containing four grinding slicks upon three (3) granite boulders and was originally recorded in 1973 by J. Humbert and S. Hammond. At the time of original recordation, no artifacts or midden were observed upon the surface surrounding the boulders. Additionally, Humbert and Hammond noted that the resource appeared to be likely heavily disturbed or destroyed from proposed future construction for the re-alignment of Highway 74. A follow-up survey in 1978 (recorders unknown) notes that the site was unable to be relocated. No additional updates to the resource have occurred since 1978.

FIELD SURVEY RESULTS

The field survey was unable to relocate resource P-33-000641/CA-RIV-641. The resource location provided through the EIC suggested that the resource was present within the southern portion of parcel 347-130-028. No indications of bedrock outcrops were visible during the survey effort. Inspections of the northern and northeastern portions of the project site also did not indicate the presence of intact bedrock outcrops.

No previously unrecorded cultural resources were identified during the survey effort, and no indications of potential intact subsurface deposits were observed.

While the archaeological survey was negative, a prehistoric archaeological resource was previously recorded within the project site and additional prehistoric archaeological resources that have been recorded within the record search radius. It is recommended that a condition of approval for archaeological monitoring be applied to the project to

ensure that if any previously undocumented cultural resources are identified, they will be treated appropriately.

c) Disturb any human remains, including those interred outside of formal cemeteries?

It has been determined that the project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. Nonetheless, the project will be required to adhere to State Health and Safety Code Section 7050.5 if in the event that human remains are encountered and by ensuring that no further disturbance occurs until the County Coroner has made the necessary findings as to origin of the remains. Furthermore, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made.

CEQA requires the Lead Agency to address any unanticipated cultural resources discoveries during Project construction. A County Standard condition of approval has been placed on the project that dictates the procedures to be followed should any unanticipated cultural resources be identified during ground disturbing activities. This is a standard condition of approval and is not considered mitigation.

With the inclusion of the following Condition of Approval/ Mitigation Measures, impacts to any previously unidentified cultural resources would be **less than significant with mitigation**.

Mitigation:

MM CUL-1: CRMP Required

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist has been contracted to implement a Cultural Resource Monitoring Program (CRMP). A CRMP shall be developed in coordination with the consulting tribe(s) that addresses the details of all activities and provides procedures that must be followed in order to reduce any impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. This document shall be provided to the County Archaeologist for review and approval prior to issuance of the grading permit.

The CRMP shall contain, at a minimum, the following:

Archaeological Monitor An adequate number of qualified archaeological monitors shall be onsite to ensure all earth-moving activities are observed for the areas being monitored. This includes all grubbing, grading, and trenching onsite and for all offsite improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features.

The frequency and location of inspections will be determined and directed by the Project Archaeologist.

Cultural Sensitivity Training - The Project Archaeologist and a representative designated by the consulting Tribe(s) shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; the areas to be avoided during grading activities; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is mandatory training, and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

Unanticipated Resources - In the event that previously unidentified potentially significant cultural resources are discovered, the Archaeological and/or Tribal Monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Project Archaeologist, in consultation with the Tribal monitor, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. Further, before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Project Archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Isolates and clearly non-significant deposits shall be minimally documented in the field, and the monitored grading can proceed.

Artifact Disposition- the landowner(s) shall relinquish ownership of all cultural resources that are unearthed on the Project property during any ground-disturbing activities, including previous investigations and/or Phase III data recovery.

The Professional Archaeologist may submit a detailed letter to the County of Riverside during grading requesting a modification to the monitoring program if circumstances are encountered that reduce the need for monitoring.

Monitoring: Monitoring shall be conducted by the Project Archaeologist and Tribal Monitor, in coordination with the County Archaeologist.

ENERGY Would the project:				
d) Energy Impacts a. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
consumption of energy resources, during project construction or operation?				
b. Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Source(s): Zoning Ordinance – Ordinance No. 348, April 1, 2021
General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
Riverside County Climate Action Plan ("CAP")
SCAQMD CEQA Air Quality Handbook
South Coast Air Quality Management District's 2016 Air Quality Management Plan
Air Quality and Greenhouse Gas Impact Study – Central Avenue Gas Station, prepared by MD Acoustics, December 19, 2022 (Appendix B)
Gas Station & Convenience Store – CEQA Energy Review, County of Riverside, CA, prepared by MD Acoustics, December 19, 2022 (Appendix F)

Findings of Fact:

MD Acoustics (MD) prepared the Gas Station & Convenience Store – CEQA Energy Review and Air Quality and Greenhouse Gas Impact Study (Appendix F) quoted throughout this section.

a) *Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less Than Significant Impact

Information from the CalEEMod 2016.3.2 Daily and Annual Outputs contained in the Central Avenue Gas Station Air Quality and Greenhouse Gas Impact Study prepared for the project by MD (December 19, 2022) was utilized for this analysis (see Appendix A of the Air Quality and Greenhouse Gas Impact Study – Appendix B). The CalEEMod outputs detail project-related construction equipment, transportation energy demands, and facility energy demands. It should be noted that the project analyzed emissions from natural gas usage based on CalEEMod default usage data for the project; however, the project will not be using natural gas which will result in a reduction in emissions and therefore this analysis conservative.

Energy Review

Construction Energy Demand

The construction schedule is anticipated to begin in February 2023 and take approximately eight months to complete and be completed in one phase. Staging of construction vehicles and equipment will occur on-site.

Construction Equipment Electricity Usage Estimates

The SCE will provide electrical service. This section focuses on the energy implications of the construction process, specifically the power cost from on-site electricity consumption during

construction. Based on the 2017 National Construction Estimator, Richard Pray (2017)[3], the typical power cost per 1,000 square feet of building construction per month is estimated to be $2.32. The project plans to develop the site with a 3,5160-square-foot convenience market with a gasoline service station with 12 fueling pumps over the course of approximately six months. Based on the Project Construction Power Cost and Electricity Usage Table below, the total power cost of the on-site electricity usage during the project's construction is estimated to be approximately $55.68. Furthermore, as of April 13, 2020, SCE's general service rate schedule (GS-1) is approximately $0.09 per kWh of electricity.[4] As shown in Table 3 below, the total electricity usage from project construction-related activities is estimated to be approximately 619 kWh.

Table 3 – Project Construction Power Cost and Electricity Usage

Power Cost (per 1,000 square foot of building per month of construction)	Total Building Size (1,000 Square Foot)	Construction Duration (months)	Total Project Construction Power Cost
$2.32	4.000	6	$55.68

Cost per kWh	Total Project Construction Electricity Usage (kWh)
$0.09	619
*Assumes the project will be under the GS-1 General Service rate under SCE.	

Construction Equipment Fuel Estimates

Fuel consumed by construction equipment would be the primary energy resource expended over the course of project construction. Fuel consumed by construction equipment was evaluated with the following assumptions:

- Construction schedule of approximately six months
- All construction equipment was assumed to run on diesel fuel
- Typical daily use of 8 hours, with some equipment operating from 6 to 7 hours
- Aggregate fuel consumption rate for all equipment was estimated at 18.5 hp-hr/day (from CARB's 2017 Emissions Factors Tables and fuel consumption rate factors as shown in Table D-21 of the Moyer Guidelines: (https://www.arb.ca.gov/msprog/moyer/guidelines/2017gl/2017_gl_appendix_d.pdf)
- Diesel fuel would be the responsibility of the equipment operators/contractors and would be sourced within the region
- Project construction represents a "single-event" for diesel fuel demand and would not require the ongoing or permanent commitment of diesel fuel resources during long-term operation

Using the CalEEMod data input from the Appendix A of the Air Quality and Greenhouse Gas Analysis, the project's construction phase would consume electricity and fossil fuels as single energy demand. That is, once construction is completed, their use would cease. CARB's 2013 Emissions Factors Tables show that aggregate fuel consumption (gasoline and diesel fuel)

[3] Pray, Richard. 2017 National Construction Estimator. Carlsbad: Craftsman Book Company, 2017.
[4] Southern California Edison (SCE). Rates & Pricing Choices: General Service/Industrial Rates. https://library.sce.com/content/dam/sce-doclib/public/regulatory/historical/electric/2020/schedules/general-service-&-industrial-rates/ELECTRIC_SCHEDULES_GS-1_2020.pdf

would be approximately 18.5 hp-hr-gal. The Construction Equipment Fuel Consumption Estimates Table 4 below shows the results of the analysis of construction equipment.

Table 4 – Construction Equipment Fuel Consumption Estimates

Phase	# of Days	Offroad Equipment Type	Amount	Usage Hours	Horsepower	Load Factor	HP hrs/day	Total Fuel Consumption (gal diesel fuel)[1]
Site Preparation	2	Tractors/Loaders/Backhoes	1	8	97	0.37	287	31
Grading	4	Graders	1	6	187	0.41	460	99
	4	Rubber Tired Dozers	1	6	247	0.4	593	128
	4	Tractors/Loaders/Backhoes	1	7	97	0.37	251	54
Building Construction	120	Cranes	2	6	231	0.29	804	5,214
	120	Forklifts	2	6	89	0.2	214	1,386
	120	Generator Sets	1	8	84	0.74	497	3,226
	120	Tractors/Loaders/Backhoes	2	6	97	0.37	431	2,794
	120	Welders	3	8	46	0.45	497	3,222
Paving	10	Cement and Mortar Mixers	1	6	9	0.56	30	16
	10	Pavers	1	6	130	0.42	328	177
	10	Paving Equipment	1	8	132	0.36	380	205
	10	Rollers	1	7	80	0.38	213	115
	10	Tractors/Loaders/Backhoes	1	8	97	0.37	287	155
Architectural Coating	10	Air Compressors	1	6	78	0.48	225	121
CONSTRUCTION FUEL DEMAND (gallons of diesel fuel)								**16,945**

Notes:
[1]Using Carl Moyer Guidelines Table D-21 Fuel consumption rate factors (bhp-hr/gal) for engines less than 750 hp. (Source: https://www.arb.ca.gov/msprog/moyer/guidelines/2017gl/2017_gl_appendix_d.pdf)

As the table above shows, project construction activities would consume an estimated 16,945 gallons of diesel fuel. As stated, project construction would represent a "single-event" diesel fuel demand and would not require an ongoing or permanent commitment of diesel fuel resources for this purpose.

Construction Worker Fuel Estimates

It is assumed that all construction worker trips are from light-duty autos (LDA) along area roadways. With respect to estimated VMT, the construction worker trips would generate an estimated 49,216 VMT. Data regarding project-related construction worker trips were based on CalEEMod 2016.3.2 model defaults.

The Air Quality and Greenhouse Gas Analysis estimated vehicle fuel efficiencies for construction workers using information generated using CARB's EMFAC model (see Appendix A for details). The aggregate fuel efficiency of 30.13 miles per gallon (mpg) was used to calculate vehicle miles traveled for construction worker trips. The Construction Worker Fuel Consumption Estimates Table 5 below shows that an estimated 1,633 gallons of fuel would be consumed for construction worker trips.

Table 5 – Construction Worker Fuel Consumption Estimates

Phase	Number of Days	Worker Trips/Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Site Preparation	2	8	14.7	235	30.13	8

Grading	4	8	14.7	470	30.13	16
Building Construction	120	26	14.7	45,864	30.13	1,522
Paving	10	13	14.7	1,911	30.13	63
Architectural Coating	10	5	14.7	735	30.13	24
Total Construction Worker Fuel Consumption						**1,633**

Notes:
[1]Assumptions for the worker trip length and vehicle miles traveled are consistent with CalEEMod 2016.3.2 defaults.

Construction Vendor/Hauling Fuel Estimates

The Table Construction Vendor Fuel Consumption Estimates (MHD Trucks) and Table Construction Hauling Fuel Consumption Estimates (HHD Trucks) below show the estimated fuel consumption for vendor and hauling during building construction and architectural coating. With respect to estimated VMT, the vendor and hauling trips would generate an estimated 8,280 VMT. Data regarding project-related construction worker trips were based on CalEEMod 2016.3.2 model defaults.

It is assumed that the contractors would be responsible for bringing coatings and equipment with them in their light-duty vehicles for the architectural coatings. Therefore, vendors delivering construction material or hauling debris from the site during grading would use medium to heavy-duty vehicles with average fuel consumption of 8.93 mpg for medium heavy-duty trucks and 6.51 mpg for heavy heavy-duty trucks (see Appendix A of the Air Quality and Greenhouse Gas Analysis for details). Tables 6 and 7 below show that an estimated 927 gallons of fuel would be consumed for vendor and hauling trips.

Table 6 – Construction Vendor Fuel Consumption Estimates (MHD Trucks)[1]

Phase	Number of Days	Vendor Trips/Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Site Preparation	2	0	6.9	0	8.93	0
Grading	4	0	6.9	0	8.93	0
Building Construction	120	10	6.9	8,280	8.93	927
Paving	10	0	6.9	0	8.93	0
Architectural Coating	10	0	6.9	0	8.93	0
Total Construction Worker Fuel Consumption						**927**

Notes:
[1] Assumption for the vendor trip length and vehicle miles traveled are consistent with CalEEMod 2016.3.2 defaults.

Table 7 – Construction Hauling Fuel Consumption Estimates (HHD Trucks)[1]

Phase	Number of Days	Hauling Trips/Day	Trip Length (miles)	Vehicle Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
Site Preparation	2	0	20	0	6.51	0
Grading	4	0	20	0	6.51	0
Building Construction	120	0	20	0	6.51	0
Paving	10	0	20	0	6.51	0
Architectural Coating	10	0	20	0	6.51	0
Total Construction Worker Fuel Consumption						**0**

Notes:
[1]Assumptions for the hauling trip length and vehicle miles traveled are consistent with CalEEMod 2016.3.2 defaults.

Construction Energy Efficiency/Conservation Measures

Construction equipment used over the approximately six-month construction phase would conform to CARB regulations and California emissions standards and is evidence of related fuel efficiencies. Construction of the proposed commercial development would require the typical use of energy resources. No unusual project characteristics or construction processes would require the use of equipment that would be more energy-intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in the project's construction would not result in inefficient, wasteful, or unnecessary fuel consumption.

CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Additionally, as required by California Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby minimizing or eliminating unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials and/or in response to citizen complaints. Compliance with these measures would result in more efficient use of construction-related energy and minimize or eliminate wasteful or unnecessary energy consumption. Idling restrictions and newer engines and equipment would result in less fuel combustion and energy consumption.

Furthermore, the project has been designed to comply with California's Energy Efficiency and 2019 CALGreen Standards. These measures include but are not limited to water-conserving plumbing, bicycle racks installation, LED lighting, and water-efficient irrigation systems.

Operation Energy Demand

Energy consumption in support of project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the project site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

Transportation Fuel Consumption

The largest source of operational energy use would be the vehicle operation of customers. The site is in an urbanized area east of Highway 74/Central Avenue between Rosetta Canyon Drive and Ardenwood Way. Furthermore, there are existing transit services provided by RTA, approximately 0.13-mile walking distance of the project site. The nearest transit service is Riverside Transit Route 22, with a stop along Highway 74/Central Avenue just north of Rosetta Canyon Drive.

Using the CalEEMod output from the Air Quality and Greenhouse Gas Analysis (see Appendix A), it is assumed that an average trip for autos was assumed to be 16.6 miles, light trucks were assumed to travel an average of 8.4 miles, and 3- 4-axle trucks were assumed to travel an average of 6.9 miles[5]. As the project is a convenience market with a gasoline service station, it was assumed that vehicles would operate 365 days per year. The Estimated Vehicle Operations

[5] CalEEMod default distance for H-W (home-work) or C-W (commercial-work) is 16.6 miles; 6.9 miles for H-O (home-587other) or C-O (commercial-other).

Fuel Consumption Table below shows the worst-case estimated annual fuel consumption for all classes of vehicles, from autos to heavy-heavy trucks.[6]

The project would generate approximately 1,217 trips per day. The vehicle fleet mix was used from the CalEEMod output from the Air Quality and Greenhouse Gas Analysis (Appendix A). The CalEEMod files are in Appendix A of the Air Quality and Greenhouse Gas Analysis. Table 8 below shows that an estimated 264,540 gallons of fuel would be consumed per year for the project's operation.

Table 8 – Estimated Vehicle Operations Fuel Consumption

Vehicle Type	Vehicle Mix	Number Of Vehicles	Average Trip (miles)[1]	Daily VMT	Average Fuel Economy (mpg)	Total Gallons per Day	Total Annual Fuel Consumption (gallons)
Light Auto	Automobile	664	16.6	11,022	30.95	356.14	129,990
Light Truck	Automobile	45	8.4	378	26.47	14.28	5,212
Light Truck	Automobile	227	8.4	1,907	24.72	77.14	28,155
Medium Truck	Automobile	140	6.9	966	5.97	161.18	59,060
Light Heavy Truck	2-Axle Truck	19	6.9	131	13.53	9.69	3,537
Light Heavy Truck 10,000 lbs +	2-Axle Truck	6	6.9	41	13.88	2.98	1,089
Medium Heavy Truck	3-Axle Truck	21	6.9	145	9.22	15.72	5,736
Heavy Heavy Truck	4-Axle Truck	85	6.9	15,177	6.74	87.02	31,761
Total		1,217	--		16.44	724.77	--
Total Annual Fuel Consumption							**264,540**

Notes:
[1]Based on the size of the site and relative location, trips were assumed to be local rather than regional.

Trip generation and VMT generated by the project are consistent with similar commercial uses of similar scale and configuration, as reflected in the Institute of Transportation Engineers (ITE) Trip Generation Manual (20th Edition, 2017). The project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption. Furthermore, California consumed approximately 4.2 billion gallons of diesel and 15.1 billion gallons of gasoline in 2015.[7],[8] In addition, per EMFAC2017, the County of Riverside is estimated to have an annual fuel consumption of approximately 904,493 thousand gallons in 2022.[9] Therefore, the project's fuel consumption increase is insignificant compared to the State's demand. Therefore, project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Facility Energy Demands (Electricity and Natural Gas)

Building operation and site maintenance (including landscape maintenance) would result in the consumption of electricity (provided by SCE) and natural gas (provided by Southern California Gas Company). The project's operation would involve the use of energy for heating, cooling, and equipment operation. These facilities would comply with all California Energy Efficiency and 2019 CALGreen Standards.

[6] Average fuel economy based on aggregate mileage calculated in EMFAC 2017 for opening year (2022). See Appendix A for EMFAC output.
[7] https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-gasoline-data-facts-and-statistics
[8] https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/diesel-fuel-data-facts-and-statistics
[9] https://arb.ca.gov/emfac/emissions-inventory/92bccfb9b61dec8923cc5a7c26aadaf58ed0ef68

The annual natural gas and electricity demands were provided per the CalEEMod output from the Air Quality and Greenhouse Gas Analysis and are provided in the Project Mitigated Annual Operational Energy Demand Summary Table 9 below (see Appendix A for CalEEMod output files). It should be noted that the project analyzed emissions from natural gas usage based on CalEEMod default usage data for the project; however, the project will not be using natural gas which will result in a reduction in emissions and therefore this analysis conservative.

Table 9 – Project Mitigated Annual Operational Energy Demand Summary[1]

Electricity Demand	kWh/year
Gasoline/Service Station	78,680
Parking Lot	4,760
Total	83,440

Notes:
[1]Taken from the CalEEMod 2013.3.2 annual output in Central Avenue Gas Station Air Quality and Greenhouse Gas Impact Study prepared for the Project by MD Acoustics (December 19, 2022).

As shown in the table above, the estimated electricity demand for the project is approximately 83,440 kWh per year. In 2021, the non-residential sector of the County of Riverside consumed approximately 8,257 million kWh of electricity.[10] I[11] Therefore, the increase in electricity demand from the proposed project is insignificant compared to the County's 2021 non-residential sector demand.

Energy use in buildings is divided into energy consumed by the built environment and energy consumed by uses that are independent of the construction of the building, such as plug-in appliances. In California, the California Building Standards Code Title 24 governs energy consumed by the built environment, including HVAC systems, water heaters, electric stoves, ovens, etc.), mechanical systems, and some types of fixed lighting. Non-building energy use, or "plug-in" energy use, can be subdivided by specific end-use (refrigeration, cooking, appliances, etc.).

Furthermore, the project energy demands in total would be comparable to other commercial projects of similar scale and configuration. Therefore, the project facilities' energy demands and energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

[10] California Energy Commission, Electricity Consumption by County. https://ecdms.energy.ca.gov/elecbycounty.aspx
[11] California Energy Commission, Gas Consumption by County. http://ecdms.energy.ca.gov/gasbycounty.aspx

Conclusion

As supported by the preceding analyses, neither construction nor operation of the project would result in wasteful, inefficient, or unnecessary energy consumption or wasteful use of energy resources. The project does not include any unusual project characteristics or construction processes that would require the use of equipment that would be more energy-intensive than is used for comparable activities and is a commercial project that is not proposing any additional features that would require a larger energy demand than other commercial projects of similar scale and configuration. As the project is consistent with the existing General Plan land use designation, the energy demands of the project are anticipated to be accommodated within the context of available resources and energy delivery systems. Therefore, the project would not cause or result in the need for additional energy-producing or transmission facilities. The project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservation goals within the State of California.

The project has been designed to comply with California's Energy Efficiency and 2019 CALGreen Standards. These measures include but are not limited to the use of water-conserving plumbing, installation of bicycle racks, the use of LED lighting, and water-efficient irrigation systems. The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency; therefore, impacts would be **less than significant**, directly, indirectly, or cumulatively.

b) *Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?*

Less Than Significant Impact

Regarding federal transportation regulations, the project site is located in an already developed area. Access to/from the project site is from existing roads. These roads are already in place, so the project would not interfere with nor otherwise obstruct intermodal transportation plans or projects that may be proposed pursuant to the ISTEA because SCAG is not planning for intermodal facilities in the project area.

Regarding the State's Energy Plan and compliance with Title 24 CCR energy efficiency standards, the applicant is required to comply with the California Green Building Standard Code requirements for energy-efficient buildings and appliances and utility energy efficiency programs implemented by the SCE.

The project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen). CalGreen Standards require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials. Therefore, the project would be consistent with the State's Renewable Energy Portfolio Standards.

In addition, the Air Quality and Greenhouse Gas Impact Study (Appendix F) analysis showed that the project is consistent with the County of Riverside Climate Action Plan Update.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency; therefore, impacts would be **less than significant**, directly, indirectly, or cumulatively.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

GEOLOGY AND SOILS Would the project directly or indirectly:				
e) Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones a. Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Figure S-1 – Mapped Faulting in Riverside County
Figure S-2 – Earthquake Fault Study Zones
Elsinore Area Plan, August 4, 2020
Figure 12 – Elsinore Area Plan Seismic Hazards
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Map 2 – Riverside County Faults and Zones
Map 3 – Fault Activity
Map 4 – Ground Shaking Potential
Map 5 – Fault Activity Map of California, Western Riverside County
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Less Than Significant Impact

The project site is not located within any State of California or County of Riverside designated fault zone. The most significant known active fault zone in the Elsinore Area Plan capable of seismic ground shaking is the Elsinore Fault Zone to the west across Interstate 15, running north-south. The project site is located 3.11 miles from the Elsinore Fault, capable of generating an earthquake with a magnitude of 7.7. Therefore, the project will likely experience strong seismic shaking during the project's design life. In general, the intensity of ground shaking will depend on several factors, including the distance to the earthquake focus, the earthquake magnitude, the response characteristics of the underlying materials, and the quality and type of construction.

Surface ground rupture associated with ground shaking represents primary or direct seismic hazards to structures. No known or potentially active faults pass through or are adjacent to the site, and the site is not situated within an Alquist-Priolo Special Studies Zone. Given the proximity of the Elsinore Fault

Zone, it is likely that moderate to severe ground shaking during the project's life expectancy may have adverse effects on the structures requiring minor to moderate repair.

Compliance with the California Building Code will ensure minimal risks associated with primary surface ground rupture. Therefore, impacts will be **less than significant** directly, indirectly, or cumulatively.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

f) **Liquefaction Potential Zone** a. Be subject to seismic-related ground failure, including liquefaction?	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Figure S-1 – Mapped Faulting in Riverside County
Figure S-2 – Earthquake Fault Study Zones
Figure S-3 – Generalized Liquefaction
Elsinore Area Plan, August 4, 2020
Figure 12 – Elsinore Area Plan Seismic Hazards
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Map 2 – Riverside County Faults and Zones
Map 3 – Fault Activity
Map 4 – Ground Shaking Potential
Map 5 – Fault Activity Map of California, Western Riverside County
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

Be subject to seismic-related ground failure, including liquefaction?

Less Than Significant Impact

General Plan Figure S-3 – Generalized Liquefaction identifies the project site as not in a liquefaction area. Liquefaction is caused by the build-up of excess hydrostatic pressures in saturated cohesionless soils due to cyclic stress generated by ground shaking. The significant factors on which liquefaction potential depends, among other things, are the soil type, relative soil density, earthquake intensity, ground shaking duration, and groundwater depth.

Implementation of existing state and local laws and regulations concerning soil liquefaction and ground failure is required for all projects in the County. Therefore, impacts related to liquefaction and ground failure would be **less than significant** directly, indirectly, or cumulatively**.**

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

g) Ground-shaking Zone a. Be subject to strong seismic ground shaking?	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Figure S-1 – Mapped Faulting in Riverside County
Figure S-2 – Earthquake Fault Study Zones
Elsinore Area Plan, August 4, 2020
Figure 12 – Elsinore Area Plan Seismic Hazards
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Map 2 – Riverside County Faults and Zones
Map 3 – Fault Activity
Map 4 – Ground Shaking Potential
Map 5 – Fault Activity Map of California, Western Riverside County
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

Be subject to strong seismic ground shaking?

Less Than Significant Impact

The project site is not located within any State of California or County of Riverside designated fault zone. The most significant known active fault zone in the Elsinore Area Plan capable of seismic ground shaking is the Elsinore Fault Zone to the west across Interstate 15, running north-south. The project site is located 3.11 miles from the Elsinore Fault, capable of generating an earthquake with a magnitude of 7.7. Therefore, the project will likely experience strong seismic shaking during the project's design life. In general, the intensity of ground shaking will depend on several factors, including the distance to the earthquake focus, the earthquake magnitude, the response characteristics of the underlying materials, and the quality and type of construction.

The Southern California region is known to be seismically active. Strong seismic shaking from nearby active faults is expected to produce strong seismic shaking during the project's design life. Although the project site is expected to experience moderate to severe ground shaking, the project would be designed and constructed to reduce the risk of seismic hazards based on the California Building Code. Compliance with the California Building Code will ensure minimal risks associated with primary surface ground rupture. Therefore, impacts will be **less than significant** directly, indirectly, or cumulatively.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

h) Landslide Risk a. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Figure S-4 – Earthquake Induced Slope Instability Map
Figure S-5 – Regions Underlain by Steep Slopes

Elsinore Area Plan, August 4, 2020
Figure 13 – Elsinore Area Plan Steep Slope
Figure 14 – Elsinore Area Plan Slope Instability
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Map 21 – Riverside County Slope Instability Map
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?

Less Than Significant Impact

The site is relatively flat and, at one time, was developed with a pre-manufactured office and a barn-type structure; however, these buildings were demolished before the current owner acquired the property. The site is not located in an area with slopes of 15% or greater, so the risk of a landslide or rockfall hazard is improbable.

The proposed structures or facilities are expected to withstand predicted ground softening and/or vertical and lateral ground spreading/displacements to an acceptable level of risk. Seismically induced lateral spreading involves lateral movement of soils due to ground shaking. Based on the general topography of the site and its adjacent, the potential for seismically induced lateral ground spreading with the implementation of the California Building Code is considered "remote," ensuring impacts will be **less than significant** directly, indirectly, or cumulatively

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

i) Ground Subsidence a. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Figure S-7 – Documented Subsidence Areas
Elsinore Area Plan, August 4, 2020
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?

Less Than Significant Impact

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Subsidence is the sinking or downward setline of the ground's surface with little or no horizontal motion occurring when large amounts of groundwater have been withdrawn from the aquifers below ground. The project site is not in an area susceptible to subsidence, as shown in Figure S-7 – Documented Subsidence Areas of the County's General Plan. Compliance with the California Building Code will ensure impacts will be **less than significant** directly, indirectly, or cumulatively

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

j) Other Geologic Hazards a. Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?	☐	☐	☐	☒

Source(s):
General Plan, December 8, 2015
- Figure S-1 – Mapped Faulting in Riverside County
- Figure S-2 – Earthquake Fault Study Zones
- Figure S-3 – Generalized Liquefaction
- Figure S-4 – Earthquake Induced Slope Instability Map
- Figure S-5 – Regions Underlain by Steep Slopes
- Figure S-6 – Engineering Geologic Materials Map
- Figure S-7 – Documented Subsidence Areas
- Figure S-8 – Wind Erosion Susceptibility Areas
- Figure S-9 – 100-Year Flood Hazards Zones
- Figure S-10 – Dan Failure Inundation Zones
- Figure S-11 – Wildfire Susceptibility

Elsinore Area Plan, August 4, 2020
- Figure 12 – Elsinore Area Plan Seismic Hazards
- Figure 13 – Elsinore Area Plan Steep Slope
- Figure 14 – Elsinore Area Plan Slope Instability

County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
- Map 2 – Riverside County Faults and Zones
- Map 3 – Fault Activity
- Map 4 – Ground Shaking Potential
- Map 5 – Fault Activity Map of California, Western Riverside County
- Map 21 – Riverside County Slope Instability Map

Map My County GIS Database, accessed June 17, 2021
USGS, California's Exposure to Volcanic Hazards, Accessed July 30, 2021.

Findings of Fact:

Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?

No Impact

Seiche is a temporary disturbance or oscillation in the water level of a lake or partially enclosed body of water, especially one caused by changes in atmospheric pressure.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Mudflows (or debris flows) are rivers of rock, earth, and other debris saturated with water. They develop when water rapidly accumulates in the ground, such as during heavy rainfall or rapid snowmelt, changing the earth into a flowing river of mud.

The project site is not located near any large bodies of water that would result in seiche on-site. The nearest bodies of water are Lake Elsinore, located approximately 2.7 miles southwest of the project site, and Canyon Lake, located approximately 3 miles southeast of the project site. The project site is relatively flat, with slopes less than 15 percent, and is not located adjacent to an area with steep slopes. Therefore, the threat of mudslides is very low. There are no known volcanos near the project site. The Salton Buttes are the nearest volcano to the project site, located over 100 miles southeast of the site, at the southeast edge of the Salton Sea. The project would **not be impacted** by geologic hazards such as seiche, mudflow, or volcano.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

k) Slopes a. Change topography or ground surface relief features?	☐	☐	☐	☒
b. Create cut or fill slopes greater than 2:1 or higher than 10 feet?	☐	☐	☐	☒
c. Result in grading that affects or negates subsurface sewage disposal systems?	☐	☐	☐	☒

Source(s): General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Map My County GIS Database, accessed June 17, 2021
Project Preliminary Grading Plan

Findings of Fact:

a & b) *Change topography or ground surface relief features?*

Create cut or fill slopes greater than 2:1 or higher than 10 feet?

No Impact

The project site is relatively flat, with elevation increasing in the northern portion of the parcel. Site elevation ranges from 1,389 feet to 1,377 feet above mean sea level (MSL). Development of the project would require rough grading and finished pad construction in accordance with the CBC. The maximum slopes within the project site will be less than or equal to the 2:1 ratio and will not be greater than ten feet in height. As such, the cut and fill required for project implementation would not substantially change the site's topography or surface relief features. Therefore, **no impact** to changes in topography or ground surface relief features or the creation of cut or fill slopes greater than 2:1 or higher than 10 feet will occur.

c) *Result in grading that affects or negates subsurface sewage disposal systems?*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

No Impact

No subsurface sewage disposal systems have been identified within the project site. The project will connect to the three-inch public forcemain with a six-inch steel casing and connect to the nearest sewer pipe within the public ROW in Highway 74/Central Avenue. Grading activities associated with the project would be limited to on-site improvements and parkway improvements (i.e., curb-and gutter, sidewalk, and landscaping) within the public ROW along the project frontage. Off-site roadway improvements would be limited to existing paved roadways and would not require grading that would affect the existing subsurface wastewater infrastructure. As such, grading required for the project would not result in excavation, and **no impact** to existing subsurface utility infrastructure, including sewage disposal systems, would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

l) Soils a. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
b. Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2019), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
c. Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Source(s): General Plan, December 8, 2015
Figure S-6 – Engineering Geologic Materials Map
Figure S-7 – Documented Subsidence Areas
Figure S-8 – Wind Erosion Susceptibility Areas
Elsinore Area Plan, August 4, 2020
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Map My County GIS Database, accessed June 17, 2021
USDA Web Soil Survey, Accessed July 30, 2021.

Findings of Fact:

a) *Result in substantial soil erosion or the loss of topsoil?*

Less Than Significant Impact

Project construction would be subject to local and state codes, erosion control, and grading requirements. Because construction activities would disturb one or more acres, the project must adhere to the NPDES Construction General Permit provisions. Construction activities subject to this permit include clearing, grading, and other soil disturbances, such as stockpiling and excavating. The NPDES Construction General Permit requires implementing a Storm Water Pollution Prevent Plan (SWPPP), including temporary project construction features (i.e., BMPs)

designed to prevent erosion and protect the quality of stormwater runoff. Sediment-control BMPs may include stabilized construction entrances, straw wattles on earthen embankments, sediment filters on existing inlets, or the equivalent. The site is also not in an area subjected to soil erosion due to wind erosion susceptibility (Figure S-8 of the General Plan).

In addition, grading activities would be required to conform to the most current version of the California Building Code, the County Code, the approved grading plans, and good engineering practices. The project must also comply with SCAQMD Rule 402 (Nuisance) and Rule 403 (Fugitive Dust), as noted under the Air Quality Section, which would reduce construction erosion impacts. Rule 403 requires control measures to reduce fugitive dust from active operations, storage piles, or disturbed surfaces, with a goal to omit visibility beyond the property line or avoid exceedance of 20% opacity. Rule 402 requires dust suppression techniques to be implemented to prevent dust and soil erosion from creating a nuisance off-site. Compliance with these federal, regional, and local requirements would reduce the potential for on-site and off-site erosion effects to accepted levels during project construction. Upon completion of construction activities, ground surfaces would be stabilized by project structures, paving, and landscaping. Therefore, impacts associated with soil erosion and the loss of topsoil would be **less than significant**.

b) *Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2019), creating substantial direct or indirect risks to life or property?*

Less Than Significant Impact

Expansive soils contain certain clay minerals that shrink or swell as the moisture content changes; the shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semi-arid areas with seasonal soil moisture changes experience a much higher frequency of problems from expansive soils than areas with higher rainfall and more constant soil moisture.

Table 18-1 -B of the Uniform Building code read as follows:

TABLE 18-1-B – CLASSIFICATION OF EXPANSIVE SOILS	
EXPANSION INDEX	**POTENTIAL EXPANSION**
0 – 20	Very Low
21 – 50	Low
51 – 90	Medium
91 – 130	High
Above 130	Very High

The general soil series found at the project site (in the project construction area) consists of the Cortina cobbly loam sand and Lodo rocky loam sand series. According to the U.S. Department of Agriculture Soil Survey of Riverside County, California Western Riverside County, the Cortina series contains excessively drained soils formed on alluvial fans in valley fills. The surface layer is grayish-brown gravely coarse sandy loam about ten inches thick, which is rapidly permeable. The Lodo series consists of somewhat excessively drained upland soils on 8 to 50 percent slopes. The Lodo soils are used for range and dryland pasture. Lodo rocky loam has rapid runoff. These soils exhibit low plasticity and, thus, are not expansive.

Through adherence to state and local seismic and structural regulations (i.e., California Seismic Hazards Mapping Act, California Building Code, Riverside County Code, NPDES Permit Requirements) and the recommendation of the Geotechnical and Environmental Engineering Consultants, Inc, report the impacts of expansive soils will be **less than significant**, directly, indirectly, or cumulatively.

c) *Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

No Impact

The Elsinore Valley Municipal Water District (EVMWD) provides wastewater collection services to the project area. The project will connect to the three-inch public forcemain with a six-inch steel casing and connect to the nearest sewer pipe within the public ROW in Highway 74/Central Avenue. The use of septic tanks or other alternative wastewater disposal systems would not be required for the project, so **no impact** on septic tanks or alternative wastewater disposal systems will occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

m) Wind Erosion and Blowsand from project either on or off site. a. Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?	☐	☐	☒	☐

Source(s):
Ord. 460 – Article XV – Soil Erosion Control Due to Wind
Ord. 484 – For the Control of Blowing Sand
General Plan, December 8, 2015
Figure S-8 – Wind Erosion Susceptibility Areas
Elsinore Area Plan, August 4, 2020
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Figure 39 – Direction of Santa Ana Wind Patterns
Map 17 – Riverside County Wind Erosion Map
Map My County GIS Database, accessed June 17, 2021
USDA Web Soil Survey, Accessed July 30, 2021.

Findings of Fact:

Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?

Less Than Significant Impact

The project site is in an area with “moderate” susceptibility for wind erosion (Figure S-8 of the General Plan). Soil erosion control subject to Ordinance 460 Article XV occurs when soils noted in Section 15.2 B are present on the site. An evaluation of the subject soils on the property using the USDA Web Soil Survey found that the site was comprised of Cortina cobbly loamy sand (CmC), Lodo rocky loam (LpF2),

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

and Ysidora gravely very fine sandy loam (YsC2), none of which are subject to the requirements of Ordinance 460.

Ordinance No. 484 requires protective actions from landowners disturbing sandy or sandy loam soils to prevent substantial quantities of soil from being deposited on public roads and private property. The project applicant will adhere to Ordinance No. 484 by implementing SCAQMD Rule 403 (see Air Quality section) during construction, in addition to complying with federal, state, and local requirements and guidelines to minimize the potential for wind erosion through the application of standard best management practices (BMPs). Development of the project would result in the construction of impervious surfaces across much of the project site that would reduce the exposure of soils within the project site, resulting in reduced impacts associated with wind erosion during the long-term operation of the project.

Standard construction practices employed to reduce fugitive dust emissions include watering the active sites three times per day, depending on weather conditions. Compliance with existing SCAQMD regulations and Ordinance No. 484 would ensure that impacts associated with wind erosion are **less than significant**.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

GREENHOUSE GAS EMISSIONS Would the project:				
n) Greenhouse Gas Emissions a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Source(s):
Zoning Ordinance – Ordinance No. 348, April 1, 2021
General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
Riverside County Climate Action Plan ("CAP")
SCAQMD CEQA Air Quality Handbook
South Coast Air Quality Management District's 2016 Air Quality Management Plan
Air Quality and Greenhouse Gas Impact Study – Central Avenue Gas Station, prepared by MD Acoustics, December 19, 2022 (Appendix B)
- 8.0 – Health Risk Assessment

Findings of Fact:

a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Less Than Significant Impact

MD Acoustics prepared the Air Quality and Greenhouse Gas Impact Study quoted throughout this Section.

Construction Greenhouse Gas Emissions Impact

The greenhouse gas emissions from project construction equipment and worker vehicles are shown below in the Construction Greenhouse Gas Emissions Table 12. The emissions are from all phases of construction. The total construction emissions amortized over 30 years are estimated at 6.34 metric tons of CO2e per year and are considered **less than significan**t. Annual CalEEMod output calculations are provided in Appendix B of the Air Quality and Greenhouse Gas Impact Study.

Table 12 – Construction Greenhouse Gas Emissions

Construction Greenhouse Gas Emissions			
Activity	**Emissions ($MTCO_2e$)[1]**		
	Onsite	**Offsite**	**Total**
Site Preparation	0.28	0.07	0.35
Grading	2.50	0.14	2.64
Building Construction	150.89	28.46	179.34
Paving	5.93	0.56	6.49
Coating	1.28	0.21	1.49
Total	**160.87**	**29.44**	**190.31**
Averaged over 30 years[2]	**5.36**	**0.98**	**6.34**

Notes:
1. $MTCO_2e$=metric tons of carbon dioxide equivalents (includes carbon dioxide, methane, and nitrous oxide).
2. The emissions are averaged over 30 years because the average is added to the operational emissions pursuant to SCAQMD.
* CalEEMod output (Appendix B of the Air Quality and Greenhouse Gas Impact Study)

Operational Greenhouse Gas Emissions Impact

Operational emissions occur over the life of the project. It should be noted that the project analyzed emissions from natural gas usage based on CalEEMod default usage data for the project; however, the project will not be using natural gas which will result in a reduction in emissions and therefore this analysis conservative. The operational emissions for the project are 1,096.44 metric tons of CO2e per year (see Opening Year Unmitigated Project-Related Greenhouse Gas Emissions Table below). Furthermore, as shown in Table 13 below, the project's total emissions (with the incorporation of construction-related GHG emissions) would be 1,102.78 metric tons of CO2e per year. These emissions do not exceed the County of Riverside CAP Update and SCAQMD screening threshold of 3,000 metric tons of CO2e per year. Therefore, the project's GHG emissions are considered **less than significant**.

Table 13 – Opening Year Unmitigated Project-Related Greenhouse Gas Emissions

Opening Year Unmitigated Project-Related Greenhouse Gas Emissions						
	Greenhouse Gas Emissions (Metric Tons/Year)[1]					
Category	**Bio-CO2**	**NonBio-CO_2**	**CO_2**	**CH_4**	**N_2O**	**CO_2e**
Area Sources[2]	0.00	0.00	0.00	0.00	0.00	0.00
Energy Usage[3]	0.00	21.39	21.39	0.00	0.00	21.48
Mobile Sources[4]	0.00	1,068.70	1,068.70	0.07	0.00	1,070.48
Solid Waste[5]	1.31	0.00	1.31	0.08	0.00	3.25
Water[6]	0.05	1.01	1.06	0.01	0.00	1.23
Construction[7]	0.00	6.31	6.31	0.00	0.00	6.34
Total Emissions	**1.36**	**1,097.41**	**1,098.77**	**0.16**	**0.00**	**1,102.78**
County of Riverside CAP and SCAQMD Draft Screening Threshold						**3,000**
Exceeds Threshold?						**No**

Notes:
[1] Source: CalEEMod Version 2016.3.2
[2] Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment.
[3] Energy usage consists of emissions from electricity and natural gas usage based on CalEEMod defaults for the project. However, the project will not use natural gas and will have lower emissions than determined here and therefore this analysis is conservative under these assumptions.
[4] Mobile sources consist of GHG emissions from vehicles.
[5] Solid waste includes the CO_2 and CH_4 emissions created from the solid waste placed in landfills.
[6] Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
[7] Construction GHG emissions based on a 30-year amortization rate.

b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

No Impact

The project would have the potential to conflict with any applicable plan, policy, or regulation of an agency adopted to reduce the emissions of GHGs. Both the County of Riverside and the City of Lake Elsinore have adopted Climate Action Plans; therefore, the project and its GHG emissions have been compared to the goals of both the County of Riverside CAP Update and the City of Lake Elsinore CAP.

Consistency with the County of Riverside CAP Update

Per the County's CAP Update, the County adopted its first CAP in 2015, which set a target to reduce emissions back to 1990 levels by 2020 as recommended in the AB 32 Scoping Plan. Furthermore, the goals and supporting measures within the County's CAP Update are proposed to reflect and ensure compliance with local and state policies and regulations changes, such as SB 32 and California's 2017 Climate Change Scoping Plan. Therefore, compliance with the County's CAP reflects consistency with the goals of the CARB Scoping Plan, Assembly Bill (AB) 32, and Senate Bill (SB) 32.

Appendix D of the Riverside County CAP Update also states that projects that do not exceed the CAP's screening threshold of 3,000 MTCO2e per year are considered to have less than significant GHG emissions and are in compliance with the County's CAP Update. According to the County's CAP Update, projects that do not exceed emissions of 3,000 MTCO2e per year are also required to include the following efficiency measures:

- Energy efficiency matching or exceeding the Title 24 requirements in effect as of January 2017, and

- Water conservation measures that match the California Green Building Code are in effect as of January 2017.

As stated above, the GHG emissions generated by the project would not exceed the County of Riverside CAP Update screening threshold of 3,000 metric tons per year of CO2e.

Consistency with the City of Lake Elsinore CAP

The City of Lake Elsinore adopted the City of Lake Elsinore CAP on December 13, 2011. The Climate Action Plan provides specific measures to be implemented in new developments to reduce GHG emissions and a GHG emissions reduction target based on a community-wide emissions reduction to 6.6 MTCO2e per service population per year by 2020 and 4.4 MTCO2e per service population per year by 2030. As stated in Section 2.2.5, these GHG emission reduction targets are specifically intended to evaluate the significance of GHG emissions from community-wide emissions.

Appendix D of the CAP contains a project-level worksheet that an applicant may use to demonstrate consistency with the General Plan growth potential and CAP. The following are the criteria for determining consistency with the CAP:

1. Is the project consistent with the General Plan land use designation?

   The City of Lake Elsinore North Central Sphere Specific Plan identifies the land use classification of the project site as Business Professional. The City of Lake Elsinore General Plan states that the Business Professional land use designation provides for office and administrative uses, light industrial, research and development, office-based firms, including office support facilities, restaurants, medical clinics, public and quasi-public uses, and similar and compatible uses.

   The project is to develop the site with a commercial use, a convenience store with a gasoline service station, which would be considered a similar and compatible land use under the specifications of the Business Professional designation. Therefore, the project is anticipated to be consistent with the land uses specified in the City of Lake Elsinore's General Plan. Thus, the project meets this criterion.

2. Is the project consistent with the General Plan population and employment projections for the site, upon which the CAP modeling is based?

   As stated in response to question 1 above, the City of Lake Elsinore General Plan's build-out of population, housing and employment has anticipated the development of the project site as having a land use designation of Business Professional. The project is consistent with this land use designation. Therefore, this buildout projection was used in the preparation of the CAP. Thus, the project meets this criterion.

3. Does the project incorporate the following CAP measures as binding and enforceable components of the project? Until these measures have been formally adopted by the City and incorporated into applicable codes, the requirements must be incorporated as mitigation measures applicable to the project (CEQA Guidelines, Section 15183.5(b)(2)).

Table 15 below provides a list of the reduction measures for new non-residential developments included in CAP Appendix D. The table also provides a project consistency analysis of each measure. Per the table, the project meets this criterion.

Table 15 – City of Lake Elsinore GHG Reduction Measures for Commercial Developments and Project Consistency[1]

Local Measure	Measure Description	Project Consistency
T-1.2 Pedestrian Infrastructure	Through the development review process, require the installation of sidewalks along new and reconstructed streets. Also require new subdivisions and large developments to provide sidewalks or paths to internally link all uses where applicable and provide connections to neighborhood activity centers, major destinations, and transit facilities contiguous with the project site; implement through conditions of approval.	**Consistent.** As shown on the project site plan, the project includes installing sidewalks along Highway 74/Central Avenue Ardenwood Way.
T-1.4 Bicycle Infrastructure	Through the development review process, require new development, as applicable, to implement and connect to the network of Class I, II and III bikeways, trails and safety features identified in the General Plan, Bike Lane Master Plan, Trails Master Plan and Western Riverside County Non-Motorized Transportation plan; implement through conditions of approval. The City will also continue to pursue and utilize funding when needed to implement portions of these plans.	**Not Applicable.** Per the Lake Elsinore General Plan Figure 2.5, Bikeway Plan, and Figure 2.6, Elsinore Area Trails System, there are no bikeways or trails along with the project site.
T-1.5 Bicycle Parking	Through the development review process, enforce the following short-term and long-term bicycle parking standards for new non-residential development (consistent with 2010 California Green Building Code [CalGreen], Section 5.106.4), and implement through conditions of approval: *Short-Term Bicycle Parking:* If the project is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitor entrance, readily visible to passers-by, for 5% of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack. *Long-Term Bicycle Parking:* For buildings with over 10 tenant occupants, provide secure bicycle parking for 5% of tenant-occupied motorized vehicle parking capacity, with a minimum of one space.	**Consistent**. The project site plan shows that the project is to include a Class 2 Bike Parking Rack with a 5-bike capacity.
T-2.1 Designated Parking for Fuel-Efficient Vehicles	Amend the Municipal Code to require that new non-residential development designate 10% of total parking spaces for any combination of low-emitting, fuel-efficient and carpool/vanpool vehicles (consistent with CalGreen Tier 1, Sections A5.106.5.1 and A5.106.5.3) and implement through conditions of approval. Parking stalls shall be marked —Clean Air Vehicle.	**Consistent.** As shown on the project site plan, the project includes 22 parking spaces, and two of those parking spaces are to be designated as clean air/vanpool/electric vehicles.
E-1.1 Tree Planting	Through the development review process, require new development to plant at minimum one 15-gallon non deciduous, umbrella-form tree per 30 linear feet of boundary length near buildings, per the Municipal Code. Trees shall be planted in strategic locations around buildings or to shade pavement in parking lots and streets.	**Consistent**. This measure is implemented by the Departments of Planning, Public Works, and Parks and Recreation through the City ordinance, the development review process, and conditions of approval. The project elements would be required to comply with the City ordinances and conditions of approval.

Table 15 – City of Lake Elsinore GHG Reduction Measures for Commercial Developments and Project Consistency[1]

Local Measure	Measure Description	Project Consistency
E-1.2 Cool Roof Requirements	Amend the City Municipal Code to require new non-residential development to use roofing materials having solar reflectance, thermal emittance, or Solar Reflectance Index (SRI)3 consistent with CalGreen Tier 1 values (Table A5.106.11.2.1) and implement through conditions of approval.	**Consistent.** This measure is implemented by the Departments of Planning and Building through the City ordinance, the development review process, and conditions of approval. The project elements would be required to comply with the City ordinances and conditions of approval.
E-1.3 Energy Efficient Building Standards	Adopt an ordinance requiring that all new construction exceed the California Energy Code requirements, based on the 2008 Energy Efficiency Standards by 15% (consistent with CalGreen Tier 1), through either the performance based, or prescriptive approach described in the California Green Building Code; implement through conditions of approval. Alternately, a solar photovoltaic system and/or solar water heating may be used to assist in meeting all or a portion of the 15% requirement.	**Consistent.** The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, mandatory in the 2019 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The project will be subject to these mandatory standards.
E-4.1 Landscaping	Through the development review process, enforce the City's Assembly Bill 1881 Landscaping Ordinance; implement through conditions of approval.	**Consistent.** AB 1881 Landscaping Ordinance requires that landscaping be water-efficient, thereby consuming less energy and reducing emissions. The project elements would be required to comply with these landscape requirements.
E-4.2 Indoor Water Conservation Requirements	Amend the City's Uniform Building Code to require development projects to reduce indoor water consumption by 30% (consistent with CalGreen Tier 1, Section A5.303.2.3.1), and implement through conditions of approval.	**Consistent.** The project will utilize water fixtures sold in California that are required to meet CCR Title 20, Sections 1601 – 1608, requiring all water fixtures to be low flow and provide an average water use reduction of 30%.
S-1.4 Construction and Demolition Waste Diversion	Amend the Municipal Code to require development projects to divert, recycle or salvage at least 65% of nonhazardous construction and demolition debris generated at the site by 2020 (consistent with CalGreen Tier 1, Section A5.408.3.1). Require all construction and demolition projects to be accompanied by a waste management plan for the project and a copy of the completed waste management report shall be provided upon completion.	**Consistent**. The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, which are mandatory in the 2019 edition of the Code. Section 5.408 requires the recycling and/or salvaging for reuse of a minimum of 65 percent of the nonhazardous construction and demolition waste. The project will be subject to these mandatory standards.

Notes:
[1] Source: City of Lake Elsinore Climate Action Plan

Based on the analysis above, the project will be consistent with the adopted City of Lake Elsinore CAP's goals, policies, and implementation programs.

Therefore, as the project would comply with the County of Riverside CAP Update goals and the City of Lake Elsinore CAP, the project **would not conflict** with any applicable plan, policy, or regulation of an agency adopted to reduce emissions of GHGs.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

HAZARDS AND HAZARDOUS MATERIALS Would the project:				
o) Hazards and Hazardous Materials a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	☐	☒	☐	☐
d. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter (1/4) mile of an existing or proposed school?	☐	☐	☐	☒
e. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

Source(s):
General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Emergency Operations Plan (EOP), Riverside County Operational Area (OA), August 2019
Map My County GIS Database, accessed June 17, 2021
Phase 1 Environmental Site Assessment, Vacant Property, 28771 Central Avenue, Lake Elsinore, CA 92532, Prepared by Geotechnical and Environmental Engineering Consultants, Inc., December 28, 2020 (Appendix G)
Revised Work Plan for a Supplemental Site Assessment, Proposed Gasoline Service Station, 28771 Central Avenue, Lake Elsinore, County of Riverside, California, prepared by Geotechnical and Environmental Engineering Consultants, Inc., April 26, 2021 (Appendix H)
Supplemental Environmental Site Assessment, Vacant Property, 28771 Central Avenue, Lake Elsinore, RSCO, California, Geotechnical and Environmental Engineering Consultants, Inc., June 15, 2021 (Appendix I)

Findings of Fact:

a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less Than Significant Impact

Hazardous materials are highly regulated in California, including how they are transported, used, and stored. The project will include a convenience store, service station, and parking area. It will require the ongoing use, storage, and routine transport of hazardous materials, primarily gasoline and diesel fuel. Common cleaning chemicals, pesticides, and fertilizers will also be used on-site. The service station will be designed and operated consistent with County, state, and federal regulations pertaining to the underground and above-ground storage and dispensation of flammable materials that include, but are not limited to, the following requirements.

- California Fire Code Title 24, Part 9 (CFC 8003.1.3.2) Spill Control Requirements.
- California Code of Regulations Title 13, Motor Vehicles Division 1, 2, and 3.
- California Code of Regulations Title 27, Environmental Protection, as applicable.
- California Mechanical Code (CMC).
- California Code of Regulations, Title 8, Industrial Relations, Chapter 4, Industrial Safety.
- Health and Safety Code, Section 13240 – 1343.6 (California Propane Storage and Handling Safety Act).
- National Fire Protection Association (NFPA) Code Section 30a.

In addition, Riverside County Fire Department protects the community by inspecting, pre-planning, and monitoring those businesses that handle hazardous materials in the County. The Riverside County Department of Environmental Health Hazardous Materials Branch is the Certified Unified Program Agency (CUPA) responsible for administrating all six program elements of the Unified Program within the County's jurisdiction. The project will be required to comply with the requirements of the CUPA.

With adherence to all applicable regulations pertaining to the construction and operation of a service station containing below-ground fuel storage tanks, as well as the regulations concerning all hazardous material handling, the project would not emit or release hazardous waste or emissions or otherwise adversely impact public safety through the storage of flammable materials on-site.

<u>As noted in Air Quality Section b) – Health Risk Assessment above</u> – The California Air Resources Board (CARB) (and the California Air Pollution Control Officers Association (CAPCOA)) recommend a 50-foot separation between gas stations and sensitive receptors; therefore, the approximately 138-foot separation from the property line of the commercial/single-family residential dwelling unit to the north to the fueling canopy and approximately 177-foot separation to the underground storage tanks should be more than adequate. Although the SCAQMD sets no specific distance for the vent riser to be setback from a residential use, the project's vent riser is setback approximately 76 feet from the northern property line, and the residential unit on the northern property is setback over 120 feet from this point. As noted above, the other sensitive receptors are the multi-family residential uses located approximately 165 feet south (across Highway 74/Central Avenue) and the single-family residential uses located approximately 235 feet east/southeast (across Highway 74/Central Avenue) with adequate separation. Furthermore, the SCAQMD gasoline station HRA screening tables show that the

Maximum Individual Cancer Risk (MICR) at residential receptors 25 meters (82 feet) (the fueling canopy is located further away at approximately 42 meters (137.8-feet)) from the fuel source would not even exceed 2.978 in a million (per 1,000,000 gallons of throughput). Given the size of the project and the number of pumps, a reasonable assumption would be an estimated annual throughput per year of approximately 1.4MM gallons which equates to an approximate 4.17 in a million MICR, at a distance of approximately 25 meters (82 feet). The risk is below SCAQMD's 10 in a million threshold, and therefore no additional mitigation is required.

Furthermore, the project includes constructing and operating a convenience market with 12 fuel pumps. SCAQMD will permit the fuel pump portion of the project, and fuel-related emissions will be regulated by the SCAQMD Rule 461 and must obtain a Permit To Operate. Gasoline dispensing facilities must use Phase I/II EVR (enhanced vapor recovery) systems. Phase II EVR has an average efficiency of 95.1 percent, and Phase I EVR has 98 percent. Therefore, the potential for fugitive Volatile Organic Compounds (VOC) or Toxic Air Contaminants (TAC) emissions from gasoline pumps is negligible. As such, the project will not be a source of TAC or fugitive VOC emissions, and sensitive receptors (located as close as approximately 138 feet from the proposed gasoline fueling pumps) would not be exposed to toxic sources of air pollution. The separating distance between the gas station and the closest sensitive receptors is greater than the SCAQMD's minimum 50-foot separation. SCAQMD Rules are not considered mitigation measures as the project is required to incorporate these rules and requirements during operation by default.

According to the ARB's: *Revised Emission Factors for Gasoline Marketing Operations at California Gasoline Dispensing Facilities (12/23/2013)*[12], both Phase I and Phase II EVR systems have a minimum of 95.1% efficiency at capturing emissions. The emission inventory is based upon two (2) factors: 8.4 lbs of TOG per thousand gallons dispensed (lbs/kgal) and 0.74 lbs/kgal for Gasoline Dispensing Facilities with Phase II pre-EVR vapor recovery.

These factors are based upon pre-EVR vapor recovery systems. Assuming a 95% vapor recovery rate, most of the emissions would be captured, and the additional VOCs that would potentially escape these mandatory recovery systems are anticipated to be relatively small. Per the Regional Significance – Unmitigated Operational Emissions (lbs/day) Table above, the project's operational VOC emissions are 2.03 lbs/day. At 3,836 gallons per day, the calculated uncontrolled ORVR VOC would be 32.2 lbs/day. Even if an additional 32.2 lbs/day (the **uncontrolled** [no ORVR or phase II] vehicle fueling emission factor for every 1,000 gallons pumped) were added to the project's operational VOC emissions), the total emissions of 34.23 lbs/day would not even exceed the SCAQMD's operational threshold of significance of 55 lbs per day for VOC. However, the vehicle fueling emissions factor with ORVR and Phase II EVR in place is 0.021 lbs per thousand gallons which equates to 0.081 lbs/day. The emissions amount is below the VOC threshold of significance, and the **impact is less than significant**. Furthermore, both ORVR and Phase II EVRs are required per regulation in California.

To exceed the VOC daily emissions threshold, the gas pumps at the project site would have to pump over a million gallons of fuel per day to exceed the daily VOC threshold.

b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

[12] CARB Document: https://www.arb.ca.gov/vapor/gdf-emisfactor/attachment4.pdf

Less Than Significant Impact

In addition to response a) above, the project will not create hazards to the public through upset or accidents. Through the construction process, any hazardous materials will be handled, stored, and used in compliance with all federal, state, and County regulations. During grading and construction, there is a potential for accidental release of petroleum products in sufficient quantity to pose a significant hazard to people and the environment. A Stormwater Pollution Prevention Plan (SWPPP) will be prepared for the project, per the County's standard requirements. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." All recommendations in the Plan shall be implemented during area preparation, grading, and construction. The project applicant shall comply with the recommendations detailed in the Plan and other measures the County deems necessary to mitigate potential stormwater runoff impacts.

As noted in a) above, Riverside County Fire Department protects the community by inspecting, pre-planning, and monitoring those businesses that handle hazardous materials in the County. The Riverside County Department of Environmental Health Hazardous Materials Branch is the Certified Unified Program Agency (CUPA) responsible for administrating all six program elements of the Unified Program within the County's jurisdiction. The project will be required to comply with the requirements of the CUPA.

The Gasoline Station will meet all Uniform Fire Code requirements to prevent accidents. These requirements will include crash bollards surrounding the propane tank to avoid having vehicles accidentally crashing into the above-ground propane tank. Other standards from the Uniform Fire Code require a breakaway device that allows for a safe disconnect should a customer drive off with the fueling dispenser pump still attached to their car. The fuel dispensers are equipped with Shear Valves to prevent a catastrophic event should a dispenser be knocked off the pedestal. The Shear Valve is designed to stop fuel from flowing after shearing off the dispenser.

In addition, Cal OSHA assists employers and their employees in implementing the California Code of Regulations Title 8, Section 5194 requirements. They provide the publication The Cal/OSHA Hazard Communication Regulation — a Guide for Employers That Use Hazardous Chemicals, which trains the employer and employees on handling hazardous materials and what to do in case of an accidental release.

Any hazardous material handling associated with the operation of the Project would be limited in quantity and concentration to the smallest possible limits. Pursuant to Cal OSHA requirements, all hazardous material stored on-site would be accompanied by a Material Safety Data Sheet, informing on-site operators of necessary remediation processes in the event of accidental release. The Project will follow current regulations and programs for regulated hazardous materials to mitigate any risk of releasing hazardous materials into the environment due to foreseeable upset and accident conditions.

With adherence to all applicable regulations pertaining to the construction and operation of a service station containing below-ground fuel storage tanks, as well as the regulations concerning all hazardous material handling, any impacts from the implementation of the project related to

significant hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, are considered **less than significant**.

c) *Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?*

Less Than Significant Impact with Mitigation

The County of Riverside Emergency Management Department administers the County's Emergency Operations Plan (EOP), addressing the planned response to extraordinary emergencies associated with natural disasters, national security emergencies, and technological incidents affecting the County. The EOP describes the County's Emergency Operations Center (EOC) operations, the central management entity responsible for directing and coordinating the various County departments and other agencies in their emergency response activities.

The County's Local Hazard Mitigation Plan aims to reduce the impact of a disaster by identifying hazards and developing ways to decrease their impact. Risk assessments rate hazards with the greatest potential impact on the community. In addition, long-term prevention or protection steps are developed to lessen the impact of the hazard. The plan creates awareness of the community's hazards, threats, and vulnerabilities and paves a path forward for jurisdictions to prepare for local disasters.

However, neither of these plans address preferred evacuation routes for the County, as the evacuation route can differ depending on the event type. Therefore, it is important to provide project access and maintain roadway access.

On Highway 74/Central Avenue, project access will be provided via Chris Circle. Highway 74/Central Avenue is an existing roadway within the County's and the City of Lake Elsinore's established street system. The project will not significantly alter this roadway or the existing circulation pattern in the project area.

Improvements to Highway 74/Central Avenue as part of the project include a raised median at the intersection of Highway 74/Central Avenue and Allan Street in the north-south direction to restrict access to right-in/right-out only at the intersection and the widening of Highway 74/Central Avenue to its ultimate classification, per the City of Lake Elsinore General Plan, along the property frontage to an eight (8)-lane augmented urban arterial including the implementation of a signal modification at the intersection of Highway 74/Central Avenue and Ardenwood Way. Therefore, emergency access and evacuation routes will be unaffected by the project.

Construction activities may temporarily restrict vehicular traffic. However, even temporary changes to the existing roadway network require the approval of the County and the City of Lake Elsinore and notification to all emergency responders. Pursuant to **MM TRA-1** for preparing a construction management plan to the specifications and approval of both the County and the City of Lake Elsinore, the project will provide adequate access for emergency vehicles and evacuation procedures during construction. Developing the project per the requirements of the County and the City of Lake Elsinore, including adequate street widths and vertical clearance, will ensure adequate access for emergency vehicles and evacuation procedures during the

project's life. Implementing federal, state, and local laws and regulations, including **MM TRA-1**, would result in **less than significant impacts with mitigation,** directly, indirectly, or cumulatively, to adopted emergency response or evacuation plans.

MM TRA-1: The construction contractor shall evaluate the improvements needed based on the signed plans. Prior to construction staging, the construction contractor shall prepare a traffic control plan for the County and City of Lake Elsinore's approval for any construction activities encroaching into the public right-of-way. The traffic control plan shall include measures designed to reduce the impact of temporary construction traffic and any necessary lane closures. Such measures may include, but are not limited to, providing early notification of closures to the County Fire Department and Sherriff's Department, residents, and nearby businesses; the use of signage before and during construction activities that clearly delineates detour routes around lane closures; and flaggers to direct traffic in the vicinity of the closure.

d) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter (1/4) mile of an existing or proposed school?*

No Impact

No schools are located within one-quarter (¼) mile of the project site. The nearest school, Earl Warren Elementary School, is located approximately .60 miles southeast of the project site 41221 Rosetta Canyon Drive, Lake Elsinore. The second closest school is Temescale Valley High School, located approximately 1.17 miles westerly of the project site at 28755 El Toro Road, Lake Elsinore. Therefore, **no impact** from hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter (1/4) mile of an existing or proposed school will occur.

e) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

No Impact

A Phase 1 Environmental Site Assessment (ESA) was prepared for the project site on December 28, 2020. Pursuant to Government Code 65962.5 and its subsections, record searches on the project property were performed within multiple database platforms. The resources consulted included GeoTracker, EnviroStor, and the Environmental Protection Agency (EPA) Enforcement.

A review of the ENVIROSTOR list, as provided by EDR and dated 07/27/2020, revealed one ENVIROSTOR site within approximately one mile of the property. It is an Elementary School that requires no further action and does not threaten the project site.

A review of the CERS HAZ WASTE list, as provided by EDR and dated 07/20/2020, revealed two CERS HAZ WASTE sites within approximately a quarter-mile of the property, Lakeside Automotive at 18770 E Conrad Avenue and Cal Trans Elsinore M at 18745 Conrad Avenue. Both project sites will continue to report to the Riverside County Fire Department Fire and

Riverside County Department of Environmental Health Hazardous Materials Branch as the Certified Unified Program Agency (CUPA) and pose no threat to the project site.

During the Phase 1 ESA review, County Environmental Health requested further investigation of the soils to identify the vertical and horizontal extent of soil contamination in the region of the former structures that had been on the property. Arsenic was found in the soil where the structures were once located (see Supplemental Environmental Site Assessment). The U.S. Geological Survey reports the mean and range of arsenic in soil and other surficial materials as 7.2 and <0.1-97 µg/g, respectively (USGS 1984). It is assumed that the arsenic encountered is naturally occluding as arsenic is known to be found near fractured bedrock. The limits of arsenic found are below the detection limits and are considered nonhazardous. No structures are planned to be built within the area of concern, and the area will not pose any hazards or risks to human life. Therefore, no further assessment or remediation was deemed necessary.

The project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment and will have **no impact**, directly, indirectly, or cumulatively.

Mitigation: Implementation of **MM TRA-**1 is required.

Monitoring: No monitoring is required.

p) Airports a. Result in an inconsistency with an Airport Master Plan?	☐	☐	☐	☒
b. Require review by the Airport Land Use Commission?	☐	☐	☐	☒
c. For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
d. For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

Source(s): General Plan, December 8, 2015
Figure S-20 – Airport Locations
Elsinore Area Plan, August 4, 2020
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Riverside County Airport Land Use Compatibility Plan
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

a, b, c, & d) *Result in an inconsistency with an Airport Master Plan?*

Require review by the Airport Land Use Commission?

For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?

No Impact

The project site is not located within an airport influence area or an airport compatibility area. It, therefore, will not result in an inconsistency with an Airport Master Plan, requiring review by the Airport Land Use Commission. The closest public or private airport is over four miles away in the City of Elsinore, Skylark Airport at 20701 Cereal Street, Lake Elsinore. Therefore, the project will have **no impact** on airports or airport plans.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

HYDROLOGY AND WATER QUALITY Would the project:				
q) Water Quality Impacts a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces?	☐	☐	☒	☐
d. Result in substantial erosion or siltation on-site or off-site?	☐	☐	☒	☐
e. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site?	☐	☐	☒	☐
f. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
g. Impede or redirect flood flows?	☐	☐	☒	☐
h. In flood hazard, tsunami, or seiche zones, risk the release of pollutants due to project inundation?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

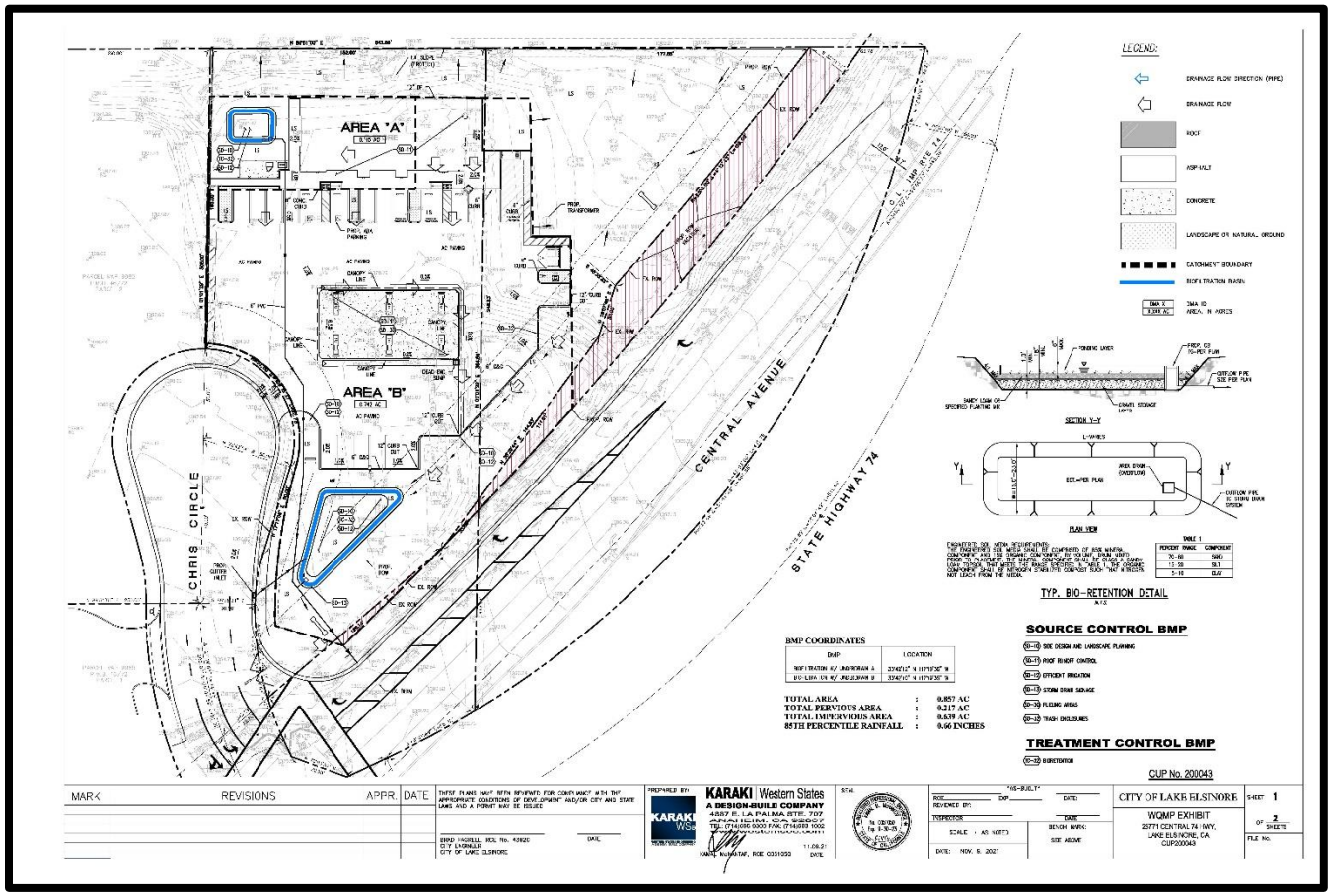
Source(s):
General Plan, December 8, 2015
Figure S-20 – Airport Locations
Elsinore Area Plan, August 4, 2020
Figure 10 – Elsinore Area Plan Flood Hazards
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Map 11 – Riverside County 100 Year Flood Plain Risks
Map 12 – FEMA FIRM Map 2017 – West County
Map 14 – FEMA Flood Insurance Rate Map
Map 15 – DWR Awareness Floodplain Map
Map 16 – Local Studies Floodplain Map
Map 18 – Riverside County Dam Inundation Risks
Map My County GIS Database, accessed June 17, 2021
FEMA Flood Map Service Center: Search By Address website, accessed July 31, 2021
Hydrology Report for 28771 Central Avenue Gas Station, prepared by Kamal Mchantaf, March 10, 2021 (Appendix J)
Project Specific Water Quality Management Plan, 28771 Central Avenue Gas Station, prepared by Western States Engineering, Inc., September 23, 2020, Revised May 3, 2021 (Appendix K)
Riverside County Watershed Protection
National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements – Order No. R8-2010-0033 – NPDES No. CAS 618033
California Regional Water Quality Control Board, Santa Ana Region
Elsinore Valley Municipal Water District 2020 Urban Water Management Plan, June 2021
Elsinore Valley Municipal Water District Elsinore Valley Subbasin Groundwater Sustainability Plan, Draft July 2021

Findings of Fact:

a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less Than Significant Impact

The project will create approximately 25,177 square feet of impervious surfaces (i.e., asphalt, concrete, and rooftops). The pre-development of the project site consists of one (1) catchment while the postdevelopment has wo (2) catchments. The Qpre = 2.564 CFS ant the Qpost=2.254 CFS. The project proposes two bio-retention basins with a ponding depth of 0.5-feet, soil media depth of 1.5-feet, and gravel depth of one foot. The basins will have volume capacities of 1,624 cubic feet for Bio Area A and 3,173 cubic feet for Bio Area B. The off-site flows from Chris Circle drains into the on-site biofiltration basins for treatment. The volume is more than adequate to contain the increase in the 100-Year 24-hour storm volumes from the development. Stormwater quality mitigation is addressed in the Project Specific Preliminary Water Quality Management Plan, including designing landscaping to minimize irrigation and runoff.



The project is in the Santa Ana River Watershed, Temescal Creek Drainage Area, overseen by the Santa Ana RWQCB. Temescal Creek drains northerly from Lake Elsinore to the Santa Ana River and eventually to the Pacific Ocean.

Pursuant to NPDES regulations, the County will require that the project complies with existing Santa Ana RWQCB and County stormwater controls, including compliance with NPDES construction and operation measures to prevent erosion siltation transport of urban pollutants. In addition, the County is a Co-Permittee. It is required to comply with the Riverside County municipal separate storm sewer system (MS4) permit (Waste Discharge Requirements for Riverside County - Order No. 2010-0033, NPDES No. CAS618033) adopted by the Regional Board on January 29, 2010. In conformance with this MS4 permit and the Water Quality Management Plan (WQMP), the project is required to implement structural and non-structural Best Management Practices (BMPs) to retain and treat pollutants of concern (in dry-weather runoff and first-flush stormwater runoff) consistent with the MEP standard, and minimize hydrologic conditions of concern (HCOCs), both during and post-construction. Additionally, General Plan 2030 Policies CSI-4.3 and CSI-4.8 require the County to prevent pollutant discharge into drainage systems.

The project design and compliance with existing federal, state, and local water quality laws and regulations related to water quality standards will ensure a **less than significant impact,** directly, indirectly, and cumulatively on water quality standards or waste discharge requirements or the degradation of surface or ground water quality and discharge.

b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Less Than Significant Impact

The project will get water from the Elsinore Valley Municipal Water District (EVMWD). EVMWD received its water from three primary sources, local groundwater pumped from EVMWD-owned well, surface water from Canyon Lake Reservoir and treated at the Canyon Lake Water Treatment Plant, and imported water purchased from Metropolitan Water District through Western Municipal Water District. The project site is located in the Elsinore Valley Subbasin groundwater basin of the EVMWD. This groundwater basin provides approximately 5,500acre-feet of water every year for EVMWD.

To ensure the groundwater basin is protected, all runoff from the project site would infiltrate through landscape areas or be conveyed to one of the bio-retention basins where the water would infiltrate on-site rather than be conveyed off-site. The project is consistent with the County requirements, and thus, water supplies would be available through the EVMWD. Thus, the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. The project may impede sustainable groundwater management of the basin, directly interfering with groundwater recharge, and a **less than significant impact** would occur.

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces?*

Less Than Significant Impact

A roadside swale originating from Highway 74/Central Avenue and N. Frontage road located along the northeastern boundary of the site enters the project site in the northern portion of APN 347-130-028. It continues westerly along the property boundary between the project site and the parcel north of the project site. This swale collects street runoff and is not a natural or jurisdictional feature subject to Sections 1600 of the FGC or 404/401 of the federal CWA. No bed or bank is associated with this swale, indicating a flow of water. The water runoff from Highway 74/Central Avenue travels west, back flows to the southeast, and percolates in the well-drained soils. There is no evidence that the swale connects to the blue line stream off-site to the west. As part of the project Highway 74/Central Avenue will be ocnditioend for windening laong the project frontage. The design will continue to maintain the driange along the curb and gutter toward the southwest onto the existing earthen swale.

Since there are no natural drainages on the project site, the project will not alter any existing drainage patterns. A preliminary hydrology study has been prepared for the project, which summarizes that the project will mitigate stormwater impacts through bio-retention. The implementation of BMPs required by the County and implemented through the project's Water Quality Management Plan will mitigate potential erosion impacts to **less than significant,** directly, indirectly, and cumulatively and therefore, the project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces

d) *Result in substantial erosion or siltation on-site or off-site?*

Less than Significant Impact

Pursuant to NPDES regulations, the County will require that the project complies with existing Santa Ana RWQCB and County stormwater controls, including compliance with NPDES construction and operation measures to prevent erosion siltation and transport of urban pollutants. In addition, the County is a Co-Permittee. It is required to comply with the Riverside County municipal separate storm sewer system (MS4) permit (Waste Discharge Requirements for Riverside County - Order No. 2010-0033, NPDES No. CAS618033) adopted by the Regional Board on January 29, 2010. In conformance with this MS4 permit and the Water Quality Management Plan (WQMP), the project is required to implement structural and non-structural Best Management Practices (BMPs) to retain and treat pollutants of concern (in dry-weather runoff and first-flush stormwater runoff) consistent with the MEP standard, and minimize hydrologic conditions of concern (HCOCs), both during and post-construction. Additionally, General Plan 2030 Policies CSI-4.3 and CSI-4.8 require the County to prevent pollutant discharge into drainage systems. Compliance with the NPDES requirements will ensure that there will be a **less than significant impact** on substantial erosion or siltation on-site or off-site.

e & f) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site?*

Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than Significant Impact

Once the project is completed, landscaped open areas and the on-site bio-retention basins and infrastructure will control storm flows and erosion from the project. The design and implementation of these facilities will be reviewed and approved by the County to assure compliance with all applicable local, state, and federal standards.

Implementing these and other applicable requirements will assure that drainage and stormwater will not create or contribute water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the project will have a **less than significant impact**, directly, indirectly, or cumulatively on the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

g & h) *Impede or redirect flood flows?*

In flood hazard, tsunami, or seiche zones, risk the release of pollutants due to project inundation?

Less than Significant Impact

The project site is not in a floodplain and is in Zone X, an area of minimal flood hazard per FIRM 06065C2029G effective 08/28/2008. The project will not impede or redirect flood flows. The

project is also not located within a dam inundation area or near any water bodies where a tsunami or seiche could occur. Therefore, the project would have a **less than significant impact** on flood flows or the release of pollutants due to project inundation.

Tsunami is a long high sea wave caused by an earthquake, submarine landslide, or other disturbance.

Seiche is a temporary disturbance or oscillation in the water level of a lake or partially enclosed body of water, especially one caused by changes in atmospheric pressure.

i) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact

The project site is under the jurisdiction of the Santa Ana RWQCB. The RWQCB sets water quality objectives and beneficial uses in the Santa Ana River Water Quality Control Plan (Basin Plan) for the Elsinore/Temescal Valleys Management Zone, including the project site. These water quality objectives are intended to protect the present and probable beneficial uses of California inland water bodies, including bays, estuaries, and groundwater.

To address the potential for urban pollutants, such as oil, grease, sediment, and trash, discharged in stormwater during operation, the project applicant would implement a site-specific Water Quality Management Plan to capture stormwater runoff within the project site and operate a low-impact development (LID) BMP bioretention system and underground retention chambers to ensure the project site does not increase runoff volume when compared to the existing, undeveloped condition. Each of the proposed LID BMPs are designed to perform at a "high" level of pollutant removal efficiency in accordance with the most current edition of the RWQCB Design Handbook for Low Impact Development Best Management Practices and therefore are not anticipated to obstruct the implementation of the Santa Ana River Basin Plan and therefore will **have a less than significant impact**, regarding conflicting with or obstructing the implementation of a water quality control plan or sustainable groundwater management plan.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

LAND USE/PLANNING Would the project:				
r) Land Use a. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
b. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	☐	☐	☐	☒

Source(s): Zoning Ordinance – Ordinance No. 348, April 1, 2021
General Plan, December 8, 2015

Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021
The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments, Adopted Final Connect SoCal, September 3, 2020

Findings of Fact:

a) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

No Impact

Regional Plans

The Southern California Association of Governments (SCAG) is the Metropolitan Planning Organization (MPO) for six counties: Riverside, Los Angeles, Orange, San Bernardino, Ventura, and Imperial. On September 3, 2020, SCAG adopted Connect SoCal, the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, based upon the six counties and associated cities' data on land use designations and policies. The project is consistent with the County's General Plan and Zoning designations and, therefore, will be consistent with the data provided to SCAG to create the Connect SoCal. The project would not be considered regionally significant by SCAG based on the established criteria in Section 15206 of the State CEQA Guidelines, which SCAG applies to determine regional significance. Therefore, SCAG's regional plans and programs, including the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), do not apply to the project.

The project's consistency with regional plans and programs that address specific topical issues are discussed in the respective sections of this Initial Study, including but not limited to the SCAQMD AQMP (Air Quality section), the Western Riverside MSHCP (Biological Resources section), and the Santa Ana River Water Quality Control Plan (Hydrology and Water Quality section). As indicated in the analysis presented in this Initial Study, the project would be consistent with the requirements outlined in these regional plans, including requirements to avoid or mitigate the environmental effect.

County of Riverside

The site is in the Elsinore Area Plan, and to the east across Highway 74/Central Avenue in the City of Lake Elsinore is the Lake Elsinore Hills District Specific Plan. The property is General Plan designated with the Foundation Component of Community Development and the Land Use Designation of Light Industrial – LI (0.25 – 0.60 FAR). The Policy Area is the Warm Springs Policy Area.

The Zoning is M-SC – Manufacturing – Service Commercial Zone, consistent with the General Plan designation. The proposed convenience store and fueling station are permitted in the M-SC Zone with a Plot Plan review (PPT210016).

In summary, as presented in the analysis above and the respective sections of this Initial Study, the project would **not cause a significant environmental impact** due to a conflict with any land

use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

b) *Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?*

No Impact

The project will develop a convenience store, gas station, and parking lot on a relatively flat, undeveloped site. The project is consistent with the General Plan designation for the site. The site is in an area dominated by residential uses to the east and west and developing commercial uses to the north and south. The project would utilize the existing road network and not result in the construction of improvements that would physically divide an existing community or otherwise impact circulation on public roads surrounding the site. Therefore, **no impact** directly, indirectly, or cumulatively will occur on an established community.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

MINERAL RESOURCES Would the project:				
s) Mineral Resources a. Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
c. Potentially expose people or property to hazards from proposed, existing, or abandoned quarries or mines?	☐	☐	☐	☒

Source(s): Zoning Ordinance – Ordinance No. 348, April 1, 2021
Figure OS-6 – Mineral Resources Area
General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021
Department of Conservation Mines Online, Accessed July 31, 2021

Findings of Fact:

a, b & c) *Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?*

Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan
Potentially expose people or property to hazards from proposed, existing, or abandoned quarries or mines?

No Impact

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Per Figure OS-6 of the County General Plan, the site is designated as the Mineral Resource Zone (MRZ) MRZ-3 – Significance of Mineral Deposits Undetermined under the Surface Mining and Reclamation Act (SMARA) Mineral Land Classification system. The MRZ-3 includes those areas where geologic evidence indicates that mineral deposits exist or likely exist, but the significance of these deposits has not been determined. The project site occurs in an urban setting. It is not designated for mineral resource land uses, and the project will not result in the loss of available known mineral resources. In addition, the project site is not delineated for mineral resources on the general plan, specific plan, or other land-use plan. Lastly, the closest mine is 1.5 miles northwest, the Nichols Canyon Mine, an open-pit sand and gravel mine. No mines exist on the subject property itself. Therefore, the project will have **no impact**, directly, indirectly, and cumulatively on mineral resources that would be of value to the region or the residents of the State, nor would it result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan, or potentially expose people or property to hazards from proposed, existing, or abandoned quarries or mines.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

NOISE Would the project result in:				
t) Airport Noise a. For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
b. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Source(s): General Plan, December 8, 2015
Figure S-20 – Airport Locations
Elsinore Area Plan, August 4, 2020
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Riverside County Airport Land Use Compatibility Plan
Map My County GIS Database, accessed June 17, 2021

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Findings of Fact:

a & b) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?*

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

No Impact

The closest public or private airport is over four miles away in the City of Elsinore, Skylark Airport at 20701 Cereal Street, Lake Elsinore. Therefore, the project will have **no impact** on the exposure of people residing or working in the project area to excessive noise levels from a public or private airport.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

u) Noise Effects by the Project a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Table N-1 – Land Use Compatibility for Community Noise Exposure
Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021
Gas Station & Convenience Store, Noise Impact Study County of Riverside, CA, prepared by MD Acoustics LLC, January 26, 2023 (Appendix L)
Ordinance No. 847 Regulating Noise

Findings of Fact:

a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?*

Less Than Significant Impact

dBA = A-weighted sound level in decibels as measured on a sound level meter using the A-weighted filter network. The A-weighting filter de-emphasizes the very low and very high-frequency components of the sound in a manner similar to the human ear's response. A numerical method of rating human judgment of loudness.

Leq = Equivalent Sound Level – the sound level corresponding to a steady noise level over a given sample period with the same amount of acoustic energy as the actual time-varying noise level. The energy average noise level during the sample period.

CNEL = Community Noise Equivalent Level – the average equivalent A-weighted sound level during a 24-hour day, obtained after the addition of five (5) decibels to sound levels in the evening from 7:00 to 10:00 p.m. and after the addition of ten (10) decibels to sound levels in the night before 7:00 a.m. and after 10:00 p.m.

A Noise Impact Study was prepared for the project by MD Acoustics on January 26, 2023 (Appendix L). The analysis of this study is quoted here.

Study Method and Procedure

Noise measurements are taken to determine the existing noise levels. A noise receiver or receptor is any location in the noise analysis in which noise might produce an impact. The following criteria are used to select measurement locations and receptors:

- Locations expected to receive the highest noise impacts, such as the first row of houses
- Locations that are acoustically representative and equivalent to the area of concern
- Human land usage
- Sites clear of major obstruction and contamination

MD conducted the sound level measurements in accordance with the County's, City's, and Caltrans (TeNS) technical noise specifications. All measurement equipment meets American National Standards Institute (ANSI) specifications for sound level meters (S1.4-1983 identified in Chapter 19.68.020.AA). The following gives a brief description of the Caltrans Technical Noise Supplement procedures for sound level measurements:

- Microphones for sound level meters were placed 5 feet above the ground for all measurements
- Sound level meters were calibrated (Larson Davis CAL 200) before and after each measurement
- Following the calibration of equipment, a windscreen was placed over the microphone
- Frequency weighting was set on "A" and slow response
- Results of the long-term noise measurements were recorded on field data sheets
- During any short-term noise measurements, any noise contaminations such as barking dogs, local traffic, lawnmowers, or aircraft flyovers were noted
- Temperature and sky conditions were observed and documented

Noise Measurement Locations

Noise monitoring locations were selected based on the nearest sensitive receptors relative to the proposed onsite noise sources. One (1) long-term 24-hour noise measurement was conducted at or near the project site and is illustrated in the exhibit below. Appendix A of the Noise Impact Study (Appendix L) includes photos, a field sheet, and measured noise data.

Stationary Noise Modeling

SoundPLAN (SP) acoustical modeling software was utilized to model future worst-case stationary noise impacts on adjacent land uses. SP can evaluate multiple stationary noise source impacts at various receiver locations. SP's software utilizes algorithms (based on the inverse square law and reference equipment noise level data) to calculate noise level projections. The software allows users to input specific noise sources, spectral content, sound barriers, building placement, topography, and sensitive receptor locations.

The future worst-case noise level projections were modeled using referenced sound level data for the various stationary on-site sources (parking spaces and gas canopy). The model assumes approximately 22 parking spots and six fueling stations under the gas canopy.

The gas canopy was modeled as an area source with a reference level of 65 dBA. The reference equipment sound level data is provided in Appendix B of the Noise Impact Study. This includes average noise levels associated with closing car doors, turning on/off vehicles, low voltage speakers associated with the gas canopy, and talking.

The SP model assumes that all noise sources operate simultaneously (worst-case scenario) when the noise will be intermittent and lower in noise level. SP modeling inputs and outputs ate provided in Appendix C of the Noise Impact Study (Appendix L).

FHWA Traffic Noise Prediction Model

Traffic noise from vehicular traffic was projected using a computer program replicating the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108). The FHWA model arrives at the predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). Roadway volumes and percentages correspond to the project's traffic scoping agreement as prepared by Integrated Engineering Group, county and city traffic counts, and roadway classifications. The referenced traffic data was applied to the model in Appendix B of the Noise Impact Study. The following outlines the key adjustments made to the REMEL for the roadway inputs:

- Roadway classification – (e.g., freeway, major arterial, arterial, secondary, collector, etc.),
- Roadway Active Width – (distance between the center of the outer most travel lanes on each side of the roadway)
- Average Daily Traffic Volumes (ADT), Travel Speeds, Percentages of automobiles, medium trucks, and heavy trucks
- Roadway grade and angle of view
- Site Conditions (e.g., soft vs. hard)
- Percentage of total ADT which flows each hour throughout a 24-hour period

The Roadway Parameters and Vehicle Distribution Table 3 below indicates the roadway parameters and vehicle distribution utilized for this study.

Table 3 – Roadway Parameters and Vehicle Distribution[1]

Roadway	Segment	Existing ADT	Existing Plus Project ADT	Speed (MPH)	Site Conditions
SH-74/Central Ave	Ardenwood Way to Conard Ave	32,000	32,600	45	Hard
Vehicle Distribution (Truck Mix)[2]					
Motor-Vehicle Type		**Daytime % (7 AM to 7 PM)**	**Evening % (7 PM to 10 PM)**	**Night % (10 PM to 7 AM)**	**Total % of Traffic Flow**
Automobiles		75.5	14.0	10.5	97.42
Medium Trucks		48.9	2.2	48.9	1.84
Heavy Trucks		47.3	5.4	47.3	0.74

Notes:
[1] Integrated Engineering Group Central Avenue Gas Station Traffic Analysis.

The following outlines key adjustments to the REMEL for project site parameter inputs:

- Vertical and horizontal distances (Sensitive receptor distance from noise source)
- Noise barrier vertical and horizontal distances (Noise barrier distance from sound source and receptor).
- Traffic noise source spectra
- Topography

FHWA Roadway Construction Noise Model

The construction noise analysis utilizes the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RNCM) and several key construction parameters. Key inputs include distance to the sensitive receiver, equipment usage, % usage factor, and baseline parameters for the project site.

The project was analyzed based on the different construction phases. Construction noise is expected to be loudest during the grading, concrete, and building phases of construction. The construction noise calculation output worksheet is in Appendix E of the Noise Impact Study. The following assumptions relevant to short-term construction noise impacts were used:

- It is estimated that construction will occur over a 6-month time period. Construction noise is expected to be the loudest during the grading, concrete, and building phases.

Existing Noise Environment

A twenty-four (24) hour ambient noise measurement was conducted at the property site. The noise measurement location was chosen based on the similar horizontal distance from the centerline of Central Avenue from the residential uses to the east. The noise measurement was taken to determine the existing ambient noise levels. Noise data indicates that traffic along SH-74/Central Avenue is the primary source of noise impacting the site and the adjacent uses. This assessment utilizes the ambient noise data as a basis and compares project operational levels to said data.

Long-Term Noise Measurement Results

The results of the Long-term noise data are presented in the Long-Term Noise Measurement Data Table 4 below.

Table 4 – Long-Term Noise Measurement Data[1]

Date	Time	dB(A)							
		L_{EQ}	L_{MAX}	L_{MIN}	L_2	L_8	L_{25}	L_{50}	L_{90}
1/6/2021	7PM-8PM	67.8	89.8	50.9	76.7	72.7	71.0	62.6	56.0
7/20/2020	8PM-9PM	66.7	88.7	49.8	75.6	71.6	69.9	61.5	54.9
7/20/2020	9PM-10PM	66.0	88.0	49.1	74.9	70.9	69.2	60.8	54.2
7/20/2020	10PM-11PM	65.0	87.0	48.1	73.9	69.9	68.2	59.8	53.2
7/20/2020	11PM-12AM	64.4	86.4	47.5	73.3	69.3	67.6	59.2	52.6
7/20/2020	12AM-1AM	62.8	84.8	45.9	71.7	67.7	66.0	57.6	51.0
7/20/2020	1AM-2AM	60.4	82.4	43.5	69.3	65.3	63.6	55.2	48.6
7/20/2020	2AM-3AM	59.1	81.1	42.2	68.0	64.0	62.3	53.9	47.3
7/20/2020	3AM-4AM	57.4	79.4	40.5	66.3	62.3	60.6	52.2	45.6
7/20/2020	4AM-5AM	58.4	80.4	41.5	67.3	63.3	61.6	53.2	46.6
7/21/2020	5AM-6AM	62.2	84.2	45.3	71.1	67.1	65.4	57.0	50.4
7/21/2020	6AM-7AM	68.6	90.6	51.7	77.5	73.5	71.8	63.4	56.8
7/21/2020	7AM-8AM	70.9	92.9	54.0	79.8	75.8	74.1	65.7	59.1
7/21/2020	8AM-9AM	69.0	91.0	52.1	77.9	73.9	72.2	63.8	57.2
7/21/2020	9AM-10AM	68.0	90.0	51.1	76.9	72.9	71.2	62.8	56.2
7/21/2020	10AM-11AM	67.9	89.9	51.0	76.8	72.8	71.1	62.7	56.1
7/21/2020	11AM-12PM	68.1	90.1	51.2	77.0	73.0	71.3	62.9	56.3
7/21/2020	12PM-1PM	68.2	90.2	51.3	77.1	73.1	71.4	63.0	56.4
7/21/2020	1PM-2PM	68.3	90.3	51.4	77.2	73.2	71.5	63.1	56.5

Table 4 – Long-Term Noise Measurement Data[1]

Date	Time	dB(A)							
		L_{EQ}	L_{MAX}	L_{MIN}	L_2	L_8	L_{25}	L_{50}	L_{90}
7/21/2020	2PM-3PM	68.5	90.5	51.6	77.4	73.4	71.7	63.3	56.7
7/21/2020	3PM-4PM	69.7	91.7	52.8	78.6	74.6	72.9	64.5	57.9
7/21/2020	4PM-5PM	71.2	93.2	54.3	80.1	76.1	74.4	66.0	59.4
7/21/2020	5PM-6PM	70.9	92.9	54.0	79.8	75.8	74.1	65.7	59.1
7/21/2020	6PM-7PM	69.1	91.1	52.2	78.0	74.0	72.3	63.9	57.3
LDN		**71.6**							

Notes:
[1.] Long-term noise monitoring location (LT1) is illustrated in Exhibit E. The quietest hourly nighttime noise interval is highlighted in blue when project operations could occur.

Noise data indicates the ambient noise level ranged between 57.4 dBA Leq(h) to 70.9 dBA Leq(h) at the project site. Maximum levels reach 70.9 dBA as a result of traffic along SH-74/Central Avenue. Appendix A of the Noise Impact Study provides additional field notes and photographs.

For this evaluation, MD has utilized the quietest hourly level (during potential operational hours) and has compared the project's projected noise levels to the said ambient level. The quietest (lowest) nighttime hourly level occurred between 3 AM to 4 AM (57.4 dBA, Leq(h)).

Future Noise Environment Impacts and Mitigation

This assessment analyzes future noise impacts as a result of the project. The analysis details the estimated exterior noise levels. Stationary noise impacts are analyzed from the on-site noise sources, such as cars coming and going.

Future Exterior Noise

The following analysis outlines the exterior noise levels associated with the project.

Noise Impacts to Off-Site Receptors Due to Stationary Sources

Sensitive receptors that may be affected by project operational noise include commercial and residential to the north, single-family residential to the east (across Highway 74/Central Avenue), and multi-family residential uses to the southeast (across Highway 74/Central Avenue). The worst-case stationary noise was modeled using SoundPLAN acoustical modeling software. Worst-case assumes all project activities are always operational when the noise will be intermittent and cycle on/off depending on customer usage. The project convenience store and gas pumps are anticipated to be operational 24 hours a day.

A total of four (4) receptors were modeled to evaluate the project's operational impact. A yellow dot denotes a receptor. All yellow dots represent either a property line or a sensitive receptor, such as a sensitive outdoor area (courtyard, patio, backyard, etc.).

This study compares the project's operational noise levels to two (2) different noise assessment scenarios: 1) Project Only operational noise level projections, 2) Project plus ambient noise level projections.

Project Operational Noise Levels

The exhibit below (Exhibit F) shows the "project only" operational noise levels at the project site. It illustrates how the noise propagates at the property lines and/or sensitive receptor area. Operational noise levels at the adjacent uses are anticipated to range between 40 dBA to 53 dBA Leq (depending on the location).

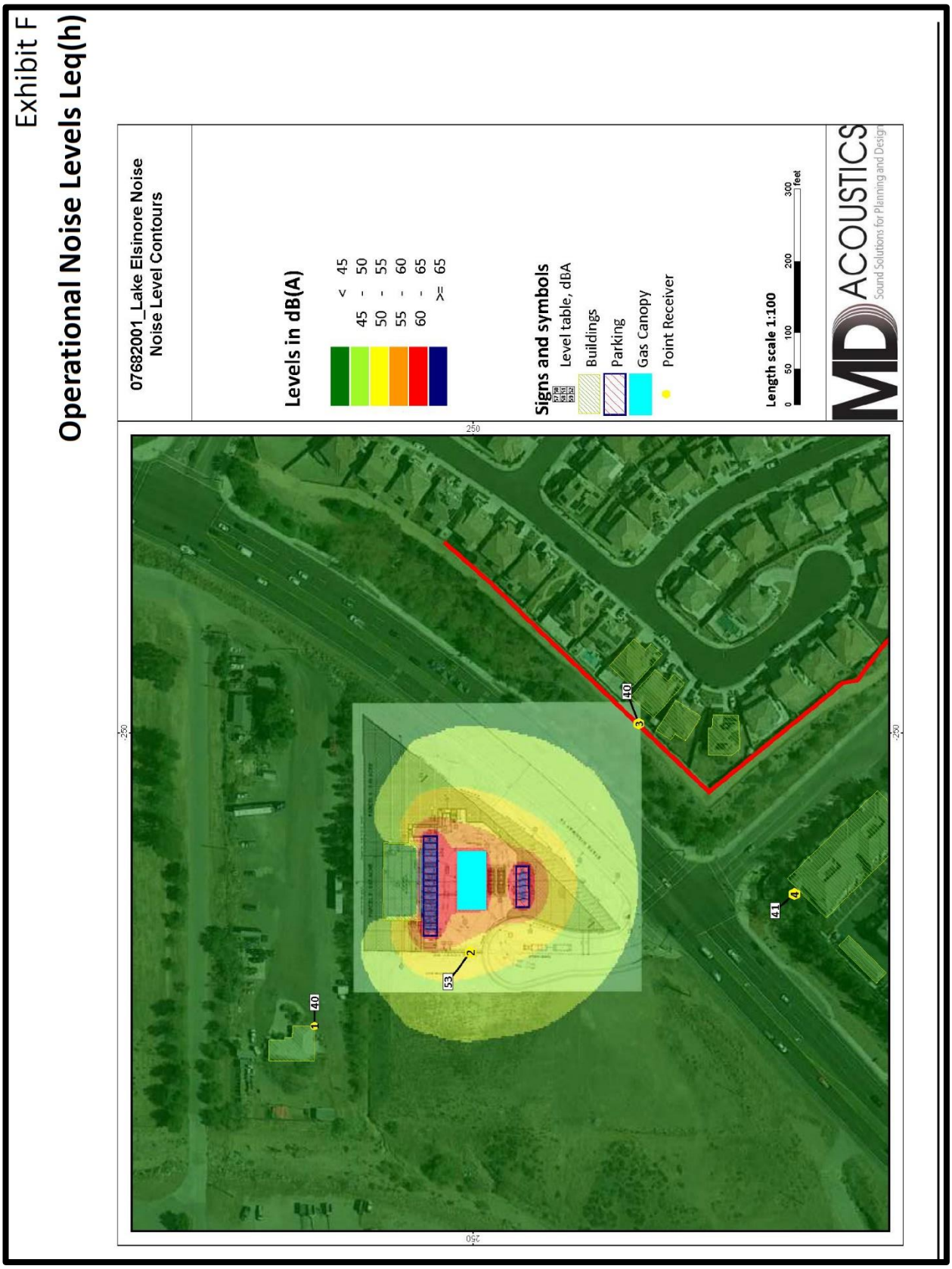


Exhibit F
Operational Noise Levels Leq(h)
07682001_Lake Elsinore Noise
Noise Level Contours
Levels in dB(A)
< 45
45 - 50
50 - 55
55 - 60
60 - 65
>= 65
Signs and symbols
Level table, dBA
Buildings
Parking
Gas Canopy
Point Receiver
Length scale 1:100
0
50
100
200
300
feet
MD ACOUSTICS
Sound Solutions for Planning and Design
250
250
250
250
40
53
40
41

Project Plus Ambient Operational Noise Levels

The Worst-case Predicted Noise Level (dBA, Leq) Table 5 below demonstrates the project plus the ambient noise levels. Project plus ambient noise level projections are anticipated to range between 57 to 59 dBA Leq depending on location. Therefore, the project has been compared to the quietest hourly average ambient noise level for comparative purposes.

Table 5 – Worst-case Predicted Noise Level (dBA, Leq)

Receptor [1]	Floor	Existing Ambient Noise Level (dBA, Leq)[2]	Project Noise Level (dBA, Leq)[3]	Total Combined Noise Level (dBA, Leq)	Nighttime (10 PM – 7 AM) Stationary Noise Limit (dBA, Leq)[4]	Change in Noise Level as Result of Project
1	1	57	40	57	**45**	0.1
2	1		53	59	**55**	1.4
3	1		40	57	**40**	0.1
4	1		40	57	**45**	0.1

Notes:
1. Receptors 1 is the nearest north property approximately 140' from the site, Receptor-2 is the west property line of the site. R1 and R2 follow the County of Riverside Ordinance. Receptor 3 is the nearest property line to the east 200' to the east, Receptor-4 is the nearest southern property 225' from the site, both R3 and R4 follow the City of Lake Elsinore Ordinance.
2. Existing ambient taken as one-hour measurement.
3. See Exhibit G of the Noise Impact Study for the operational noise level projections at said receptors.
4. Per the County of Riverside noise ordinance Chapter 9.52 and the City of Lake Elsinore Municipal Code Section 17.176.060.

Table 5 above shows that the project does not exceed the County of Riverside and the City of Lake Elsinore's nighttime exterior noise limits. The predicted exterior noise level will range between 40 to 53 dBA. Project operations are anticipated to remain below the County and City's respective noise limits. Therefore, the impact is **less than significant**.

When comparing the baseline plus project condition, the change in noise level will be between 0.1 to 1.4 dBA, Leq, as shown in the table above.

The Change in Noise Level Characteristics Table 6 below provides the characteristics associated with changes in noise levels.

Table 6 – Change in Noise Level Characteristics[1]

Changes in Intensity Level, dBA	Changes in Apparent Loudness
1	Not perceptible
3	Just perceptible
5	Clearly noticeable
10	Twice (or half) as loud

https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm

The change in noise level at all receptors would fall within the "Not Perceptible" acoustic characteristic. Therefore, the impact would be considered **less than significant**.

Noise Impacts to Off-Site Receptors Due to Project Generated Traffic

A worst-case project-generated traffic noise level was modeled utilizing the FHWA Traffic Noise Prediction Model - FHWA-RD-77-108. Traffic noise levels were calculated 50 feet from the

centerline of the analyzed roadway. The modeling is theoretical and does not consider existing barriers, structures, and/or topographical features that may further reduce noise levels. Therefore, the levels are shown for comparative purposes only to show the difference with and without project conditions. In addition, the noise contours for 60, 65, and 70 dBA CNEL were calculated. The potential off-site noise impacts caused by an increase of traffic from the operation of the project on the nearby roadways were calculated for the following scenarios:

Existing Year (without Project): This scenario refers to existing year traffic noise conditions.

Existing Year (Plus Project): This scenario refers to existing year + project traffic noise conditions.

Existing Scenario – Table 7, Noise Levels Along Roadways (dBA CNEL) below compares the without and with project scenario and shows the change in traffic noise levels as a result of the project. It takes a change of 3 dB or more to hear a perceptible difference. As demonstrated in the Change in Noise Level Characteristics table above, the project is anticipated to change the noise 0.1 dBA CNEL.

The County of Riverside uses the FICON Approach. Because the ambient noise condition is over 65 dBA the noise is allowed a 1.5 dB increase. Although there is an increase in traffic noise levels, the impact is considered **less than significant**. The noise levels at or near any existing proposed sensitive receptor would be 73.2 dBA an increase less than 1.5 dB. Therefore, no further mitigation is required.

Table 7 – Existing Scenario - Noise Levels Along Roadways (dBA CNEL)

Existing Without Project Exterior Noise Levels

Roadway	Segment	CNEL at 50 Ft (dBA)	Distance to Contour (Ft)			
			70 dBA CNEL	65 dBA CNEL	60 dBA CNEL	55 dBA CNEL
SH-74/Central Ave	Ardenwood Way to Conard Ave	73.2	81	175	377	812

Existing With Project Exterior Noise Levels

Roadway	Segment	CNEL at 50 Ft (dBA)	Distance to Contour (Ft)			
			70 dBA CNEL	65 dBA CNEL	60 dBA CNEL	55 dBA CNEL
SH-74/Central Ave	Ardenwood Way to Conard Ave	73.2	82	177	380	819

Change in Existing Noise Levels as a Result of Project

Roadway[1]	Segment	CNEL at 50 Feet dBA[2]			
		Existing Without Project	Existing With Project	Change in Noise Level	Potential Significant Impact
SH-74/Central Ave	Ardenwood Way to Conard Ave	73.2	73.2	0.0	No

Notes:
[1] Exterior noise levels calculated at 5 feet above ground level.
[2] Noise levels calculated from centerline of subject roadway.

Noise Impacts to On Site Receptors Due to Project Generated Traffic

The project site is located approximately 78 feet from the center line of SH-74/Central Ave and would fall within the 70 dBA CNEL or less contour. Therefore, the project would be normally acceptable per the County's Land Use Compatibility Matrix.

Construction Noise Impact

The degree of construction noise may vary for different project site areas and vary depending on the construction activities. Noise levels associated with the construction will vary with the different construction phases.

Construction Noise

The Environmental Protection Agency (EPA) has compiled data regarding noise-generated characteristics of typical construction activities. The data is presented in Typical Construction Equipment Noise Levels Table 8 below.

Table 8 – Typical Construction Equipment Noise Levels[1]

Type	Lmax (dBA) at 50 Feet
Backhoe	80
Truck	88
Concrete Mixer	85
Pneumatic Tool	85
Pump	76
Saw, Electric	76
Air Compressor	81
Generator	81
Paver	89
Roller	74

Notes:
[1] Referenced Noise Levels from FTA noise and vibration manual.

Construction noise is considered a short-term impact and would be significant if construction activities are taken outside the allowable times described in the County of Riversides Ordinance No. 847 and the City of Lake Elsinore's Noise Element Section 17.176.060 Table 1. Construction is anticipated to occur during the permissible hours according to the County's Municipal Code. Construction noise will have a temporary or periodic increase in the ambient noise level above the existing within the project vicinity. Furthermore, noise reduction measures are provided to reduce construction noise further. The impact is considered **less than significant;** however, construction noise level projections are provided.

Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise levels will be the loudest during the grading phase. A likely worst-case construction noise scenario during grading assumes the use of one grader, one dozer, and one backhoe operating at 134 feet from the nearest property line.

Assuming a usage factor of 40 percent for each piece of equipment, unmitigated noise levels at 134 feet have the potential to reach 74 dBA L_{eq} at the nearest sensitive receptors during building

construction. Noise levels for the other construction phases would be lower, approximately 74 dBA. This is below the NIOSH 85 dBA Leq 8hr standard.

Construction Noise Reduction Measures

Construction operations must follow the City and County's General Plan and the Noise Ordinance, which states that construction, repair, or excavation work performed must occur within the permissible hours. Since these are County and City regulatory requirements, they are being applied to the project as a Standard Condition **SC NOI-1** to ensure further that construction activities do not disrupt the adjacent land uses.

SC NOI-1: The following shall appear as notes on all construction drawings (i.e., grading, building, street improvement plans, etc.)

Construction should occur during the permissible hours as defined in County Ordinance No. 847 and the City of Lake Elsinore Municipal Code Section 17.176.080 F Construction/Demolition.

The contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices during construction (i.e., mufflers, sound dampening mats, acoustical silencers in intake and exhaust systems, etc.).

The contractor shall locate equipment staging areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

Idling equipment shall be turned off when not in use.

Equipment shall be maintained to secure vehicles and their loads from rattling and banging.

While construction impacts were already detemirned to be less than significant, with the implementation of Standards Condition **SC NOI-**1, construction noise impacts will be further reduced and impacts remain **less than significant**.

b) *Generation of excessive ground-borne vibration or ground-borne noise levels?*

Less Than Significant Impact

PPV – Known as the peak particle velocity (PPV), which is the maximum instantaneous peak in vibration velocity, typically given in inches per second.

RMS – Known as the root mean squared (RMS), can be used to denote vibration amplitude.

VdB – A commonly used abbreviation to describe the vibration level (VdB) for a vibration source.

Construction activities can produce a vibration that may be felt by adjacent land uses. The project's construction would not require the use of equipment such as pile drivers, which are known to generate substantial construction vibration levels. The primary vibration source during

construction may be from a bulldozer. A large bulldozer has a vibration impact of 0.089 inches per second peak particle velocity (PPV) at 25 feet which is perceptible but below any risk of architectural damage.

The fundamental equation used to calculate vibration propagation through average soil conditions and distance is as follows:

$$PPV_{equipment} = PPV_{ref} (100/D_{rec})^n$$

Where: PPV_{ref} = reference PPV at 100ft.
D_{rec} = distance from equipment to receiver in ft.
n = 1.1 (the value related to the attenuation rate through ground)

The thresholds from the Caltrans Transportation and Construction Induced Vibration Guidance Manual in the Guideline Vibration Damage Potential Threshold Criteria table below provides

Table 9 – Guideline Vibration Damage Potential Threshold Criteria

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: Table 19, Transportation and Construction Vibration Guidance Manual, Caltrans, Sept. 2013.
Note: Transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

The Vibration Source Levels for Construction Equipment table below gives approximate vibration levels for particular construction activities. This data provides a reasonable estimate for a wide range of soil conditions.

Table 10 – Vibration Source Levels for Construction Equipment[1]

Equipment	Peak Particle Velocity (inches/second) at 25 feet	Approximate Vibration Level LV (dVB) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill	0.008 in soil	66
(slurry wall)	0.017 in rock	75
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86

Table 10 – Vibration Source Levels for Construction Equipment[1]		
Equipment	**Peak Particle Velocity (inches/second) at 25 feet**	**Approximate Vibration Level LV (dVB) at 25 feet**
Jackhammer	0.035	79
Small bulldozer	0.003	58
[1] Source: Transit Noise and Vibration Impact Assessment, Federal Transit Administration, May 2006.		

At 134 feet, a large bulldozer would yield a worst-case 0.020 PPV (in/sec) which may be perceptible for short periods of time during grading along the southern property line of the project site but is below any threshold of damage. The impact is **less than significant,** and no mitigation is required.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

PALEONTOLOGICAL RESOURCES:				
v) Paleontological Resources a. Directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature?	☐	☒	☐	☐

Source(s): General Plan, December 8, 2015
Figure OS-8 – Paleontological Sensitivity
Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021
Paleontological Resources Assessment Report for the 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Lake Elsinore, Riverside County, California, prepared by Red Tail Environmental, April 2021 (Appendix M)

Findings of Fact:

Directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature?

Less Than Significant Impact with Mitigation

The Paleontological Resources Assessment (Appendix M) prepared for the project found that the rock units underlying the project area have been assigned a low paleontological sensitivity based on the criteria set by the County and the occurrence of known fossils elsewhere in western Riverside County.

Details regarding exact amounts of excavation are not clearly defined at this time. However, preliminary project plans indicate that several thousand cubic yards of sediment would need to be excavated or graded to complete the construction. Additionally, the geotechnical report recommends the “proposed building areas should be over excavated to a depth of 4.0 feet below the existing soil grad, or 2.0 feet below the proposed footing bottoms, whichever is greater” and “where possible, the limits of over-excavation for building areas shall extend at least 5.0 feet beyond the proposed building limits or to the property line, whichever is less.” Given the proposed ground disturbance and the geotechnical recommendations for over-excavation to complete the project, mass grading and excavation will likely directly impact the Mesozoic deposits (low paleontological sensitivity) underlying the project Area.

Geologists with the County apply general conditions when issuing grading permits for projects. When existing information indicates that a project site is located completely within a zone with low paleontological sensitivity, no direct mitigation is required unless a fossil is encountered during site development. Therefore, if a fossil is discovered during project development, the Riverside County Geologist must be notified, and the project proponent must retain a paleontologist. The paleontologist will document the extent and potential significance of the paleontological resources discovered at the project site and establish appropriate mitigation measures for further site development. Therefore, the project will have a **less than significant impact with mitigation** regarding directly or indirectly destroying a unique paleontological resource, site, or unique geologic feature.

The following is an outline of mitigation measures related to paleontological resources encountered during project construction.

Mitigation:

MM PAL-1: In the case that a paleontological resource is discovered during project construction, the following conditions must be met:

a. All site earthmoving shall be ceased in the area of where the fossil remains are encountered, but earthmoving activities may be diverted to other areas of the site;
b. The owner of the property shall be immediately notified of the fossil discover and in turn shall immediately notify the County geologist of the discovery;
c. The applicant shall retain a qualified paleontologist approved by the County;
d. The paleontologist shall determine the significance of the encountered fossil remains;
e. Paleontological monitoring of ground-disturbing activities will continue thereafter on an as-needed basis by the paleontologist during all such activity that may expose sensitive strata. Ground-disturbing activities in areas of the project site where previously undisturbed strata will be buried, but not otherwise disturbed, does not need to be monitored. The supervising paleontologist will have the authority to reduce monitoring if it is determined that the probability of encountering any additional fossils has dropped below an acceptable level;
f. If fossil remains are encountered by ground-disturbing activities when the paleontologist is not on site, these activities will be diverted around the fossil site and the paleontologist shall be called to the site immediately to recover the remains; and
g. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated, catalogued, and the corresponding geologic and geographic site data will be archived at the appropriate museum or repository. The remains will then be accessioned into the museum or repository fossil collection where they will be permanently stored, maintained, and made available for future study by qualified scientific investigators. The County must be consulted on the repository or museum to receive the fossil material prior to being curated.
h. The Paleontologist will establish appropriate mitigation measures for further site development.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Monitoring: No monitoring is required.

POPULATION AND HOUSING Would the project:				
w) Housing a. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
b. Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	☐	☐	☒	☐
c. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Riverside County General Plan Housing Element
Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021
Southern California Association of Governments (SCAG) Profile of Riverside County Local Profiles Report 2019, May 2019
The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments, Adopted Final Connect SoCal, September 3, 2020

Findings of Fact:

a) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Less Than Significant Impact

The project site consists of vacant, undeveloped land that has been subject to a variety of disturbances. The project is a new gas station and will not displace any existing housing necessitating the construction of replacement housing. The project will have a **less than significant impact** on the displacement of substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

b) *Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?*

Less Than Significant Impact

The proposed convenience store and fueling station will operate twenty-four hours a day, seven days a week, with three employees, including a manager. It will have a pizza delivery service that will operate fourteen hours a day, seven days a week, with five employees. Therefore, the convenience store will have a total of eight employees, full- and part-time.

According to the SCAG Profile of Riverside County Local Profiles Report 2019, the County had a total of 762,114 jobs in 2017, an increase of 11.4 percent from 2007. The project proposes approximately eight new employees for operational activities. Due to the nature of the proposed employment opportunities, employees are anticipated to be drawn from the local workforce. They would not result in the relocation of new residents to the County of Riverside. Therefore, the project would have a **less than significant** impact on creating demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income.

c) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Less Than Significant Impact

The project would include the development of the site in accordance with the land use designation applied to the site by the County of Riverside General Plan. While the project would generate new employment opportunities, the project would not result in growth that was not already anticipated by the County and evaluated in the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Connect SoCal. Therefore, the project will have a **less than significant impact** on inducing substantial unplanned population growth in an area, either directly or indirectly.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
x) Fire Services	☐	☐	☒	☐

Source(s):
General Plan, December 8, 2015
Safety Element
Elsinore Area Plan, August 4, 2020
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Emergency Operations Plan (EOP), Riverside County Operational Area (OA), August 2019
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

Less Than Significant Impact

The Riverside County Fire Department provides fire protection, suppression, and emergency medical services within the project area. The project site is served by Riverside County Fire Station 97, located approximately ½ mile south of the site at 41725 Rosetta Canyon Drive.

While implementation of the project would not involve new residential uses or an increase in the County's population, the operation of new commercial uses would marginally increase the demand for fire protection, prevention, and emergency medical services at the currently undeveloped project site. The project would create the typical range of service calls for commercial developments, such as medical aid, fire response, traffic collisions, and hazardous materials. The project has been designed in compliance with all applicable ordinances and standard conditions established by the County and State, including, but not limited to, those regarding fire prevention and suppression measures, such as fire hydrants, fire access, emergency exits, combustible construction, fire flow, and fire sprinkler systems.

Additionally, the project applicant will be required to pay a development impact fee (DIF), which provides a funding source for the construction of fire protection facilities and staffing due to impacts related to future growth in the County. The Fire Department would confirm compliance with applicable regulations while reviewing development plans. Therefore, the project will have a **less than significant impact** on fire services.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

y) Sheriff Services	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Safety Element
Elsinore Area Plan, August 4, 2020
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Emergency Operations Plan (EOP), Riverside County Operational Area (OA), August 2019
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

Less Than Significant Impact

Riverside County Sheriff's Department provides patrol, criminal investigation, traffic enforcement, accident investigation, and tactical team services to the project area. The Lake Elsinore Sheriff's Station would serve the project site at 333 W Limited Avenue, approximately 3.3 miles southwest of the site.

While implementation of the project would not involve new residential uses or an increase in the County's population, the operation of new commercial uses would marginally increase the demand for police services at the currently undeveloped project site. The project would create the typical range of service calls for commercial developments. Additionally, the project applicant would be required to pay a development impact fee (DIF), which provides a funding source for the construction of police facilities and staffing due to impacts related to future growth in the County. As such, the project would create incremental demand for police protection services but would not require the construction of new or expanded police protection facilities or significantly impact existing service ratios and response times. Therefore, the project will have a **less than significant impact** on sheriff services.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

z) Schools	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Safety Element
Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021
Lake Elsinore Unified School District Developer Fees

Findings of Fact:

Less Than Significant Impact

The project site is within the Lake Elsinore Unified School District (LEUSD), which operates 23 schools and alternative education programs. Approximately 21,565 students, grades TK-12, are served by LEUSD. The project would not create a direct demand for school services, as the project involves non-residential uses that would not generate school-aged children. The project would generate a minimal number of employment opportunities (eight full/part-time positions), and it is expected that the local labor force would fill these positions. Therefore, the project would not generate substantial new residents or additional school-aged students requiring public education. As such, the project would not cause or contribute to a need to construct new or physically altered public school facilities.

Although the project would not create a direct demand for additional public-school services, the project applicant would be required to contribute school mitigation fees, which allows the school district to collect fees from new developments to offset the costs associated with increasing school capacity needs. This is a standard condition for new development and is not considered mitigation under CEQA. Therefore, the project will have a **less than significant impact** on schools.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

aa) **Libraries**	☐	☐	☐	☒

Source(s): General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

No Impact

The project involves non-residential uses that would not directly induce population growth. As such, the project would not increase the demand for library services. Therefore, the project will have **no impact** on libraries.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

bb) **Health Services**	☐	☐	☐	☒

Source(s): General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

No Impact

The project involves non-residential uses that would not directly induce population growth. As such, the project would not increase the demand for health services. The closest health service facility is the Perris Hill Medical Plaza, approximately eight miles away. Therefore, the project will have **no impact** on health services.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

RECREATION Would the project:				
cc) Parks and Recreation a. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐
b. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
c. Be located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?	☐	☐	☒	☐

Source(s): Ord. No. 460, Section 10.35 – Park and Recreation Fees and Dedications
Ord. No. 659 – Establishing Development Impact Fees
General Plan, December 8, 2015
Multipurpose Open Space Element
Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

a & b) *Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact

The project is the development of a commercial project that does not include a tract or parcel map, so Ordinance No. 460 does not apply. However, Ordinance No. 659 will apply as appropriate as the applicant will pay the required DIF. The project does not include any type of residential use or other land use that will generate population growth and increase the use of existing neighborhood and regional parks or recreational facilities. Accordingly, implementation of the project would not result in the construction or expansion of recreational facilities or result in increased use of existing recreational facilities. Therefore, the impact on existing recreational facilities or the need for new facilities is **less than significant**.

c) *Be located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?*

Less Than Significant Impact

The project site is located within the County Service Area 152 (CSA-152). CSA-152 is administered through the County's Environmental Health Department to provide street sweeping. It does not address recreational facilities. Pursuant to Ordinance No. 659, the project will pay DIF to construct facilities, purchase regional parkland, and preserve habitat and open space and, therefore, will have a **less than significant impact** on a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees).

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

dd) **Recreational Trails** a. Include the construction or expansion of a trail system?	☐	☐	☐	☒

Source(s): General Plan, December 8, 2015
Circulation Element
Figure C-6 – Riverside County Trails and Bikeway System
Elsinore Area Plan, August 4, 2020
Figure 8 – Elsinore Area Plan Trails and Bikeway System
Lake Elsinore General Plan – Chapter 2.0 – Community Form
Figure 2.6 – City of Lake Elsinore Elsinore Area Trails System
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

Include the construction or expansion of a trail system?

No Impact

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The property is located within the Elsinore Area Plan. Per Figure 8 – Elsinore Area Plan Trails and Bikeway System, no trails are identified on the subject property. A Community Trail is proposed to the north of the subject property with the trailhead off Highway 74/Central Avenue and the trail going north into the County area and connecting to other trails. The City of Lake Elsinore's General Plan shows a similar trail system connection. Implementation of the project would not interfere with using any existing trails. The project would **not impact** the use of an existing trail system.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

TRANSPORTATION Would the project:				
ee) Transportation				
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☒	☐	☐
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Cause an effect upon, or a need for new or altered maintenance of roads?	☐	☐	☐	☒
e. Cause an effect upon circulation during the project's construction?	☐	☒	☐	☐
f. Result in inadequate emergency access or access to nearby uses?	☐	☒	☐	☐

Source(s):

General Plan, December 8, 2015
- Circulation Element
- Figure C-1 – Circulation Plan
- Figure C-3 – Street Classification Cross-Sections
- Figure C-6 – Riverside County Trails and Bikeway System
- Figure C-8 – Scenic Highways

Elsinore Area Plan, August 4, 2020
- Figure 7 – Elsinore Area Plan Circulation
- Figure 8 – Elsinore Area Plan Trails and Bikeway System
- Figure 9 – Elsinore Area Plan Scenic Highway

Lake Elsinore General Plan – Chapter 2.0 – Community Form
- Figure 2.2 – City of Lake Elsinore Roadway Cross Sections
- Figure 2.3 – City of Lake Elsinore Roadway Classifications
- Figure 2.5 – City of Lake Elsinore Bikeway Plan
- Figure 2.6 – City of Lake Elsinore Elsinore Area Trails System

Map My County GIS Database, accessed June 17, 2021

Riverside County Transportation Commission, Riverside County Long Range Transportation Study, December 2019

Riverside County Transportation Analysis Guidelines for Level of Service Vehicle Miles Traveled, December 2020

Central Avenue Gas Station Vehicle Miles Traveled (VMT) Analysis, prepared by Integrated Engineering Group, February 2021 (Appendix N)
Central Avenue Gas Station Traffic Impact Analysis, prepared by Integrated Engineering Group, October 2021 (Appendix O)

Findings of Fact:

a) *Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?*

Less Than Significant Impact with Mitigation

STREET/HIGHWAY FACILITIES

The project is located at Highway 74/Central Avenue intersection and Chris Circle/Ardenwood Way. Access to the project site will be provided via a newly constructed driveway and cul-de-sac (Chris Circle) on the western leg of Highway 74/Central Avenue and Ardenwood Way signalized intersection. The County General Plan designates Highway 74/Central Avenue as an Expressway with six to eight lanes within 128' to 220' right-of-way. The City of Lake Elsinore designates Highway 74/Central Avenue as an Augmented Urban Arterial – State Highway of eight lanes with a 14' median in a 134' right-of-way.

Currently, Highway 74/Central Avenue from Conard Avenue to Rosetta Canyon Drive functions as a 4-lane arterial highway between Conard Avenue and Allan Street and a 5-lane arterial highway between Allan Street and Rosetta Canyon Drive. The posted speed limit on Highway 74/Central Avenue is 55 miles per hour (mph).

After coordination with both the County and the City of Lake Elsinore, it has been determined that Highway 74/Central Avenue in the area of the project site shall eventually be developed per the City of Lake Elsinore's General Plan designation of an Augmented Urban Arterial – State Highway of eight lanes with a14' median in a 134' right-of-way.

ON-SITE ROADWAY AND SITE ACCESS IMPROVEMENTS

Wherever necessary, the roadway adjacent to the project site and the site access point will be constructed in compliance with recommended roadway classifications and respective cross-sections in the City of Lake Elsinore General Plan satisfactory to the City Engineer and County Public Works Department.

Sight distance at the project access point should be reviewed with respect to standard Caltrans and City/County sight distance standards at the time of final grading, landscaping, and street improvement plans.

Signing/striping should be implemented in conjunction with detailed construction plans for the project site.

SUMMARY OF LOCAL AND REGIONAL FUNDING MECHANISMS

This portion of Highway 74/Central Avenue between I-15 and Ethanac Road is planned under TUMF to be expanded from the existing four lanes to six lanes. However, the work has not yet

been scheduled at this time. The project will contribute its fair share toward off-site improvements through payment of TUMF fees based on the current fees at the time of construction of the project.

ALTERNATIVE MODES OF TRANSPORTATION

Alternative modes of transportation mean any other way to commute other than driving alone. Examples include biking, walking, carpooling, and taking public transit.

Pedestrian

Pedestrian crosswalks are generally provided at signalized intersections along Highway 74/Central Avenue with sidewalks along the corridor.

Bicycles

Class II bike lanes in both directions are provided along Highway 74/Central Avenue. Implementation of the project would not interfere with the use of these bikeways.

Public Transit Services

The Riverside Transit Agency (RTA) is the main transit agency servicing the County of Riverside. Currently, RTA operates Route 9 within the vicinity of the project. Route 9 operates seven days a week and connects to the Lake Elsinore Outlet Center south of the site and the Perris Station Transit Center north of the site. Weekday and weekend service frequency is 60 to 90 minutes. Bus stops for Route 9 are currently located at the intersection of Highway 74/Central Avenue and Rosetta Canyon Road for northbound and southbound service, about 1,150 feet from the site. Pedestrian accessibility and connectivity from the project site to these bus stops are provided with signalized crossings at the intersection of Highway 74/Central Avenue and Ardenwood Way and a sidewalk along the south side of Highway 74/Central Avenue to the bus stops.

TEMPORARY TRAFFIC IMPACTS FROM CONSTRUCTION

The project will be balancing the cut and fill, so no import or export of dirt to the site is expected. However, construction activities may temporarily restrict vehicular traffic. Temporary changes to the existing roadway network require the approval of the County and the City of Lake Elsinore and notification to all emergency responders. Pursuant to **MM TRA-1,** the preparation of a construction management plan to the specifications and approval of both the County and the City of Lake Elsinore will ensure temporary traffic impacts from construction will maintain adequate access for emergency vehicles and evacuation procedures during construction. Implementing federal, state, and local laws and regulations, including **MM TRA-1**, would result in **less than significant impacts with mitigation,** directly, indirectly, or cumulatively, from temporary traffic impacts from construction on adequate access for emergency vehicles and adopted emergency response or evacuation plans.

MM TRA-1: The construction contractor shall evaluate the improvements needed based on the signed plans. Prior to construction staging, the construction contractor shall prepare a traffic control plan for the County and City of Lake Elsinore's approval

for any construction activities encroaching into the public right-of-way. The traffic control plan shall include measures designed to reduce the impact of temporary construction traffic and any necessary lane closures. Such measures may include, but are not limited to, providing early notification of closures to the County Fire Department and Sherriff's Department, residents, and nearby businesses; the use of signage before and during construction activities that clearly delineates detour routes around lane closures; and flaggers to direct traffic in the vicinity of the closure.

COUNTY TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

No TIP projects are proposed for Highway 74/Central Avenue.

LONG RANGE TRANSPORTATION STUDY

Every county in California is required to develop a Congestion Management Program (CMP) that looks at the links between land use, transportation, and air quality. In its role as Riverside County's Congestion Management Agency, RCTC prepares and periodically updates the county's CMP to meet federal Congestion Management Process guidelines. RCTC's current CMP was adopted in December 2011. The CMP has since been incorporated into the Commission's Long Range Transportation Plan (LRTP), which was completed in December 2019.

Highway 74/Central Avenue is the Ethanac Corridor in the Study and is not funded under the program but rather a Riverside County TLMA project. Therefore, this project has **no impact** under the LRTP guidelines, directly, indirectly, or cumulatively on an LRTP roadway.

SUMMARY

As described above and as designed and conditioned, the project will have a **less than significant impact with mitigation**, directly, indirectly, or cumulatively, on the performance of the circulation system, transit system, roadways, and bicycle and pedestrian facilities.

b) *Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Less Than Significant Impact

VEHICLE MILES TRAVELED (VMT)

On September 27, 2013, Senate Bill (SB) 743 was signed into State law. It started a process intended to fundamentally change transportation impact analysis as part of the California Environmental Quality Act (CEQA) compliance.

As a result, the California Natural Resource Agency updated the CEQA transportation analysis guidelines in 2018. In this update, automobile delay and level of service (LOS) metrics are no longer used to determine transportation impacts. Instead, after July 1, 2020, transportation analysis under CEQA must use vehicle miles traveled (VMT) to determine land-use projects' impacts.

VMT Analysis Guidelines

The project is within the County of Riverside (County) jurisdiction. The County has adopted VMT guidelines as part of the Riverside County Transportation Analysis Guidelines for Level of Service Vehicle Miles Traveled dated December 2020. These guidelines provide guidance on evaluating VMT for transportation-related impacts under CEQA.

Screening Criteria

The project proposes a gas station with 3,516 square feet for the convenience store.

Screening Criteria Small Projects

Based on the Guidelines, Retail buildings with an area less than or equal to 60,000 square feet would be presumed to cause a less-than-significant impact. The project would potentially have a gas station with a total of 3,516 square feet of retail/convenience store. The project's retail component does qualify for the small project screening.

Screening Criteria Local-Serving Retail

The proposed retail would serve the other uses on the site and the local community. The guidelines state that to be considered local retail, no single store on-site exceeds 50,000 square feet. As stated previously, the entire project site provides approximately 3,516 square feet for a convenience store that is considered local retail. The project's retail component could qualify for the Local-Serving Retail screening. Additionally, the project anticipated GHG emissions are less than 3,000 Metric Tons of Carbon Dioxide Equivalent (MTCO2e) per year; therefore, the project could also be screened out based on GHG emissions that fall below the screening level threshold.

Impact Determination

The project's retail component qualifies for screening as a small project. For this reason, the project's retail component would be presumed to be **less than significant** for VMT impacts.

c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Less Than Significant Impact

Access to the project site will be provided via a newly constructed driveway and cul-de-sac (Chris Circle) on the western leg of Highway 74/Central Avenue and Ardenwood Way signalized intersection. The project will include on-site circulation improvements (driveways and internal drive aisles), frontage improvements along the project site boundary, and roadway improvements to Highway 74/Central Avenue. These on-site and adjacent improvements would be designed in accordance with all applicable design standards set forth by the City of Lake Elsinore, the County, and Caltrans. The design will undergo County and Fire Department review before approval to ensure that the local development standards for roadways are met without resulting in traffic safety impacts, including hazardous design features. Based on the above

analysis, the project would have a **less than significant impact** on substantially increasing hazards due to a geometric design feature or incompatible uses.

d) *Cause an effect upon, or a need for new or altered maintenance of roads?*

No Impact

The project would be served by the existing Highway 74/Central Avenue and the existing signalized intersection of Highway 74/Central Avenue and Ardenwood Way. A new roadway, Chris Circle, a cul-de-sac, is being constructed to serve the site and a number of other commercial sites. The new roadway is short in length, as was approved for the car wash to the south of the subject site. As such, the project **would not impact** or require new or altered maintenance of roads.

e) *Cause an effect upon circulation during the project's construction?*

Less Than Significant Impact with Mitigation

Project construction would occur over an approximate 6-month duration. Construction activities are estimated to require up to 39 worker vehicle trips daily to access the site and up to 10 vendor trips daily to deliver building materials (Appendix A of the Air Quality and Greenhouse Gas Impact Study). These trips would only occur during the temporary construction phase and would result in a negligible increase in traffic on existing roadways. Project construction would require off-site roadway improvements adjacent to the project site, within existing roadways. No full road closures are proposed. To ensure that impacts associated with temporary lane closures are minimized, the project applicant must prepare a traffic control plan through the implementation of **MM-TRA-1**. This construction traffic plan would include measures designed to reduce the impact of temporary construction traffic and any necessary lane closures and adequate access for emergency vehicles and evacuation procedures during construction. Such measures may include but are not limited to providing early notification of closures to the fire and police services, residents, and nearby businesses; the use of signage before and during construction activities that clearly delineates detour routes around the lane and street closures; and flaggers to direct traffic in the vicinity of the closure. The project would have a **less than significant impact with mitigation** on circulation during the project's construction and on inadequate emergency access or access to nearby uses.

f) *Result in inadequate emergency access or access to nearby uses?*

Less Than Significant Impact with Mitigation

Project access will be provided off Highway 74/Central Avenue via Chris Circle. Highway 74/Central Avenue is an existing roadway within the County's and the City of Lake Elsinore's established street system. The project will not significantly alter this roadway or the existing circulation pattern in the project area.

Improvements to Highway 74/Central Avenue as part of the project include a raised median at the intersection of Highway 74/Central Avenue and Allan Street in the north-south direction to restrict access to right-in/right-out only at the intersection and the widening of Highway 74/Central Avenue to its ultimate classification, per the City of Lake Elsinore General Plan, along

the property frontage to an eight (8)-lane augmented urban arterial including the implementation of a signal modification at the intersection of Highway 74/Central Avenue and Ardenwood Way. Therefore, emergency access and evacuation routes will be unaffected by the project. Access to the project site and nearby uses will still be provided.

Construction activities may temporarily restrict vehicular traffic. However, even temporary changes to the existing roadway network require the approval of the County and the City of Lake Elsinore and notification to all emergency responders. Pursuant to **MM TRA-1** for the preparation of a construction management plan to the specifications and approval of both the County and the City of Lake Elsinore, the project will provide adequate access for emergency vehicles and evacuation procedures during construction. Developing the project per the requirements of the County and the City of Lake Elsinore, including adequate street widths and vertical clearance, will ensure adequate access for emergency vehicles and evacuation procedures during the project's life. Implementing federal, state, and local laws and regulations, including **MM TRA-1**, would result in **less than significant impacts with mitigation,** directly, indirectly, or cumulatively, to adopted emergency response or evacuation plans.

Mitigation:

MM TRA-1: The construction contractor shall evaluate the improvements needed based on the signed plans. Prior to construction staging, the construction contractor shall prepare a traffic control plan for the County and City of Lake Elsinore's approval for any construction activities encroaching into the public right-of-way. The traffic control plan shall include measures designed to reduce the impact of temporary construction traffic and any necessary lane closures. Such measures may include, but are not limited to, providing early notification of closures to the County Fire Department and Sherriff's Department, residents, and nearby businesses; the use of signage before and during construction activities that clearly delineates detour routes around lane closures; and flaggers to direct traffic in the vicinity of the closure.

Monitoring: No monitoring is required.

ff) **Bike Trails** a. Include the construction or expansion of a bike system or bike lanes?	☐	☐	☐	☒

Source(s): General Plan, December 8, 2015
Circulation Element
Figure C-1 – Circulation Plan
Figure C-3 – Street Classification Cross-Sections
Figure C-6 – Riverside County Trails and Bikeway System
Figure C-8 – Scenic Highways
Elsinore Area Plan, August 4, 2020
Figure 7 – Elsinore Area Plan Circulation
Figure 8 – Elsinore Area Plan Trails and Bikeway System
Figure 9 – Elsinore Area Plan Scenic Highway
Lake Elsinore General Plan – Chapter 2.0 – Community Form

Figure 2.2 – City of Lake Elsinore Roadway Cross Sections
Figure 2.3 – City of Lake Elsinore Roadway Classifications
Figure 2.5 – City of Lake Elsinore Bikeway Plan
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

Include the construction or expansion of a bike system or bike lanes?

No Impact

The property is located within the Elsinore Area Plan. Per Figure 8 – Elsinore Area Plan Trails and Bikeway System, no bikeways are identified in the vicinity of the project site on this plan. Class II bike lanes in both directions are provided along Highway 74/Central Avenue. Implementation of the project would not interfere with the use of these bikeways, and the project would **not impact** the use of an existing bikeway system.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

TRIBAL CULTURAL RESOURCES Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:				
gg) Tribal Cultural Resources a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?	☐	☒	☐	☐
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)	☐	☒	☐	☐

Source(s): Native American Consultation
Phase 1 Cultural Resources Assessment Report for the 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Lake Elsinore, Riverside County, California, prepared by Red Tail Environmental, February 2021 (Appendix E)

Findings of Fact:

a & b) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?*

A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

Less Than Significant Impact with Mitigation

Changes in the California Environmental Quality Act, effective July 2015, require that the County address a new category of cultural resources – tribal cultural resources – not previously included within the law's purview. Tribal Cultural Resources are those resources with inherent tribal values that are difficult to identify through the same means as archaeological resources. These resources can be identified and understood through direct consultation with the tribes who attach tribal value to the resource. Tribal cultural resources may include Native American archaeological sites, but they may also include other types of resources such as cultural landscapes or sacred places. The appropriate treatment of tribal cultural resources is determined through consultation with tribes.

In compliance with Assembly Bill 52 (AB52), notices regarding this project were mailed to seven tribes on February 16, 2021. A consultation was requested by the Rincon Band of Mission Indians, Pechanga Band of Mission Indians, and the Soboba Band of Mission Indians.

No response was received from the Ramona Band of Cahuilla Mission Indians, Pala Band of Mission Indians, Cahuilla Band of Indians, or Colorado River Indian Tribe

The Rincon Band responded in a letter requesting consultation dated March 4, 2021. The tribe was provided with the cultural report and the conditions of approval. Rincon recommends that a Native Monitor be required during grading for this project. A letter concluding consultation was received from Rincon dated March 10, 2021.

The Soboba Band requested consultation in an email letter dated March 22, 2021. The tribe was provided with the cultural report and the conditions of approval. Soboba provided information that the project is within a Tribal Cultural Property (TCP) and recommends that the project be conditioned for a Native Monitor to be present during grading activities. If any subsurface Tribal Cultural Resources are identified, they will be handled culturally appropriately. The consultation was concluded on April 22, 2021.

The Pechanga Band requested consultation in an email dated March 3, 2021. The tribe was provided with the cultural report and the conditions of approval. A meeting was held with Pechanga on March 11, 2021, in which this project was discussed. Pechanga provided information as follows:

The Meadowbrook Traditional Cultural Property (TCP) is a large village complex that spans 4.5 miles in length and 1.3 miles in width in the community of Meadowbrook, east of Lake Elsinore. There are at least three separate ceremonial/religious areas within the TCP, two of which have recorded

burial/cremation locations that are associated with tóota 'eskanish (pictographs) along with a modern reinternment location. The additional 47 recorded archaeological sites that are contributing features to this TCP, consist of milling features (kitchens), tool manufacturing areas, and plant gathering and resource procurement regions. Springs and intermittent drainages are located within the TCP that would have provided water year-round. The large number of milling features, which represent individual households, accompanied by prominent, ceremonial observance locations in central locations to these living spaces, indicates there was a large population residing in this valley."

Pechanga also recommends that a Native American monitor be required as a condition of approval. Pechanga feels the area is sensitive to subsurface resources, and there is the possibility that previously unidentified resources might be found during ground-disturbing activities. As such, the project has been conditioned for a Tribal Monitor from the consulting Tribe(s) to be present during grading activities. Any Tribal Cultural Resources found during project construction activities will be handled culturally appropriately. The consultation concluded with Pechanga on April 13, 2021. (**SC TCR-1**)

The project will also be required to adhere to State Health and Safety Code Section 7050.5 if human remains are encountered and by ensuring that no further disturbance occurs until the County Coroner has made the necessary findings as to the origin of the remains. Furthermore, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. (**SC TCR-2**)

CEQA requires the Lead Agency to address any unanticipated cultural resources discoveries during project construction. Therefore, a condition of approval (**SC TCR-3**) that dictates the procedures to be followed should any unanticipated cultural resources be identified during ground-disturbing activities has been placed on this project. With the inclusion of these Conditions of Approval and the following mitigations, impacts to any previously unidentified Tribal Cultural Resources would be **less than significant with mitigation**.

Mitigation:

MM TCR-1: **060 – Native American Monitoring** – Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for a Native American Monitor.

In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. In addition, the Native American Monitor(s) shall be on-site during all initial ground-disturbing activities and excavation of each portion of the project site, including clearing, grubbing, tree removals, grading, and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

The developer/permit applicant shall submit a fully executed copy of the agreement to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.

This agreement shall not modify any condition of approval or mitigation measure
Monitoring: Native American Monitoring will be conducted by a representative from the consulting tribe(s).

Monitoring: Native American Monitoring will be conducted by a representative from the consulting tribe(s).

MM TCR-2: **If Human Remains Found** – In the event that human remains are encountered and by ensuring that no further disturbance occurs until the County Coroner has made the necessary findings as to the origin of the remains. Furthermore, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made

MM TCR-3: **Unanticipated Resources** – The developer/permit holder or any successor in interest shall comply with the following for the life of this permit.

If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted, and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representatives), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc.) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other.

** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the significance of the cultural resource, attend the meeting described above, and continuous monitoring of all future site grading activities as necessary.

UTILITIES AND SERVICE SYSTEMS Would the project:				
hh) Water a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage systems, whereby the construction or relocation would cause significant environmental effects?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐

Source(s):
General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021
Hydrology Report for 28771 Central Avenue Gas Station, prepared by Kamal Mchantaf, March 10, 2021 (Appendix J)
Project Specific Water Quality Management Plan, 28771 Central Avenue Gas Station, prepared by Western States Engineering, Inc., September 23, 2020, Revised May 3, 2021 (Appendix K)
Riverside County Watershed Protection
National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements – Order No. R8-2010-0033 – NPDES No. CAS 618033
California Regional Water Quality Control Board, Santa Ana Region
Elsinore Valley Municipal Water District 2020 Urban Water Management Plan, June 2021
Elsinore Valley Municipal Water District Elsinore Valley Subbasin Groundwater Sustainability Plan, Draft July 2021

Findings of Fact:

a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage systems, whereby the construction or relocation would cause significant environmental effects?*

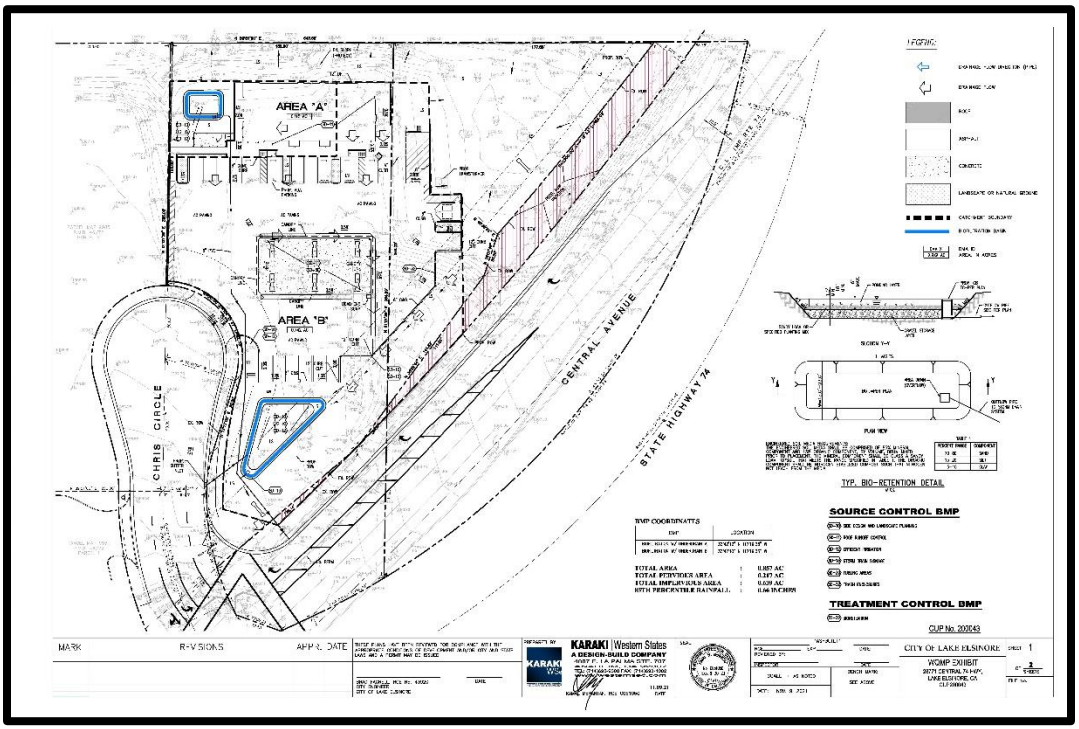
Less Than Significant Impact

Water – The project will get water from the Elsinore Valley Municipal Water District (EVMWD). EVMWD received its water from three primary sources, local groundwater pumped from EVMWD-owned well, surface water from Canyon Lake Reservoir and treated at the Canyon Lake Water Treatment Plant, and imported water purchased from Metropolitan Water District through Western Municipal Water District. The project site is located in the Elsinore Valley Subbasin groundwater basin of the EVMWD. This groundwater basin provides approximately 5,500acre-feet of water every year for EVMWD. The site will provide water via an eight-inch water line connection into Chris Circle from Highway 74/Central Avenue. EVMWD has provided a "will serve" letter on July 9, 2021, indicating they will provide water to the project. The project will have a **less than significant impact** on the requirement for or the relocation or construction of new or expanded water systems.

Wastewater – The project will receive sewer services from EVMWD, who provided a "will serve" letter on July 9, 2021. Sewer will be provided via a three-inch force line connection in Chris Circle from Highway 74/Central Avenue. Sewer flows collected at this location would go to the EVMWD Regional Water Reclamation Facility (WRF) for treatment. This facility recently received an $8.9 million grant from the United States Bureau of Reclamation toward expanding the facility. The project will significantly increase the facility's capacity and equip EVMWD to meet the needs of the community's growing population. The project will have a **less than**

significant impact on the requirement for the relocation or construction of new or expanded wastewater systems.

Storm Water – Runoff from the project site currently drains toward a bio-retention area on the northwest, north, and southwest portions of the site. The project proposes two bio-retention basins with a ponding depth of 0.5-feet, soil media depth of 1.5-feet, and gravel depth of one foot. The basins will have volume capacities of 1,624 cubic feet for Bio Area A and 3,173 cubic feet for Bio Area B. The volume is more than adequate to contain the increase in the 100-Year 24-hour storm volumes from the development. Stormwater quality mitigation is addressed in the Project Specific Preliminary Water Quality Management Plan, including designing landscaping to minimize irrigation and runoff.



The project is in the Santa Ana River Watershed, Temescal Creek Drainage Area, overseen by the Santa Ana RWQCB. Temescal Creek drains northerly from Lake Elsinore to the Santa Ana River and eventually to the Pacific Ocean.

Pursuant to NPDES regulations, the County will require that the project complies with existing Santa Ana RWQCB and County stormwater controls, including compliance with NPDES construction and operation measures to prevent erosion and siltation and transport of urban pollutants. In addition, the County is a Co-Permittee. It is required to comply with the Riverside County municipal separate storm sewer system (MS4) permit (Waste Discharge Requirements for Riverside County - Order No. 2010-0033, NPDES No. CAS618033) adopted by the Regional Board on January 29, 2010. In conformance with this MS4 permit and the Water Quality Management Plan (WQMP), the project is required to implement structural and non-structural Best Management Practices (BMPs) to retain and treat pollutants of concern (in dry-weather runoff and first-flush stormwater runoff) consistent with the MEP standard, and minimize hydrologic conditions of concern (HCOCs), both during and post-construction. Additionally,

General Plan 2030 Policies CSI-4.3 and CSI-4.8 require the County to prevent pollutant discharge into drainage systems. The project will have a **less than significant impact** on the requirement for or the relocation or construction of new or expanded stormwater drainage systems.

b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?*

Less Than Significant Impact

The Elsinore Valley Municipal Water District (EVMWD) will serve the project site, which serves approximately 42,000 water, wastewater, and agricultural customers in the Elsinore Valley. The EVMWD 2020 Urban Water Management Plan (UWMP) accounts for existing and forecasted development in its supply and demand forecasts. The project would include the construction and operation of land uses consistent with the land use designation established by the County's General Plan. Therefore, the UWMP supply and demand forecasts accounted for and anticipated the commercial development within the project site. The 2020 UWMP does not anticipate supply shortages within the next five years.

The site will provide water via an eight-inch water line connection into Chris Circle from Highway 74/Central Avenue. EVMWD has provided a "will serve" letter on July 9, 2021, indicating they will provide water to the project. The project will have a **less than significant impact** on EVMWD water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

ii) Sewer a. Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, whereby the construction or relocation would cause significant environmental effects?	☐	☐	☒	☐
b. Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐

Source(s):
General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
Map My County GIS Database, accessed June 17, 2021
Hydrology Report for 28771 Central Avenue Gas Station, prepared by Kamal Mchantaf, March 10, 2021 (Appendix J)
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California Regional Water Quality Control Board, Santa Ana Region
Elsinore Valley Municipal Water District 2020 Urban Water Management Plan, June 2021
Elsinore Valley Municipal Water District Elsinore Valley Subbasin Groundwater Sustainability Plan, Draft July 2021
Department of Environmental Health Review
County of Riverside General Plan Volume 1: Program EIR No. 521

Findings of Fact:

a) *Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, whereby the construction or relocation would cause significant environmental effects?*

Less Than Significant Impact

The project will receive sewer services from EVMWD, who provided a "will serve" letter on July 9, 2021. Sewer will be provided via a three-inch force line connection in Chris Circle from Highway 74/Central Avenue. Sewer flows collected at this location would go to the EVMWD Regional Water Reclamation Facility (WRF) for treatment. This facility recently received an $8.9 million grant from the United States Bureau of Reclamation toward expanding the facility. The project will significantly increase the facility's capacity and equip EVMWD to meet the needs of the community's growing population. The project will have a **less than significant impact** on the requirement for the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, whereby the construction or relocation would cause significant environmental effects.

b) *Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Less Than Significant Impact

The project would generate an increase in the amount of wastewater which would necessitate increased wastewater treatment capacity, but not beyond the amount planned for under the County General Plan as the project is consistent with the General Plan land use. Compliance with federal and state regulations, including the Federal Water Pollution Control Act of 1972 (aka the Clean Water Act), the Federal Safe Drinking Water Act, the California Porter-Cologne Water Quality Control Act of 1970, and the California Code of Regulations Title 22 - Recycled Water: - Recycled Water will help to reduce impacts on the demands to the wastewater treatment facility and its capacity. As will compliance with the following Riverside County regulations:

Ordinance No. 458 - Regulating Flood Hazard Areas and Implementing the National Flood Insurance Program: This ordinance enacts measures that ensure that water and wastewater systems are adequately protected from flooding and would not contaminate or be contaminated by floodwaters. Thus, Ordinance No. 458 protects water supplies,

water and wastewater facilities, and water quality for both surface water and groundwater.

Ordinance No. 592 – Regulating Sewer Use, Sewer Construction, and Industrial Wastewater Discharges in County Service Areas: This ordinance sets various standards for sewer use, construction, and industrial wastewater discharges within Riverside County to protect both water quality and the infrastructure conveying and treating these wastewaters. Ordinance No. 592 protects water quality by prohibiting discharges to public sewers (which directly or indirectly connects to Riverside County's sewerage system) of any wastes that may have an adverse or harmful effect on sewers, maintenance personnel, wastewater treatment plant personnel or equipment, treatment plant effluent quality, public or private property or may otherwise endanger the public, the local environment or create a public nuisance. As a result, Ordinance No. 592 protects water supplies, water and wastewater facilities, and water quality for both surface water and groundwater.

Ordinance No. 650 – Sewer Discharge in Unincorporated Territory: This ordinance protects water quality, storm drains, and surface waters by prohibiting the discharge or deposition of any sewage, sewage effluent or non-hazardous waste, treated or untreated, into any streams or bodies of water above or below the ground, within Riverside County. It also establishes a variety of regulations regarding sewer connections and OWTS (loosely, septic systems and other localized sewer systems). In this way, Ordinance No. 650 protects water supplies, water, wastewater facilities, and water quality for surface water and groundwater from sewage-related pollutants, such as bacteria and pathogens.

Ordinance No. 754 - Stormwater/Urban Runoff Management and Discharge Controls: This ordinance regulates discharges to storm drain systems and pollutants entering storm drains (and, ultimately, surface and groundwater within Riverside County). Among other things, the ordinance requires that all discharge to storm drain systems be confined to stormwater runoff discharged pursuant to an NPDES permit and RWQCB authorization. Thus, Ordinance No. 754 mitigates impacts from stormwater flow, runoff, and pollutants carried by them and their effects on water quality.

The project will receive sewer services from EVMWD, who provided a "will serve" letter on July 9, 2021. Compliance with the noted federal. State and County regulations will ensure that the project will have a **less than significant** impact and result in a determination by the wastewater treatment provider that serves the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

jj) Solid Waste a. Generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Comply with federal, state, and local management and reduction statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
County of Riverside General Plan Volume 1: Program EIR No. 521
Map My County GIS Database, accessed June 17, 2021
Characterization of Building-Related Construction and Demolition Debris In The United States, prepared by Franklin Associates for the U.S. Environmental Protection Agency Municipal and Industrial Solid Waste Division Office of Solid Waste Report No. EPA530-R-98-010, June 1998

Findings of Fact:

a & b) *Generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Comply with federal, state, and local management and reduction statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?

Less Than Significant Impact

CR&R Waste and Recycling Services will serve the project. CR&R transports solid waste to the Badlands landfill. Prior to reaching the landfill, waste will be taken to a Robert A. Nelson Transfer Station/Material Recovery Facility for consolidation and transport to the sanitary landfill. The Riverside County Department of Waste Resources owns and operates the landfill. The landfill has a permitted capacity of 4,000 tons per day and has an estimated disposal capacity of 17,619,521 tons. The disposal capacity is expected to last through 2024 (General Plan EIR NO. 521 Table 4.17L).

Implementation of the project would generate an incremental increase in solid waste volumes requiring off-site disposal during short-term construction and long-term operational activities. The construction process would generate solid waste requiring disposal, primarily consisting of discarded materials and packaging. Based on the size of the project (i.e., 3,516 square feet of building area) and the United States Environmental Protection Agency's (EPA) construction waste generation factor for non-residential buildings of 3.89 pounds per square foot, approximately 6.84 tons of waste is expected to be generated during the project's construction phase (Characterization of Building-Related Construction and Demolition Debris In The United States). In compliance with the CalGreen Code, a minimum of 65 percent of all solid waste must be diverted from landfills (by recycling, reusing, and other waste reduction strategies). Therefore, the project is estimated to generate approximately 2.39 tons of solid waste during its construction phase and dispose of it in a landfill. Based on the anticipated construction schedule, the project's construction phase is estimated to last for approximately 240 days; therefore, the project is estimated to generate approximately 0.010 tons of solid waste per day, requiring landfill disposal during construction.

Operationally the project is expected to generate 2.4 tons of solid waste per 1,000 square feet of building area (General Plan EIR NO. 521 Table 4.17P) (3,516/1000 x 2.4) or 8.44 tons of solid waste per year. Compliance with federal, state, and local statutes and regulations regarding solid waste generation, transport, and disposal is intended to decrease solid waste generation through mandatory reductions in solid waste quantities (e.g., through recycling and composting of green waste) and the safe and efficient transport of solid waste.

The project would be required to develop a collection program for recyclables, such as paper, plastics, glass, and aluminum, in accordance with local and state programs, including AB 341, Mandatory Commercial Recycling, and the California Solid Waste Reuse and Recycling Act of 1991. Additionally, the project would be required to comply with applicable practices enacted by the County under the California Integrated Waste Management Act of 1989 (AB 939) and any other applicable local, state, and federal solid waste management regulations. AB 939 required that local jurisdictions divert at least 50 percent of all solid waste generated by January 1, 2000. The diversion goal has been increased to 75 percent by 2020 by SB 341. Further, the Solid Waste Disposal Measurement Act of 2008 (SB 1016) was established to make the process of goal measurement (as established by AB 939) simpler, timely, and accurate. SB 1016 builds on AB 939 compliance requirements by implementing a simplified measure of jurisdictions' performance. SB 1016 accomplishes this by changing to a disposal-based indicator—the per capita disposal rate—which uses only two factors: (1) a jurisdiction's population (or, in some cases, employment); and (2) its disposal, as reported by disposal facilities.

In addition, the project will be required to provide adequate areas for the collection and loading of recyclable materials (i.e., paper products, glass, and other recyclables) in compliance with the State Model Ordinance, implemented on September 1, 1994, in accordance with AB 1327, Chapter 18, California Solid Waste Reuse and Recycling Access Act of 1991 and to coordinate with appropriate County departments and/or agencies to ensure that there is adequate waste disposal capacity to meet the waste disposal requirements of the project. The County shall recommend that all development projects incorporate waste reduction, reuse, recycling, and composting measures.

Compliance with all federal, state, and County regulations for solid waste disposal, including those noted above, will ensure that the project will have a **less than significant impact** on the generation of solid waste in excess of state or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals and would comply with federal, state, and local management and reduction statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan).

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

kk) Utilities

Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities, whereby the construction or relocation would cause significant environmental effects?

a) Electricity?	☐	☐	☒	☐
b) Natural gas?	☐	☐	☐	☒
c) Communications systems?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Street lighting?	☐	☐	☐	☒
e) Maintenance of public facilities, including roads?	☐	☐	☒	☐
f) Other governmental services?	☐	☐	☐	☒

Source(s): General Plan, December 8, 2015
Elsinore Area Plan, August 4, 2020
County of Riverside General Plan Volume 1: Program EIR NO. 521
Map My County GIS Database, accessed June 17, 2021

Findings of Fact:

a) Electricity

Less Than Significant Impact

Southern California Edison (SCE) will provide electrical service to the project site. The project will receive electrical power by connecting to Southern California Edison's existing electrical infrastructure adjacent to the project site on power poles along Highway 74/Central Avenue. The connection will be overhead. The project will have a **less than significant impact** on electrical facilities, not requiring new facilities or expanding existing facilities.

b) Natural Gas

No Impact

The project will not be connecting to natural gas, so **no impact** on natural gas facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities will occur.

c) Communication Systems

Less Than Significant Impact

The project will connect to the existing communications infrastructure adjacent to the project site. Minor ground disturbances may be required off-site to connect to existing infrastructure. Any off-site disturbance would be limited to a short underground extension within the existing paved roadway. The project will have a **less than significant impact** on existing communications infrastructure facilities, not requiring or resulting in new facilities or the expansion of existing facilities.

d) Street Lighting

No Impact

The project will include the installation of on-site LED light fixtures to provide adequate lighting infrastructure. All proposed lighting will be installed within the project site, and no off-site street lighting is required. Therefore, there will be **no impact** on existing street lighting facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities will occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

e) Maintenance of Public Facilities, Including Roads

Less Than Significant Impact

The project is located at the intersection of Highway 74/Central Avenue and Chris Circle/Ardenwood Way. Access to the project site will be provided via a newly constructed driveway and cul-de-sac (Chris Circle) on the western leg of Highway 74/Central Avenue and Ardenwood Way signalized intersection. Highway 74/Central Avenue, the entire street width was relinquished by the state to the City of Elsinore, which is now responsible for the roadway's repair and maintenance. All improvements to Highway 74/Central Avenue associated with this project will be completed per the City of Elsinore and County standards. The project will also require improving the half-width of Chris Circle, including installing a median.

In addition to proposed roadway improvements, DIF collected at the time of permit issuance would fund the installation and maintenance of roadways within the Department's system to accommodate continued growth and development within the County. Therefore, impacts are **less than significant** for maintaining public facilities, including roads.

f) Other Governmental Services

No Impact

The project will not significantly impact other governmental services, such as libraries (see Section 33 above), community recreation centers, and/or animal shelters. The employees for the project are anticipated to come from the local community and, therefore, will not change the demand for other governmental services. Implementation of the project will not adversely affect other public facilities or require the construction of new or modified facilities. Therefore, **no impact** will occur on other governmental services.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

WILDFIRE If located in or near a State Responsibility Area ("SRA"), lands classified as very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief, would the project:				
ll) Wildfire Impacts a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒
e. Expose people or structures either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Source(s): General Plan, December 8, 2015
Figure S-5 – Regions Underlain by Steep Slopes
Figure S-8 – Wind Erosion Susceptibility Areas
Figure S-11 – Wildfire Susceptibility
Elsinore Area Plan, August 4, 2020
Figure 13 – Elsinore Area Plan Steep Slope
Figure 14 – Elsinore Area Plan Slope Instability
County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan, July 2018
Map 8 – Inland Wildland Fire Threat
Map 9 – Western Riverside County Wildfire Susceptibility Risks Map
Map 21 – Riverside County Slope Instability Map
Map My County GIS Database, accessed June 17, 2021
Emergency Operations Plan (EOP), Riverside County Operational Area (OA), August 2019

Findings of Fact:

a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

Less Than Significant Impact with Mitigation

The County of Riverside Emergency Management Department administers the County's Emergency Operations Plan (EOP), addressing the planned response to extraordinary emergencies associated with natural disasters, national security emergencies, and technological incidents affecting the County. The EOP describes the County's Emergency Operations Center (EOC) operations, the central management entity responsible for directing and coordinating the various County departments and other agencies in their emergency response activities.

The County's Local Hazard Mitigation Plan aims to reduce the impact of a disaster by identifying hazards and developing ways to decrease their impact. Risk assessments rate hazards with the greatest potential impact on the community. In addition, long-term prevention or protection steps are developed to lessen the impact of the hazard. The plan creates awareness of the community's hazards, threats, and vulnerabilities and paves a path forward for jurisdictions to prepare for local disasters.

However, neither of these plans address preferred evacuation routes for the County, as the evacuation route can differ depending on the event type. Therefore, it is important to provide project access and maintain roadway access.

Project access will be provided off Highway 74/Central Avenue via Chris Circle. Highway 74/Central Avenue is an existing roadway within the County's and the City of Lake Elsinore's established street system. The project will not significantly alter this roadway or the existing circulation pattern in the project area. Emergency access and evacuation routes will be unaffected by the project.

Construction activities may temporarily restrict vehicular traffic. However, even temporary changes to the existing roadway network require the approval of the County and the City of Lake Elsinore and notification to all emergency responders. Pursuant to **MM TRA-1** for the preparation of a construction management plan to the specifications and approval of both the County and the City of Lake Elsinore, the project will provide adequate access for emergency vehicles and evacuation procedures during construction. Developing the project per the requirements of the County and the City of Lake Elsinore, including adequate street widths and vertical clearance, will ensure adequate access for emergency vehicles and evacuation procedures during the project's life. Implementing federal, state, and local laws and regulations, including **MM TRA-1**, would result in **less than significant impacts with mitigation,** directly, indirectly, or cumulatively, to adopted emergency response or evacuation plans.

MM TRA-1: The construction contractor shall evaluate the improvements needed based on the signed plans. Prior to construction staging, the construction contractor shall prepare a traffic control plan for the County and City of Lake Elsinore's approval for any construction activities encroaching into the public right-of-way. The traffic control plan shall include measures designed to reduce the impact of temporary construction traffic and any necessary lane closures. Such measures may include, but are not limited to, providing early notification of closures to the County Fire Department and Sherriff's Department, residents, and nearby businesses; the use of signage before and during construction activities that clearly delineates detour routes around lane closures; and flaggers to direct traffic in the vicinity of the closure.

b & c) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Less Than Significant Impact

The project site is located in a Very High Fire severity area served by a major roadway, classified as an Expressway on the County's General Plan, in an urban area, Highway 74/Central Avenue. The site is relatively flat and, at one time, was developed with a pre-manufactured office and a barn-type structure; however, these buildings were demolished before the current owner acquired the property. The site is not located in an area subjected to soil erosion due to wind erosion susceptibility (Figure S-8 of the General Plan). Nevertheless, grading activities will be required to conform to the most current version of the California Building Code, the County Code, the approved grading plans, and good engineering practices. The project must also comply with SCAQMD Rule 402 (Nuisance) and Rule 403 (Fugitive Dust), as noted under the Air Quality

Section, which would reduce construction erosion impacts. Rule 403 requires control measures to reduce fugitive dust from active operations, storage piles, or disturbed surfaces, with a goal to omit visibility beyond the property line or avoid exceedance of 20% opacity. Rule 402 requires dust suppression techniques to be implemented to prevent dust and soil erosion from creating a nuisance off-site. Compliance with these federal, regional, and local requirements would reduce the potential for on-site and off-site erosion effects to accepted levels during project construction. Upon completion of construction activities, ground surfaces would be stabilized by project structures, paving, and landscaping. Therefore, impacts associated with soil erosion and the loss of topsoil would be **less than significant**.

The Gasoline Station will meet all Uniform Fire Code requirements to prevent accidental fires. These requirements will include crash bollards surrounding the propane tank to avoid having vehicles accidentally crashing into the above-ground propane tank. Other standards from the Uniform Fire Code require a breakaway device that allows for a safe disconnect should a customer drive off with the fueling dispenser pump still attached to their car. The fuel dispensers are equipped with Shear Valves to prevent a catastrophic event should a dispenser be knocked off the pedestal. The Shear Valve is designed to stop fuel from flowing after shearing off the dispenser.

Lastly, compliance with federal, state, and County regulations will ensure the project will have a **less than significant impact** on the exposure of project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire or the requirement for the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

No Impact

The project site is relatively flat. As identified in the Elsinore Area Plan, Figure 13 – Steep Slopes, the project and vicinity contain less than 15 percent slopes. As such, the project site would not be exposed to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. Therefore, the project would have **no impact** on the exposure of people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

e) *Expose people or structures either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

Less Than Significant Impact

As described above in Section 44(a-d), although the project is within a Very High Fire Hazard Severity Zone, the project site and proposed land uses do not contain specific attributes or factors that exacerbate wildfire risk. To ensure the project site is designed to minimize potential wildfire risk, the project would be required to comply with applicable provisions of the CBC, California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787, and Riverside County Fire Department Standards pertaining to human health and safety.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The Gasoline Station will meet all Uniform Fire Code requirements to prevent accidental fires. These requirements will include crash bollards surrounding the propane tank to avoid having vehicles accidentally crashing into the above-ground propane tank. Other standards from the Uniform Fire Code require a breakaway device that allows for a safe disconnect should a customer drive off with the fueling dispenser pump still attached to their car. The fuel dispensers are equipped with Shear Valves to prevent a catastrophic event should a dispenser be knocked off the pedestal. The Shear Valve is designed to stop fuel from flowing after shearing off the dispenser.

Compliance will all federal, state, and county regulations concerning development in a very high fire severity zone will ensure the project will have a **less than significant impact** on the exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required

MANDATORY FINDINGS OF SIGNIFICANCE Does the Project:				
mm) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self- sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐

Source(s): All sources previously identified in Sections 7, 8, 9, 28, & 39.

Findings of Fact:

Implementation of the project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal with the implementation of **MM BIO-1**. As described in Section 7, the project has a low potential for impacts on special-status plants and wildlife. Therefore, with the implementation of **MM BIO-1** (pre-construction nesting bird surveys), impacts on special-status plants and wildlife species would be **less than significant with mitigation**.

The project will not eliminate important examples of the major periods of California history or prehistory. It will have a **less than significant impact with mitigation,** as described in Sections 8, 9, 28 & 39. The project would not result in impacts on any known historic, archaeological, paleontological, or tribal cultural resources. Nevertheless, it is possible that resources would be encountered at subsurface levels during ground-disturbing construction activities. To reduce potential adverse effects to post-review discoveries during project implementation, procedures for the accidental discovery of resources will be implemented through **MM CUL-1** through **MM CUL-3**, **MM PAL-1**, and **MM TCR-1** through **MM TCR-3**.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
nn) Have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?	☐	☒	☐	☐

Source(s): All sources previously identified in Sections 1 through 44.

Findings of Fact:

The project cumulatively adds to the impacts of aesthetics, air quality, biological resources, cultural resources, energy, greenhouse gas emission, hazards & hazardous materials, hydrology/water quality, land use/planning, noise, paleontological resources, population/housing, public services, recreation, transportation, tribal cultural resources, utilities/service systems, and wildfire. However, the project is consistent with the County General Plan land use designation and was planned and analyzed under the County's General Plan Program EIR No. 521. Mitigation would be required to reduce potentially significant impacts related to aesthetics, biological resources, cultural resources, hazardous & hazardous materials, paleontological resources, transportation, tribal cultural resources, and wildfire. As such, cumulatively considerable impacts associated with the project would be **less than significant with mitigation** incorporated (**MM AES-1** & **2**, **MM BIO-1**, **MM CUL-1** through **MM CUL-3**, **MM PAL-1**, **MM TCR-1** through **MM TCR-3,** and **MM TRA-1**). The project does not have impacts that are individually limited but cumulatively considerable.

oo) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Source(s): All sources previously identified in Sections 1 through 44.

Findings of Fact:

Direct and indirect environmental effects on human beings were analyzed in the following sections: aesthetics, air quality, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use/planning, noise, population/housing, public services, recreation, transportation, utilities/services systems, and wildfire. As found in the discussion of each relevant section, there are no potential impacts that cannot be fully mitigated to less-than-significant levels. Furthermore, the project would comply with all applicable federal, state, and local policies and regulations. The project would not result in environmental effects that would cause substantial adverse effects on human beings, and impacts would be **less than significant with mitigation**. Mitigation would be required to reduce potentially significant impacts related to aesthetics and transportation. (**MM AES-1** & **2**, and **MM TRA-1**).

VIII. EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Earlier Analyses Used, if any: County of Riverside General Plan Volume 1: Program EIR No. 521

Location Where Earlier Analyses, if used, are available for review:

Location: County of Riverside Planning Department
4080 Lemon Street 12th Floor
Riverside, CA 92501

Revised: 3/2/2023 12:08 PM
Y:\Planning Master Forms\Templates\CEQA Forms\EA-IS_Template.docx

MD ACOUSTICS
Sound Solutions for Planning and Design

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4960 S. Gilbert Road, Ste 1-461
Chandler, AZ 85249
p. (602) 774-1950

CA Office
1197 Los Angeles Avenue, Ste C-256
Simi Valley, CA 93065
p. (805) 426-4477

www.mdacoustics.com

March 30, 2021

Mr. Joesph Karaki
Karaki WS
4887 E. Las Palmas Ave., Ste 707
Anaheim, CA 92807

Subject: Gas Station & Convenience Store – Lighting Study, County of Riverside, CA
Updated 3/30/2021

Dear Mr. Karaki:

MD Acoustics, LLC (MD) has completed a lighting survey for the proposed Gas Station & Convenience Store Project located at 28771 Central Avenue (Hwy 74) in an unincorporated area of the County of Riverside within the Sphere of Influence of the City of Lake Elsinore, California. The Project proposes to develop the approximately 1.44-acre project site with a 3,516 square foot convenience market with 12 pump gas station. This letter report evaluates the existing light levels (foot-candles) to the preliminary lighting plan (prepared by LSI, 1/13/2021) and to the County's lighting general development standards (Title 8, Chapter 8.80). Appendix A contains lighting definitions.

1.0 Assessment Overview

MD conducted a site visit on 1/7/21 to evaluate the existing light conditions at the project site. MD utilized a LX1330B digital illuminance/light meter that can measure from 0 to 200,000 lux (0 to 18,580 foot-candles). The existing light conditions are compared to the preliminary photometric lighting plan as well as the requirements outlined by the County's Outdoor lighting code, Chapter 8.80.

Per the City of Lake Elsinore North Central Sphere Specific Plan Land Use Plan the site has a current land use classification of Business Professional. Land uses surrounding the site include vacant land to the west, a single-family residential use to and commercial uses to the north, multi-family residential uses to the south (across Highway 74), and single-family residential uses to the east (across Highway 74)

2.0 County of Riverside Lighting Requirements

Chapter 8.80 Outdoor Lighting outlines the following as it relates to minimum lighting requirements:

8.80.050 - Standard.

All outdoor luminaries in shall be located, adequately shielded, and directed such that no direct light falls outside the parcel of origin, or onto the public right-of-way. Outdoor luminaries shall not blink, flash or rotate.

8.80.060 – Exemptions.

The following outdoor luminaries shall be exempt from the provisions of this chapter when properly installed and in compliance with all county ordinances.

A. Luminaries used or otherwise required by law enforcement or other emergency personnel.

B. Luminaries used to illuminate publicly-owned property, including but not limited to, parks, recreation areas, schools, street, street signs and sidewalks.
C. Luminaries used to illuminate authorized public and private monuments.
D. Luminaries authorized by a provision of state or federal law as long as that lighting conforms to the requirements of the state of federal law.
E. Luminaries used for holiday decorations.
F. Luminaries producing light directly by the combustion of fossil fuels (such as kerosene lanterns, and gas lamps).
G. Neon luminaries.
H. Luminaries used to illuminate agricultural activities, operations or facilities as defined in Section 5 of Riverside County Ordinance No. 625.

B. Security Lighting. Security lighting triggered by motion or noise shall be allowed subject to all the provisions this chapter.

Therefore, the project at minimum must provide sufficient lighting to suffice the exterior requirement while providing adequate shielding still.

3.0 Evaluation and Findings

Some land uses are considered more sensitive to light than others, such as hotels, residential neighborhoods, and nursing homes. Although light may be observed by humans at 0.1 foot-candles, it would not make a substantial difference, especially if lighting is already present within the area of introduction. For example, approximately 37.1 foot-candles would be generally acceptable for a reading area.

Thus, a significant impact would occur if sensitive land uses (such as residences) were exposed to a substantial increase in sources of light, if that level of light was not previously present. Similarly, mobile source lighting impacts would be significant if residential or other light sensitive uses are introduced to new light sources along roadways and driveways.

MD measured the lighting levels in foot-candles (in 50-foot increments) along the perimeter of the project site (see Exhibit A) which takes into account the light from vehicles along Highway 74 (Central Avenue) and existing street lights. The existing light levels measured between 0 to 0.9 foot-candles.

The project will utilize nighttime lighting for operational and security purposes (per the County's ordinance). The preliminary lighting plan (Exhibit B) shows that the project's lighting levels at the perimeter will range between 0 to 4.5 foot-candles at the project site's property line. By the time the light reaches into Central Avenue the foot-candle drops down to 0.2.

At the west boundary of the project site there is an area towards the north of the western property line where the level is 4.2 foot-candles. The level quickly drops to 0.2 foot-candles within 50-feet of the property line. Currently the land to the west is vacant and is zoned rural community (Estate Density Residential).

The nearest residences are located 250 feet to the project site's southern property line (across the street from Central Avenue). The foot-candle readings at the nearest residences would be 0.

The greatest potential lighting change will be along the west boundary towards the north and the southeastern perimeter where a 4.2 and 2.5 to 3 foot-candle increase will occur, respectively. Furthermore, the photometric design has been laid out to comply with the County's exterior light ordinance.

Glare would be kept to a minimum as the proposed project setback from Highway 74 and building materials (painted stucco or stone veneer) would not contribute to substantial amounts of daytime glare as the majority of the building front faces in a southern direction with the gas canopy blocking the line of sight to the setting sun.

3.0 Conclusions

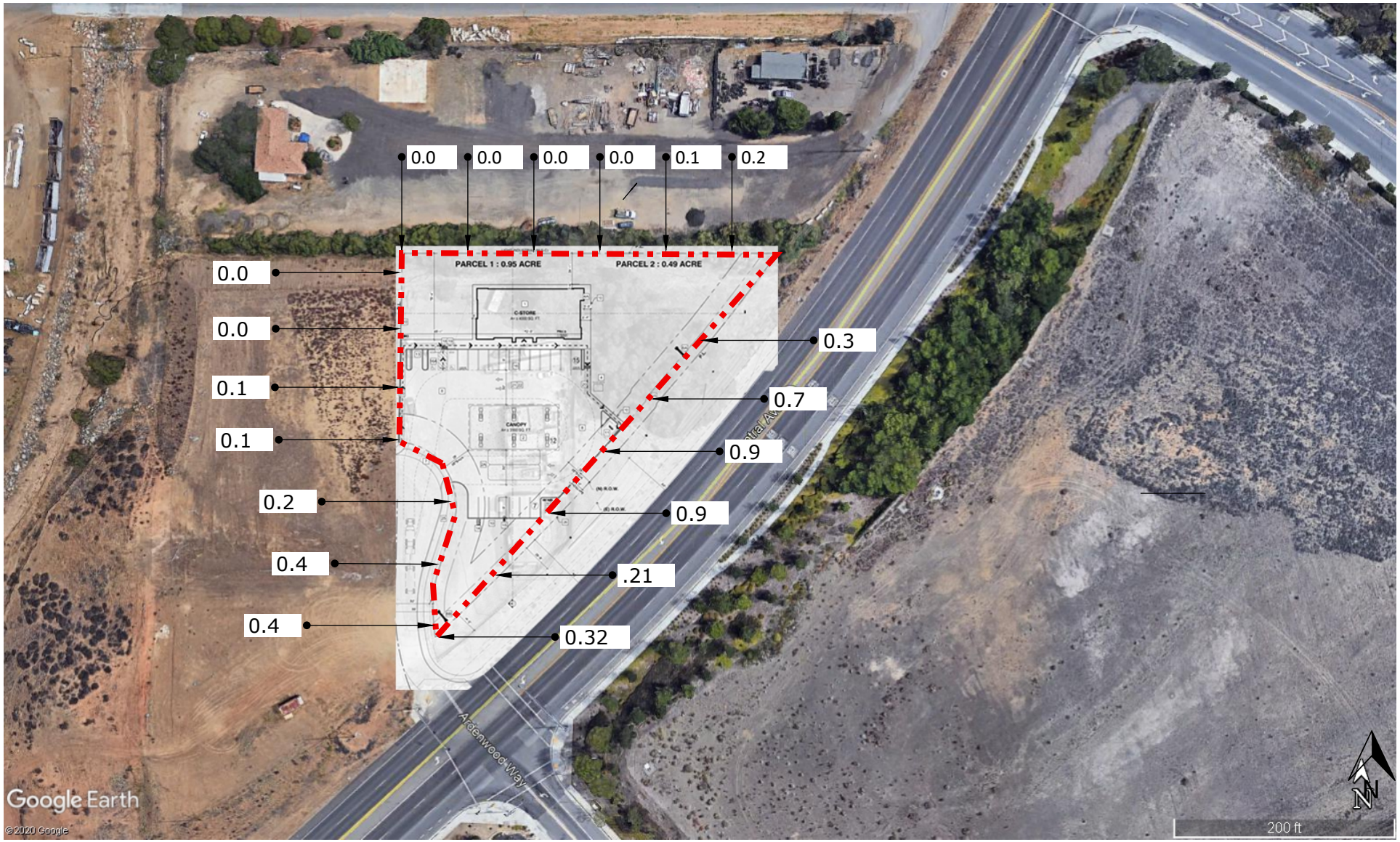
MD is pleased to provide this evaluation. If you have any questions regarding this analysis, please don't hesitate to call us at (805) 426-4477.

Sincerely,
MD Acoustics, LLC

Mike Dickerson

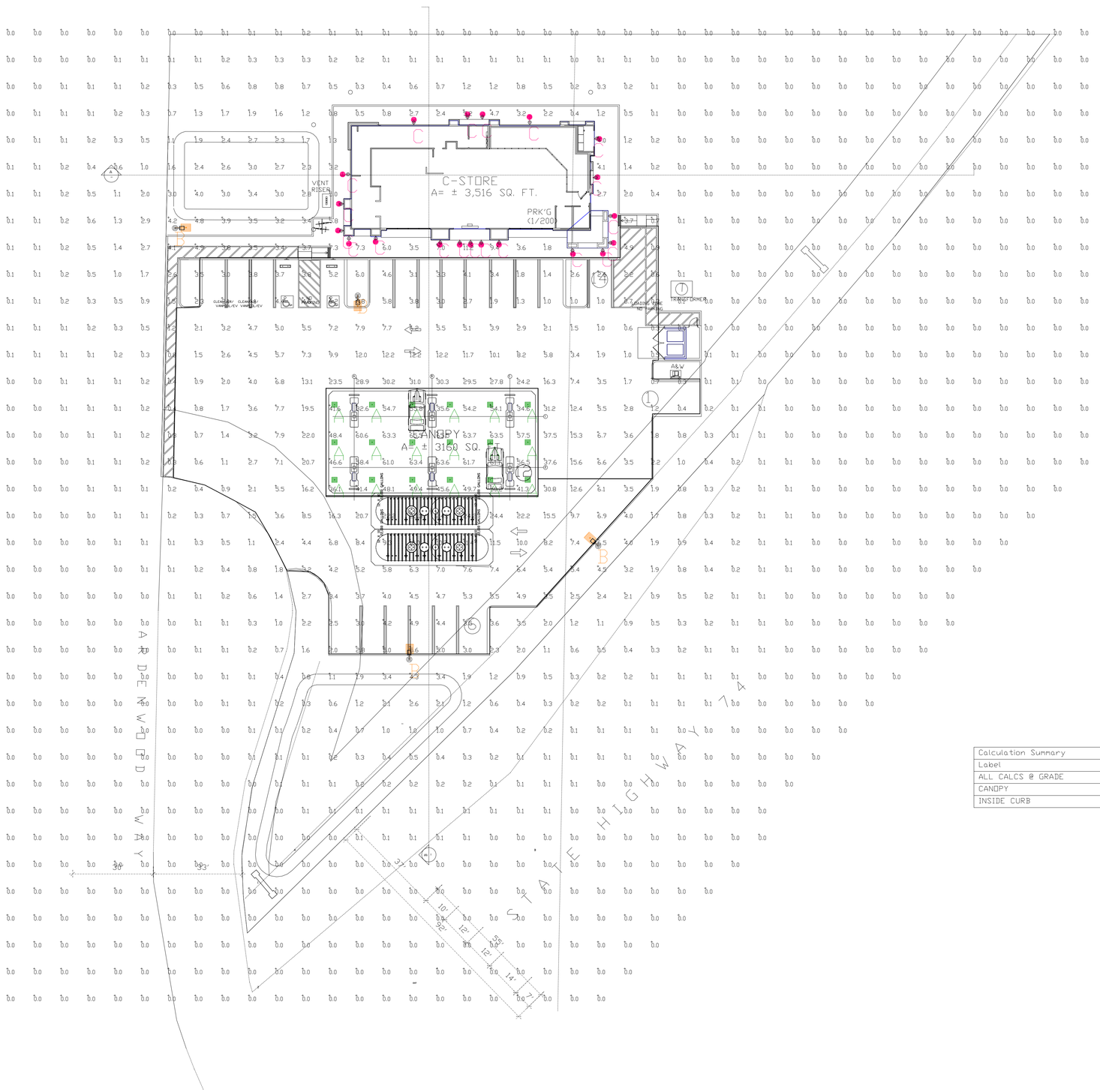
Mike Dickerson, INCE
Principal

Exhibit A



MD ACOUSTICS
Sound Solutions for Planning and Design

EXISITING LIGHTING LEVELS - GAS STATION & CONVENIENCE STORE
28771 CENTRAL AVE. (74 HWY) LAKE ELSINORE, CA 92532
(MEASUREMENT UNITS = FOOT CANDLE)
FOR ILLUSTRATIVE PURPOSES ONLY



Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALCS @ GRADE	Illuminance	Fc	2.73	65.5	0.0	N.A.	N.A.
CANOPY	Illuminance	Fc	52.67	65.5	32.6	1.62	2.01
INSIDE CURB	Illuminance	Fc	7.65	37.6	0.3	25.50	125.33

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted. Fixture nomenclature noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

Luminaire Schedule									
Symbol	Qty	Label	Arrangement	Description	LLD	UDF	LLF	Arr. Lum. Lumens	Arr. Watts
	18	A	SINGLE	SCV-LED-15L-SC-50-15' MH	1.000	1.000	1.000	14963	102
	4	B	SINGLE	SLM-LED-18L-SIL-FT-50-70CRI-SINGLE-20' POLE+2' BASE	1.000	1.000	1.000	19664	148.5
	20	C	SINGLE	AD-15L-40-GWT-12' MH	1.000	1.000	1.000	1388	10.9

Total Project Watts_1
Total Watts = 2647.998

10000 ALLIANCE RD. CINCINNATI, OHIO 45242 USA
(513) 793-3550 • FAX (513) 793-4422

LIGHTING PROPOSAL LO-153095

76 STATION
28771 CENTRAL AVE
LAKE ELSINORE, CA

BY:AHK	DATE:1/13/21	REV:	SHEET 1 OF 1

SCALE: 1"=20' 0 20

Appendix A

Glossary of Lighting Terms

Glossary of Terms

Foot-Candle *is* a unit of illumination (now little used) equal to that given by a source of one candela at a distance of one foot (equivalent to one lumen per square foot or 10.764 lux).

Lumen *is* a measure of the total amount of visible light (to the human eye) from a lamp or light source. The higher the lumen rating the "brighter: the lamp will appear (Integral LED, 2015). This light, as low as 0.1 lumens is visible to the human eye, and the average household lightbulb (60 watts) emits approximately 800 lumens (at the source).

Lux *is* the SI unit of illuminance, equal to one lumen per square meter.

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March 30, 2021

Mr. Joesph Karaki
Karaki WS
4887 E. Las Palmas Ave., Ste 707
Anaheim, CA 92807

Subject: Gas Station & Convenience Store – Lighting Study, County of Riverside, CA
Updated 3/30/2021

Dear Mr. Karaki:

MD Acoustics, LLC (MD) has completed a lighting survey for the proposed Gas Station & Convenience Store Project located at 28771 Central Avenue (Hwy 74) in an unincorporated area of the County of Riverside within the Sphere of Influence of the City of Lake Elsinore, California. The Project proposes to develop the approximately 1.44-acre project site with a 3,516 square foot convenience market with 12 pump gas station. This letter report evaluates the existing light levels (foot-candles) to the preliminary lighting plan (prepared by LSI, 1/13/2021) and to the County's lighting general development standards (Title 8, Chapter 8.80). Appendix A contains lighting definitions.

1.0 Assessment Overview

MD conducted a site visit on 1/7/21 to evaluate the existing light conditions at the project site. MD utilized a LX1330B digital illuminance/light meter that can measure from 0 to 200,000 lux (0 to 18,580 foot-candles). The existing light conditions are compared to the preliminary photometric lighting plan as well as the requirements outlined by the County's Outdoor lighting code, Chapter 8.80.

Per the City of Lake Elsinore North Central Sphere Specific Plan Land Use Plan the site has a current land use classification of Business Professional. Land uses surrounding the site include vacant land to the west, a single-family residential use to and commercial uses to the north, multi-family residential uses to the south (across Highway 74), and single-family residential uses to the east (across Highway 74)

2.0 County of Riverside Lighting Requirements

Chapter 8.80 Outdoor Lighting outlines the following as it relates to minimum lighting requirements:

8.80.050 - Standard.

All outdoor luminaries in shall be located, adequately shielded, and directed such that no direct light falls outside the parcel of origin, or onto the public right-of-way. Outdoor luminaries shall not blink, flash or rotate.

8.80.060 – Exemptions.

The following outdoor luminaries shall be exempt from the provisions of this chapter when properly installed and in compliance with all county ordinances.

A. Luminaries used or otherwise required by law enforcement or other emergency personnel.

B. Luminaries used to illuminate publicly-owned property, including but not limited to, parks, recreation areas, schools, street, street signs and sidewalks.
C. Luminaries used to illuminate authorized public and private monuments.
D. Luminaries authorized by a provision of state or federal law as long as that lighting conforms to the requirements of the state of federal law.
E. Luminaries used for holiday decorations.
F. Luminaries producing light directly by the combustion of fossil fuels (such as kerosene lanterns, and gas lamps).
G. Neon luminaries.
H. Luminaries used to illuminate agricultural activities, operations or facilities as defined in Section 5 of Riverside County Ordinance No. 625.

B. Security Lighting. Security lighting triggered by motion or noise shall be allowed subject to all the provisions this chapter.

Therefore, the project at minimum must provide sufficient lighting to suffice the exterior requirement while providing adequate shielding still.

3.0 Evaluation and Findings

Some land uses are considered more sensitive to light than others, such as hotels, residential neighborhoods, and nursing homes. Although light may be observed by humans at 0.1 foot-candles, it would not make a substantial difference, especially if lighting is already present within the area of introduction. For example, approximately 37.1 foot-candles would be generally acceptable for a reading area.

Thus, a significant impact would occur if sensitive land uses (such as residences) were exposed to a substantial increase in sources of light, if that level of light was not previously present. Similarly, mobile source lighting impacts would be significant if residential or other light sensitive uses are introduced to new light sources along roadways and driveways.

MD measured the lighting levels in foot-candles (in 50-foot increments) along the perimeter of the project site (see Exhibit A) which takes into account the light from vehicles along Highway 74 (Central Avenue) and existing street lights. The existing light levels measured between 0 to 0.9 foot-candles.

The project will utilize nighttime lighting for operational and security purposes (per the County's ordinance). The preliminary lighting plan (Exhibit B) shows that the project's lighting levels at the perimeter will range between 0 to 4.5 foot-candles at the project site's property line. By the time the light reaches into Central Avenue the foot-candle drops down to 0.2.

At the west boundary of the project site there is an area towards the north of the western property line where the level is 4.2 foot-candles. The level quickly drops to 0.2 foot-candles within 50-feet of the property line. Currently the land to the west is vacant and is zoned rural community (Estate Density Residential).

The nearest residences are located 250 feet to the project site's southern property line (across the street from Central Avenue). The foot-candle readings at the nearest residences would be 0.

The greatest potential lighting change will be along the west boundary towards the north and the southeastern perimeter where a 4.2 and 2.5 to 3 foot-candle increase will occur, respectively. Furthermore, the photometric design has been laid out to comply with the County's exterior light ordinance.

Glare would be kept to a minimum as the proposed project setback from Highway 74 and building materials (painted stucco or stone veneer) would not contribute to substantial amounts of daytime glare as the majority of the building front faces in a southern direction with the gas canopy blocking the line of sight to the setting sun.

3.0 Conclusions

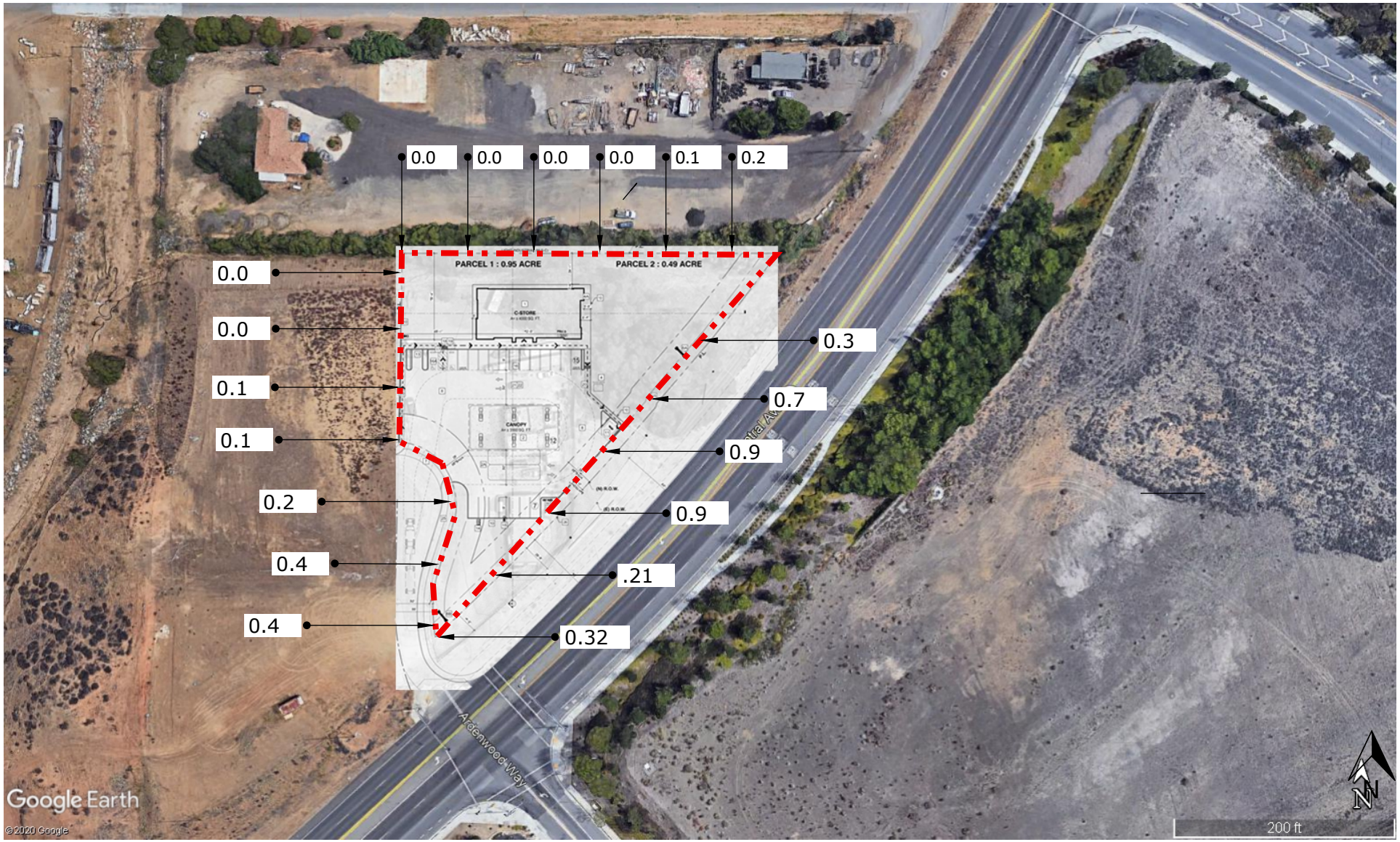
MD is pleased to provide this evaluation. If you have any questions regarding this analysis, please don't hesitate to call us at (805) 426-4477.

Sincerely,
MD Acoustics, LLC

Mike Dickerson

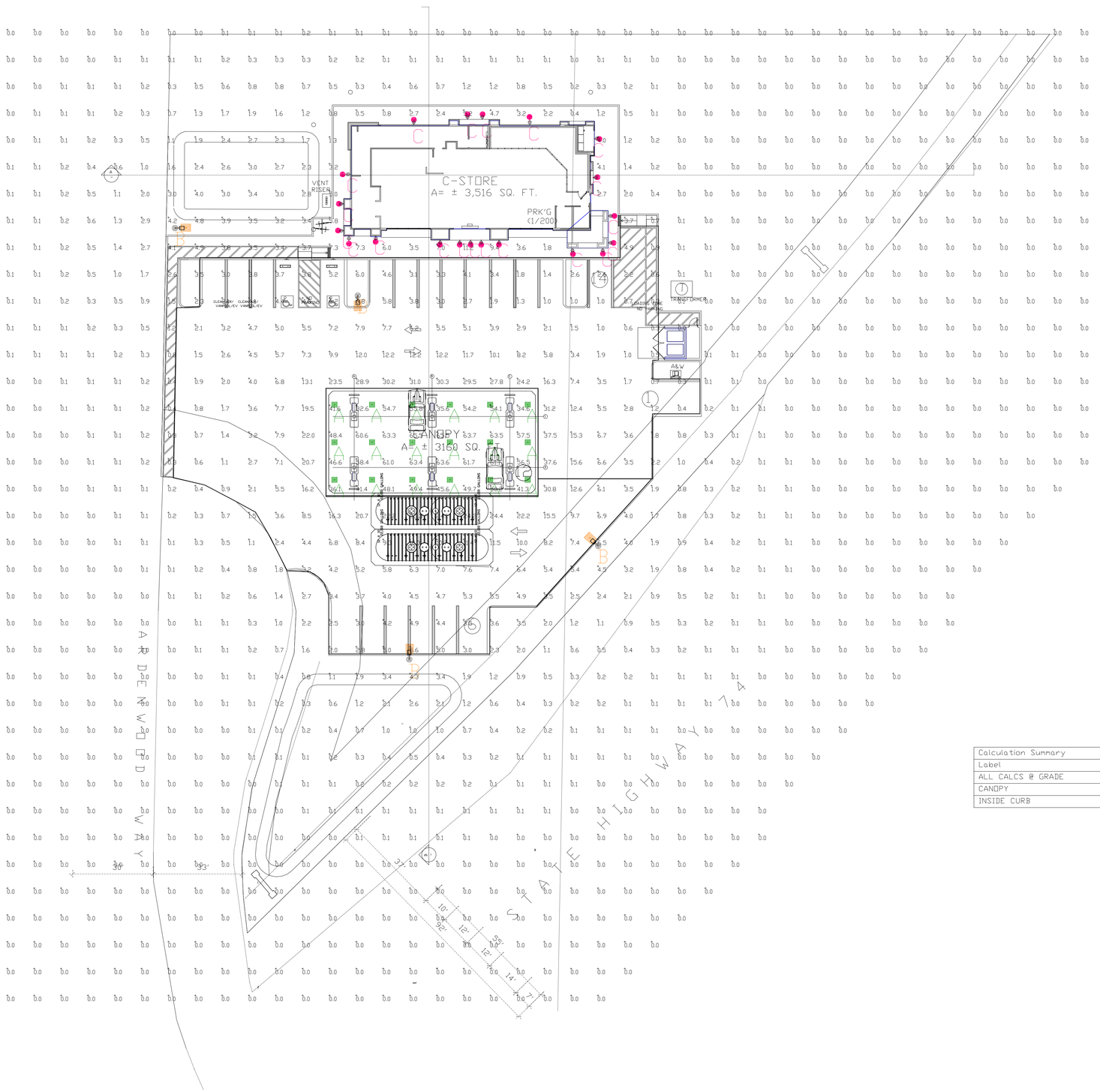
Mike Dickerson, INCE
Principal

Exhibit A



MD ACOUSTICS
Sound Solutions for Planning and Design

EXISITING LIGHTING LEVELS - GAS STATION & CONVENIENCE STORE
28771 CENTRAL AVE. (74 HWY) LAKE ELSINORE, CA 92532
(MEASUREMENT UNITS = FOOT CANDLE)
FOR ILLUSTRATIVE PURPOSES ONLY



Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALCS @ GRADE	Illuminance	Fc	2.73	65.5	0.0	N.A.	N.A.
CANOPY	Illuminance	Fc	52.67	65.5	32.6	1.62	2.01
INSIDE CURB	Illuminance	Fc	7.65	37.6	0.3	25.50	125.33

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted. Fixture nomenclature noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

Luminaire Schedule									
Symbol	Qty	Label	Arrangement	Description	LLD	UDF	LLF	Arr. Lum. Lumens	Arr. Watts
	18	A	SINGLE	SCV-LED-15L-SC-50-15' MH	1.000	1.000	1.000	14963	102
	4	B	SINGLE	SLM-LED-18L-SIL-FT-50-70CRI-SINGLE-20' POLE+2' BASE	1.000	1.000	1.000	19664	148.5
	20	C	SINGLE	AD-15L-40-GWT-12' MH	1.000	1.000	1.000	1388	10.9

Total Project Watts_1
Total Watts = 2647.998

10000 ALLIANCE RD. CINCINNATI, OHIO 45242 USA
(513) 793-3550 • FAX (513) 793-4422

LIGHTING PROPOSAL LO-153095

76 STATION
28771 CENTRAL AVE
LAKE ELSINORE, CA

BY:AHK	DATE:1/13/21	REV:	SHEET 1 OF 1

SCALE: 1"=20' 0 20

Appendix A

Glossary of Lighting Terms

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Lux *is* the SI unit of illuminance, equal to one lumen per square meter.

Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis

Commercial Retail – 76 Station
Central Avenue (Hwy 74) and Eighth Street

Permittee Name:
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Anaheim, CA 92807

Applicant Name:
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March 2021

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1 EXECUTIVE SUMMARY

Jericho Systems, Inc. (Jericho) is pleased to provide this Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis prepared for the commercial development (Project) located in Lake Elsinore, California (Figures 1, 2, and 3). The approximately 1.9 -acre Project site is made up of two parcels: APN 347-130-029 (1.12 acre) and 347-130-028 (0.49 acre) located within Elsinore Area Plan of the Western Riverside MSHCP.

The City of Lake Elsinore is signatory to the MSHCP Implementing Agreement and thereby a permittee responsible for meeting the terms and conditions outlined in the MSHCP and the Biological Opinion issued for the MSHCP. Therefore, the City of Lake Elsinore has the responsibility to ensure the projects they approve are consistent the MSHCP and will not preclude the overall conservation goals and reserve design from being accomplished.

The MSHCP is a criteria-based plan and identification of planning units on which to base the Criteria is necessary for such a criteria-based plan. The MSHCP Conservation Area is comprised of a variety of existing and proposed Cores, Extensions of Existing Cores, Linkages, Constrained Linkages and Non-contiguous Habitat Blocks. The MSHCP coverage area is divided into Area Plans (AP) based on the Riverside County's General Plan Area Plan boundaries. Each of the AP's has: established conservation criteria, species specific surveys that may be required based on on-site Habitat Assessment, and resources and areas identified for conservation. In each Area Plan text, applicable Cores and Linkages are identified.

There are 146 species covered by the MSHCP. Surveys are not required for 106 of these covered species. The remaining 40 covered species may require focused surveys for proposed development projects include 4 birds, 3 mammals, 3 amphibians, 3 crustaceans, 14 Narrow Endemic Plants, and 13 other sensitive plants within the Criteria Area. The need to conduct focused surveys for all but six of these 40 species is determined by the presence of suitable habitat within designated 'survey areas' mapped for each of the species. The remaining six species that require focused surveys throughout the entire MSHCP area are associated with riparian/riverine areas and vernal pools and include least Bell's vireo, southwestern willow flycatcher, western yellow-billed cuckoo, Riverside fairy shrimp, Santa Rosa Plateau fairy shrimp, and vernal pool fairy shrimp.

The MSHCP requires that a project comply with the MSHCP policies identified in Section 6 of the MSHCP. The Project site is not located within a 'Cell group' or in a 'Criteria Cell'. The Project site is not in an amphibian, criteria area species, mammal, or narrow endemic plant species survey area. However, a portion of APN 347-130-028 is within a burrowing owl survey area. Therefore, a habitat suitability assessment for burrowing owl (MSHCP section 6.3.2) and a Riparian/Riverine/Vernal Pool Area assessment (MSHCP section 6.1.2) were required and conducted.

The Project site consists of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances. The entire site is mapped by the RCA MSHCP Vegetation (2012) layer as developed/disturbed land, and the site survey confirmed these findings for all but the northeast corner, which consists of a mix of salt cedar, eucalyptus and willow scrub. The acreage is as follows 0.11 acre of eucalyptus trees (*Eucalyptus* ssp) approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar (*Tamarix ramossima*) with a DBH of 8 inches and 0.27 acre of black willow shrubs

(*Salix gooddingii*) with a DBH of 6 inches. The vegetation here is used as cover for a homeless encampment that supports approximately 10 transients. This area is heavily littered and disturbed. Many of the bushes and trees on site have had trunks/branches sawed off and used for cover in the homeless encampment.

The willow and salt cedar thickets grow as a result of a roadside swale originating from HWY74 and N. Frontage road located along the northeastern boundary of the site. Street runoff enters the Project site in the northern portion of APN 347-130-028 and continues westerly along the property boundary between the Project site and the parcel north of the Project site. This swale collects street runoff and is not a natural or jurisdictional feature subject to Sections 1600 of the Fish and Game Code (FGC) or Sections 404/401 of the federal Clean Water Act (CWA). There is no bed or bank associated with this swale indicating a flow of water. The water runoff from HWY 74 travels west, back flows to the southeast and percolates in the well-drained soils. There is no evidence that the swale connects to the blue line stream located off-site to the west.

This roadside swale is a result of man-made roadside water diversion from HWY 74 and is not considered jurisdictional or riverine/riparian. Although the patch of willows growing in the mid-story of the swale are riparian by definition, it is not the intent of the MSHCP to conserve small patches of riparian species growing as a direct result of man-made features. The willows occur as a direct result of roadside runoff. If the run off was redirected, these willows would not exist.

Riparian Birds covered under the MSHCP such as the Least Bell's vireo (*Vireo bellii pusillus*) [LBVI], Southwestern willow flycatcher (*Empidonax trallii extimus*) [SWWF] and Yellow-billed cuckoo (*Coccyzus americanus*) [YBCU] are found only in well-developed riparian habitat. The habitat structure on site is not what is required by these species. Furthermore, the disturbance levels preclude their occurrence.

No vernal pool habitat exist on site. None of the mapped soils on site are listed on the USDA-NRCS National Hydric Soils List to indicate the potential for vernal pools. The soils onsite are well drained and the duration, timing, and frequency of inundation on site provide no indication or validation of vernal pool ecology. Water does not accumulate on the surface for seasonal periods (more than 3 weeks) of inundation. Clay soils are not mapped on site. The site as a whole lacks the water retention capabilities necessary to support vernal pool habitat. Therefore, the biological functions and values of vernal pool habitat do not exist on site.

The area on site requiring burrowing owl surveys is densely vegetated in a three-story canopy cover structure that includes eucalyptus trees, salt cedar, willows, and non-native grasses and weeds. The habitat composition and structure is not suitable for burrowing owl. No further investigation is warranted.

2 INTRODUCTION

The purpose of this Consistency Analysis (Analysis) report is to summarize the biological data for the proposed commercial development (Project) and to document project's consistency with the goals and objectives of the Western Riverside County MSHCP. The proposed Project consists of the development of a proposed gas station consisting of a 3,516 square foot (sf) convenience store, 3,160 sf fueling canopy with six multi-product dispensers, and two underground storage tanks.

2.1 Project Area

The 1.9-acre Project site is made up of two parcels, located on Assessor's Parcel Number (APN): 347-130-029 and 347-130-028 in the City of Lake Elsinore, Riverside County, California, on the northwest corner of Central Avenue (Hwy 74) and Ardenwood Way. The Site is identified on the *Lake Elsinore* US Geological Survey's (USGS) 7.5-minute topographic map in Section 30 of Township 5 South, Range 4 West (Figures 1, 2 and 3). The site is bounded on the north by 8th Street, on the south by Ardenwood Way, on the west by vacant land, and on the east by Central Avenue (Hwy 74).

2.2 Project Description

The proposed Project consists of the development of a proposed gas station consisting of a 3,516 square foot (sf) convenience store, 3,160 sf fueling canopy with six multi-product dispensers, and two underground storage tanks (Figure 4)

2.3 Covered Roads

The Project proposes no new roads.

2.4 General Setting

According to the EPA Regional map, the Project site is located in the Inland Valleys (85k) ecoregion. An ecoregion is a regional area that has similar ecosystems in terms of type, quality, and quantity of environmental resources. The Inland Valleys ecoregion is influenced less by marine processes, and more by alluvial processes. The ecoregion consists of alluvial fans and basin floors at the base of the San Bernardino and San Gabriel mountains and the San Jacinto and Perris Valleys in the south. The region was historically composed of Riversidean coastal sage scrub, valley grasslands, and riparian woodlands. The ecoregion is now heavily urbanized with some remaining agriculture.

Hydrologically, the Project site is located within the Lake Mathews hydrologic area, in the 14,217-acre hydrologic sub-area (HSA 801.35) within the Temescal Wash watershed (HUC 180702030601).

The City of Lake Elsinore is located in southwestern Riverside County at the foothills of the Cleveland National Forest. Topographically, Lake Elsinore is located on the east side of the Santa Ana mountains. Air quality is relatively poor, as characteristic of the region due to temperature inversions, convergence zones, and accumulation of air pollutants. Air pollutants of greatest concern are carbon monoxide, PM2.5, ozone, and PM10. The general climate of Lake Elsinore includes hot summers (99°F average maximum in August) and mild winters (38°F average minimum in February) with cool ocean breezes and sparse winter rainfall, averaging 12.09 inches of precipitation per year.

Soils on the Project site area consist of Cortina cobbly loamy sand, 2-9% slopes (CmC), Lodo rocky loam, 25-50% slopes (LpF2), and Arbuckle gravelly loam, 2-9% slopes – dry, MLRA 19 (AIC), (Figure 6). Soils in the Arbuckle series are well-drained remnants of alluvial fans derived from numerous types of rock. Soils in the Cortina series are well-drained soils made from alluvium derived from metasedimentary rock. The Lodo series consists of shallow, somewhat excessively drained soils that formed in material weathered from hard shale and fine grained sandstone. Terrace escarpments are landforms (terraces) made from alluvium derived from mixed sources. (Figure 5)

3 RESERVE ASSEMBLY ANALYSIS

The site is not located or mapped within any criteria cells or cell groups, reserve assembly or Public or Quasi-Public lands. Therefore, this analysis is not applicable.

4 VEGETATION MAPPING

According to the Riverside Conservation Authority (RCA) MSHCP GIS Vegetation (2012) layer, the Project site is mapped as Developed/Disturbed Land. Field survey confirmed this mapping with the exception of the northeast corner of the site, which site supports an over-story canopy 0.11 acre of eucalyptus trees (Eucalyptus ssp) approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar (Tamarix ramossima) with a DBH of 8 inches and 0.27 acre of black willow shrubs (Salix gooddingii) with a DBH of 6 inches. The average height of the mid-story is approximately 12 feet. The dense understory in the northeast corner primarily consists of short-podded mustard (*Hischfeldia incana*), tocalote *(Centaurea melitensis*), and non-native grasses (*Bromus* ssp.). A few native plants are found scattered along the eastern and western edges of the Project site including California buckwheat (*Erioginum faciculatum*), encilia (*Encilia farinosa)* and telegraph weed (*Heterotheca grandiflora*). The remainder of the Project site is bare and compacted due to blading.

5 PROTECTION OF SPECIES ASSOCIATED WITH RIPARIAN/RIVERINE AREAS AND VERNAL POOLS (SECTION 6.1.2)

According to Section 6.1.2 of the MSHCP:

> *"Riparian/Riverine Areas are lands which contain Habitat dominated by trees, shrubs, persistent emergents, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from a nearby fresh water source; or areas with fresh water flow during all or a portion of the year.*
>
> *"Vernal pools are seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation and hydrology) during the wetter portion of the growing season but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season. Obligate hydrophytes and facultative wetlands plant species are normally dominant during the wetter portion of the growing season, while upland species (annuals) may be dominant during the drier portion of the growing season. The determination that an area exhibits vernal pool characteristics, and the definition of the watershed supporting vernal pool hydrology, must be made on a case-by-case basis. Such determinationsshould consider the length of the time the area exhibits upland and wetland characteristics and the manner in which the area fits into the overall ecological system as a wetland. Evidence concerning the persistence of an area's wetness can be obtained from its history, vegetation, soils, and drainage characteristics, uses to which it has been subjected, and weather and hydrologic records.*
>
> *"Fairy Shrimp. For Riverside, vernal pool and Santa Rosa fairy shrimp, mapping of stock ponds, ephemeral pools and other features shall also be undertaken as determined appropriate by a qualified biologist.*
>
> *"With the exception of wetlands created for the purpose of providing wetlands Habitat or resulting from human actions to create open waters or from the alteration of natural stream courses, areas demonstrating characteristics as described above which are artificially created are not included in these definitions."*

5.1 Riparian/Riverine

As defined under Section 6.1.2 of the MSHCP, *Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools*, riparian/riverine areas are areas dominated by trees, shrubs, persistent emergent plants, or emergent mosses and lichens which occur close to or are dependent upon nearby freshwater, or areas with freshwater flowing during all or a portion of the year. Conservation of these areas is intended to protect habitat that is essential to a number of listed or special-status water-dependent fish, amphibian, avian, and plant species.

Any unavoidable alteration or loss of riparian/riverine area related to a project requires the preparation of a Determination of Biologically Equivalent or Superior Preservation (DBESP) analysis to ensure the replacement of any lost functions and values of the habitat. This assessment is independent from considerations given to waters of the United States and waters of the State under the CWA, the California Porter-Cologne Water Quality Control Act, and CDFW jurisdictional streambed under the California Fish and Game Code.

5.1.1 Methods

Ms. Lawrey assessed the Project site for State and /or federal jurisdictional waters that are subject to Sections 404 and 401 of the federal Clean Water Act (CWA) regulated by the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) respectively; and/or Section 1602 of the California Fish and Game Code (FCG) administered by the California Department of Fish and Wildlife (CDFW) and Riverine/Riparian and Vernal Pool habitat subject to Section 6.1.2 of the MSHCP.

Potential limits of jurisdictional waters, i.e. WoUS as regulated by the USACE and RWQCB, and streambed and associated riparian habitat as regulated by the CDFW were evaluated using the follow techniques.

Evaluation of CWA WoUS was based upon the Corps' regulations and technical guidance issued by the USACE including, among other sources described further below, (i) *USACE Wetlands Research Program Technical Report Y-87-1 (on-line edition), Wetlands Delineation Manual, Environmental Laboratory, 1987 (Wetland Delineation Manual)*, *USACE Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region, December 2008 (Arid West Supplement)* and *USACE A Guide to Ordinary High Water Mark (OHWM) Delineation Arid West Region of the United States, 2010.* The lateral extent of USACE jurisdiction was measured at the Ordinary High Watermark (OHWM), which is indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris.

Evaluation of FGC Section 1600 Streambed Waters followed guidance in the FGC in the *MESA Field Guide*, described above, pursuant to which CDFW claims jurisdiction beyond traditional stream banks and the outer edge of riparian. Under MESA, the term stream is defined broadly to include "a body of water that flows perennially or episodically and that is defined by the area in which water currently flows, or has flowed, over a given course during the historic regime [i.e., 'circa 1800 to the present'], and where the width of its course can reasonably be identified by physical or biological indicators." Specifically, CDFW jurisdiction was delineated by measuring the elevations of land that confine a stream to a definite course when its waters rise to their highest level and to the extent of associated riparian vegetation. Here the extent of associated riparian vegetation was used to mark the lateral extent of the jurisdictional areas. Other data recorded included bank height and morphology, substrate type, and vegetation within and adjacent to the low flow streambed.

A variety of reference materials relevant to the project site were reviewed during the course of this delineation, including historical and current aerial imagery, Federal Emergency Management Agency (FEMA) flood insurance rate maps (FIRM), National Oceanic & Atmospheric Administration (NOAA) climate data, USFWS National Wetland Inventory (NWI) and EPA Water Program "My Waters" data layers and United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) web soil survey. The data provided in the Web Soil Survey provides a standard basis for the soil textures and types that are assigned a hydric indicator status of "hydric" or "non-hydric" by the National Technical Committee for Hydric Soils.

The methods used to determine any riparian/riverine or vernal pool areas were based on the above techniques as well as soils evaluations and vegetation classifications. This is because an area may be characterized as riparian based on its vegetative composition but does not meet the criteria of being federal or state jurisdictional water.

5.1.2 Existing Conditions and Results

A roadside swale originating from HWY74 and N. Frontage road located along the northeastern boundary of the site, enters the Project site in the northern portion of APN 347-130-028 and continues westerly along the property boundary between the Project site and the parcel north of the Project site. This swale collects street runoff and is not a natural or jurisdictional feature subject to Sections 1600 of the FGC or 404/401 of the federal CWA. There is no bed or bank associated with this swale indicating a flow of water. The water runoff from HWY 74 travels west, back flows to the southeast and percolates in the well-drained soils. There is no evidence that the swale connects to the blue line stream located off-site to the west.

This roadside swale is a result of man-made roadside water diversion from HWY 74 and is not considered jurisdictional or riverine/riparian. Although the patch of willows growing in the mid-story of the swale are riparian by definition, it is not the intent of the MSHCP to conserve small patches of riparian species growing as a direct result of man-made features. The willows occur as a direct result of roadside runoff. If the run off was redirected, these willows would not exist.

5.1.3 Impacts

Based on the Project's Site Plan (Figure 4), 0.41 acre will be permanently impacted by grading and construction.

5.1.4 Mitigation

No mitigation or permitting is required because the swale is artificially created and artificially created are not included in the definitions of a Riverine/Riparian Area. Further investigation is not warranted.

5.2 Vernal Pools

Vernal pools are seasonally inundated, ponded areas that only form in regions where specialized soil and climatic conditions exist. During fall and winter rains typical of Mediterranean climates, water collects in shallow depressions where downward percolation of water is prevented by the presence of a hard pan or clay pan layer (duripan) below the soil surface. Later in the spring when rains decrease and the weather warms, the water evaporates and the pools generally disappear by May. The shallow depressions remain

relatively dry until late fall and early winter with the advent of greater precipitation and cooler temperatures.

Vernal pools provide unusual "flood and drought" habitat conditions to which certain plant and wildlife species have specifically adapted as well as invertebrate species such as fairy shrimp.

One of the factors for determining the suitability of the habitat for fairy shrimp would be demonstrable evidence of seasonal ponding in an area of topographic depression that is not subject to flowing waters. These astatic pools are typically characterized as vernal pools. More specifically, vernal pools are seasonal wetlands that occur in depression areas without a continual source of water. They have wetland indicators of all 3 parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetland indicators of hydrology and/or vegetation during the drier portion of the growing season. Obligate hydrophytes and facultative wetlands plant species are normally dominant during the wetter portion of the growing season. The determination that an area exhibits vernal pool characteristics and the definition of the watershed supporting vernal pool hydrology is made on a case-by-case basis. Such determinations should consider the length of time the area exhibits upland and wetland characteristics and the manner in which the area fits into the overall ecological system as a wetland. The seasonal hydrology of vernal pools provides for a unique environment, which supports plants and invertebrates specifically adapted to a regime of winter inundation, followed by an extended period when the pool soils are dry.

The MSHCP lists two general classes of soils known to be associated with special-status plant species; clay soils and Traver-Domino Willow association soils. The specific clay soils known to be associated with special-status species within the MSHCP plan area include Bosanko, Auld, Altamont, and Porterville series soils, whereas Traver-Domino Willows association includes saline-alkali soils largely located along floodplain areas of the San Jacinto River and Salt Creek. Without the appropriate soils to create the impermeable restrictive layer, none of the special-status species associated with vernal pools can occur on the project site.

5.2.1 Methods

Methods included a review of recent and historic aerial photographs (1996-2018) of the Project site and its immediate vicinity, a review of soils data, and a site visit on January 16, 2021 by Jericho biologist Shay Lawrey. Ms. Lawrey carefully assessed the site for depressions, inundation, presence of hydrophytic vegetation, staining, cracked soil, ponding, and indicators of active surface flow and corresponding physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris.

5.2.2 Existing Conditions and Results

Aerial imagery did not provide visual evidence of an astatic or vernal pool conditions on or in the vicinity of the Project site.

Soils on the Project site area consist of Cortina cobbly loamy sand, 2-9% slopes (CmC), Lodo rocky loam, 25-50% slopes (LpF2), and Arbuckle gravelly loam, 2-9% slopes – dry, MLRA 19 (AIC), (Figure 6). Soils in the Arbuckle series are well-drained remnants of alluvial fans derived from numerous types of rock. Soils in the Cortina series are well-drained soils made from alluvium derived from metasedimentary rock. The Lodo series consists of shallow, somewhat excessively drained soils that formed in material weathered from hard shale and fine grained sandstone. Terrace escarpments are landforms (terraces) made

from alluvium derived from mixed sources.

No ponding was observed on-site. Soils are well drained and no mud/soil cracks or any other indicators of pooling was observed on site.

From this review of historic aerial photographs and observations during the field investigation, it is concluded that no vernal pools or suitable fairy shrimp habitat exist on site. Further, no special-status plant and/or wildlife species associated with vernal pools were observed during the field visit. Additionally, the routine disturbances on-site, and well drained soils also preclude vernal pools from existing on-site.

5.2.3 Impacts

There are no impacts to vernal pools because none exist on site, and the soil type on site does not support the potential for vernal pools.

5.2.4 Mitigation

No mitigation is required because no vernal pools exist on site.

5.3 Fairy Shrimp

Fairy shrimp can be found in non-vernal pool features such as stock ponds, ephemeral pools, road ruts, human- made depressions, or other depressions that may pond water. No habitat features suitable for fairy shrimp exist on site.

Therefore, evaluations for the presence of fairy shrimp were warranted or required. No further discussion on fairy shrimp is made in this report.

5.4 Riparian Birds

Riparian Birds covered under the MSHCP such as the Least Bell's vireo (*Vireo bellii pusillus*) [LBVI], Southwestern willow flycatcher (*Empidonax trallii extimus*) [SWWF] and Yellow-billed cuckoo (*Coccyzus americanus*) [YBCU] are found only in well-developed riparian habitat. No habitat features suitable for these species exist on site. However, due to the presence of a willow scrub thicket the following evaluations were made for MSHCP compliance.

5.4.1 Southwestern willow flycatcher

The SWWF is a small passerine bird measuring approximately 5.7 inches in length. It has a grayish-green back and wings, whitish throat, a light gray-olive breast, and pale yellowish belly. It has two visible white wing bars and a faint or absent eye ring. The call consists of a repeated "whit" and their song is a sneezy "fitz-bew." (60 FR 10694). The SWWF is currently one of the four recognized subspecies of the willow flycatcher. This flycatcher is a neotropical migrant that breeds in the southwestern United States from mid-April to early-September. In the fall, it migrates south to its wintering grounds in portions of South America, Central America and Mexico. (60 FR 10694)

The SWWF breeds in dense riparian habitats along rivers, streams, and other wetlands at elevations ranging from sea level to 8,500 feet (Sogge 1997). Occupied habitat is generally dominated by shrubs and trees 13 to 23 feet or more in height, which provide dense lower and mid-story vegetation approximately 10 to 13 feet aboveground. This dense vegetation is often interspersed with open water, small openings, or sparse vegetation, creating a mosaic that is not uniformly dense (62 FR 39129). Plant species closely associated with the flycatcher include willows (Salix spp.), boxelder (*Acer negungo*), seepwillow (*Baccharis* spp.), with an overstory of cottonwood (*Populus fremontii*) (62 FR 39129).

The SWWF has not been documented on site or within a one mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the size or structure preferred by this species. They are found in habitat areas with a well-developed overstory, mid-story, understory, consisting of willow, mule fat and cottonwood, near water, with a minimum patch size of four (4) acres. This species requires a habitat structure of a 20-30-foot upper canopy, 15-12 foot mid-story and a lower story of 5-3 feet. This species is not found in salt cedar or eucalyptus. Although there is a willow component it is not the size or structure where this species is found. These conditions are absent from the site. The acreage and structure of 0.11 acre of eucalyptus trees approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs with a DBH of 6 inches is not the type of habitat is not the type or structure that this species is found.

Nor are they found in high disturbance areas which is the case on site due to the transient encampments and cutting of the vegetation. The specific requirement for this species is the presence of water. These are not the conditions on site.

Therefore, SWWF has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

5.4.2 Least Bell's vireo

The LBVI is a small, olive-gray migratory songbird that nests and forages almost exclusively in riparian woodland habitats. Bell's vireos as a group are highly territorial and are almost exclusively insectivorous. LBVI generally begin to arrive from their wintering range in southern Baja California and establish breeding territories by mid-March to late-March. A large majority of breeding vireos depart their breeding grounds by the third week of September and only a very few have been found wintering in the United States.

Their nesting habitat typically consists of well-developed overstory, understory, and low densities of aquatic and herbaceous cover with an overstory of 15-20 feet, mid-story of 6-10 feet and a lower story of 3 feet. The midstory frequently contains dense sub-shrub or shrub thickets. The overstory usually contains black willow, cottonwood and Sycamore. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. Although LBVI use a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. Vireos forage in riparian habitats up to 984 feet from the nest and use both high and low scrub layers as foraging substrate.

The LBVI has not been documented on site or within a 1- mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and

does not have the structure or patch size preferred by this species. The acreage and structure of 0.11 acre of eucalyptus trees, approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs, with a DBH of 6 inches is not the type of habitat that this species is found. This species is not found in salt cedar or eucalyptus.

Nor are they found in high disturbance areas. Although there is a willow component, it is not the size or structure where this species is found. They are located in well-developed overstory, mid-story, understory, and low densities of aquatic and herbaceous cover with a minimum patch size of two (2) acres, which is not the case for this site.

Therefore, LBVI has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

5.4.3 Yellow-billed cuckoo

The YBCU is a medium sized bird, with a long and slim profile. Its legs are short and bluish-gray, and its tail is gray-brown above and black below with three striking pairs of large white dots visible in flight. Its body is brown above with white under parts. The undersides of its pointed wings are rufous. Adult birds have a long-curved bill which is blue-black above and yellow at the base of the mandibles. Juveniles have a completely blue-black bill.

Though the YBCU will occupy a variety of marginal habitats, particularly at the edges of their range, YBCU in the West are overwhelmingly associated with relatively expansive stands of mature cottonwood willow forests with a minimum patch size of 40 acres. Upper canopy height ranges from 15-75 feet, canopy cover from 20-90 percent, and understory cover from 30-90 percent. Willows and open water are required and the habitat will vary from dense willow-cottonwood forests to marshy bottomlands with scattered willow thickets. According to the California Department of Fish and Wildlife (1980), remnant patches of suitable habitat in sizes sufficient to support breeding yellow-billed cuckoos are scarce.

The YBCU has not been documented on site or within a 1- mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the structure or size preferred by this species. They are found in habitat areas with a well-developed overstory, mid-story, understory, consisting of willow and cottonwood, near water, with a minimum patch size of forty (40) acres. This species requires a habitat structure of a 30-75-foot upper canopy, 18-20 foot mid-story and a lower story of 5-3 feet. This species is not found in salt cedar or eucalyptus. Although there is a willow component, it is not the size or structure where this species is found. These conditions are absent from the site. The acreage and structure of 0.11 acre of eucalyptus trees approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs with a DBH of 6 inches is not the type of habitat or structure that this species is found. Nor are they found in high disturbance areas which is the case on site due to the transient encampments and cutting of the vegetation. This species is very sensitive to disturbance and is only found in pristine environments. The specific requirement for this species is the presence of water which is absent from the site.

Therefore, YBCU has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

6 PROTECTION OF NARROW ENDEMIC PLANT SPECIES (SECTION 6.1.3)

The MSHCP identifies the potential presence for a number of endemic plant species.

The MSHCP states that in general, habitat suitability assessments may be undertaken year-round, with the exception of vernal pool species for which habitat suitability assessments must be conducted during the rainy season. Species found in vernal pools and associated Habitats include the following Narrow Endemic Plant Species: San Diego ambrosia (Ambrosia pumila), spreading navarretia (*Navarretia fossalis*), California Orcutt grass (*Orcuttia californica*), and Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*). Species found in vernal pools and associated Habitats include the following Criteria Area Survey plant species: San Jacinto Valley crownscale (*Atriplex coronator* var. *notatior*), Parish's brittlescale (*Atriplex parishii*), Davidson's saltscale (*Atriplex serenana* var. *davidsonii*), thread-leaved brodiaea (*Brodiaea filifolia*), Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), little mousetail (*Myosurus minimus*), and prostrate navarretia (*Navarretia prostrata*) (MSHCP, Section 6.1.3)

The Project site does not fall within a Narrow Endemic Plant Species Survey Area (NEPSSA). No further analysis or discussion is needed or warranted.

6.1 Impacts

There are no impacts to the narrow endemic plants because the soils and vegetation communities do not support potential for Narrow Endemic Plant Species.

7 ADDITIONAL SURVEY NEEDS AND PROCEDURES (SECTION 6.3.2)

The Project site is not mapped in a Criteria Cell or survey area for plants, mammals or amphibians. However, a portion of APN 347-130-028 is within burrowing owl survey area. A burrowing owl habitat suitability assessment was conducted, and no suitable habitat was observed, and there was no evidence of burrowing owl.

7.1 Criteria Area Plant Species

The Proposed Project Site does not fall within a mapped survey area for Criteria Area Plant Species. No surveys or further discussion is warranted.

7.2 Amphibians

The Proposed Project Site does not fall within a mapped survey area for Amphibian. No surveys or further discussion is warranted.

7.3 Burrowing Owl

A portion of the the Project site is within a mapped survey area for burrowing owl, in accordance with MSHCP Figure 6-4 and a recent review of the RCA MSHCP Information GIS map.

Burrowing owl is currently designated as a California Species of Special Concern. The burrowing owl is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with level to gently-sloping areas characterized by

open vegetation and bare ground. The western burrowing owl (*A.c. hypugaea*), which occurs throughout the western United States including California, rarely digs its own burrows and is instead dependent upon the presence of burrowing mammals (i.e., California ground squirrels [*Otospermophilus beecheyi*], coyotes, and badgers [*Taxidea taxus*]) whose burrows are often used for roosting and nesting. The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of burrowing owls. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, stand-pipes, and dry culverts. They also require low growth or open vegetation allowing line-of-sight observation of the surrounding habitat to forage and watch for predators. In California, the burrowing owl breeding season extends from the beginning of February through the end of August.

Under the MSHCP burrowing owl is considered an adequately conserved covered species that may still require focused surveys in certain areas as designated in Figure 6-4 of the MSHCP. The survey for burrowing owl requires a systematic survey of all areas that provide suitable habitat plus a 150-meter (approximately 500 feet) zone of influence on all sides of suitable habitat, where applicable.

7.3.1 Methods

The RCA Mapping Information System identified that APN 347-130-028 (0.49 acre), located in the Project's northeastern portion is within a survey area required for the western burrowing owl (*Athene cunicularia hypugaea*) [BUOW]) (Figure 5).

On January 16, 2021, Ms. Lawrey conducted a burrowing owl habitat suitability assessment in accordance with the Western Riverside County MSHCP, which follows the 1993 "*Burrowing Owl Survey Protocol and Mitigation Guidelines*" prepared by the California Burrowing Owl Consortium.

Step 1 of the survey protocol is the habitat suitability assessment. If suitable habitat is present, this protocol requires four (4) surveys between April 15 and July 15 with the first site survey counting as one survey period. Burrowing owl habitat generally includes, but is not limited to, short or sparse vegetation (at least at some time of year), presence of burrows, burrow surrogates or presence of fossorial mammal dens, well-drained soils, and abundant and available prey.

BUOW are known to occur locally within suitable habitat areas, with the closest occurrence being 3.6 miles northeast from the Project site along Highway 74 near Ethanac Road and Eugene Street in 1999.

Natural and non-natural substrates were examined for potential burrow sites. The site was searched for molted feathers, whitewash, cast pellets and/or prey remains. Disturbance characteristics and all other animal sign encountered within the survey area were recorded. Date time and weather conditions were logged. A hand-held, global positioning system (GPS) unit was used to survey to identify survey area boundaries. Representative photographs of the survey area were taken, and Google Earth Pro was accessed to provide recent aerial photographs of the Project site and surrounding area.

7.3.2 Existing Conditions and Results

The area on site requiring BUOW surveys is densely vegetated in a three story canopy cover structure that includes eucalyptus trees, salt cedar and willows, and non-native grasses and weeds. The habitat composition and structure is not suitable for BUOW. No burrows, feathers, whitewash, castings, prey remains or BUOW individuals were observed on site or in the survey buffer area which was surveyed by

binoculars. (The adjacent properties are private property and access was not granted to survey). Based on the survey results BUOW are absent, the habitat within the required survey area is unsuitable and therefore, further investigation is not recommended or warranted

7.3.3 Impacts

No impacts can be identified in that no BUOW or BUOW sign was observed on the Project site.

7.3.4 Mitigation

Burrowing owl were not present, and there was not suitable habitat found in the survey, therefore, no mitigation is required.

7.4 Mammals

The Proposed Project Site does not fall within a mapped survey area for Mammals. No surveys or further discussion is warranted.

8 INFORMATION ON OTHER SPECIES

8.1 Delhi Sands Flower Loving Fly

The Project site does not fall within the Delhi soils mapped within the MSHCP baseline data. No further discussion is warranted.

8.2 Species Not Adequately Conserved

MSHCP Table 9-3 identifies 28 species where requirements must be met for those to be considered not adequately conserved. None of the species listed in the MSHCP Table 9-3 occur on or near the Project site. Therefore, there is no further action required.

9 GUIDELINES PERTAINING TO THE URBAN/WILDLANDS INTERFACE (SECTION 6.1.4)

The MSHCP Section 6.1.4 Guidelines are intended to address indirect effects associated with locating Development in proximity to the MSHCP Conservation Area, where applicable. The Project Site is not located in proximity to an MSHCP Conservation Area.

The Project Site is not located in proximity to an MSHCP Conservation Area, therefore the analysis for this criterion does not apply.

10 BEST MANAGEMENT PRACTICES (VOLUME I, APPENDIX C)

This section of the report is designed to describe and comment as to the necessity of implementation of the BMPs identified in Volume 1, Appendix C. The BMPs and their applicability to the Project are identified in Table 2.

Table 2
MSHCP Best Management Practices Applicability (Volume 1, Appendix C)

BMP No.	BMP	Applicable Yes or No	Comment
1	A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.	No	There are no sensitive species within or near the Project site.
2	Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.	Yes	The site will include grading and paving.
3	The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.	No	The site is in an urban area and the remnants of vacant habitat do not provide suitable habitat for species.
4	The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.	No	No natural stream resources occur on site
5	Projects should be designed to avoid the placement of equipment and personnel within the stream channel or on sand and gravel bars, banks, and adjacent upland habitats used by target species of concern.	No	No natural stream resources occur on site
6	Projects that cannot be conducted without placing equipment or personnelin sensitive habitats should be timed to avoid the breeding season of riparian identified in MSHCP Global Species Objective No. 7.	No	No natural stream resources occur on site
7	When stream flows must be diverted, the diversions shall be conducted using sandbags or other methods requiring minimal instream impacts. Silt fencing of other sediment trapping materials shall be installed at the downstream end of construction activity to minimize the transport of sediments offsite. Settling ponds where sediment is collected shall be cleaned out in a manner that prevents the sediment from reentering the stream. Care shall be exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream.	No	No natural stream resources occur on site
8	Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional city, FWS, and CDFG, RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas	No	No natural stream resources occur on site

BMP No.	BMP	Applicable Yes or No	Comment
9	Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.	No	No natural stream resources occur on site
10	The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.	No	There are no sensitive species or habitat on the Project site.
11	The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.	No	Vegetation on-site is ruderal.
12	Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.	Yes	Vegetation on-site is ruderal.
13	To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).	No	There are no sensitive species on site or adjacent to the site.
14	Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.	No	There are no sensitive species on site or adjacent to the site.
15	The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs.	No	No restoration areas are required.

11 REFERENCES

USFWS (United States Fish and Wildlife Service). 2000. *Southwestern Willow Flycatcher Protocol Revision 2000.* Sacramento, California: USFWS. https://www.fws.gov/pacific/ecoservices/endangered/recovery/documents/SWWFlycatcher.2000.protocol.pdf

USFWS. 2001. *Least Bell's Vireo Survey Guidelines*. January 19, 2001. Sacramento, California: USFWS. https://www.fws.gov/cno/es/Recovery_Permitting/birds/least_bells_vireo/LeastBellsVireo_SurveyGuidelines_20010119.pdf

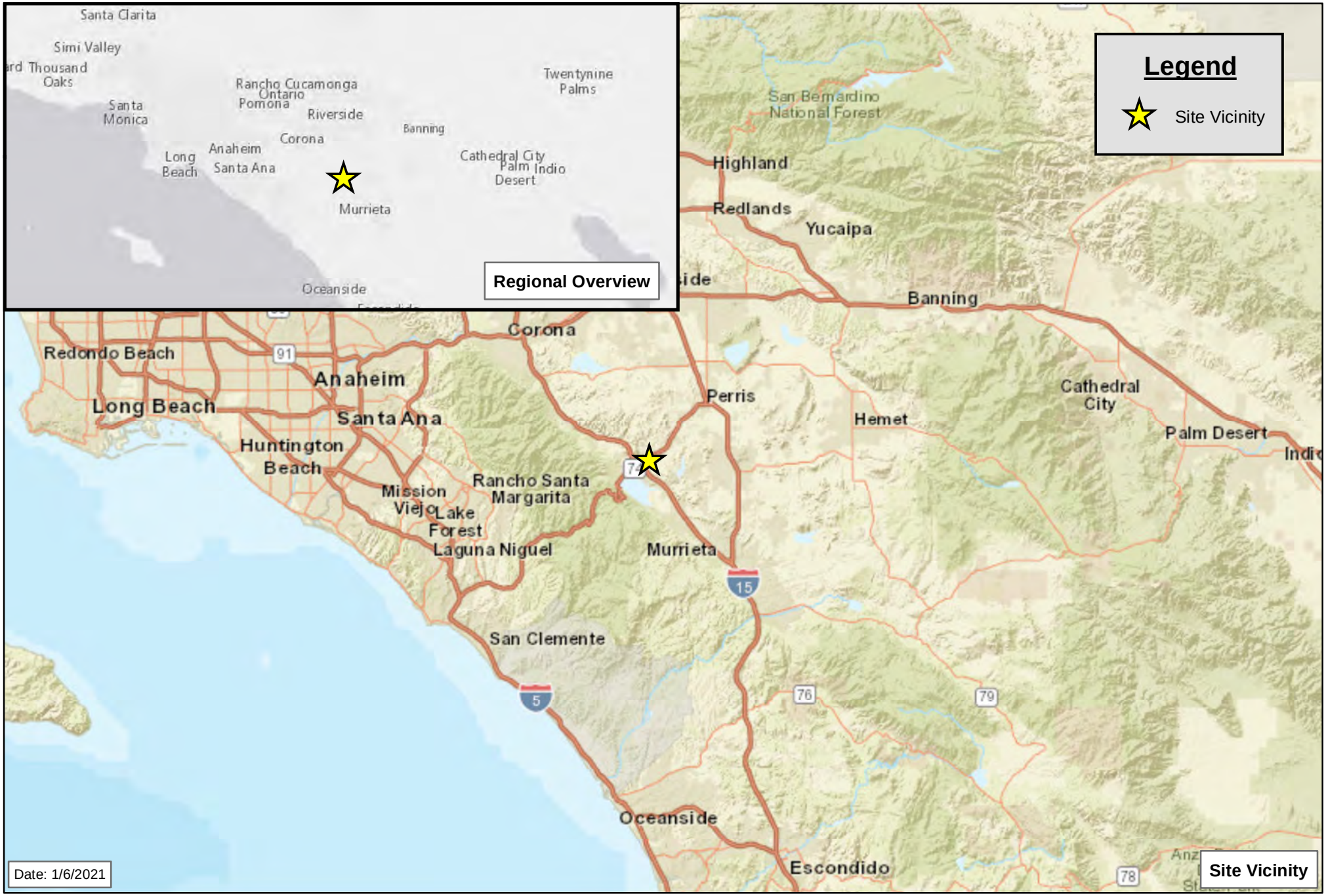
USFWS. 2015. *A Natural History Summary and Survey Protocol for the Western Distinct Population Segment of the Yellow-Billed Cuckoo.* Prepared by M. Halterman, M.J. Johnson, J.A. Holmes, and S.A. Laymon. Sacramento, California: USFWS. April 2015. https://www.fws.gov/southwest/es/Documents/R2ES/YBCU_SurveyProtocol_FINAL_DRAFT_22Apr2015.pdf

12 SUPPORTING APPENDICES

The following supporting reports are attached:

Figure 1 - Regional Overview Site Vicinity
Figure 2 - Site Location – Topo Base
Figure 3 - Site Location- Aerial Base
Figure 4 – Site Plan
Figure 5 – Soils
Figure 6 – Vegetation Map
Figure 7 CNDDB Results

Appendix A – Photos
Appendix B – Biological Resources Assessment, February 2021



0 5 10 20 30 40 Miles

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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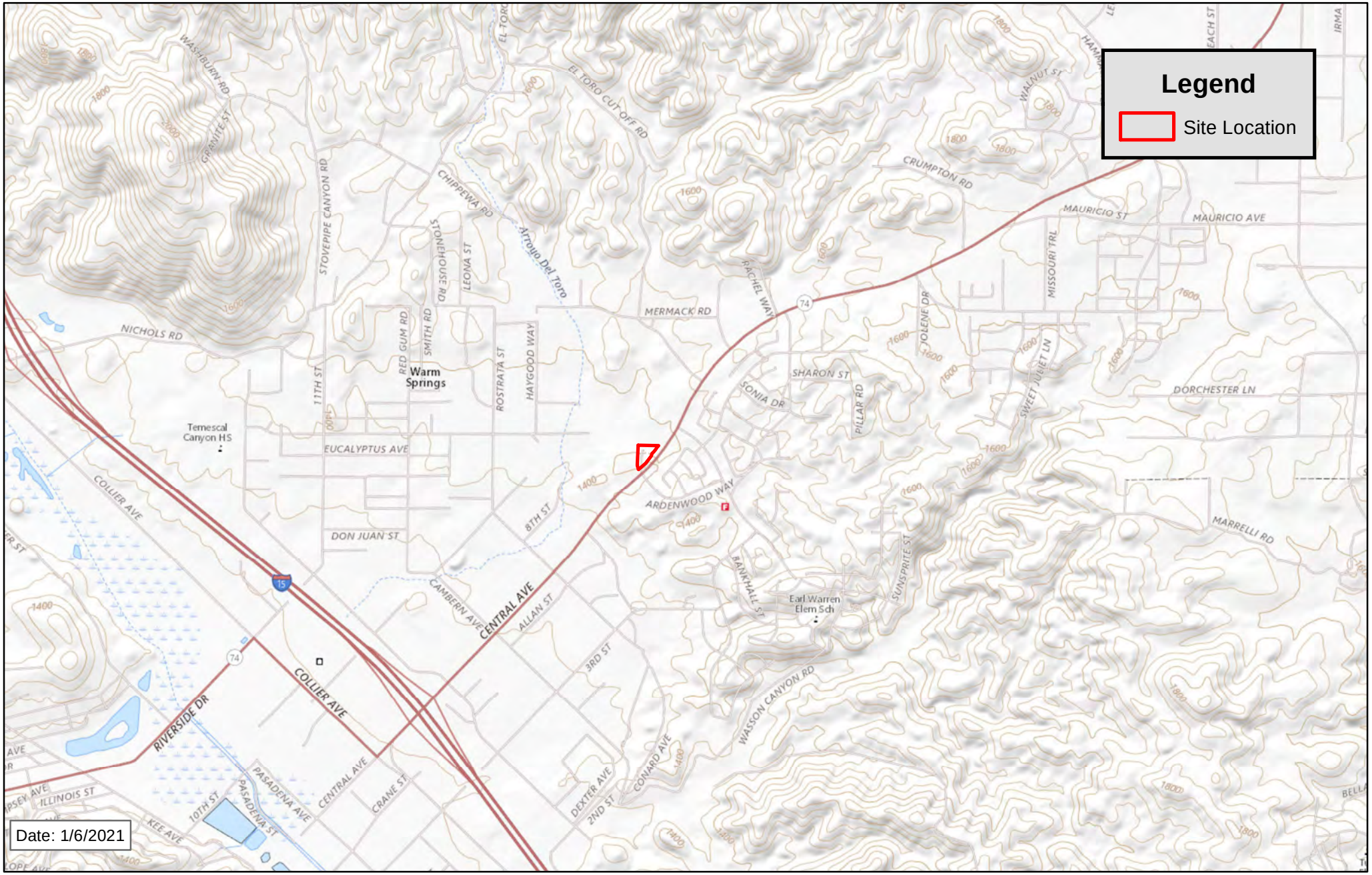
Figure 1 - Regional Overview Site Vicinity	76 Gas Station - 74 Highway Lake Elsinore, CA



Service Layer Credits: USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed October 2018.

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Figure 2
Site Location

76 Gas Station - 74 Highway
Lake Elsinore, CA

0 0.0325 0.065 0.13 0.195 0.26 Miles

1 inch = 417 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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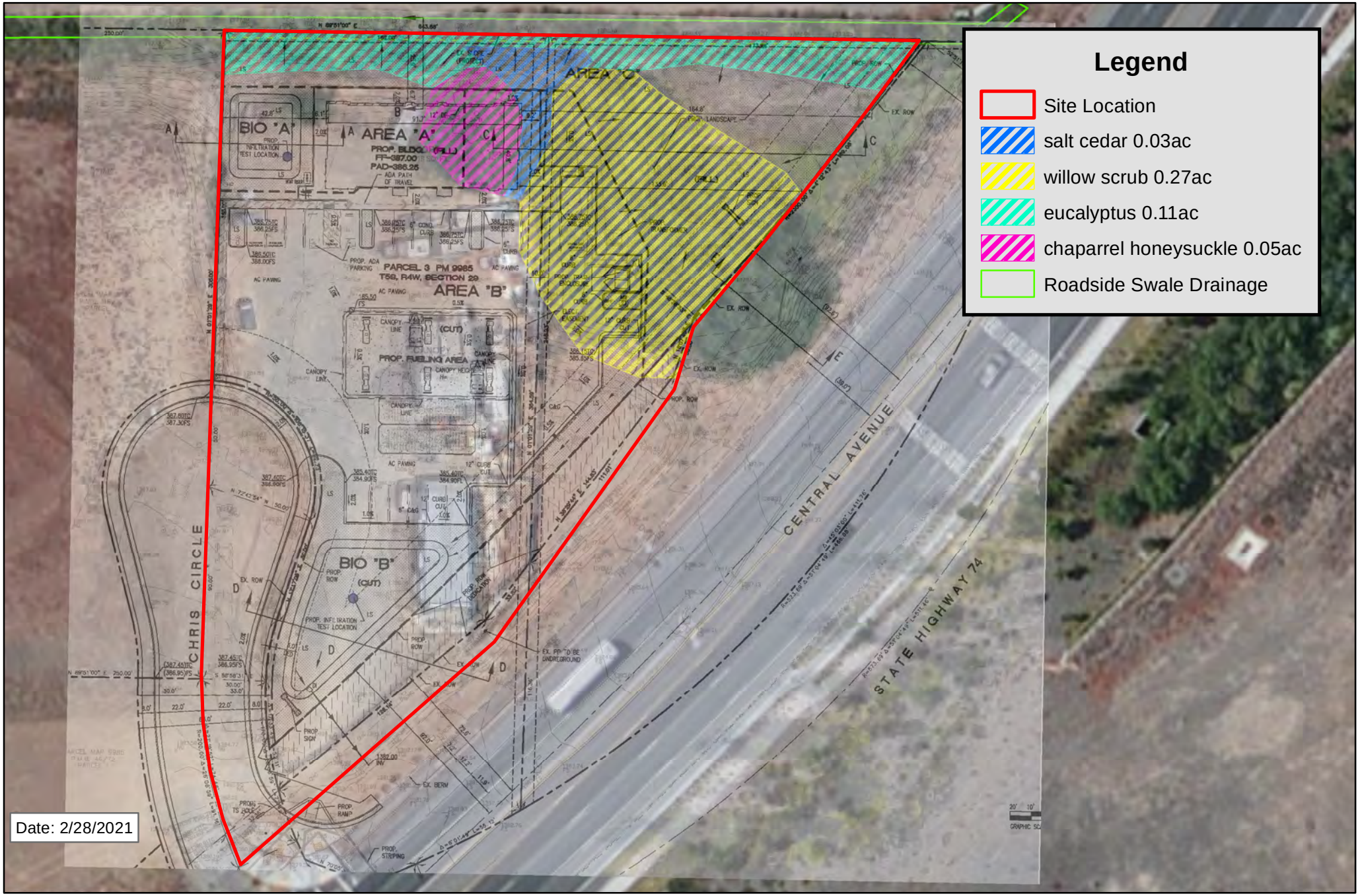
Figure 3
Site Location

76 Gas Station - 74 Highway
Lake Elsinore, CA



0 0.004750.0095 0.019 0.0285 0.038 Miles

1 inch = 58 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 4 Site Plan	76 Gas Station - 74 Highway Lake Elsinore, CA

0 0.005 0.01 0.02 0.03 0.04 Miles

1 inch = 83 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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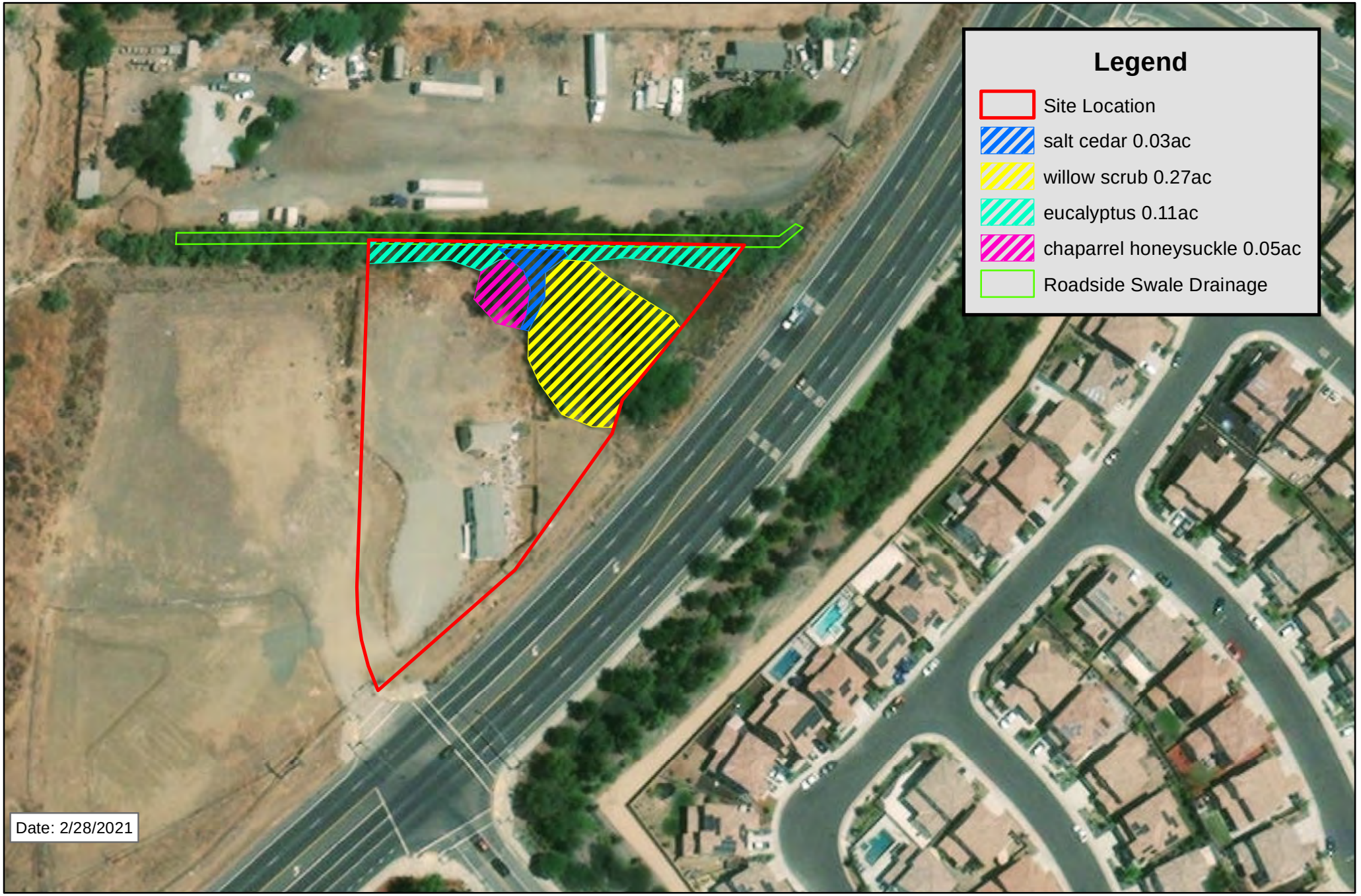
Figure 5
Soils

76 Gas Station - 74 Highway
Lake Elsinore, CA



0 0.00750.015 0.03 0.045 0.06 Miles

1 inch = 108 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 6
Vegetation

76 Gas Station - 74 Highway
Lake Elsinore, CA

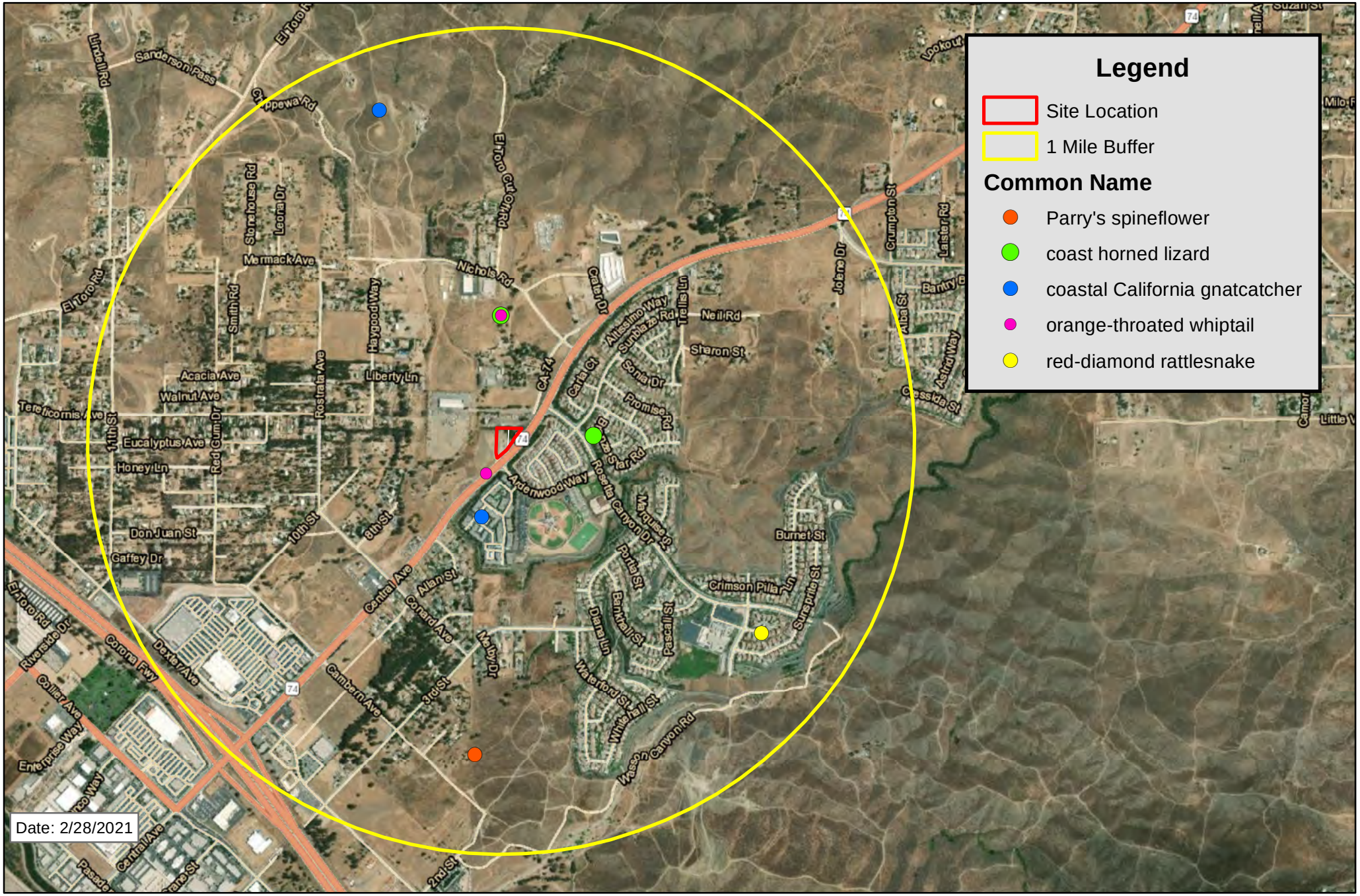

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Figure 7
CNDDB

76 Gas Station - 74 Highway
Lake Elsinore, CA

Appendix A – Photos

0 0.00750.015 0.03 0.045 0.06 Miles

1 inch = 108 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Photo Map

76 Gas Station - 74 Highway
Lake Elsinore, CA

Appendix A – Site Photos

	Photo 1 – Facing north east from the most southern point of the Project.
	Photo 2 – Facing west, start of encampment.

	Photo 3 – Looking west, northern encampment.
	Photo 4 – Facing east toward HWY74.

	Photo 5 – Facing west, between the two encampments.
	Photo 6 – Facing east.

	Photo 7 – Facing south from the northwest portion of the Project.
	Photo 8 – Facing west from the most northwestern point of the Project.

Appendix B – Biological Resources Assessment, February 2021

JERICHO SYSTEMS INC.
Progress & Preservation
47 1st Street, Suite 1
Redlands, CA 92373-4601
(909) 915-5900

February 23, 2021
(Revised May 1, 2021)

Joseph Karaki, President
Karaki WS
4887 E. La Palma Ave, Suite 707
Anaheim, CA 92807

RE: Biological Resources Assessment, Jurisdictional Delineation
Commercial Retail (76 Station) – APN: 347-130-029 & 347-130-028
Central Avenue (Hwy 74) and Eighth Street
City of Lake Elsinore, Riverside County, California

Dear Mr. Karaki:

Jericho Systems, Inc. (Jericho) is pleased to provide this Biological Resources Assessment and Jurisdictional Delineation for the above-referenced Project.

The results of Jericho's field survey are intended to provide sufficient baseline information to the County of Riverside, City of Lake Elsinore, and, if required, to federal and State regulatory agencies, including U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), respectively, to determine if impacts will occur, quantify those impacts and to identify mitigation measures to offset any impacts.

The Project site is located within the Western Riverside County Multiple Species Habitat Plan (MSHCP) area and as such, is subject to the conditions and conservation requirements identified in the MSHCP. Riverside County adopted the MSHCP on June 17, 2003. The City of Lake Elsinore is signatory to the MSHCP Implementing Agreement and thereby a permittee responsible for meeting the terms and conditions outlined in the MSHCP and the Biological Opinion issued for the MSHCP. Therefore, the City of Lake Elsinore has the responsibility to ensure the projects they approve are consistent the MSHCP and will not preclude the overall conservation goals and reserve design from being accomplished.

The MSHCP is a criteria-based plan and identification of planning units on which to base the Criteria is necessary for such a criteria-based plan. The MSHCP Conservation Area is comprised of a variety of existing and proposed Cores, Extensions of Existing Cores, Linkages, Constrained Linkages and Non-contiguous Habitat Blocks. The MSHCP coverage area is divided into Area Plans (AP) based on the Riverside County's General Plan Area Plan boundaries. Each of the AP's has: established conservation criteria, species specific surveys that may be required based on on-site Habitat Assessment, and resources and areas identified for conservation. In each Area Plan text, applicable Cores and Linkages are identified.

There are 146 species covered by the MSHCP. Surveys are not required for 106 of these covered species. The remaining 40 covered species may require focused surveys for proposed development

projects include 4 birds, 3 mammals, 3 amphibians, 3 crustaceans, 14 Narrow Endemic Plants, and 13 other sensitive plants within the Criteria Area. The need to conduct focused surveys for all but six of these 40 species is determined by the presence of suitable habitat within designated 'survey areas' mapped for each of the species. The remaining six species that require focused surveys throughout the entire MSHCP area are associated with riparian/riverine areas and vernal pools and include least Bell's vireo, southwestern willow flycatcher, western yellow-billed cuckoo, Riverside fairy shrimp, Santa Rosa Plateau fairy shrimp, and vernal pool fairy shrimp.

The MSHCP requires that a project comply with the MSHCP policies identified in Section 6 of the MSHCP. For this Project site, a habitat suitability assessment for burrowing owl (MSHCP section 6.3.2) and MSHCP Riparian/Riverine resources (MSHCP section 6.1.2) was required and conducted.

The Project site was also evaluated for the presence jurisdictional waters, subject to the federal Clean Water Act (CWA), Porter-Cologne (Porter-Cologne) and California Fish and Game Code (FGC) regulations. Jurisdictional resources subject to the CWA regulations include non-wetland waters and wetland waters of the U.S. (WoUS) whereas jurisdictional resources subject to Porter-Cologne include non-wetland waters and waters of the State (WoS). The California FGC encompasses the resources that constitute a stream or river, including associated riparian vegetation and floodplain.

Evaluation of Riparian/Riverine resources followed guidance provided in the MSHCP Section 6.1.2. Potential federal jurisdiction followed the regulations set forth in 33CFR part 328 and the USACE guidance documents and evaluation of potential State jurisdiction followed guidance in the Fish and Game Code and A Review of Stream Processes and Forms in Dryland Watersheds (CDFW, 2010).

PROJECT LOCATION

The approximately 1.9-acre Project site is made up of two parcels: APN 347-130-029 (1.12 acre) and 347-130-028 (0.49 acre) and is located in the City of Lake Elsinore, Riverside County, California. The Project site is bounded on the north by 8th Street, on the south by Ardenwood Way and rural industrial land use, on the east by Hwy 74 (Central Avenue), and on the west by vacant land. The project site can be found on the *Lake Elsinore* U. S. Geological Survey (USGS) 7.5-minute topographic map within Section 29 of Township 5 South, Range 4 West (Figure 1-3).

PROJECT UNDERSTANDING

The Project proposes a gas station consisting of a 3,516 square foot (sf) convenience store, 3,160 sf fueling canopy with six multi-product dispensers, and two underground storage tanks. See Figure 4 for site layout.

METHODS

Prior to the field investigation, reference materials and databases relevant to the Project site were reviewed for the *Lake Elsinore* 7.5-minute USGS quadrangle. The sources reviewed included:

- California Natural Diversity Database (CNDDB) *Rarefind 5*);
- CNDDB Biogeographic Information and Observation System (BIOS);
- California Native Plant Society Electronic Inventory (CNPSEI) database;
- Calflora Database;
- USDA Natural Resources Conservation Service (NRCS) Web Soil Survey;

- USF-WS National Wetland Inventory;
- Environmental Protection Agency (EPA) Water Program "My Waters" data layers;
- RCA/MSHCP Information Map

On January 16, 2021, Jericho Principal Ecologist, Shay Lawrey conducted a field survey of the Project site with focus on potential habitat for listed species, sensitive species, migratory birds, burrowing owl and riverine/riparian/vernal pool resources. Ms. Lawrey is a qualified biologist with advanced degrees in Biology and 25 years of experience surveying for the sensitive species known to in California and riverine/riparian/vernal pool resources. Ms. Lawrey surveyed the Project site on a calm weather, overcast day, during peak animal activity, between 8:30 a.m. and 10:30 am.

Ms. Lawrey conducted the survey by walking transects spaced in approximately 15 meters (approximately 50 feet) intervals to provide 100 percent visual coverage of the ground surface. Wildlife species were detected during field surveys by sight, calls, tracks, scat, or other signs. In addition to species observed, expected wildlife usage of the site was determined according to known habitat preferences of local wildlife species and knowledge of their relative distributions in the area. Ms. Lawrey assessed the Project site for habitat type, structure, species composition/association, condition, and human disturbances. Attention was focused on identifying potential habitat for special status species known to occur locally and identifying potential jurisdictional waters and/or riverine/riparian/vernal pool resources within and/or adjacent to the Project site.

Riverside County also requires that any survey limitations be identified. No limitations affected the results and conclusions given herein. The buffer survey area located on adjacent private property was surveyed via binoculars to avoid trespass. Surveys were conducted during the appropriate season to observe the target species, in good weather conditions, by a qualified biologist who followed all pertinent protocols.

Stephen's kangaroo rat Habitat Assessment

The RCA Mapping Information System identified that the Project parcel is not in a Stephen's kangaroo rat (*Dipodomys stephensi*, [SKR]) fee area. Therefore, this analysis was not applicable.

Burrowing Owl Habitat Assessment

The RCA Mapping Information System identified that APN 347-130-028 (0.49 acre), located in the Project's northeastern portion is within a survey area required for the western burrowing owl (*Athene cunicularia hypugaea*) [BUOW]) (Figure 5).

The BUOW habitat suitability assessment was conducted in accordance with the Western Riverside County MSHCP, which follows the 1993 *"Burrowing Owl Survey Protocol and Mitigation Guidelines"* prepared by the California Burrowing Owl Consortium. Step 1 of the survey protocol is the habitat suitability assessment. If suitable habitat is present, this protocol requires four (4) surveys between April 15 and July 15 with the first site survey counting as one survey period.

Burrowing owl habitat generally includes, but is not limited to, short or sparse vegetation (at least at some time of year), presence of burrows, burrow surrogates or presence of fossorial mammal dens, well-drained soils, and abundant and available prey.

Per the literature review, the closest documented BUOW occurrence is approximately 3.8 miles northeast from the Project site along Highway 74 near Ethanac Road and Eugene Street. There are no BUOW occurrences documented in the Project area,

Natural and non-natural substrates were examined for potential burrow sites. The site was searched for molted feathers, whitewash, cast pellets and/or prey remains. Disturbance characteristics and all other animal sign encountered within the survey area were recorded. Date time and weather conditions were logged. A hand-held, global positioning system (GPS) unit was used to survey to identify survey area boundaries. Representative photographs of the survey area were taken, and Google Earth Pro was accessed to provide recent aerial photographs of the Project site and surrounding area.

Riverine/Riparian Areas and Jurisdictional Waters

The site was also assessed for State and /or federal jurisdictional waters that are subject to Sections 404 and 401 of the federal CWA regulated by the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) respectively; and/or Section 1602 of the California Fish and Game Code (FCG) administered by the CDFW and Riverine/Riparian and Vernal Pool habitat subject to Section 6.1.2 of the MSHCP.

The methods used in this study to delineate the non-wetland WoUS at the Ordinary High Water Mark (OHWM) in variable, ephemeral, intermittent, or perennial non-wetland waters followed guidance described in *A Field Guide to the Identification of the Ordinary High Water Mark in the Arid West Region of the Western United States* (Lichvar and McColley 2008) and the *Updated Datasheet for the Identification of the Ordinary High Water Mark in the Arid West Region of the Western United States* ("Updated Datasheet", Curtis and Lichvar 2010).

The RWQCB maintains jurisdiction over all waters of the State, including wetlands. For the purposes of Porter-Cologne, the methods used to determine federal jurisdiction over non-wetland waters were also used to determine the extent of RWQCB jurisdiction over non-wetland waters within the property.

Evaluation of FGC Section 1600 Streambed Waters followed guidance in the Mapping Episodic Stream Activity (MESA) protocols *[MESA Field Guide*], pursuant to which CDFW claims jurisdiction beyond traditional stream banks and the outer edge of riparian. Under MESA, the term stream is defined broadly to include "a body of water that flows perennially or episodically and that is defined by the area in which water currently flows, or has flowed, over a given course during the historic regime [i.e., 'circa 1800 to the present'], and where the width of its course can reasonably be identified by physical or biological indicators."

The methods used to determine any riparian/riverine or vernal pool areas were based on the above techniques as well as soils evaluations and vegetation classifications. This is because an area may be characterized as riparian based on its vegetative composition but does not meet the criteria of being federal or state jurisdictional water.

RESULTS

Regional Setting

According to the U.S. EPA Regional map, the Project site is located in the Inland Valleys (85k) ecoregion. An ecoregion is a regional area that has similar ecosystems in terms of type, quality, and quantity of environmental resources. The Inland Valleys ecoregion is influenced less by marine processes, and more by alluvial processes. The ecoregion consists of alluvial fans and basin floors at the base of the San Bernardino and San Gabriel mountains and the San Jacinto and Perris Valleys in the south. Soil moisture is generally xeric, and historically, the region was composed of Riversidean coastal sage scrub, valley grasslands, and riparian woodlands. The ecoregion is now heavily urbanized with some remaining agriculture.

Hydrologically, the Project site is located within the Lake Mathews hydrologic area, in the 14,217-acre hydrologic sub-area (HSA 801.35) within the Temescal Wash watershed (HUC 180702030601) (Figure 6).

The City of Lake Elsinore is located in southwestern Riverside County at the foothills of the Cleveland National Forest. Topographically, Lake Elsinore is located on the east side of the Santa Ana mountains. The general climate of Lake Elsinore includes hot summers (99°F average maximum in August) and mild winters (38°F average minimum) with cool ocean breezes and sparse winter rainfall, averaging 12.09 inches of precipitation per year.

According to the database searches, 53 sensitive species (24 plants ,24 vertebrates, 5 invertebrates) and 3 sensitive habitats have been documented in the *Lake Elsinore* USGS quadrangle (Table 1). Figure 7 depicts the sensitive species within a one mile radius of the Project site.

Existing Site Conditions

Weather conditions during the survey were overcast with no wind. Survey hours of spanned from 8:30 a.m. to 10:30 a.m. with temperatures ranging from 65 degrees Fahrenheit (° F) to 70° F

The topography of the Project site is relatively flat, with elevation increasing in the northern portion of the parcel. Site elevation ranges from 1,414 feet to 1,389 feet above mean sea level (MSL).

The Project site is vacant and is surrounded by flat bladed disturbed land on the west, south, and north, and by Hwy 74 (Central Avenue) to the east. The site does not connect to native, undisturbed areas.

Soils on the Project site area consist of Cortina cobbly loamy sand, 2-9% slopes (CmC), Lodo rocky loam, 25-50% slopes (LpF2), and Arbuckle gravelly loam, 2-9% slopes – dry, MLRA 19 (AIC), (Figure 8). Soils in the Arbuckle series are well-drained remnants of alluvial fans derived from numerous types of rock. Soils in the Cortina series are well-drained soils made from alluvium derived from metasedimentary rock. The Lodo series consists of shallow, somewhat excessively drained soils that formed in material weathered from hard shale and fine grained sandstone. Terrace escarpments are landforms (terraces) made from alluvium derived from mixed sources.

The entire site is mapped by the RCA MSHCP Vegetation (2012) layer as developed/disturbed land, and the site survey confirmed these findings for all but the northeast corner, which consists of a mix of

salt cedar, eucalyptus and willow scrub. The vegetation here is used as cover for a homeless encampment that supports approximately 10 transients. This area is heavily littered and disturbed. Many of the bushes and trees on site have had trunks/branches sawed off and used for cover in the homeless encampment.

Habitat

The northeast corner of the Project site supports an over-story canopy of eucalyptus trees (*Eucalyptus* ssp) approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches. The mid-story is densely covered in salt cedar (*Tamarix ramossima*) with a small thicket of black willow shrubs (*Salix gooddingii*). The average height of the mid-story is approximately 12 feet. The dense understory primarily consists of short-podded mustard (*Hischfeldia incana*), tocalote *(Centaurea melitensis*), and non-native grasses (*Bromus* ssp.). A few native plants are found scattered along the eastern and western edges of the Project site including California buckwheat (*Erioginum faciculatum*), encilia (*Encilia farinosa)* and telegraph weed (*Heterotheca grandiflora*). The remainder of the Project site is bare and compacted due to blading.

Although, the vegetation in the northeastern corner of the Project site is mostly non-native (salt cedar and eucalyptus) and heavily impacted by a homeless encampment, it provides potentially suitable habitat for nesting birds, including raptor species.

Wildlife

Wildlife observed at the time of survey included yellow-rumped warbler, black phoebe, white-crowned sparrow, common raven, American crow, lesser goldfinch, house finch, European starling and mourning dove.

MSHCP Surveys

The Regional Conservation Authority (RCA) Information Map identifies the following for both APN 347-130-029 and 347-130-028:

- The parcels are located in the Elsinore Area Plan of the MSHCP.
- APN 347-130-028 is located in an area that requires focused BUOW surveys be conducted if suitable habitat is present. APN 347-130-029 is not located in an BUOW survey area (Figure 4)
- The parcels are not located in or adjacent to a Criteria Cell
- The parcels are not in a criteria species survey area
- The parcels are not in a mammal survey area
- The parcels are not in a narrow endemic plant survey area
- The parcels are not in a cellgroup

Burrowing owl (BUOW)

BUOW are known to occur locally within suitable habitat areas, with the closest occurrence being 3.6 miles northeast from the Project site along Highway 74 near Ethanac Road and Eugene Street in 1999.

The BUOW is currently designated as a California Species of Special Concern. It is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. They use a wide variety of arid and semi-arid environments with level to gently-sloping areas characterized by open vegetation and bare ground. BUOWs rarely dig their own burrows and are instead dependent upon the presence of burrowing mammals (i.e., California ground squirrels [*Otospermophilus beecheyi*], coyotes, and badgers [*Taxidea taxus*]) whose burrows are often used for roosting and nesting. The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of BUOWs. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, stand-pipes, and dry culverts. They also require low growth or open vegetation allowing line-of-sight observation of the surrounding habitat to forage and watch for predators. In California, the BUOW breeding season extends from the beginning of February through the end of August.

Under the MSHCP burrowing owl is considered an adequately conserved covered species that may still require focused surveys in certain areas as designated in Figure 6-4 of the MSHCP. The survey for burrowing owl requires a systematic survey of all areas that provide suitable habitat plus a 150-meter (approximately 500 feet) zone of influence on all sides of suitable habitat, where applicable.

The area on site requiring BUOW surveys is densely vegetated in a three story canopy cover structure that includes eucalyptus trees, salt cedar and willows, and non-native grasses and weeds. The habitat composition and structure is not suitable for BUOW. No burrows, feathers, whitewash, castings, prey remains or BUOW individuals were observed on site or in the survey buffer area which was surveyed by binoculars. (The adjacent properties are private property and access was not granted to survey). Based on the survey results BUOW are absent, the habitat within the required survey area is unsuitable and therefore, further investigation is not recommended or warranted

Heritage Trees

The City of Lake Elsinore's Palm Tree Preservation Program is limited to palm species within the city limits. Palm trees are not on site; therefore, the Project will not impact heritage trees.

Riverine/Riparian Areas and Jurisdictional Waters

A roadside swale originating from HWY74 and N. Frontage road located along the northeastern boundary of the site, enters the Project site in the northern portion of APN 347-130-028 and continues westerly along the property boundary between the Project site and the parcel north of the Project site (Figure 7). This swale collects street runoff and is not a natural or jurisdictional feature subject to Sections 1600 of the FGC or 404/401 of the federal CWA. There is no bed or bank associated with this swale indicating a flow of water. The water runoff from HWY 74 travels west, back flows to the southeast and percolates in the well-drained soils. There is no evidence that the swale connects to the blue line stream located off-site to the west.

This roadside is a result of man-made roadside water diversion from HWY 74 and is not considered jurisdictional or riverine/riparian. Although the patch of willows growing in the mid-story of the swale are riparian it is not the intent of the MSHCP to conserve small patches of riparian species growing as a direct result of man-made features. The willows occur as a direct result of roadside runoff. If the run off was redirected, these willows would not exist. For further clarification as defined under Section 6.1.2 of the MSHCP, *Protection of Species Associated with Riparian/Riverine*

Areas and Vernal Pools, riparian/riverine areas are areas dominated by trees, shrubs, persistent emergent plants, or emergent mosses and lichens which occur close to or are dependent upon nearby freshwater, or areas with freshwater flowing during all or a portion of the year. Conservation of these areas is intended to protect habitat that is essential to a number of listed or special-status water-dependent fish, amphibian, avian, and plant species.

Based on the Project's Site Plan (Figure 8), 0.41 acre will be permanently impacted by grading and construction.

Due to the presence of a willow scrub thicket the following three bird species must be addressed according to the MSHCP.

- Southwestern willow flycatcher (*Empidonax trallii extimus*) [SWWF]
- least Bell's vireo (*Vireo bellii pusillus*) [LBVI]
- yellow-billed cuckoo (*Coccyzus americanus*) [YBCU]

Southwestern willow flycatcher

The southwestern willow flycatcher (SWWF) is a State and federally listed species. In 1992, it was listed by the California Fish and Game Commission endangered, under the California Endangered Species Act (CESA) of 1970. It was federally listed as endangered on February 27, 1995, under the ESA (60 FR 10694). The USFWS designated critical habitat for the species on July 22, 1997. This habitat includes 18 units with a total of 599 miles of river in California, New Mexico, and Arizona. In California, critical habitat was designated along portions of the Santa Ana River, San Luis Rey River, San Diego River, Santa Margarita River, Tijuana River, and south fork of the Kern River (62 FR 39129). On May 11, 2001, the critical habitat designation from 1997 was struck down by the U.S. 10th Circuit Court of Appeals who required further economic analysis. A recovery plan was finalized by USFWS in March of 2003. Critical habitat designations for this species were re-proposed and finalized in June 2004 (USFWS, 2003c).

The species historical range included Arizona, California, Colorado, New Mexico, Texas, and Utah. Southwest Region (Region 2) Counties in California in which this population is known to or is believed to occur: Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Santa Cruz, Tulare, Tuolumne, Ventura.

The SWWF is a small passerine bird measuring approximately 5.7 inches in length. It has a grayish-green back and wings, whitish throat, a light gray-olive breast, and pale yellowish belly. It has two visible white wing bars and a faint or absent eye ring. The call consists of a repeated "whit" and their song is a sneezy "fitz-bew." (60 FR 10694). The SWWF is currently one of the four recognized subspecies of the willow flycatcher. This flycatcher is a neotropical migrant that breeds in the southwestern United States from mid-April to early-September. In the fall, it migrates south to its wintering grounds in portions of South America, Central America and Mexico. (60 FR 10694)

The SWWF breeds in dense riparian habitats along rivers, streams, and other wetlands at elevations ranging from sea level to 8,500 feet (Sogge 1997). Occupied habitat is generally dominated by shrubs and trees 13 to 23 feet or more in height, which provide dense lower and mid-story vegetation approximately 10 to 13 feet aboveground. This dense vegetation is often interspersed with open water, small openings, or sparse vegetation, creating a mosaic that is not uniformly dense (62 FR

39129). Plant species closely associated with the flycatcher include willows (Salix spp.), boxelder (*Acer negungo*), seepwillow (*Baccharis* spp.), with an overstory of cottonwood (*Populus fremontii*) (62 FR 39129).

The SWWF has not been documented on site or within a one mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the size or structure preferred by this species. They are found in habitat areas with a well-developed overstory, mid-story, understory, consisting of willow, mule fat and cottonwood, near water, with a minimum patch size of four (4) acres. This species requires a habitat structure of a 20-30-foot upper canopy, 15-12 foot mid-story and a lower story of 5-3 feet. This species is not found in salt cedar or eucalyptus. Although there is a willow component it is not the size or structure where this species is found. These conditions are absent from the site. The acreage and structure of 0.11 acre of eucalyptus trees approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs with a DBH of 6 inches is not the type of habitat is not the type or structure that this species is found.

Nor are they found in high disturbance areas which is the case on site due to the transient encampments and cutting of the vegetation. The specific requirement for this species is the presence of water. These are not the conditions on site.

Therefore, SWWF has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

Least Bell's vireo

Least Bell's vireo (LBVI) was first proposed for listing as endangered by the USFWS on May 3, 1985, (50 FR 18968) and was subsequently listed as federally endangered on May 2, 1986 (60 FR 10694). Critical habitat units were designated by the USFWS on February 2, 1994 (59 FR 4845) and included reaches of ten streams in six counties in southern California and the surrounding approximately 38,000 acres. The critical habitat units exist in the Santa Ynez River, Santa Clara River, Santa Ana River, Santa Margarita River, San Luis Rey River, Sweetwater River, San Diego River, Tijuana River, Coyote Creek, and Jumul-Dulzura Creek.

The species historical range included California; California/Nevada Region (Region 8)Counties in California in which this population is known to or is believed to occur includes: Imperial, Inyo, Kern, Los Angeles, Monterey, Orange, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, Stanislaus, Tulare, Ventura, Yolo.

The LBVI is a small, olive-gray migratory songbird that nests and forages almost exclusively in riparian woodland habitats. Bell's vireos as a group are highly territorial and are almost exclusively insectivorous. LBVI generally begin to arrive from their wintering range in southern Baja California and establish breeding territories by mid-March to late-March. A large majority of breeding vireos depart their breeding grounds by the third week of September and only a very few have been found wintering in the United States.

Nests are usually placed in forks of branches between 2 and 5 feet from the ground. Females lay two to five eggs with both parents incubating the clutch for approximately 14 days and the young fledging

after 10 to 12 days. The fledglings will remain in the parental territory for up to a month. LBVI leave the breeding grounds and migrate south mid to late September.

Their nesting habitat typically consists of well-developed overstory, understory, and low densities of aquatic and herbaceous cover. The understory frequently contains dense sub-shrub or shrub thickets. The overstory usually contains black willow, cottonwood and Sycamore. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. Although LBVI use a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. Vireos forage in riparian habitats up to 984 feet from the nest and use both high and low scrub layers as foraging substrate.

The LBVI has not been documented on site or within a 1- mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the structure or patch size preferred by this species. The acreage and structure of 0.11 acre of eucalyptus trees, approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs, with a DBH of 6 inches is not the type of habitat that this species is found. This species is not found in salt cedar or eucalyptus.

Nor are they found in high disturbance areas. Although there is a willow component, it is not the size or structure where this species is found. They are located in well-developed overstory, mid-story, understory, and low densities of aquatic and herbaceous cover with a minimum patch size of two (2) acres, which is not the case for this site.

Therefore, LBVI has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

Yellow-billed cuckoo

The YBCU is listed as endangered in the state of California and was federally listed as threatened in 2014. Designation of critical habitat for the western distinct population segment of the Yellow-Billed Cuckoo (*Coccyzus americanus*) was made by the USFWS in 2014 (50 CFR Part 17). In 1971 it was listed by the California Department of Fish and Game as Rare. By 1977 it had become "one of the rarest birds" in the state. A 1977 survey of historical sites and suitable habitat at six widely scattered rivers turned up 54 birds in the Sacramento Valley (Tehama, Putte, Glenn, Colusa, and Sutter counties), 9 on the South Fork of the Kern River near Weldon, 3 along the Santa Ana River, Riverside County, 4 in Owens Valley, Inyo County, 6 on the Armargosa River south of Tecopa, Inyo and San Bernardino County, and 65 on both sides of the Colorado River from the Nevada state line to the Mexican border (Gaines 1977). By 1986 the entire breeding population in California had dropped to 31-42 pairs (Laymon and Halterman 1987).

The YBCU was once common in riparian habitat throughout the western United States. In California the YBCU has declined from a "fairly common breeding species" throughout most of the state to a current population of less than 50 pairs (Gaines and Laymon 1984; Laymon and Halterman 1991). The geographical breeding range of the YBCU in the western United States North America includes suitable habitat within the low- to moderate-elevation areas, including the upper and middle

Rio Grande, the Colorado River Basin, the Sacramento and San Joaquin River systems, the Columbia River system, and the Fraser River.

The species historical range included Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, Wyoming. The California/Nevada Region (Region 8) Counties in California in which this population is known to or is believed to occur include: Alameda, Butte, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kern, Lake, Lassen, Madera, Marin, Mendocino, Modoc, Mono, Plumas, Sacramento, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuma.

The YBCU is a medium sized bird, with a long and slim profile. Its legs are short and bluish-gray, and its tail is gray-brown above and black below with three striking pairs of large white dots visible in flight. Its body is brown above with white under parts. The undersides of its pointed wings are rufous. Adult birds have a long-curved bill which is blue-black above and yellow at the base of the mandibles. Juveniles have a completely blue-black bill.

Though the YBCU will occupy a variety of marginal habitats, particularly at the edges of their range, YBCU in the West are overwhelmingly associated with relatively expansive stands of mature cottonwood willow forests. Canopy height ranged from 5-25 m, canopy cover from 20-90 percent, and understory cover from 30-90 percent. Willows and open water are required and the habitat will vary from dense willow-cottonwood forests to marshy bottomlands with scattered willow thickets. Today, five of the remaining eight populations in California are in immediate danger of extinction, including 2 sites in Owens Valley, the Armargosa River near Tecopa, the Mojave River and the Santa Ana River. These populations only harbor 1-2 individuals in some years and none in others, making them highly vulnerable to extirpation from both stochastic and systemic processes. According to the California Department of Fish and Wildlife (1980), remnant patches of suitable habitat in sizes sufficient to support breeding yellow-billed cuckoos are scarce.

The YBCU has not been documented on site or within a 1- mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the structure or size preferred by this species. They are found in habitat areas with a well-developed overstory, mid-story, understory, consisting of willow and cottonwood, near water, with a minimum patch size of forty (40) acres. This species requires a habitat structure of a 30-75-foot upper canopy, 18-20 foot mid-story and a lower story of 5-3 feet. This species is not found in salt cedar or eucalyptus. Although there is a willow component, it is not the size or structure where this species is found. These conditions are absent from the site. The acreage and structure of 0.11 acre of eucalyptus trees approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs with a DBH of 6 inches is not the type of habitat or structure that this species is found. Nor are they found in high disturbance areas which is the case on site due to the transient encampments and cutting of the vegetation. This species is very sensitive to disturbance and is only found in pristine environments. The specific requirement for this species is the presence of water which is absent from the site.

Therefore, YBCU has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

Vernal Pools

No vernal pool resources occur on site. The soils are well drained and no evidence of pooling/ponding is present. Further historical imagery provides no evidence of past ponding or pooling.

CONCLUSIONS AND RECOMMENDATIONS

The Project site is currently vacant and has been subject to human disturbances. Parcel APN 347-130-028, the northeastern corner of the Project site has two occupied homeless encampments with trash littering the entire area and an old Porta Potty. Soils on site have been bladed, and many of the eucalyptus trees on site have had trunks/branches sawed off.

The Project site is within an MSHCP required survey area for BUOW. Based on the survey results BUOW are absent from the Project site and survey buffer. The habitat type, structure and composition is not suitable for BUOW and there is no potential for them to occur here. Therefore, no further action relative to BUOW is required.

The small patch of willow scrub located in the northest corner of the Project site is not suitable to support LBVI, SWWF or YBCU. Therefore, protocol surveys are not warranted. These migratory songbirds nest and forage almost exclusively in riparian woodland habitats with nesting habitat typically consisting of well-developed overstory, understory, and low densities of aquatic and herbaceous cover. The understory frequently contains dense sub-shrub or shrub thickets. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. These conditions do not occur on site. Although these song birds use a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. Territories for these three species range in size from 0.5 to 7.5 acres, with an average size of approximately 2 acres. The willow scrub on site is 0.27 acre in size and does not meet the habitat structure requirements of these three species. Further, the consistent presence of transients in the willow thicket presents a major disturbance that is not conducive to bird nesting in general.

The eucalyptus and salt cedar vegetation growing in the northeast corner of the property does however, provide potentially suitable nesting habitat for birds, including raptor species. Therefore, the following is recommended to avoid potential impacts to nesting birds and/or raptors:

> Recommendation: Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. In general, Projects should be constructed outside of this time to avoid impacts to nesting birds. If a Project cannot be constructed outside of nesting season, the project site shall be surveyed for nesting birds by a qualified avian biologist prior to initiating the construction activities. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) will be prepared and implemented. At a minimum, the NBP will include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The NBP will include a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be determined by the

biologist, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist has determined the young birds have successfully fledged or that the nest has otherwise become inactive.

Should you have any questions or require further information, please contact me at (909) 915-5900 or shay@jericho-systems.com should you have any questions or require further information.

Sincerely,

Shay Lawrey, President

Attachments:

A. *Site Photographs*
B. *Species Occurrence Table*
C. *Figures*

0 0.00750.015 0.03 0.045 0.06 Miles

1 inch = 108 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

ÉRICHO SYSTEMS INC.
Progress & Preservation

Photo Map

76 Gas Station - 74 Highway
Lake Elsinore, CA

Attachment A – Site Photographs

	Photo 1 – Facing north east from the most southern point of the Project.
	Photo 2 – Facing west, start of encampment.

	Photo 3 – Looking west, northern encampment.
	Photo 4 – Facing east toward HWY74,.

	Photo 5 – Facing west; between the two encampments.
	Photo 6 – Facing east.

	Photo 7 – Facing south from northwest portion of project.
	Photo 8 – Facing west from most northwestern point of project.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Plants				
Allium munzii	Munz's onion	Endangered Threatened G1 S1 1B.1	Chaparral, coastal scrub, cismontane woodland, pinyon and juniper woodland, valley and foothill grassland. Heavy clay soils; grows in grasslands & openings within shrublands or woodlands. 375-1040 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Ambrosia pumila	San Diego ambrosia	Endangered None G1 S1 1B.1	Chaparral, coastal scrub, valley and foothill grassland. Sandy loam or clay soil; sometimes alkaline. In valleys; persists where disturbance has been superficial. Sometimes on margins or near vernal pools. 3-580 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Atriplex coronata var. *notatior*	San Jacinto Valley crownscale	Endangered None G4T1 S1 1B.1	Playas, valley and foothill grassland, vernal pools. Alkaline areas in the San Jacinto River Valley. 35-460 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Brodiaea filifolia	thread-leaved brodiaea	Threatened Endangered G2 S2 1B.1	Usually associated with annual grassland and vernal pools; often surrounded by shrubland habitats. Occurs in openings on clay soils. 15-1030 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Calochortus plummerae	Plummer's mariposa-lily	None None G4 S4 4.2	Coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, lower montane coniferous forest. Occurs on rocky and sandy sites, usually of granitic or alluvial material. Can be very common after fire. 60-2500 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Carex buxbaumii	Buxbaum's sedge	None None G5 S3 4.2	Bogs and fens, meadows and seeps, marshes and swamps. Mesic sites. 3-3300 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Caulanthus simulans	Payson's jewelflower	None None G4 S4 4.2 USFS: Sensitive	Chaparral, coastal scrub. Frequently in burned areas, or in disturbed sites such as streambeds; also on rocky, steep slopes. Sandy, granitic soils. 90-2200 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Centromadia pungens ssp. *laevis*	smooth tarplant	None None G3G4T2 S2 1B.1	Wetland Valley and foothill grassland, chenopod scrub, meadows and seeps, playas, riparian woodland. Alkali meadow, alkali scrub; also in disturbed places. 5-1170 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Chorizanthe leptotheca	Peninsular spineflower	None None G3 S3 4.2	Chaparral, coastal scrub, lower montane coniferous forest. On granitic soils, in alluvial fans. 300-1900 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Chorizanthe parryi var. *parryi*	Parry's spineflower	None None G3T2 S2 1B.1 BLM: Sensitive USFS: Sensitive	Coastal scrub, chaparral, cismontane woodland, valley and foothill grassland. Dry slopes and flats; sometimes at interface of 2 vegetation types, such as chaparral and oak woodland. Dry, sandy soils. 90-1220 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Chorizanthe polygonoides var. *longispina*	long-spined spineflower	None None G5T3 S3 1B.2 BLM: Sensitive	Chaparral, coastal scrub, meadows and seeps, valley and foothill grassland, vernal pools. Gabbroic clay. 30-1630 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Convolvulus simulans	small-flowered morning-glory	None None G4 S4 4.2	Chaparral, coastal scrub, valley and foothill grassland. Wet clay, serpentine ridges. 30-700 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dodecahema leptoceras	slender-horned spineflower	Endangered Endangered G1 S1 1B.1	Chaparral, cismontane woodland, coastal scrub (alluvial fan sage scrub). Flood deposited terraces and washes; associates include Encelia, Dalea, Lepidospartum, etc. Sandy soils. 200-765 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dudleya multicaulis	many-stemmed dudleya	None None G2 S2 1B.2 USFS: Sensitive	Chaparral, coastal scrub, valley and foothill grassland. In heavy, often clayey soils or grassy slopes. 1-910 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Harpagonella palmeri	Palmer's grapplinghook	None None G4 S3 4.2	Chaparral, coastal scrub, valley and foothill grassland. Clay soils; open grassy areas within shrubland. 20-955 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Hordeum intercedens	vernal barley	None None G3G4 S3S4 3.2	Valley and foothill grassland, vernal pools, coastal dunes, coastal scrub. Vernal pools, dry, saline streambeds, alkaline flats. 5-1000 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Juglans californica	southern California black walnut	None None G4 S4 4.2	Chaparral, coastal scrub, cismontane woodland, riparian woodland. Slopes, canyons, alluvial habitats. 50-900 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Lasthenia glabrata ssp. *coulteri*	Coulter's goldfields	None None G4T2 S2 1B.1 BLM: Sensitive	Coastal salt marshes, playas, vernal pools. Usually found on alkaline soils in playas, sinks, and grasslands. 1-1375 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Lepechinia cardiophylla	heart-leaved pitcher sage	None None G3 S2S3 1B.2 USFS: Sensitive	Closed-cone coniferous forest, chaparral, cismontane woodland. 115-1345 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Myosurus minimus ssp. *apus*	little mousetail	None None G5T2Q S2 3.1	Vernal pools, valley and foothill grassland. Alkaline soils. 20-640 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Navarretia fossalis	spreading navarretia	Threatened None G2 S2 1B.1	San Diego hardpan and San Diego claypan vernal pools; in swales & vernal pools, often surrouded by other habitat types. 15-850 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Orcuttia californica	California Orcutt grass	Endangered Endangered G1 S1 1B.1	Wetland Vernal pools. 10-660 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Romneya coulteri	Coulter's matilija poppy	None None G4 S4	Desert wash Coastal scrub, chaparral. In washes and on slopes; also after burns. 20-1200 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
		4.2		
Tortula californica	California screw moss	None None G2G3 S2? 1B.2 BLM: Sensitive	Chenopod scrub, valley and foothill grassland. Moss growing on sandy soil. 45-750 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Birds				
Accipiter cooperii	Cooper's hawk	None None G5 S4 CDFW: Watch List IUCN: Least Concern	Woodland, chiefly of open, interrupted or marginal type. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks.	Marginally suitable habitat occurs on site. Potential to occur is **moderate**.
Aimophila ruficeps canescens	southern California rufous-crowned sparrow	None None G5T3 S3 CDFW: Watch List	Resident in Southern California coastal sage scrub and sparse mixed chaparral. Frequents relatively steep, often rocky hillsides with grass and forb patches.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Artemisiospiza belli belli	Bell's sage sparrow	None None G5T2T3 S3 CDFW: Watch List USFWS: Birds of Conservation Concern	Nests in chaparral dominated by fairly dense stands of chamise. Found in coastal sage scrub in south of range. Nest located on the ground beneath a shrub or in a shrub 6-18 inches above ground. Territories about 50 yds apart.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Athene cunicularia	burrowing owl	None None G4 S3 BLM: Sensitive CDFW: Species of Special Concern	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
		IUCN: Least Concern USFWS: Birds of Conservation Concern		
Charadrius alexandrinus nivosus	western snowy plover	Threatened None G3T3 S2S3 CDFW: Species of Special ConcernNABCI: Red Watch List USFWS: Birds of Conservation Concern	Sandy beaches, salt pond levees & shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Elanus leucurus	white-tailed kite	None None G5 S3S4 BLM: Sensitive CDFW: Fully Protected IUCN: Least Concern	Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	Marginally suitable habitat for this species occurs on site. Potential to occur is **moderate**.
Empidonax traillii extimus	southwestern willow flycatcher	Endangered Endangered G5T2 S1 NABCI: Red Watch List	Riparian woodlands with multiple canopy layers in Southern California.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The dense canopy layers of riparian vegetation this species requires is not on site. The habitat requirements for this species are not on site. Potential to occur is **low**.
Eremophila alpestris actia	California horned lark	None None G5T4Q S4 CDFW: Watch List IUCN: Least Concern	Short-grass prairie, "bald" hills, mountain meadows, open coastal plains, fallow grain fields, alkali flats.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Icteria virens	yellow-breasted chat	None None G5 S3 CDFW: Species of Special ConcernIUCN: Least Concern	Summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian, consisting of willow, blackberry, wild grape; forages and nests within 10 ft of ground.	The willows on site are not in great enough quality and quantity to provide suitable habitat for this species. Potential to occur is **low**.
Lanius ludovicianus	loggerhead shrike	None None G4 S4 CDFW: Species of Special Concern IUCN: Least Concern USFWS: Birds of Conservation Concern	Broken woodlands, savannah, pinyon-juniper, Joshua tree, and riparian woodlands, desert oases, scrub & washes. Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Plegadis chihi	white-faced ibis	None None G5 S3S4 CDFW: Watch List IUCN: Least Concern	Shallow freshwater marsh. Dense tule thickets for nesting, interspersed with areas of shallow water for foraging.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Polioptila californica californica	coastal California gnatcatcher	Threatened None G4G5T2Q S2 CDFW: Species of Special Concern NABCI: Yellow Watch List	Obligate, permanent resident of coastal sage scrub below 2500 ft in Southern California. Low, coastal sage scrub in arid washes, on mesas and slopes. Not all areas classified as coastal sage scrub are occupied.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Vireo bellii pusillus	least Bell's vireo	Endangered Endangered G5T2 S2 IUCN: Near Threatened NABCI: Yellow Watch List	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	The willows on site are not in great enough quality and quantity to provide suitable habitat for this species. Potential to occur is **low**.
Mammals				
Chaetodipus fallax fallax	northwestern San Diego pocket mouse	None None G5T3T4 S3S4 CDFW: Species of Special Concern	Coastal scrub, chaparral, grasslands, sagebrush, etc. in western San Diego County. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dipodomys merriami parvus	San Bernardino kangaroo rat	Endangered Candidate Endangered G5T1 S1 CDFW: Species of Special Concern	Alluvial scrub vegetation on sandy loam substrates characteristic of alluvial fans and flood plains. Needs early to intermediate seral stages.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dipodomys stephensi	Stephens' kangaroo rat	Endangered Threatened G2 S2 IUCN: Endangered	Primarily annual & perennial grasslands, but also occurs in coastal scrub & sagebrush with sparse canopy cover. Prefers buckwheat, chamise, brome grass and filaree. Will burrow into firm soil.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Lepus californicus bennettii	San Diego black-tailed jackrabbit	None None G5T3T4 S3S4 CDFW: Species of Special Concern	Intermediate canopy stages of shrub habitats & open shrub / herbaceous & tree / herbaceous edges. Coastal sage scrub habitats in Southern California.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Reptiles				

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Arizona elegans occidentalis	California glossy snake	None None G5T2 S2 CDFW: Species of Special Concern	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular ranges, south to Baja California. Generalist reported from a range of scrub and grassland habitats, often with loose or sandy soils.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Aspidoscelis hyperythra	orange-throated whiptail	None None G5 S2S3 CDFW: Watch List IUCN: Least Concern USFS: Sensitive	Inhabits low-elevation coastal scrub, chaparral, and valley-foothill hardwood habitats. Prefers washes and other sandy areas with patches of brush and rocks. Perennial plants necessary for its major food: termites.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Crotalus ruber	red-diamond rattlesnake	None None G4 S3 CDFW: Species of Special Concern USFS: Sensitive	Chaparral, woodland, grassland, & desert areas from coastal San Diego County to the eastern slopes of the mountains. Occurs in rocky areas and dense vegetation. Needs rodent burrows, cracks in rocks or surface cover objects.	The microhabitat conditions required for this species are not on site. Potential to occur is **low**.
Phrynosoma blainvillii	coast horned lizard	None None G3G4 S3S4 BLM: Sensitive CDFW: Species of Special Concern IUCN: Least Concern	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Salvadora hexalepis virgultea	coast patch-nosed snake	None None G5T4 S2S3	Brushy or shrubby vegetation in coastal Southern California. Require small mammal burrows for refuge and overwintering sites.	Small mammal burrows were not detected on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
		CDFW: Species of Special Concern		
Amphibians				
Spea hammondii	western spadefoot	None None G3 S3 BLM: Sensitive CDFW: Species of Special Concern IUCN: Near Threatened	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Crustaceans				
Branchinecta lynchi	vernal pool fairy shrimp	Threatened None G3 S3 IUCN: Vulnerable	Endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains, in astatic rain-filled pools. Inhabit small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Streptocephalus woottoni	Riverside fairy shrimp	Endangered None G1G2 S1S2 IUCN: Endangered	Endemic to Western Riverside, Orange, and San Diego counties in areas of tectonic swales/earth slump basins in grassland and coastal sage scrub. Inhabit seasonally astatic pools filled by winter/spring rains. Hatch in warm water later in the season.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Insects				
Bombus crotchii	Crotch bumble bee	None Candidate Endangered G3G4 S1S2	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Cicindela senilis frosti	senile tiger beetle	None None G2G3T1T3 S1	Mud shore/flats Wetland Inhabits marine shoreline, from Central California coast south to salt marshes of San Diego. Also found at Lake Elsinore Inhabits dark-colored mud in the lower zone and dried salt pans in the upper zone.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Euphydryas editha quino	quino checkerspot butterfly	Endangered None G5T1T2 S1S2	Sunny openings within chaparral & coastal sage shrublands in parts of Riverside & San Diego counties. Hills and mesas near the coast. Need high densities of food plants Plantago erecta, P. insularis, and Orthocarpus purpurescens.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Habitats				
Southern Coast Live Oak Riparian Forest		None None G4 S4	Riparian forest	This habitat is not on site
Southern Cottonwood Willow Riparian Forest		None None G3 S3.2	Riparian forest	This habitat is not on site
Southern Sycamore Alder Riparian Woodland		None None G4 S4	Riparian woodland	This habitat is not on site

Attachment B - Species Occurrence Table

Coding and Terms

E = Endangered T = Threatened C = Candidate FP = Fully Protected SSC = Species of Special Concern R = Rare

State Species of Special Concern: An administrative designation given to vertebrate species that appear to be vulnerable to extinction because of declining populations, limited acreages, and/or continuing threats. Raptor and owls are protected under section 3502.5 of the California Fish and Game code: "It is unlawful to take, possess or destroy any birds in the orders Falconiformes or Strigiformes or to take, possess or destroy the nest or eggs of any such bird."

State Fully Protected: The classification of Fully Protected was the State's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, mammals, amphibians and reptiles. Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

Global Rankings (Species or Natural Community Level):

G1 = Critically Imperiled – At very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors.
G2 = Imperiled – At high risk of extinction due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors.
G3 = Vulnerable – At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.
G4 = Apparently Secure – Uncommon but not rare; some cause for long-term concern due to declines or other factors.
G5 = Secure – Common; widespread and abundant.

Subspecies Level: Taxa which are subspecies or varieties receive a taxon rank (T-rank) attached to their G-rank. Where the G-rank reflects the condition of the entire species, the T-rank reflects the global situation of just the subspecies. For example: the Point Reyes mountain beaver, *Aplodontia rufa* ssp. *phaea* is ranked G5T2. The G-rank refers to the whole species range i.e., *Aplodontia rufa.* The T-rank refers only to the global condition of ssp. *phaea*.

State Ranking:

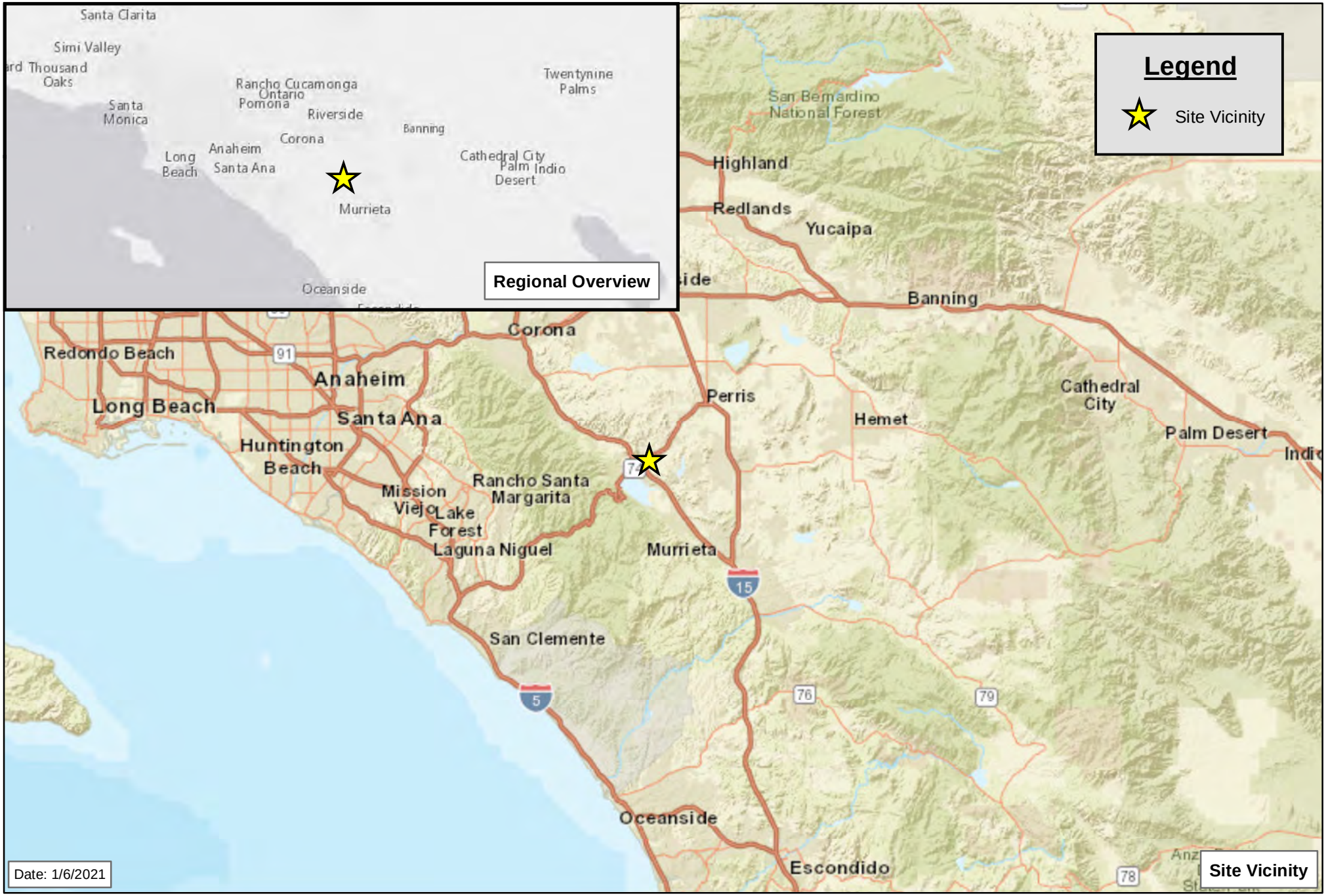
S1 = Critically Imperiled – Critically imperiled in the State because of extreme rarity (often 5 or fewer populations) or because of factor(s) such as very steep declines making it especially vulnerable to extirpation from the State.
S2 = Imperiled – Imperiled in the State because of rarity due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the State.
S3 = Vulnerable – Vulnerable in the State due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation from the State.
S4 = Apparently Secure – Uncommon but not rare in the State; some cause for long-term concern due to declines or other factors.
S5 = Secure – Common, widespread, and abundant in the State.

California Rare Plant Rankings (CNPS List):

1A = Plants presumed extirpated in California and either rare or extinct elsewhere.
1B = Plants rare, threatened, or endangered in California and elsewhere.
2A = Plants presumed extirpated in California, but common elsewhere.
2B = Plants rare, threatened, or endangered in California, but more common elsewhere.
3 = Plants about which more information is needed; a review list.
4 = Plants of limited distribution; a watch list.

Threat Ranks:

.1 = Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2 = Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
.3 = Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)



0 5 10 20 30 40 Miles

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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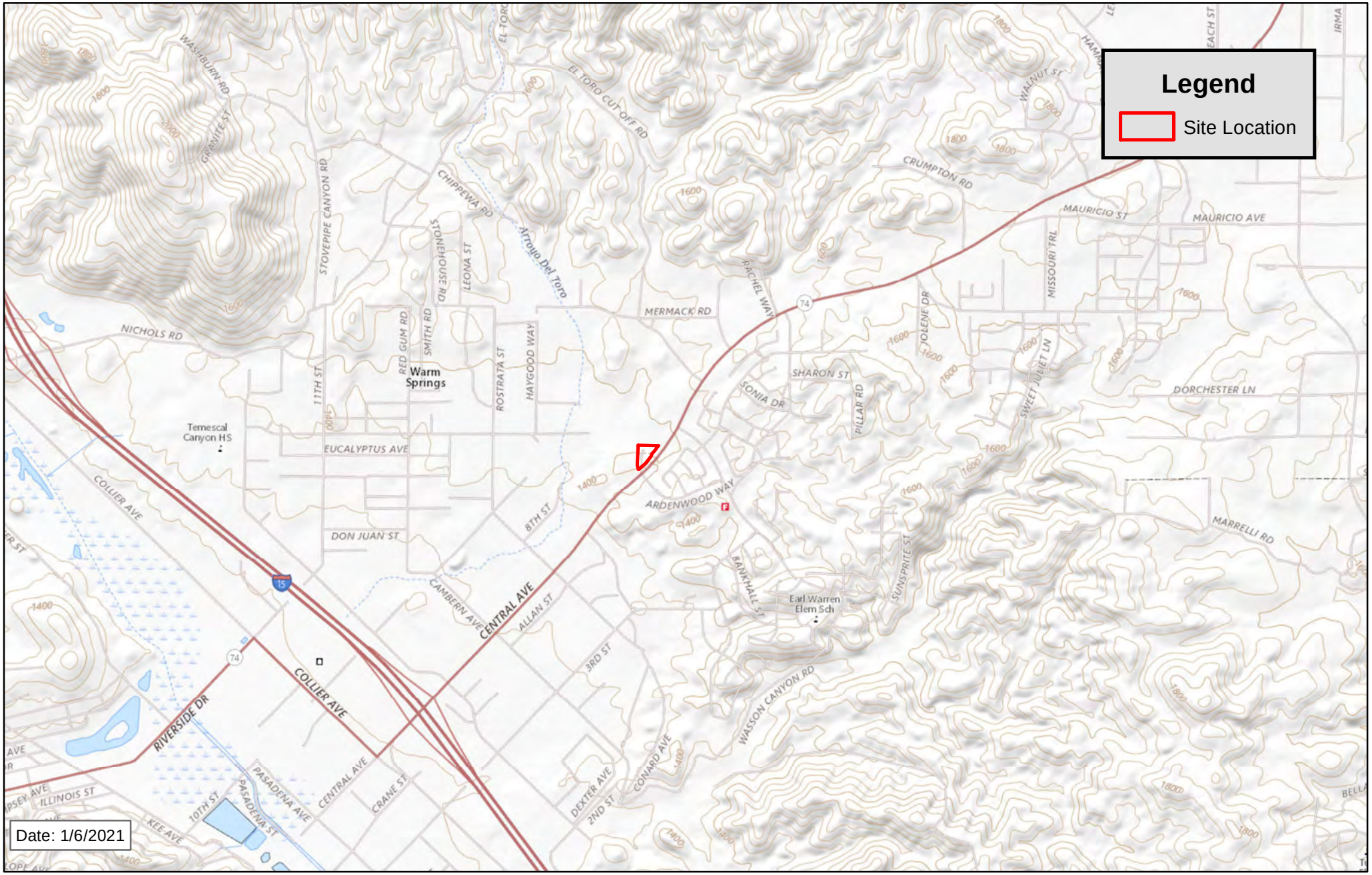
Progress & Preservation

Figure 1 - Regional Overview Site Vicinity	76 Gas Station - 74 Highway Lake Elsinore, CA



Service Layer Credits: USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed October 2018.

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Figure 2
Site Location

76 Gas Station - 74 Highway
Lake Elsinore, CA

0 0.0325 0.065 0.13 0.195 0.26 Miles

1 inch = 417 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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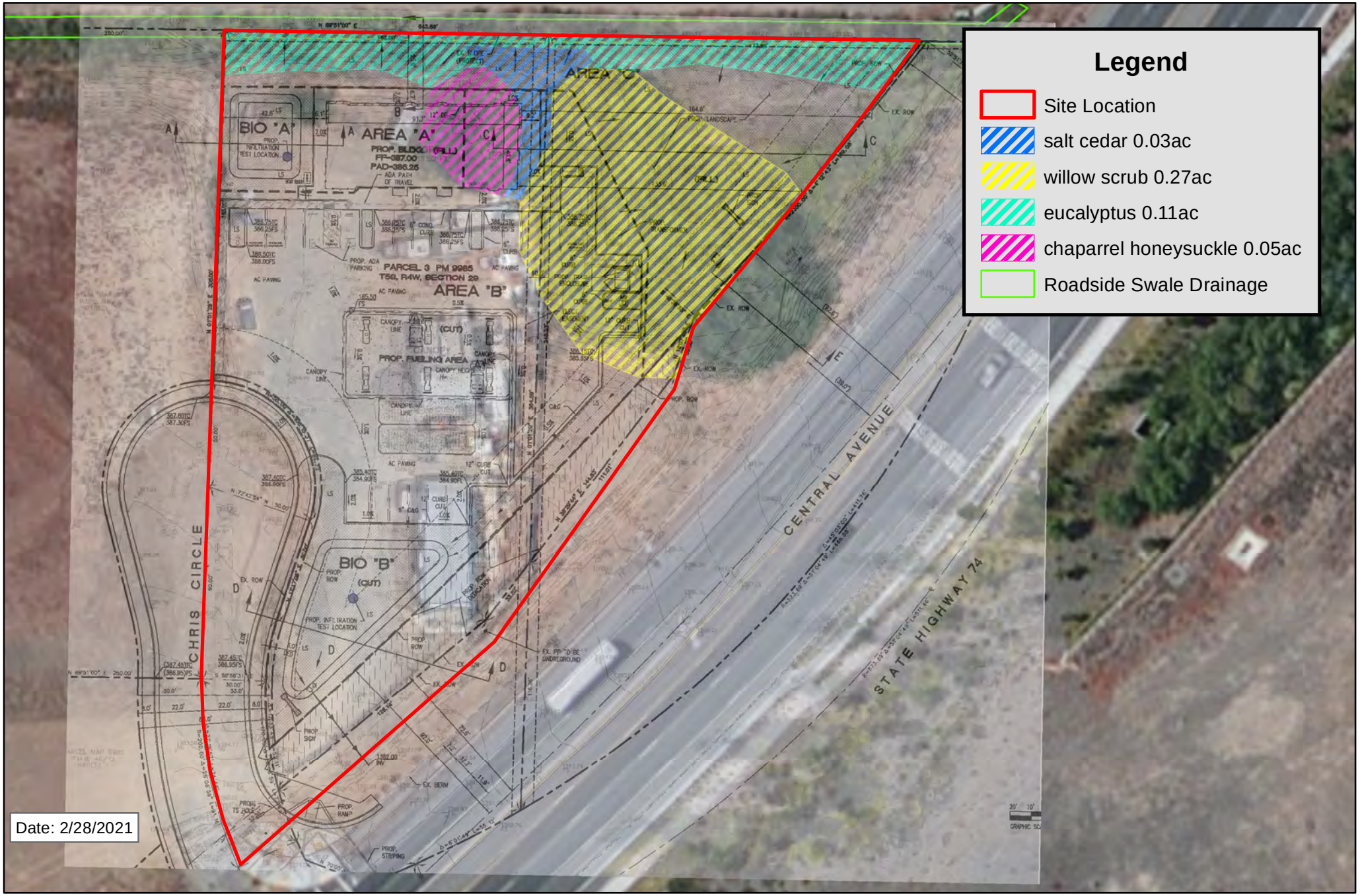
Figure 3
Site Location

76 Gas Station - 74 Highway
Lake Elsinore, CA



0 0.004750.0095 0.019 0.0285 0.038 Miles

1 inch = 58 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 4 Site Plan	76 Gas Station - 74 Highway Lake Elsinore, CA

0 0.0175 0.035 0.07 0.105 0.14 Miles

1 inch = 216 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 5 MSHCP	76 Gas Station - 74 Highway Lake Elsinore, CA

0 0.0075 0.015 0.03 0.045 0.06 Miles

1 inch = 104 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 6 Blueline Waters	76 Gas Station - 74 Highway Lake Elsinore, CA

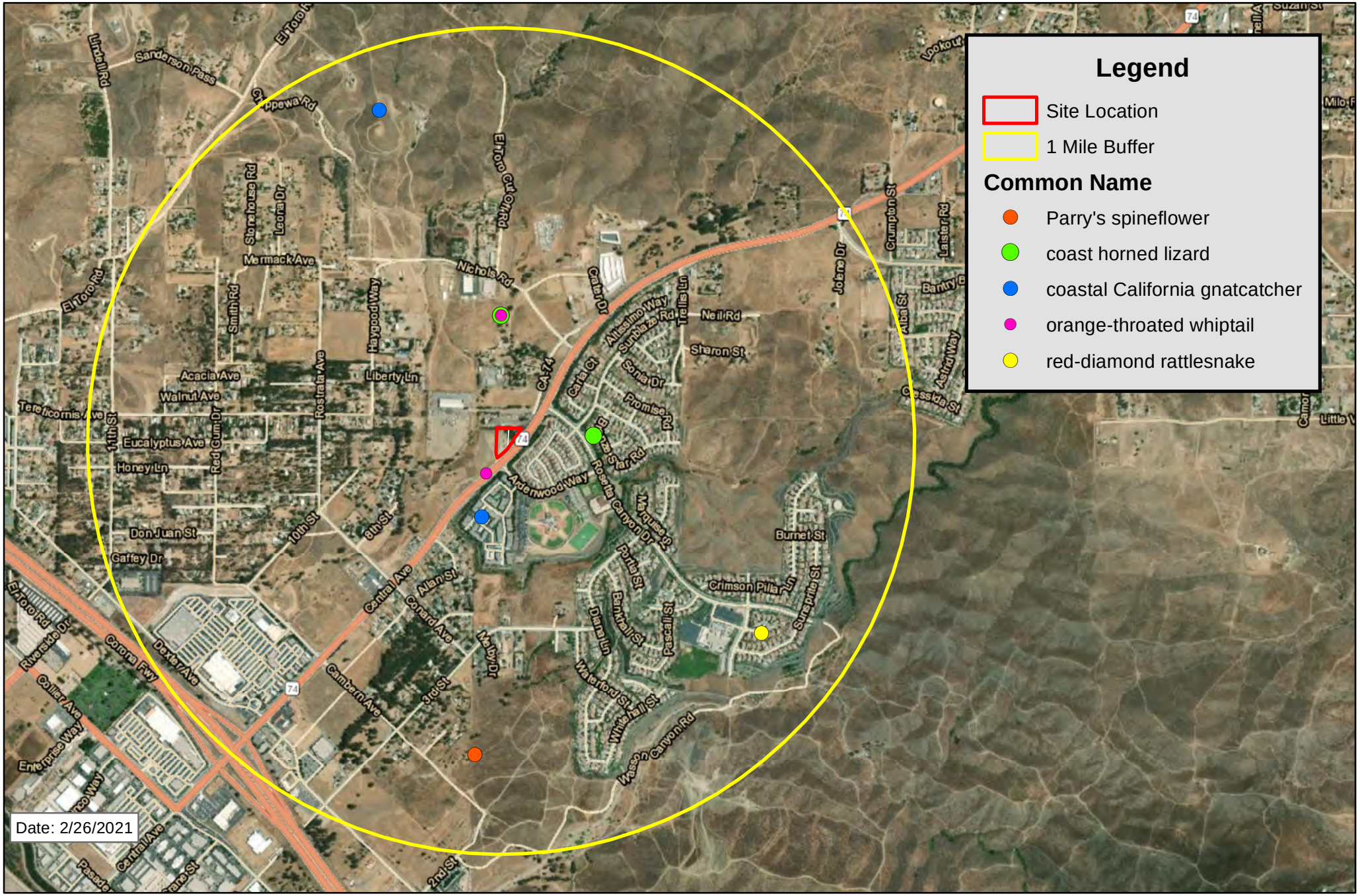

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Figure 7
CNDDB

76 Gas Station - 74 Highway
Lake Elsinore, CA

0 0.005 0.01 0.02 0.03 0.04 Miles

1 inch = 83 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 8
Soils

76 Gas Station - 74 Highway
Lake Elsinore, CA

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Simi Valley, CA 93065
p. (805) 426-4477

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March 30, 2021

Mr. Joesph Karaki
Karaki WS
4887 E. Las Palmas Ave., Ste 707
Anaheim, CA 92807

Subject: Gas Station & Convenience Store – Lighting Study, County of Riverside, CA
Updated 3/30/2021

Dear Mr. Karaki:

MD Acoustics, LLC (MD) has completed a lighting survey for the proposed Gas Station & Convenience Store Project located at 28771 Central Avenue (Hwy 74) in an unincorporated area of the County of Riverside within the Sphere of Influence of the City of Lake Elsinore, California. The Project proposes to develop the approximately 1.44-acre project site with a 3,516 square foot convenience market with 12 pump gas station. This letter report evaluates the existing light levels (foot-candles) to the preliminary lighting plan (prepared by LSI, 1/13/2021) and to the County's lighting general development standards (Title 8, Chapter 8.80). Appendix A contains lighting definitions.

1.0 Assessment Overview

MD conducted a site visit on 1/7/21 to evaluate the existing light conditions at the project site. MD utilized a LX1330B digital illuminance/light meter that can measure from 0 to 200,000 lux (0 to 18,580 foot-candles). The existing light conditions are compared to the preliminary photometric lighting plan as well as the requirements outlined by the County's Outdoor lighting code, Chapter 8.80.

Per the City of Lake Elsinore North Central Sphere Specific Plan Land Use Plan the site has a current land use classification of Business Professional. Land uses surrounding the site include vacant land to the west, a single-family residential use to and commercial uses to the north, multi-family residential uses to the south (across Highway 74), and single-family residential uses to the east (across Highway 74)

2.0 County of Riverside Lighting Requirements

Chapter 8.80 Outdoor Lighting outlines the following as it relates to minimum lighting requirements:

8.80.050 - Standard.

All outdoor luminaries in shall be located, adequately shielded, and directed such that no direct light falls outside the parcel of origin, or onto the public right-of-way. Outdoor luminaries shall not blink, flash or rotate.

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The following outdoor luminaries shall be exempt from the provisions of this chapter when properly installed and in compliance with all county ordinances.

A. Luminaries used or otherwise required by law enforcement or other emergency personnel.

B. Luminaries used to illuminate publicly-owned property, including but not limited to, parks, recreation areas, schools, street, street signs and sidewalks.
C. Luminaries used to illuminate authorized public and private monuments.
D. Luminaries authorized by a provision of state or federal law as long as that lighting conforms to the requirements of the state of federal law.
E. Luminaries used for holiday decorations.
F. Luminaries producing light directly by the combustion of fossil fuels (such as kerosene lanterns, and gas lamps).
G. Neon luminaries.
H. Luminaries used to illuminate agricultural activities, operations or facilities as defined in Section 5 of Riverside County Ordinance No. 625.

B. Security Lighting. Security lighting triggered by motion or noise shall be allowed subject to all the provisions this chapter.

Therefore, the project at minimum must provide sufficient lighting to suffice the exterior requirement while providing adequate shielding still.

3.0 Evaluation and Findings

Some land uses are considered more sensitive to light than others, such as hotels, residential neighborhoods, and nursing homes. Although light may be observed by humans at 0.1 foot-candles, it would not make a substantial difference, especially if lighting is already present within the area of introduction. For example, approximately 37.1 foot-candles would be generally acceptable for a reading area.

Thus, a significant impact would occur if sensitive land uses (such as residences) were exposed to a substantial increase in sources of light, if that level of light was not previously present. Similarly, mobile source lighting impacts would be significant if residential or other light sensitive uses are introduced to new light sources along roadways and driveways.

MD measured the lighting levels in foot-candles (in 50-foot increments) along the perimeter of the project site (see Exhibit A) which takes into account the light from vehicles along Highway 74 (Central Avenue) and existing street lights. The existing light levels measured between 0 to 0.9 foot-candles.

The project will utilize nighttime lighting for operational and security purposes (per the County's ordinance). The preliminary lighting plan (Exhibit B) shows that the project's lighting levels at the perimeter will range between 0 to 4.5 foot-candles at the project site's property line. By the time the light reaches into Central Avenue the foot-candle drops down to 0.2.

At the west boundary of the project site there is an area towards the north of the western property line where the level is 4.2 foot-candles. The level quickly drops to 0.2 foot-candles within 50-feet of the property line. Currently the land to the west is vacant and is zoned rural community (Estate Density Residential).

The nearest residences are located 250 feet to the project site's southern property line (across the street from Central Avenue). The foot-candle readings at the nearest residences would be 0.

The greatest potential lighting change will be along the west boundary towards the north and the southeastern perimeter where a 4.2 and 2.5 to 3 foot-candle increase will occur, respectively. Furthermore, the photometric design has been laid out to comply with the County's exterior light ordinance.

Glare would be kept to a minimum as the proposed project setback from Highway 74 and building materials (painted stucco or stone veneer) would not contribute to substantial amounts of daytime glare as the majority of the building front faces in a southern direction with the gas canopy blocking the line of sight to the setting sun.

3.0 Conclusions

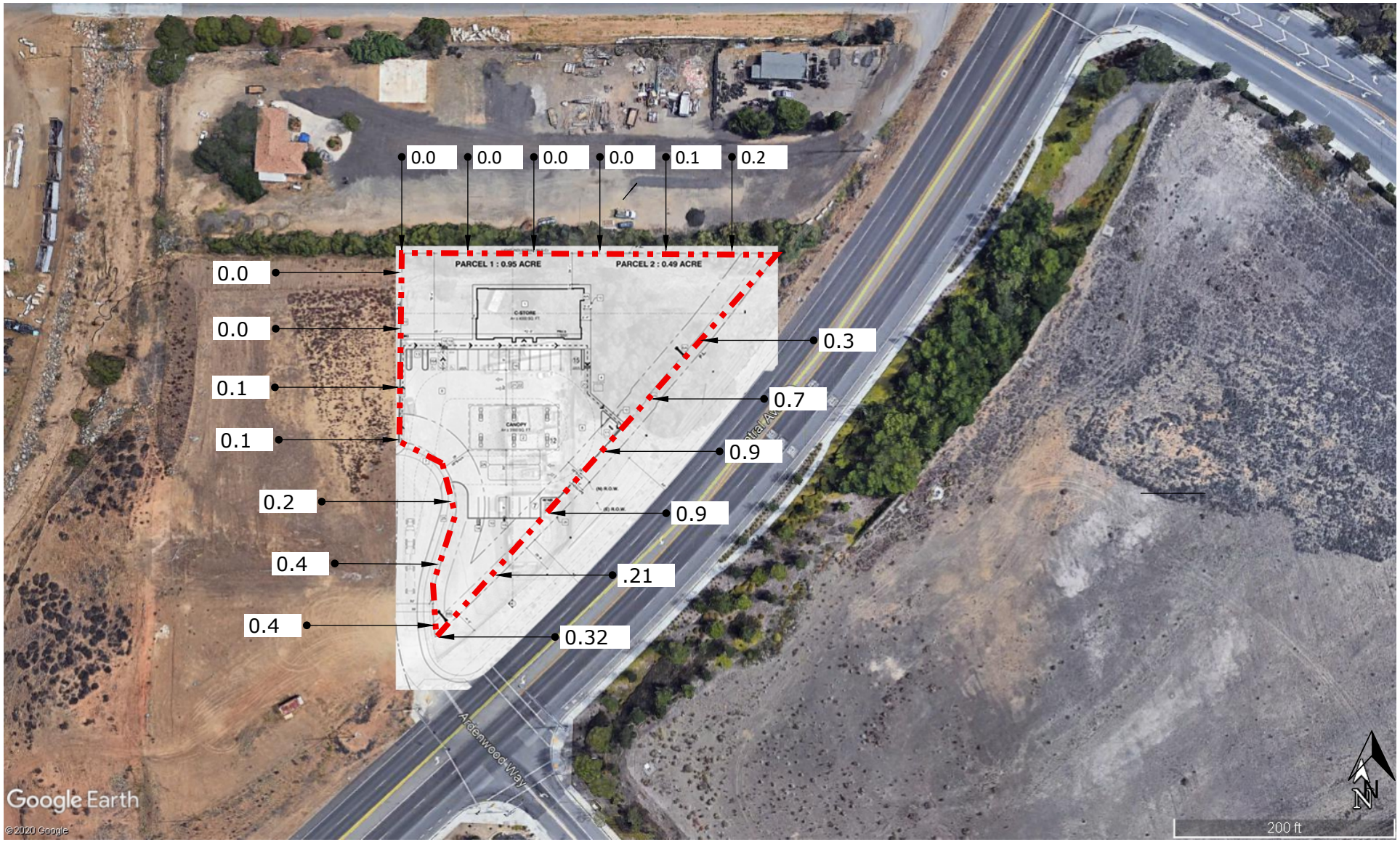
MD is pleased to provide this evaluation. If you have any questions regarding this analysis, please don't hesitate to call us at (805) 426-4477.

Sincerely,
MD Acoustics, LLC

Mike Dickerson

Mike Dickerson, INCE
Principal

Exhibit A



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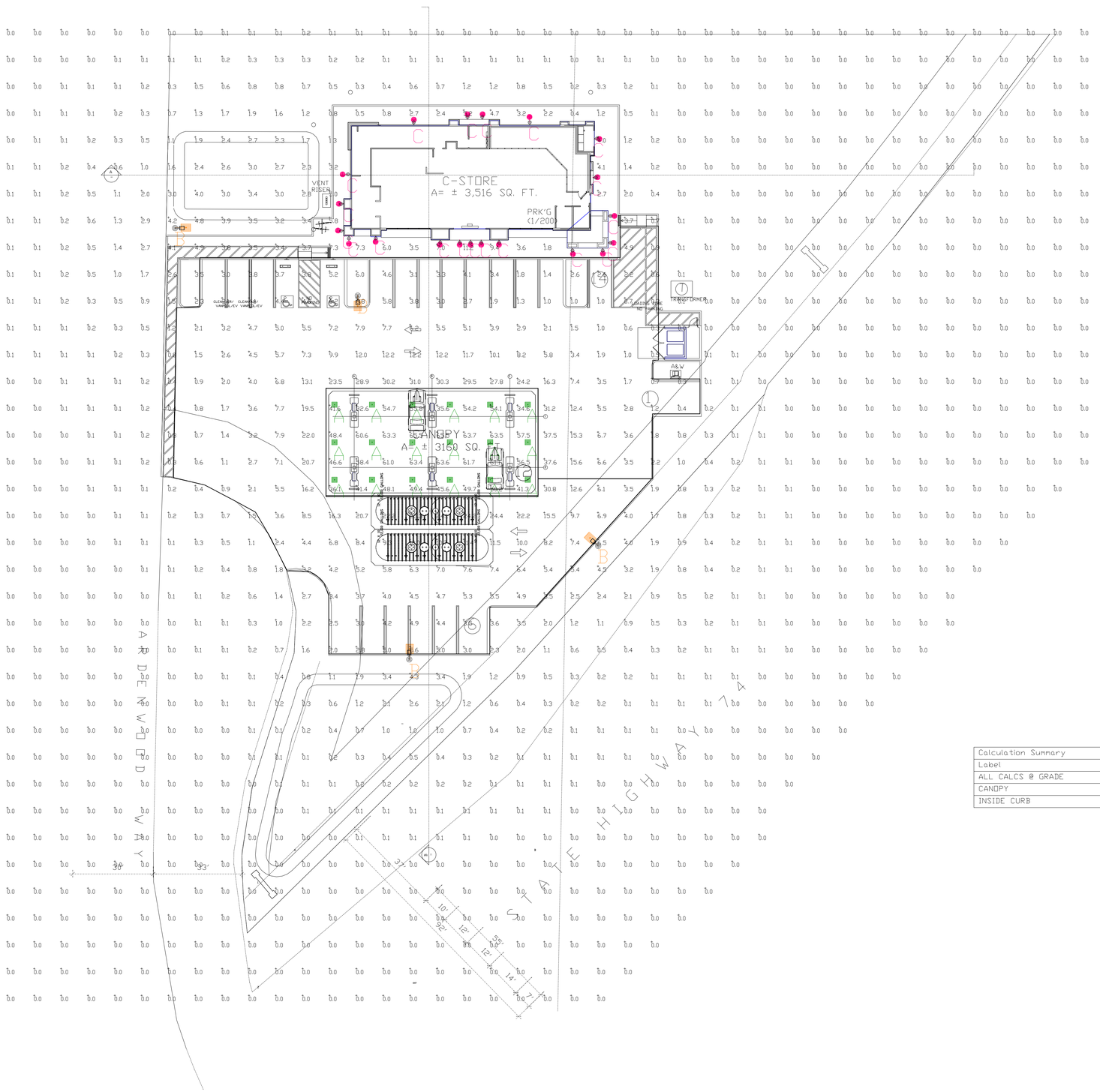
EXISITING LIGHTING LEVELS - GAS STATION & CONVENIENCE STORE
28771 CENTRAL AVE. (74 HWY) LAKE ELSINORE, CA 92532
(MEASUREMENT UNITS = FOOT CANDLE)
FOR ILLUSTRATIVE PURPOSES ONLY



Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALCS @ GRADE	Illuminance	Fc	2.73	65.5	0.0	N.A.	N.A.
CANOPY	Illuminance	Fc	52.67	65.5	32.6	1.62	2.01
INSIDE CURB	Illuminance	Fc	7.65	37.6	0.3	25.50	125.33

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted. Fixture nomenclature noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

Luminaire Schedule									
Symbol	Qty	Label	Arrangement	Description	LLD	UDF	LLF	Arr. Lum. Lumens	Arr. Watts
	18	A	SINGLE	SCV-LED-15L-SC-50-15' MH	1.000	1.000	1.000	14963	102
	4	B	SINGLE	SLM-LED-18L-SIL-FT-50-70CRI-SINGLE-20' POLE+2' BASE	1.000	1.000	1.000	19664	148.5
	20	C	SINGLE	AD-15L-40-GWT-12' MH	1.000	1.000	1.000	1388	10.9

Total Project Watts_1
Total Watts = 2647.998

10000 ALLIANCE RD. CINCINNATI, OHIO 45242 USA
(513) 793-3550 • FAX (513) 793-4422

LIGHTING PROPOSAL LO-153095

76 STATION
28771 CENTRAL AVE
LAKE ELSINORE, CA

BY:AHK	DATE:1/13/21	REV:	SHEET 1 OF 1

SCALE: 1"=20' 0 20

Appendix A

Glossary of Lighting Terms

Glossary of Terms

Foot-Candle *is* a unit of illumination (now little used) equal to that given by a source of one candela at a distance of one foot (equivalent to one lumen per square foot or 10.764 lux).

Lumen *is* a measure of the total amount of visible light (to the human eye) from a lamp or light source. The higher the lumen rating the "brighter: the lamp will appear (Integral LED, 2015). This light, as low as 0.1 lumens is visible to the human eye, and the average household lightbulb (60 watts) emits approximately 800 lumens (at the source).

Lux *is* the SI unit of illuminance, equal to one lumen per square meter.

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March 30, 2021

Mr. Joesph Karaki
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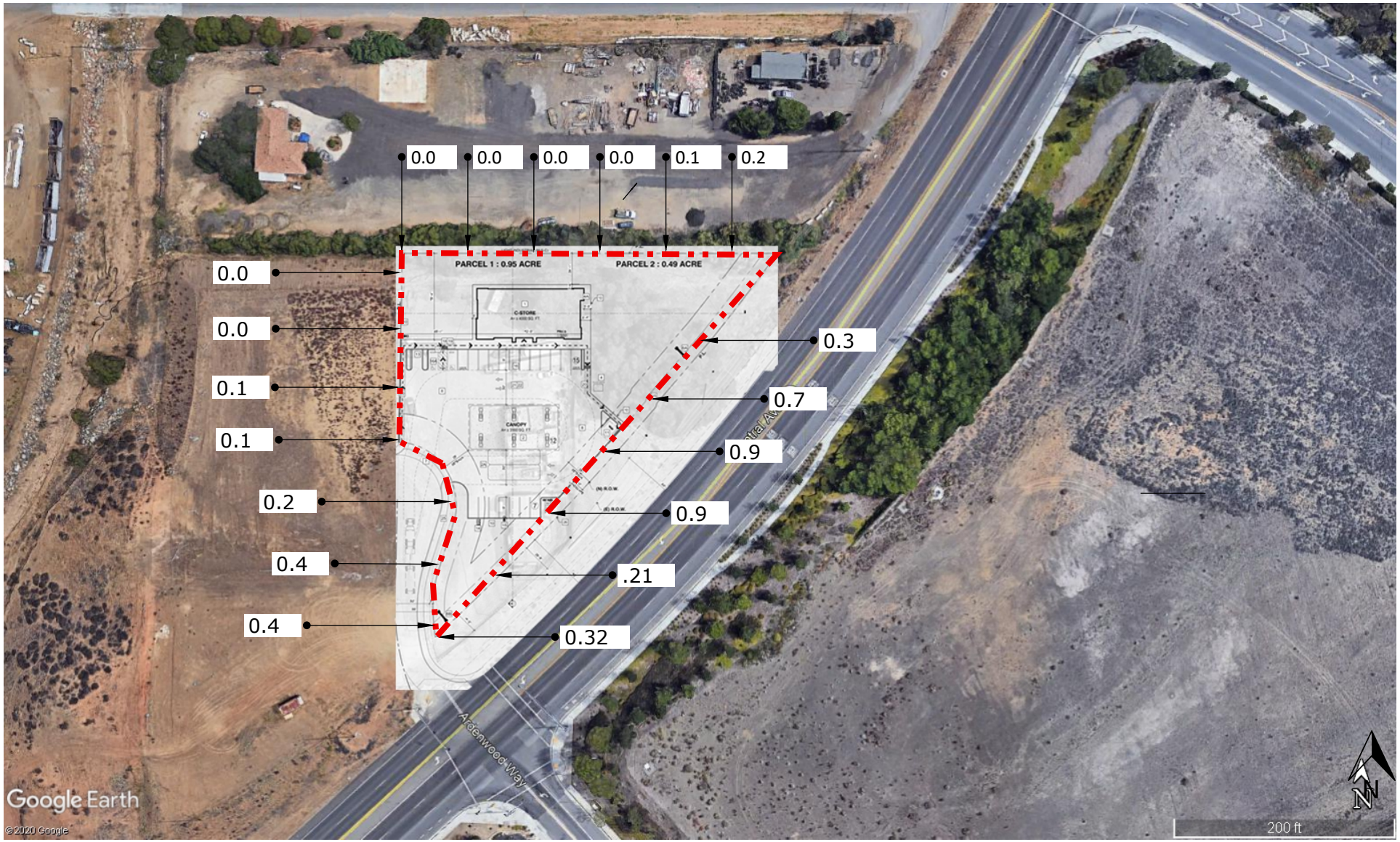

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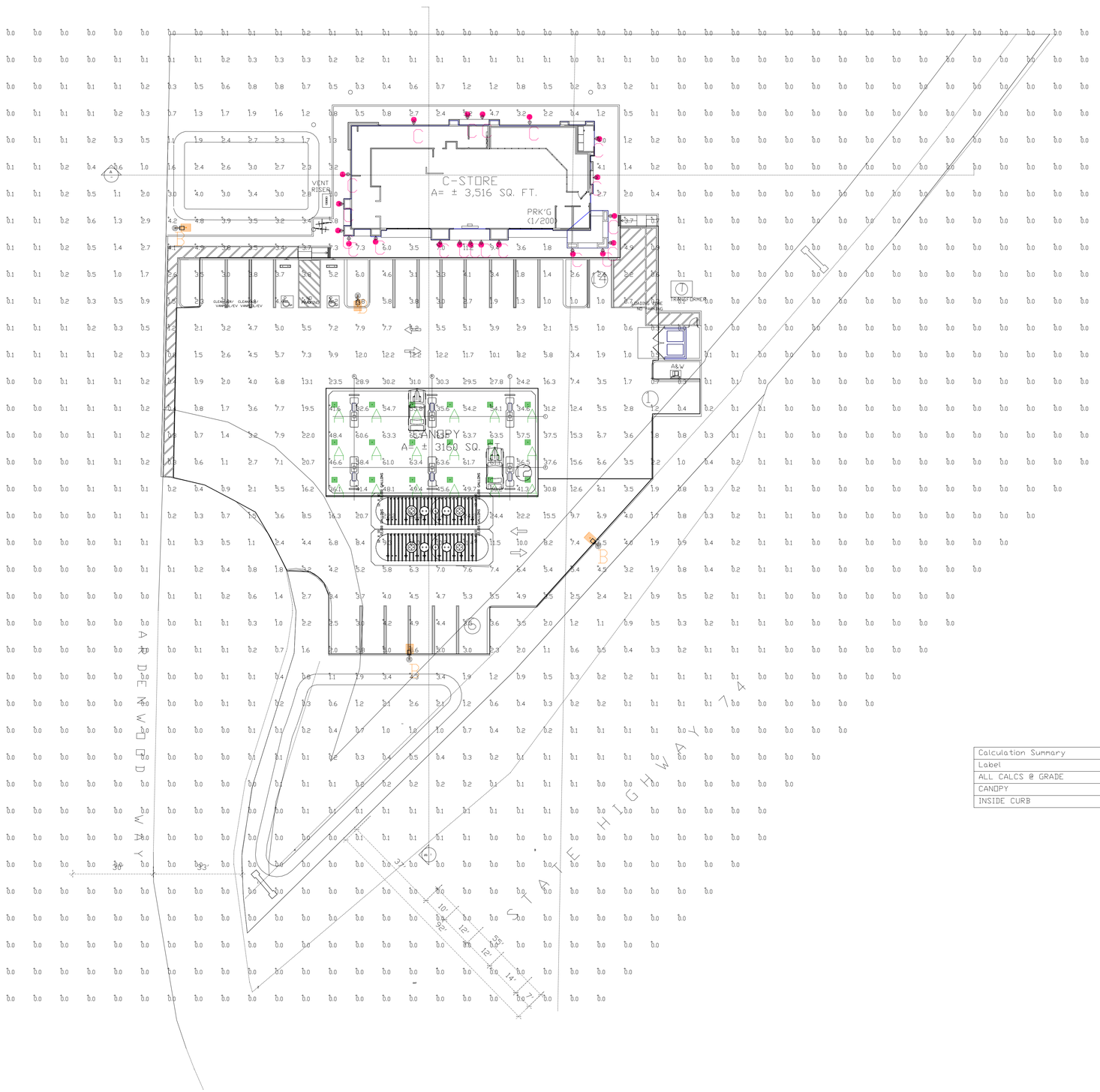

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CANOPY	Illuminance	Fc	52.67	65.5	32.6	1.62	2.01
INSIDE CURB	Illuminance	Fc	7.65	37.6	0.3	25.50	125.33

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted. Fixture nomenclature noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used as a construction document or as a final document for ordering product.

Luminaire Schedule									
Symbol	Qty	Label	Arrangement	Description	LLD	UDF	LLF	Arr. Lum. Lumens	Arr. Watts
	18	A	SINGLE	SCV-LED-15L-SC-50-15' MH	1.000	1.000	1.000	14963	102
	4	B	SINGLE	SLM-LED-18L-SIL-FT-50-70CRI-SINGLE-20' POLE+2' BASE	1.000	1.000	1.000	19664	148.5
	20	C	SINGLE	AD-15L-40-GWT-12' MH	1.000	1.000	1.000	1388	10.9

Total Project Watts_1
Total Watts = 2647.998

10000 ALLIANCE RD. CINCINNATI, OHIO 45242 USA
(513) 793-3550 • FAX (513) 793-4422

LIGHTING PROPOSAL LO-153095

76 STATION
28771 CENTRAL AVE
LAKE ELSINORE, CA

BY:AHK	DATE:1/13/21	REV:	SHEET 1 OF 1

SCALE: 1"=20' 0 20

Appendix A

Glossary of Lighting Terms

Glossary of Terms

Foot-Candle *is* a unit of illumination (now little used) equal to that given by a source of one candela at a distance of one foot (equivalent to one lumen per square foot or 10.764 lux).

Lumen *is* a measure of the total amount of visible light (to the human eye) from a lamp or light source. The higher the lumen rating the "brighter: the lamp will appear (Integral LED, 2015). This light, as low as 0.1 lumens is visible to the human eye, and the average household lightbulb (60 watts) emits approximately 800 lumens (at the source).

Lux *is* the SI unit of illuminance, equal to one lumen per square meter.

Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis

Commercial Retail – 76 Station
Central Avenue (Hwy 74) and Eighth Street

Permittee Name:
Joseph Karaki
Karaki WS
4887 E. La Palma Ave | Suite 707
Anaheim, CA 92807

Applicant Name:
Joseph Karaki
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March 2021

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1 EXECUTIVE SUMMARY

Jericho Systems, Inc. (Jericho) is pleased to provide this Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis prepared for the commercial development (Project) located in Lake Elsinore, California (Figures 1, 2, and 3). The approximately 1.9 -acre Project site is made up of two parcels: APN 347-130-029 (1.12 acre) and 347-130-028 (0.49 acre) located within Elsinore Area Plan of the Western Riverside MSHCP.

The City of Lake Elsinore is signatory to the MSHCP Implementing Agreement and thereby a permittee responsible for meeting the terms and conditions outlined in the MSHCP and the Biological Opinion issued for the MSHCP. Therefore, the City of Lake Elsinore has the responsibility to ensure the projects they approve are consistent the MSHCP and will not preclude the overall conservation goals and reserve design from being accomplished.

The MSHCP is a criteria-based plan and identification of planning units on which to base the Criteria is necessary for such a criteria-based plan. The MSHCP Conservation Area is comprised of a variety of existing and proposed Cores, Extensions of Existing Cores, Linkages, Constrained Linkages and Non-contiguous Habitat Blocks. The MSHCP coverage area is divided into Area Plans (AP) based on the Riverside County's General Plan Area Plan boundaries. Each of the AP's has: established conservation criteria, species specific surveys that may be required based on on-site Habitat Assessment, and resources and areas identified for conservation. In each Area Plan text, applicable Cores and Linkages are identified.

There are 146 species covered by the MSHCP. Surveys are not required for 106 of these covered species. The remaining 40 covered species may require focused surveys for proposed development projects include 4 birds, 3 mammals, 3 amphibians, 3 crustaceans, 14 Narrow Endemic Plants, and 13 other sensitive plants within the Criteria Area. The need to conduct focused surveys for all but six of these 40 species is determined by the presence of suitable habitat within designated 'survey areas' mapped for each of the species. The remaining six species that require focused surveys throughout the entire MSHCP area are associated with riparian/riverine areas and vernal pools and include least Bell's vireo, southwestern willow flycatcher, western yellow-billed cuckoo, Riverside fairy shrimp, Santa Rosa Plateau fairy shrimp, and vernal pool fairy shrimp.

The MSHCP requires that a project comply with the MSHCP policies identified in Section 6 of the MSHCP. The Project site is not located within a 'Cell group' or in a 'Criteria Cell'. The Project site is not in an amphibian, criteria area species, mammal, or narrow endemic plant species survey area. However, a portion of APN 347-130-028 is within a burrowing owl survey area. Therefore, a habitat suitability assessment for burrowing owl (MSHCP section 6.3.2) and a Riparian/Riverine/Vernal Pool Area assessment (MSHCP section 6.1.2) were required and conducted.

The Project site consists of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances. The entire site is mapped by the RCA MSHCP Vegetation (2012) layer as developed/disturbed land, and the site survey confirmed these findings for all but the northeast corner, which consists of a mix of salt cedar, eucalyptus and willow scrub. The acreage is as follows 0.11 acre of eucalyptus trees (*Eucalyptus* ssp) approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar (*Tamarix ramossima*) with a DBH of 8 inches and 0.27 acre of black willow shrubs

(*Salix gooddingii*) with a DBH of 6 inches. The vegetation here is used as cover for a homeless encampment that supports approximately 10 transients. This area is heavily littered and disturbed. Many of the bushes and trees on site have had trunks/branches sawed off and used for cover in the homeless encampment.

The willow and salt cedar thickets grow as a result of a roadside swale originating from HWY74 and N. Frontage road located along the northeastern boundary of the site. Street runoff enters the Project site in the northern portion of APN 347-130-028 and continues westerly along the property boundary between the Project site and the parcel north of the Project site. This swale collects street runoff and is not a natural or jurisdictional feature subject to Sections 1600 of the Fish and Game Code (FGC) or Sections 404/401 of the federal Clean Water Act (CWA). There is no bed or bank associated with this swale indicating a flow of water. The water runoff from HWY 74 travels west, back flows to the southeast and percolates in the well-drained soils. There is no evidence that the swale connects to the blue line stream located off-site to the west.

This roadside swale is a result of man-made roadside water diversion from HWY 74 and is not considered jurisdictional or riverine/riparian. Although the patch of willows growing in the mid-story of the swale are riparian by definition, it is not the intent of the MSHCP to conserve small patches of riparian species growing as a direct result of man-made features. The willows occur as a direct result of roadside runoff. If the run off was redirected, these willows would not exist.

Riparian Birds covered under the MSHCP such as the Least Bell's vireo (*Vireo bellii pusillus*) [LBVI], Southwestern willow flycatcher (*Empidonax trallii extimus*) [SWWF] and Yellow-billed cuckoo (*Coccyzus americanus*) [YBCU] are found only in well-developed riparian habitat. The habitat structure on site is not what is required by these species. Furthermore, the disturbance levels preclude their occurrence.

No vernal pool habitat exist on site. None of the mapped soils on site are listed on the USDA-NRCS National Hydric Soils List to indicate the potential for vernal pools. The soils onsite are well drained and the duration, timing, and frequency of inundation on site provide no indication or validation of vernal pool ecology. Water does not accumulate on the surface for seasonal periods (more than 3 weeks) of inundation. Clay soils are not mapped on site. The site as a whole lacks the water retention capabilities necessary to support vernal pool habitat. Therefore, the biological functions and values of vernal pool habitat do not exist on site.

The area on site requiring burrowing owl surveys is densely vegetated in a three-story canopy cover structure that includes eucalyptus trees, salt cedar, willows, and non-native grasses and weeds. The habitat composition and structure is not suitable for burrowing owl. No further investigation is warranted.

2 INTRODUCTION

The purpose of this Consistency Analysis (Analysis) report is to summarize the biological data for the proposed commercial development (Project) and to document project's consistency with the goals and objectives of the Western Riverside County MSHCP. The proposed Project consists of the development of a proposed gas station consisting of a 3,516 square foot (sf) convenience store, 3,160 sf fueling canopy with six multi-product dispensers, and two underground storage tanks.

2.1 Project Area

The 1.9-acre Project site is made up of two parcels, located on Assessor's Parcel Number (APN): 347-130-029 and 347-130-028 in the City of Lake Elsinore, Riverside County, California, on the northwest corner of Central Avenue (Hwy 74) and Ardenwood Way. The Site is identified on the *Lake Elsinore* US Geological Survey's (USGS) 7.5-minute topographic map in Section 30 of Township 5 South, Range 4 West (Figures 1, 2 and 3). The site is bounded on the north by 8th Street, on the south by Ardenwood Way, on the west by vacant land, and on the east by Central Avenue (Hwy 74).

2.2 Project Description

The proposed Project consists of the development of a proposed gas station consisting of a 3,516 square foot (sf) convenience store, 3,160 sf fueling canopy with six multi-product dispensers, and two underground storage tanks (Figure 4)

2.3 Covered Roads

The Project proposes no new roads.

2.4 General Setting

According to the EPA Regional map, the Project site is located in the Inland Valleys (85k) ecoregion. An ecoregion is a regional area that has similar ecosystems in terms of type, quality, and quantity of environmental resources. The Inland Valleys ecoregion is influenced less by marine processes, and more by alluvial processes. The ecoregion consists of alluvial fans and basin floors at the base of the San Bernardino and San Gabriel mountains and the San Jacinto and Perris Valleys in the south. The region was historically composed of Riversidean coastal sage scrub, valley grasslands, and riparian woodlands. The ecoregion is now heavily urbanized with some remaining agriculture.

Hydrologically, the Project site is located within the Lake Mathews hydrologic area, in the 14,217-acre hydrologic sub-area (HSA 801.35) within the Temescal Wash watershed (HUC 180702030601).

The City of Lake Elsinore is located in southwestern Riverside County at the foothills of the Cleveland National Forest. Topographically, Lake Elsinore is located on the east side of the Santa Ana mountains. Air quality is relatively poor, as characteristic of the region due to temperature inversions, convergence zones, and accumulation of air pollutants. Air pollutants of greatest concern are carbon monoxide, PM2.5, ozone, and PM10. The general climate of Lake Elsinore includes hot summers (99°F average maximum in August) and mild winters (38°F average minimum in February) with cool ocean breezes and sparse winter rainfall, averaging 12.09 inches of precipitation per year.

Soils on the Project site area consist of Cortina cobbly loamy sand, 2-9% slopes (CmC), Lodo rocky loam, 25-50% slopes (LpF2), and Arbuckle gravelly loam, 2-9% slopes – dry, MLRA 19 (AIC), (Figure 6). Soils in the Arbuckle series are well-drained remnants of alluvial fans derived from numerous types of rock. Soils in the Cortina series are well-drained soils made from alluvium derived from metasedimentary rock. The Lodo series consists of shallow, somewhat excessively drained soils that formed in material weathered from hard shale and fine grained sandstone. Terrace escarpments are landforms (terraces) made from alluvium derived from mixed sources. (Figure 5)

3 RESERVE ASSEMBLY ANALYSIS

The site is not located or mapped within any criteria cells or cell groups, reserve assembly or Public or Quasi-Public lands. Therefore, this analysis is not applicable.

4 VEGETATION MAPPING

According to the Riverside Conservation Authority (RCA) MSHCP GIS Vegetation (2012) layer, the Project site is mapped as Developed/Disturbed Land. Field survey confirmed this mapping with the exception of the northeast corner of the site, which site supports an over-story canopy 0.11 acre of eucalyptus trees (Eucalyptus ssp) approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar (Tamarix ramossima) with a DBH of 8 inches and 0.27 acre of black willow shrubs (Salix gooddingii) with a DBH of 6 inches. The average height of the mid-story is approximately 12 feet. The dense understory in the northeast corner primarily consists of short-podded mustard (*Hischfeldia incana*), tocalote *(Centaurea melitensis*), and non-native grasses (*Bromus* ssp.). A few native plants are found scattered along the eastern and western edges of the Project site including California buckwheat (*Erioginum faciculatum*), encilia (*Encilia farinosa)* and telegraph weed (*Heterotheca grandiflora*). The remainder of the Project site is bare and compacted due to blading.

5 PROTECTION OF SPECIES ASSOCIATED WITH RIPARIAN/RIVERINE AREAS AND VERNAL POOLS (SECTION 6.1.2)

According to Section 6.1.2 of the MSHCP:

> *"Riparian/Riverine Areas are lands which contain Habitat dominated by trees, shrubs, persistent emergents, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from a nearby fresh water source; or areas with fresh water flow during all or a portion of the year.*
>
> *"Vernal pools are seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation and hydrology) during the wetter portion of the growing season but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season. Obligate hydrophytes and facultative wetlands plant species are normally dominant during the wetter portion of the growing season, while upland species (annuals) may be dominant during the drier portion of the growing season. The determination that an area exhibits vernal pool characteristics, and the definition of the watershed supporting vernal pool hydrology, must be made on a case-by-case basis. Such determinationsshould consider the length of the time the area exhibits upland and wetland characteristics and the manner in which the area fits into the overall ecological system as a wetland. Evidence concerning the persistence of an area's wetness can be obtained from its history, vegetation, soils, and drainage characteristics, uses to which it has been subjected, and weather and hydrologic records.*
>
> *"Fairy Shrimp. For Riverside, vernal pool and Santa Rosa fairy shrimp, mapping of stock ponds, ephemeral pools and other features shall also be undertaken as determined appropriate by a qualified biologist.*
>
> *"With the exception of wetlands created for the purpose of providing wetlands Habitat or resulting from human actions to create open waters or from the alteration of natural stream courses, areas demonstrating characteristics as described above which are artificially created are not included in these definitions."*

5.1 Riparian/Riverine

As defined under Section 6.1.2 of the MSHCP, *Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools*, riparian/riverine areas are areas dominated by trees, shrubs, persistent emergent plants, or emergent mosses and lichens which occur close to or are dependent upon nearby freshwater, or areas with freshwater flowing during all or a portion of the year. Conservation of these areas is intended to protect habitat that is essential to a number of listed or special-status water-dependent fish, amphibian, avian, and plant species.

Any unavoidable alteration or loss of riparian/riverine area related to a project requires the preparation of a Determination of Biologically Equivalent or Superior Preservation (DBESP) analysis to ensure the replacement of any lost functions and values of the habitat. This assessment is independent from considerations given to waters of the United States and waters of the State under the CWA, the California Porter-Cologne Water Quality Control Act, and CDFW jurisdictional streambed under the California Fish and Game Code.

5.1.1 Methods

Ms. Lawrey assessed the Project site for State and /or federal jurisdictional waters that are subject to Sections 404 and 401 of the federal Clean Water Act (CWA) regulated by the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) respectively; and/or Section 1602 of the California Fish and Game Code (FCG) administered by the California Department of Fish and Wildlife (CDFW) and Riverine/Riparian and Vernal Pool habitat subject to Section 6.1.2 of the MSHCP.

Potential limits of jurisdictional waters, i.e. WoUS as regulated by the USACE and RWQCB, and streambed and associated riparian habitat as regulated by the CDFW were evaluated using the follow techniques.

Evaluation of CWA WoUS was based upon the Corps' regulations and technical guidance issued by the USACE including, among other sources described further below, (i) *USACE Wetlands Research Program Technical Report Y-87-1 (on-line edition), Wetlands Delineation Manual, Environmental Laboratory, 1987 (Wetland Delineation Manual)*, *USACE Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region, December 2008 (Arid West Supplement)* and *USACE A Guide to Ordinary High Water Mark (OHWM) Delineation Arid West Region of the United States, 2010.* The lateral extent of USACE jurisdiction was measured at the Ordinary High Watermark (OHWM), which is indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris.

Evaluation of FGC Section 1600 Streambed Waters followed guidance in the FGC in the *MESA Field Guide*, described above, pursuant to which CDFW claims jurisdiction beyond traditional stream banks and the outer edge of riparian. Under MESA, the term stream is defined broadly to include "a body of water that flows perennially or episodically and that is defined by the area in which water currently flows, or has flowed, over a given course during the historic regime [i.e., 'circa 1800 to the present'], and where the width of its course can reasonably be identified by physical or biological indicators." Specifically, CDFW jurisdiction was delineated by measuring the elevations of land that confine a stream to a definite course when its waters rise to their highest level and to the extent of associated riparian vegetation. Here the extent of associated riparian vegetation was used to mark the lateral extent of the jurisdictional areas. Other data recorded included bank height and morphology, substrate type, and vegetation within and adjacent to the low flow streambed.

A variety of reference materials relevant to the project site were reviewed during the course of this delineation, including historical and current aerial imagery, Federal Emergency Management Agency (FEMA) flood insurance rate maps (FIRM), National Oceanic & Atmospheric Administration (NOAA) climate data, USFWS National Wetland Inventory (NWI) and EPA Water Program "My Waters" data layers and United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) web soil survey. The data provided in the Web Soil Survey provides a standard basis for the soil textures and types that are assigned a hydric indicator status of "hydric" or "non-hydric" by the National Technical Committee for Hydric Soils.

The methods used to determine any riparian/riverine or vernal pool areas were based on the above techniques as well as soils evaluations and vegetation classifications. This is because an area may be characterized as riparian based on its vegetative composition but does not meet the criteria of being federal or state jurisdictional water.

5.1.2 Existing Conditions and Results

A roadside swale originating from HWY74 and N. Frontage road located along the northeastern boundary of the site, enters the Project site in the northern portion of APN 347-130-028 and continues westerly along the property boundary between the Project site and the parcel north of the Project site. This swale collects street runoff and is not a natural or jurisdictional feature subject to Sections 1600 of the FGC or 404/401 of the federal CWA. There is no bed or bank associated with this swale indicating a flow of water. The water runoff from HWY 74 travels west, back flows to the southeast and percolates in the well-drained soils. There is no evidence that the swale connects to the blue line stream located off-site to the west.

This roadside swale is a result of man-made roadside water diversion from HWY 74 and is not considered jurisdictional or riverine/riparian. Although the patch of willows growing in the mid-story of the swale are riparian by definition, it is not the intent of the MSHCP to conserve small patches of riparian species growing as a direct result of man-made features. The willows occur as a direct result of roadside runoff. If the run off was redirected, these willows would not exist.

5.1.3 Impacts

Based on the Project's Site Plan (Figure 4), 0.41 acre will be permanently impacted by grading and construction.

5.1.4 Mitigation

No mitigation or permitting is required because the swale is artificially created and artificially created are not included in the definitions of a Riverine/Riparian Area. Further investigation is not warranted.

5.2 Vernal Pools

Vernal pools are seasonally inundated, ponded areas that only form in regions where specialized soil and climatic conditions exist. During fall and winter rains typical of Mediterranean climates, water collects in shallow depressions where downward percolation of water is prevented by the presence of a hard pan or clay pan layer (duripan) below the soil surface. Later in the spring when rains decrease and the weather warms, the water evaporates and the pools generally disappear by May. The shallow depressions remain

relatively dry until late fall and early winter with the advent of greater precipitation and cooler temperatures.

Vernal pools provide unusual "flood and drought" habitat conditions to which certain plant and wildlife species have specifically adapted as well as invertebrate species such as fairy shrimp.

One of the factors for determining the suitability of the habitat for fairy shrimp would be demonstrable evidence of seasonal ponding in an area of topographic depression that is not subject to flowing waters. These astatic pools are typically characterized as vernal pools. More specifically, vernal pools are seasonal wetlands that occur in depression areas without a continual source of water. They have wetland indicators of all 3 parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetland indicators of hydrology and/or vegetation during the drier portion of the growing season. Obligate hydrophytes and facultative wetlands plant species are normally dominant during the wetter portion of the growing season. The determination that an area exhibits vernal pool characteristics and the definition of the watershed supporting vernal pool hydrology is made on a case-by-case basis. Such determinations should consider the length of time the area exhibits upland and wetland characteristics and the manner in which the area fits into the overall ecological system as a wetland. The seasonal hydrology of vernal pools provides for a unique environment, which supports plants and invertebrates specifically adapted to a regime of winter inundation, followed by an extended period when the pool soils are dry.

The MSHCP lists two general classes of soils known to be associated with special-status plant species; clay soils and Traver-Domino Willow association soils. The specific clay soils known to be associated with special-status species within the MSHCP plan area include Bosanko, Auld, Altamont, and Porterville series soils, whereas Traver-Domino Willows association includes saline-alkali soils largely located along floodplain areas of the San Jacinto River and Salt Creek. Without the appropriate soils to create the impermeable restrictive layer, none of the special-status species associated with vernal pools can occur on the project site.

5.2.1 Methods

Methods included a review of recent and historic aerial photographs (1996-2018) of the Project site and its immediate vicinity, a review of soils data, and a site visit on January 16, 2021 by Jericho biologist Shay Lawrey. Ms. Lawrey carefully assessed the site for depressions, inundation, presence of hydrophytic vegetation, staining, cracked soil, ponding, and indicators of active surface flow and corresponding physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris.

5.2.2 Existing Conditions and Results

Aerial imagery did not provide visual evidence of an astatic or vernal pool conditions on or in the vicinity of the Project site.

Soils on the Project site area consist of Cortina cobbly loamy sand, 2-9% slopes (CmC), Lodo rocky loam, 25-50% slopes (LpF2), and Arbuckle gravelly loam, 2-9% slopes – dry, MLRA 19 (AIC), (Figure 6). Soils in the Arbuckle series are well-drained remnants of alluvial fans derived from numerous types of rock. Soils in the Cortina series are well-drained soils made from alluvium derived from metasedimentary rock. The Lodo series consists of shallow, somewhat excessively drained soils that formed in material weathered from hard shale and fine grained sandstone. Terrace escarpments are landforms (terraces) made

from alluvium derived from mixed sources.

No ponding was observed on-site. Soils are well drained and no mud/soil cracks or any other indicators of pooling was observed on site.

From this review of historic aerial photographs and observations during the field investigation, it is concluded that no vernal pools or suitable fairy shrimp habitat exist on site. Further, no special-status plant and/or wildlife species associated with vernal pools were observed during the field visit. Additionally, the routine disturbances on-site, and well drained soils also preclude vernal pools from existing on-site.

5.2.3 Impacts

There are no impacts to vernal pools because none exist on site, and the soil type on site does not support the potential for vernal pools.

5.2.4 Mitigation

No mitigation is required because no vernal pools exist on site.

5.3 Fairy Shrimp

Fairy shrimp can be found in non-vernal pool features such as stock ponds, ephemeral pools, road ruts, human- made depressions, or other depressions that may pond water. No habitat features suitable for fairy shrimp exist on site.

Therefore, evaluations for the presence of fairy shrimp were warranted or required. No further discussion on fairy shrimp is made in this report.

5.4 Riparian Birds

Riparian Birds covered under the MSHCP such as the Least Bell's vireo (*Vireo bellii pusillus*) [LBVI], Southwestern willow flycatcher (*Empidonax trallii extimus*) [SWWF] and Yellow-billed cuckoo (*Coccyzus americanus*) [YBCU] are found only in well-developed riparian habitat. No habitat features suitable for these species exist on site. However, due to the presence of a willow scrub thicket the following evaluations were made for MSHCP compliance.

5.4.1 Southwestern willow flycatcher

The SWWF is a small passerine bird measuring approximately 5.7 inches in length. It has a grayish-green back and wings, whitish throat, a light gray-olive breast, and pale yellowish belly. It has two visible white wing bars and a faint or absent eye ring. The call consists of a repeated "whit" and their song is a sneezy "fitz-bew." (60 FR 10694). The SWWF is currently one of the four recognized subspecies of the willow flycatcher. This flycatcher is a neotropical migrant that breeds in the southwestern United States from mid-April to early-September. In the fall, it migrates south to its wintering grounds in portions of South America, Central America and Mexico. (60 FR 10694)

The SWWF breeds in dense riparian habitats along rivers, streams, and other wetlands at elevations ranging from sea level to 8,500 feet (Sogge 1997). Occupied habitat is generally dominated by shrubs and trees 13 to 23 feet or more in height, which provide dense lower and mid-story vegetation approximately 10 to 13 feet aboveground. This dense vegetation is often interspersed with open water, small openings, or sparse vegetation, creating a mosaic that is not uniformly dense (62 FR 39129). Plant species closely associated with the flycatcher include willows (Salix spp.), boxelder (*Acer negungo*), seepwillow (*Baccharis* spp.), with an overstory of cottonwood (*Populus fremontii*) (62 FR 39129).

The SWWF has not been documented on site or within a one mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the size or structure preferred by this species. They are found in habitat areas with a well-developed overstory, mid-story, understory, consisting of willow, mule fat and cottonwood, near water, with a minimum patch size of four (4) acres. This species requires a habitat structure of a 20-30-foot upper canopy, 15-12 foot mid-story and a lower story of 5-3 feet. This species is not found in salt cedar or eucalyptus. Although there is a willow component it is not the size or structure where this species is found. These conditions are absent from the site. The acreage and structure of 0.11 acre of eucalyptus trees approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs with a DBH of 6 inches is not the type of habitat is not the type or structure that this species is found.

Nor are they found in high disturbance areas which is the case on site due to the transient encampments and cutting of the vegetation. The specific requirement for this species is the presence of water. These are not the conditions on site.

Therefore, SWWF has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

5.4.2 Least Bell's vireo

The LBVI is a small, olive-gray migratory songbird that nests and forages almost exclusively in riparian woodland habitats. Bell's vireos as a group are highly territorial and are almost exclusively insectivorous. LBVI generally begin to arrive from their wintering range in southern Baja California and establish breeding territories by mid-March to late-March. A large majority of breeding vireos depart their breeding grounds by the third week of September and only a very few have been found wintering in the United States.

Their nesting habitat typically consists of well-developed overstory, understory, and low densities of aquatic and herbaceous cover with an overstory of 15-20 feet, mid-story of 6-10 feet and a lower story of 3 feet. The midstory frequently contains dense sub-shrub or shrub thickets. The overstory usually contains black willow, cottonwood and Sycamore. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. Although LBVI use a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. Vireos forage in riparian habitats up to 984 feet from the nest and use both high and low scrub layers as foraging substrate.

The LBVI has not been documented on site or within a 1- mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and

does not have the structure or patch size preferred by this species. The acreage and structure of 0.11 acre of eucalyptus trees, approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs, with a DBH of 6 inches is not the type of habitat that this species is found. This species is not found in salt cedar or eucalyptus.

Nor are they found in high disturbance areas. Although there is a willow component, it is not the size or structure where this species is found. They are located in well-developed overstory, mid-story, understory, and low densities of aquatic and herbaceous cover with a minimum patch size of two (2) acres, which is not the case for this site.

Therefore, LBVI has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

5.4.3 Yellow-billed cuckoo

The YBCU is a medium sized bird, with a long and slim profile. Its legs are short and bluish-gray, and its tail is gray-brown above and black below with three striking pairs of large white dots visible in flight. Its body is brown above with white under parts. The undersides of its pointed wings are rufous. Adult birds have a long-curved bill which is blue-black above and yellow at the base of the mandibles. Juveniles have a completely blue-black bill.

Though the YBCU will occupy a variety of marginal habitats, particularly at the edges of their range, YBCU in the West are overwhelmingly associated with relatively expansive stands of mature cottonwood willow forests with a minimum patch size of 40 acres. Upper canopy height ranges from 15-75 feet, canopy cover from 20-90 percent, and understory cover from 30-90 percent. Willows and open water are required and the habitat will vary from dense willow-cottonwood forests to marshy bottomlands with scattered willow thickets. According to the California Department of Fish and Wildlife (1980), remnant patches of suitable habitat in sizes sufficient to support breeding yellow-billed cuckoos are scarce.

The YBCU has not been documented on site or within a 1- mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the structure or size preferred by this species. They are found in habitat areas with a well-developed overstory, mid-story, understory, consisting of willow and cottonwood, near water, with a minimum patch size of forty (40) acres. This species requires a habitat structure of a 30-75-foot upper canopy, 18-20 foot mid-story and a lower story of 5-3 feet. This species is not found in salt cedar or eucalyptus. Although there is a willow component, it is not the size or structure where this species is found. These conditions are absent from the site. The acreage and structure of 0.11 acre of eucalyptus trees approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs with a DBH of 6 inches is not the type of habitat or structure that this species is found. Nor are they found in high disturbance areas which is the case on site due to the transient encampments and cutting of the vegetation. This species is very sensitive to disturbance and is only found in pristine environments. The specific requirement for this species is the presence of water which is absent from the site.

Therefore, YBCU has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

6 PROTECTION OF NARROW ENDEMIC PLANT SPECIES (SECTION 6.1.3)

The MSHCP identifies the potential presence for a number of endemic plant species.

The MSHCP states that in general, habitat suitability assessments may be undertaken year-round, with the exception of vernal pool species for which habitat suitability assessments must be conducted during the rainy season. Species found in vernal pools and associated Habitats include the following Narrow Endemic Plant Species: San Diego ambrosia (Ambrosia pumila), spreading navarretia (*Navarretia fossalis*), California Orcutt grass (*Orcuttia californica*), and Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*). Species found in vernal pools and associated Habitats include the following Criteria Area Survey plant species: San Jacinto Valley crownscale (*Atriplex coronator* var. *notatior*), Parish's brittlescale (*Atriplex parishii*), Davidson's saltscale (*Atriplex serenana* var. *davidsonii*), thread-leaved brodiaea (*Brodiaea filifolia*), Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), little mousetail (*Myosurus minimus*), and prostrate navarretia (*Navarretia prostrata*) (MSHCP, Section 6.1.3)

The Project site does not fall within a Narrow Endemic Plant Species Survey Area (NEPSSA). No further analysis or discussion is needed or warranted.

6.1 Impacts

There are no impacts to the narrow endemic plants because the soils and vegetation communities do not support potential for Narrow Endemic Plant Species.

7 ADDITIONAL SURVEY NEEDS AND PROCEDURES (SECTION 6.3.2)

The Project site is not mapped in a Criteria Cell or survey area for plants, mammals or amphibians. However, a portion of APN 347-130-028 is within burrowing owl survey area. A burrowing owl habitat suitability assessment was conducted, and no suitable habitat was observed, and there was no evidence of burrowing owl.

7.1 Criteria Area Plant Species

The Proposed Project Site does not fall within a mapped survey area for Criteria Area Plant Species. No surveys or further discussion is warranted.

7.2 Amphibians

The Proposed Project Site does not fall within a mapped survey area for Amphibian. No surveys or further discussion is warranted.

7.3 Burrowing Owl

A portion of the the Project site is within a mapped survey area for burrowing owl, in accordance with MSHCP Figure 6-4 and a recent review of the RCA MSHCP Information GIS map.

Burrowing owl is currently designated as a California Species of Special Concern. The burrowing owl is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with level to gently-sloping areas characterized by

open vegetation and bare ground. The western burrowing owl (*A.c. hypugaea*), which occurs throughout the western United States including California, rarely digs its own burrows and is instead dependent upon the presence of burrowing mammals (i.e., California ground squirrels [*Otospermophilus beecheyi*], coyotes, and badgers [*Taxidea taxus*]) whose burrows are often used for roosting and nesting. The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of burrowing owls. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, stand-pipes, and dry culverts. They also require low growth or open vegetation allowing line-of-sight observation of the surrounding habitat to forage and watch for predators. In California, the burrowing owl breeding season extends from the beginning of February through the end of August.

Under the MSHCP burrowing owl is considered an adequately conserved covered species that may still require focused surveys in certain areas as designated in Figure 6-4 of the MSHCP. The survey for burrowing owl requires a systematic survey of all areas that provide suitable habitat plus a 150-meter (approximately 500 feet) zone of influence on all sides of suitable habitat, where applicable.

7.3.1 Methods

The RCA Mapping Information System identified that APN 347-130-028 (0.49 acre), located in the Project's northeastern portion is within a survey area required for the western burrowing owl (*Athene cunicularia hypugaea*) [BUOW]) (Figure 5).

On January 16, 2021, Ms. Lawrey conducted a burrowing owl habitat suitability assessment in accordance with the Western Riverside County MSHCP, which follows the 1993 "*Burrowing Owl Survey Protocol and Mitigation Guidelines*" prepared by the California Burrowing Owl Consortium.

Step 1 of the survey protocol is the habitat suitability assessment. If suitable habitat is present, this protocol requires four (4) surveys between April 15 and July 15 with the first site survey counting as one survey period. Burrowing owl habitat generally includes, but is not limited to, short or sparse vegetation (at least at some time of year), presence of burrows, burrow surrogates or presence of fossorial mammal dens, well-drained soils, and abundant and available prey.

BUOW are known to occur locally within suitable habitat areas, with the closest occurrence being 3.6 miles northeast from the Project site along Highway 74 near Ethanac Road and Eugene Street in 1999.

Natural and non-natural substrates were examined for potential burrow sites. The site was searched for molted feathers, whitewash, cast pellets and/or prey remains. Disturbance characteristics and all other animal sign encountered within the survey area were recorded. Date time and weather conditions were logged. A hand-held, global positioning system (GPS) unit was used to survey to identify survey area boundaries. Representative photographs of the survey area were taken, and Google Earth Pro was accessed to provide recent aerial photographs of the Project site and surrounding area.

7.3.2 Existing Conditions and Results

The area on site requiring BUOW surveys is densely vegetated in a three story canopy cover structure that includes eucalyptus trees, salt cedar and willows, and non-native grasses and weeds. The habitat composition and structure is not suitable for BUOW. No burrows, feathers, whitewash, castings, prey remains or BUOW individuals were observed on site or in the survey buffer area which was surveyed by

binoculars. (The adjacent properties are private property and access was not granted to survey). Based on the survey results BUOW are absent, the habitat within the required survey area is unsuitable and therefore, further investigation is not recommended or warranted

7.3.3 Impacts

No impacts can be identified in that no BUOW or BUOW sign was observed on the Project site.

7.3.4 Mitigation

Burrowing owl were not present, and there was not suitable habitat found in the survey, therefore, no mitigation is required.

7.4 Mammals

The Proposed Project Site does not fall within a mapped survey area for Mammals. No surveys or further discussion is warranted.

8 INFORMATION ON OTHER SPECIES

8.1 Delhi Sands Flower Loving Fly

The Project site does not fall within the Delhi soils mapped within the MSHCP baseline data. No further discussion is warranted.

8.2 Species Not Adequately Conserved

MSHCP Table 9-3 identifies 28 species where requirements must be met for those to be considered not adequately conserved. None of the species listed in the MSHCP Table 9-3 occur on or near the Project site. Therefore, there is no further action required.

9 GUIDELINES PERTAINING TO THE URBAN/WILDLANDS INTERFACE (SECTION 6.1.4)

The MSHCP Section 6.1.4 Guidelines are intended to address indirect effects associated with locating Development in proximity to the MSHCP Conservation Area, where applicable. The Project Site is not located in proximity to an MSHCP Conservation Area.

The Project Site is not located in proximity to an MSHCP Conservation Area, therefore the analysis for this criterion does not apply.

10 BEST MANAGEMENT PRACTICES (VOLUME I, APPENDIX C)

This section of the report is designed to describe and comment as to the necessity of implementation of the BMPs identified in Volume 1, Appendix C. The BMPs and their applicability to the Project are identified in Table 2.

Table 2
MSHCP Best Management Practices Applicability (Volume 1, Appendix C)

BMP No.	BMP	Applicable Yes or No	Comment
1	A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.	No	There are no sensitive species within or near the Project site.
2	Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.	Yes	The site will include grading and paving.
3	The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.	No	The site is in an urban area and the remnants of vacant habitat do not provide suitable habitat for species.
4	The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.	No	No natural stream resources occur on site
5	Projects should be designed to avoid the placement of equipment and personnel within the stream channel or on sand and gravel bars, banks, and adjacent upland habitats used by target species of concern.	No	No natural stream resources occur on site
6	Projects that cannot be conducted without placing equipment or personnelin sensitive habitats should be timed to avoid the breeding season of riparian identified in MSHCP Global Species Objective No. 7.	No	No natural stream resources occur on site
7	When stream flows must be diverted, the diversions shall be conducted using sandbags or other methods requiring minimal instream impacts. Silt fencing of other sediment trapping materials shall be installed at the downstream end of construction activity to minimize the transport of sediments offsite. Settling ponds where sediment is collected shall be cleaned out in a manner that prevents the sediment from reentering the stream. Care shall be exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream.	No	No natural stream resources occur on site
8	Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional city, FWS, and CDFG, RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas	No	No natural stream resources occur on site

BMP No.	BMP	Applicable Yes or No	Comment
9	Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.	No	No natural stream resources occur on site
10	The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.	No	There are no sensitive species or habitat on the Project site.
11	The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.	No	Vegetation on-site is ruderal.
12	Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.	Yes	Vegetation on-site is ruderal.
13	To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).	No	There are no sensitive species on site or adjacent to the site.
14	Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.	No	There are no sensitive species on site or adjacent to the site.
15	The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs.	No	No restoration areas are required.

11 REFERENCES

USFWS (United States Fish and Wildlife Service). 2000. *Southwestern Willow Flycatcher Protocol Revision 2000.* Sacramento, California: USFWS. https://www.fws.gov/pacific/ecoservices/endangered/recovery/documents/SWWFlycatcher.2000.protocol.pdf

USFWS. 2001. *Least Bell's Vireo Survey Guidelines*. January 19, 2001. Sacramento, California: USFWS. https://www.fws.gov/cno/es/Recovery_Permitting/birds/least_bells_vireo/LeastBellsVireo_SurveyGuidelines_20010119.pdf

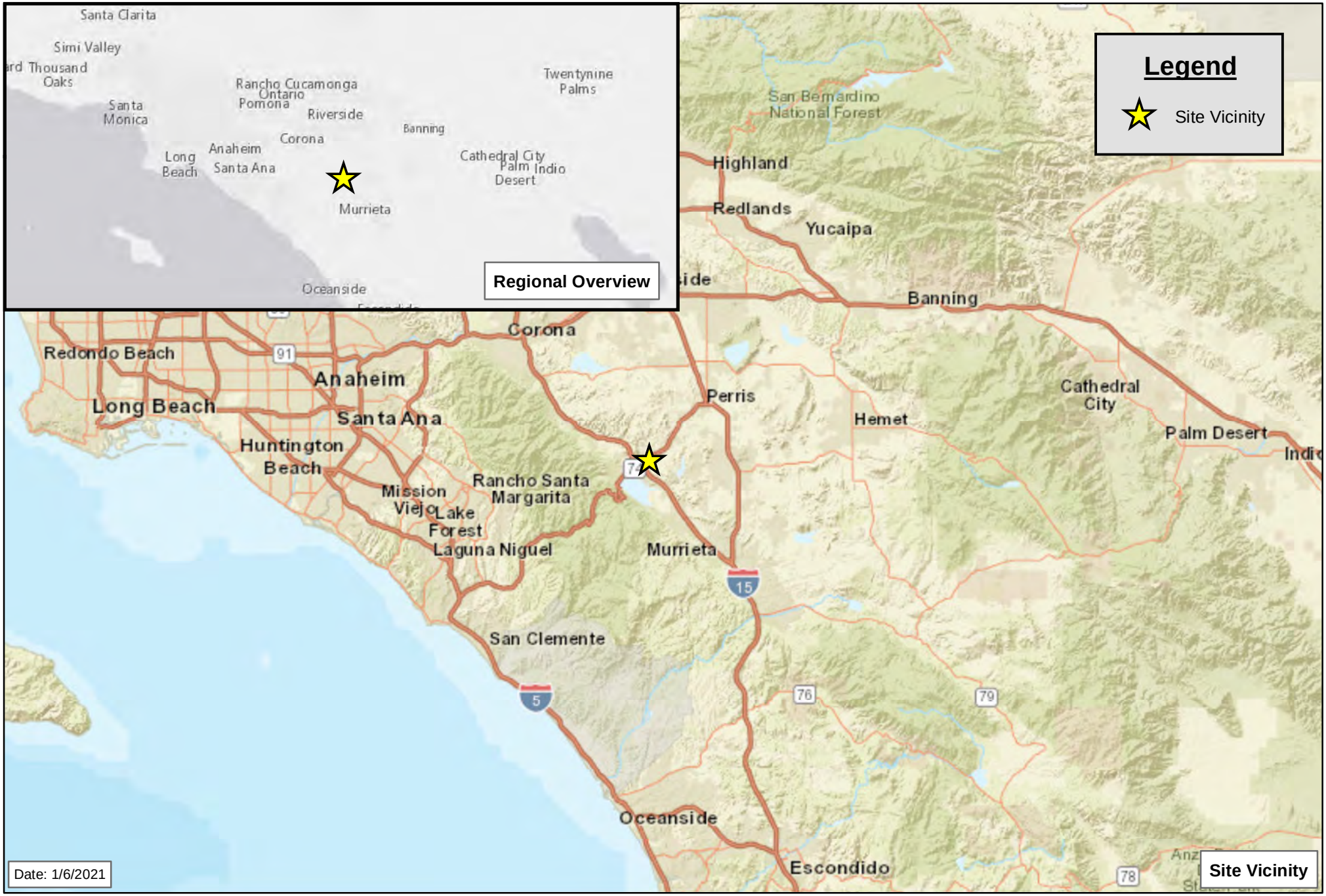
USFWS. 2015. *A Natural History Summary and Survey Protocol for the Western Distinct Population Segment of the Yellow-Billed Cuckoo.* Prepared by M. Halterman, M.J. Johnson, J.A. Holmes, and S.A. Laymon. Sacramento, California: USFWS. April 2015. https://www.fws.gov/southwest/es/Documents/R2ES/YBCU_SurveyProtocol_FINAL_DRAFT_22Apr2015.pdf

12 SUPPORTING APPENDICES

The following supporting reports are attached:

Figure 1 - Regional Overview Site Vicinity
Figure 2 - Site Location – Topo Base
Figure 3 - Site Location- Aerial Base
Figure 4 – Site Plan
Figure 5 – Soils
Figure 6 – Vegetation Map
Figure 7 CNDDB Results

Appendix A – Photos
Appendix B – Biological Resources Assessment, February 2021



0 5 10 20 30 40 Miles

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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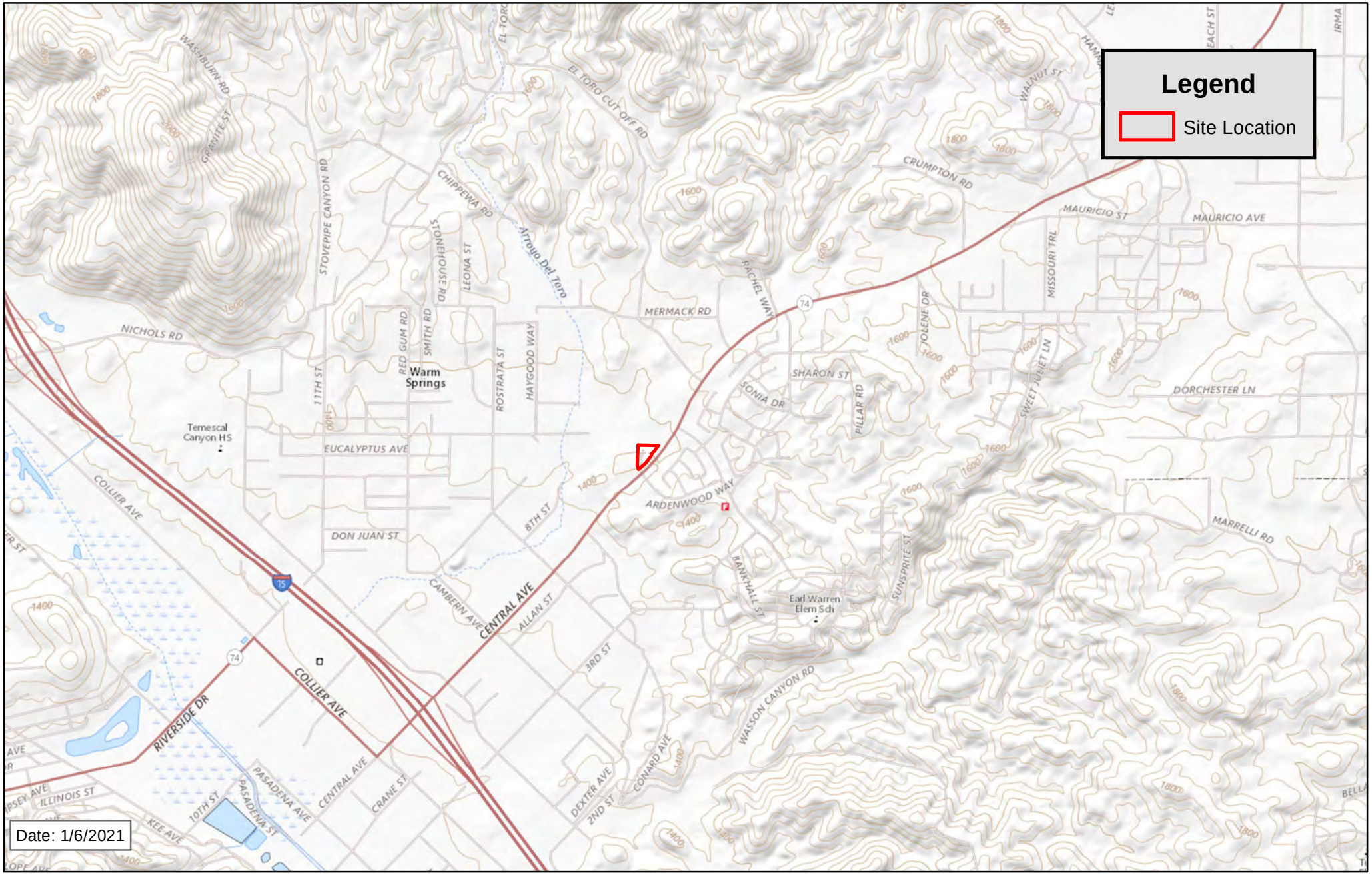
Figure 1 - Regional Overview Site Vicinity	76 Gas Station - 74 Highway Lake Elsinore, CA



Service Layer Credits: USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed October 2018.

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Figure 2
Site Location

76 Gas Station - 74 Highway
Lake Elsinore, CA

0 0.0325 0.065 0.13 0.195 0.26 Miles

1 inch = 417 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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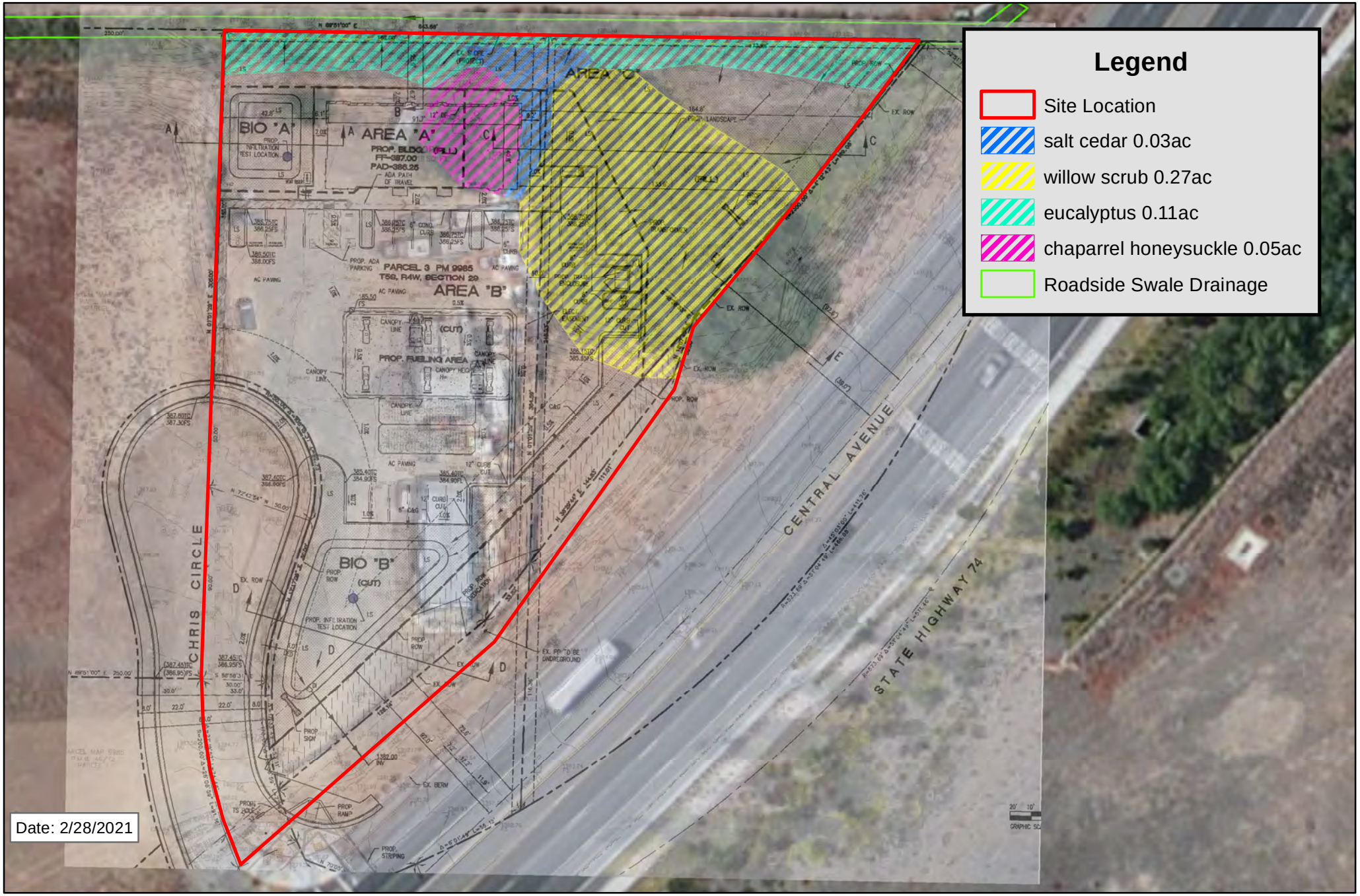
Figure 3
Site Location

76 Gas Station - 74 Highway
Lake Elsinore, CA



0 0.004750.0095 0.019 0.0285 0.038 Miles

1 inch = 58 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 4 Site Plan	76 Gas Station - 74 Highway Lake Elsinore, CA

0 0.005 0.01 0.02 0.03 0.04 Miles

1 inch = 83 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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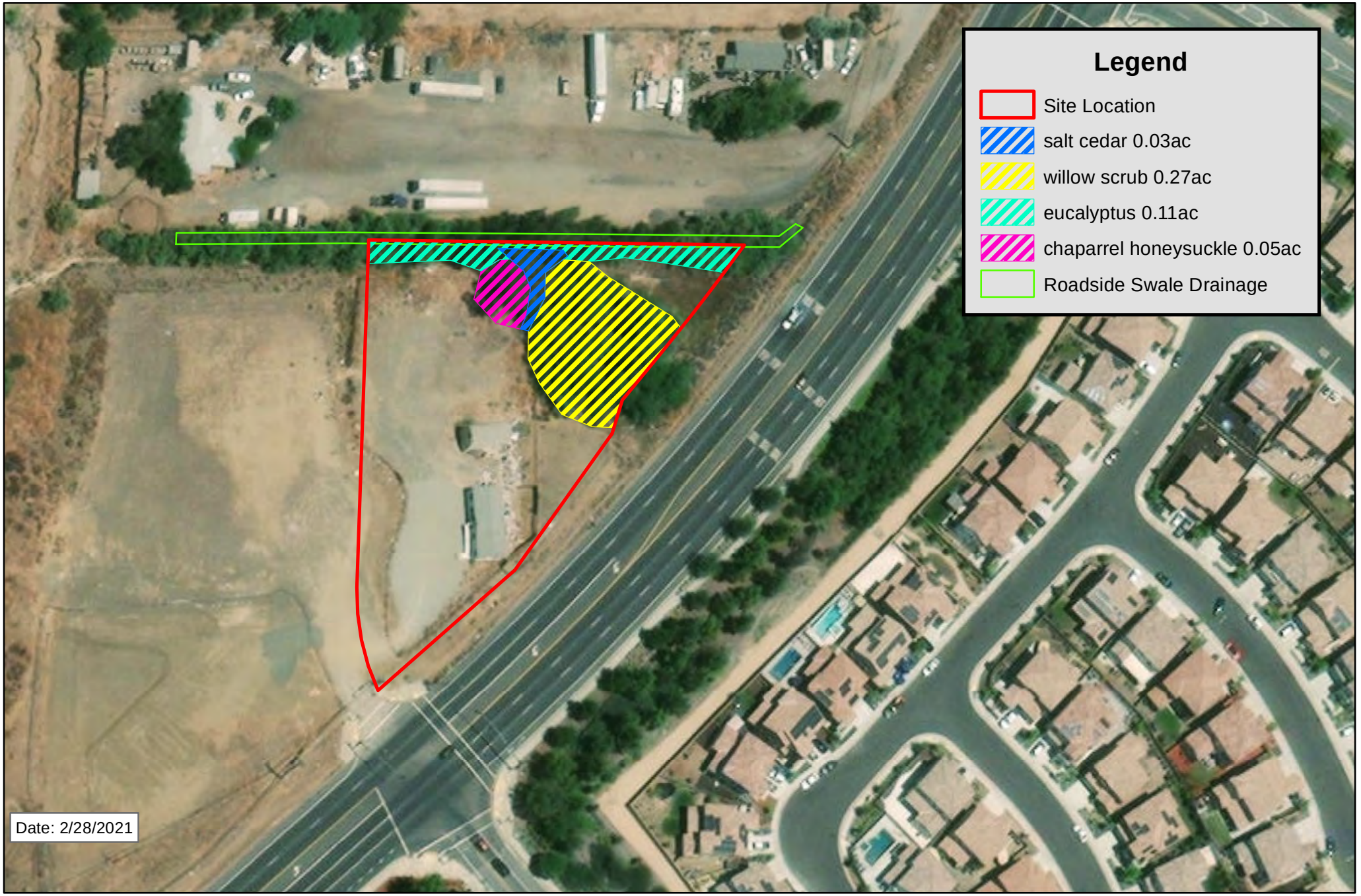
Figure 5
Soils

76 Gas Station - 74 Highway
Lake Elsinore, CA



0 0.00750.015 0.03 0.045 0.06 Miles

1 inch = 108 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 6
Vegetation

76 Gas Station - 74 Highway
Lake Elsinore, CA

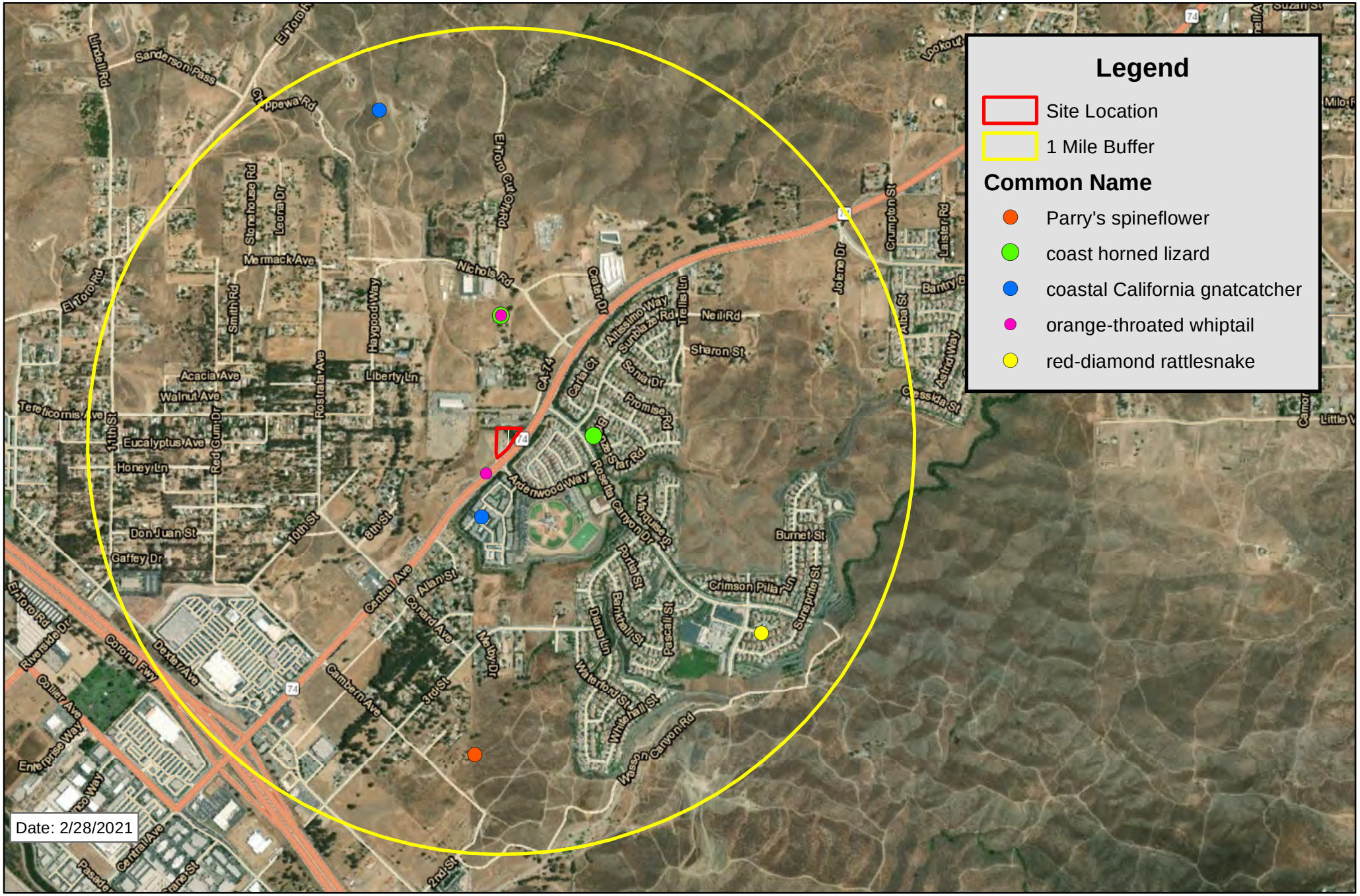

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Figure 7
CNDDB

76 Gas Station - 74 Highway
Lake Elsinore, CA

Appendix A – Photos

0 0.00750.015 0.03 0.045 0.06 Miles

1 inch = 108 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Photo Map

76 Gas Station - 74 Highway
Lake Elsinore, CA

Appendix A – Site Photos

	Photo 1 – Facing north east from the most southern point of the Project.
	Photo 2 – Facing west, start of encampment.

	Photo 3 – Looking west, northern encampment.
	Photo 4 – Facing east toward HWY74.

	Photo 5 – Facing west, between the two encampments.
	Photo 6 – Facing east.

	Photo 7 – Facing south from the northwest portion of the Project.
	Photo 8 – Facing west from the most northwestern point of the Project.

Appendix B – Biological Resources Assessment, February 2021

JERICHO SYSTEMS INC.
Progress & Preservation
47 1st Street, Suite 1
Redlands, CA 92373-4601
(909) 915-5900

February 23, 2021
(Revised May 1, 2021)

Joseph Karaki, President
Karaki WS
4887 E. La Palma Ave, Suite 707
Anaheim, CA 92807

RE: Biological Resources Assessment, Jurisdictional Delineation
Commercial Retail (76 Station) – APN: 347-130-029 & 347-130-028
Central Avenue (Hwy 74) and Eighth Street
City of Lake Elsinore, Riverside County, California

Dear Mr. Karaki:

Jericho Systems, Inc. (Jericho) is pleased to provide this Biological Resources Assessment and Jurisdictional Delineation for the above-referenced Project.

The results of Jericho's field survey are intended to provide sufficient baseline information to the County of Riverside, City of Lake Elsinore, and, if required, to federal and State regulatory agencies, including U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), respectively, to determine if impacts will occur, quantify those impacts and to identify mitigation measures to offset any impacts.

The Project site is located within the Western Riverside County Multiple Species Habitat Plan (MSHCP) area and as such, is subject to the conditions and conservation requirements identified in the MSHCP. Riverside County adopted the MSHCP on June 17, 2003. The City of Lake Elsinore is signatory to the MSHCP Implementing Agreement and thereby a permittee responsible for meeting the terms and conditions outlined in the MSHCP and the Biological Opinion issued for the MSHCP. Therefore, the City of Lake Elsinore has the responsibility to ensure the projects they approve are consistent the MSHCP and will not preclude the overall conservation goals and reserve design from being accomplished.

The MSHCP is a criteria-based plan and identification of planning units on which to base the Criteria is necessary for such a criteria-based plan. The MSHCP Conservation Area is comprised of a variety of existing and proposed Cores, Extensions of Existing Cores, Linkages, Constrained Linkages and Non-contiguous Habitat Blocks. The MSHCP coverage area is divided into Area Plans (AP) based on the Riverside County's General Plan Area Plan boundaries. Each of the AP's has: established conservation criteria, species specific surveys that may be required based on on-site Habitat Assessment, and resources and areas identified for conservation. In each Area Plan text, applicable Cores and Linkages are identified.

There are 146 species covered by the MSHCP. Surveys are not required for 106 of these covered species. The remaining 40 covered species may require focused surveys for proposed development

projects include 4 birds, 3 mammals, 3 amphibians, 3 crustaceans, 14 Narrow Endemic Plants, and 13 other sensitive plants within the Criteria Area. The need to conduct focused surveys for all but six of these 40 species is determined by the presence of suitable habitat within designated 'survey areas' mapped for each of the species. The remaining six species that require focused surveys throughout the entire MSHCP area are associated with riparian/riverine areas and vernal pools and include least Bell's vireo, southwestern willow flycatcher, western yellow-billed cuckoo, Riverside fairy shrimp, Santa Rosa Plateau fairy shrimp, and vernal pool fairy shrimp.

The MSHCP requires that a project comply with the MSHCP policies identified in Section 6 of the MSHCP. For this Project site, a habitat suitability assessment for burrowing owl (MSHCP section 6.3.2) and MSHCP Riparian/Riverine resources (MSHCP section 6.1.2) was required and conducted.

The Project site was also evaluated for the presence jurisdictional waters, subject to the federal Clean Water Act (CWA), Porter-Cologne (Porter-Cologne) and California Fish and Game Code (FGC) regulations. Jurisdictional resources subject to the CWA regulations include non-wetland waters and wetland waters of the U.S. (WoUS) whereas jurisdictional resources subject to Porter-Cologne include non-wetland waters and waters of the State (WoS). The California FGC encompasses the resources that constitute a stream or river, including associated riparian vegetation and floodplain.

Evaluation of Riparian/Riverine resources followed guidance provided in the MSHCP Section 6.1.2. Potential federal jurisdiction followed the regulations set forth in 33CFR part 328 and the USACE guidance documents and evaluation of potential State jurisdiction followed guidance in the Fish and Game Code and A Review of Stream Processes and Forms in Dryland Watersheds (CDFW, 2010).

PROJECT LOCATION

The approximately 1.9-acre Project site is made up of two parcels: APN 347-130-029 (1.12 acre) and 347-130-028 (0.49 acre) and is located in the City of Lake Elsinore, Riverside County, California. The Project site is bounded on the north by 8th Street, on the south by Ardenwood Way and rural industrial land use, on the east by Hwy 74 (Central Avenue), and on the west by vacant land. The project site can be found on the *Lake Elsinore* U. S. Geological Survey (USGS) 7.5-minute topographic map within Section 29 of Township 5 South, Range 4 West (Figure 1-3).

PROJECT UNDERSTANDING

The Project proposes a gas station consisting of a 3,516 square foot (sf) convenience store, 3,160 sf fueling canopy with six multi-product dispensers, and two underground storage tanks. See Figure 4 for site layout.

METHODS

Prior to the field investigation, reference materials and databases relevant to the Project site were reviewed for the *Lake Elsinore* 7.5-minute USGS quadrangle. The sources reviewed included:

- California Natural Diversity Database (CNDDB) *Rarefind 5*);
- CNDDB Biogeographic Information and Observation System (BIOS);
- California Native Plant Society Electronic Inventory (CNPSEI) database;
- Calflora Database;
- USDA Natural Resources Conservation Service (NRCS) Web Soil Survey;

- USF-WS National Wetland Inventory;
- Environmental Protection Agency (EPA) Water Program "My Waters" data layers;
- RCA/MSHCP Information Map

On January 16, 2021, Jericho Principal Ecologist, Shay Lawrey conducted a field survey of the Project site with focus on potential habitat for listed species, sensitive species, migratory birds, burrowing owl and riverine/riparian/vernal pool resources. Ms. Lawrey is a qualified biologist with advanced degrees in Biology and 25 years of experience surveying for the sensitive species known to in California and riverine/riparian/vernal pool resources. Ms. Lawrey surveyed the Project site on a calm weather, overcast day, during peak animal activity, between 8:30 a.m. and 10:30 am.

Ms. Lawrey conducted the survey by walking transects spaced in approximately 15 meters (approximately 50 feet) intervals to provide 100 percent visual coverage of the ground surface. Wildlife species were detected during field surveys by sight, calls, tracks, scat, or other signs. In addition to species observed, expected wildlife usage of the site was determined according to known habitat preferences of local wildlife species and knowledge of their relative distributions in the area. Ms. Lawrey assessed the Project site for habitat type, structure, species composition/association, condition, and human disturbances. Attention was focused on identifying potential habitat for special status species known to occur locally and identifying potential jurisdictional waters and/or riverine/riparian/vernal pool resources within and/or adjacent to the Project site.

Riverside County also requires that any survey limitations be identified. No limitations affected the results and conclusions given herein. The buffer survey area located on adjacent private property was surveyed via binoculars to avoid trespass. Surveys were conducted during the appropriate season to observe the target species, in good weather conditions, by a qualified biologist who followed all pertinent protocols.

Stephen's kangaroo rat Habitat Assessment

The RCA Mapping Information System identified that the Project parcel is not in a Stephen's kangaroo rat (*Dipodomys stephensi*, [SKR]) fee area. Therefore, this analysis was not applicable.

Burrowing Owl Habitat Assessment

The RCA Mapping Information System identified that APN 347-130-028 (0.49 acre), located in the Project's northeastern portion is within a survey area required for the western burrowing owl (*Athene cunicularia hypugaea*) [BUOW]) (Figure 5).

The BUOW habitat suitability assessment was conducted in accordance with the Western Riverside County MSHCP, which follows the 1993 *"Burrowing Owl Survey Protocol and Mitigation Guidelines"* prepared by the California Burrowing Owl Consortium. Step 1 of the survey protocol is the habitat suitability assessment. If suitable habitat is present, this protocol requires four (4) surveys between April 15 and July 15 with the first site survey counting as one survey period.

Burrowing owl habitat generally includes, but is not limited to, short or sparse vegetation (at least at some time of year), presence of burrows, burrow surrogates or presence of fossorial mammal dens, well-drained soils, and abundant and available prey.

Per the literature review, the closest documented BUOW occurrence is approximately 3.8 miles northeast from the Project site along Highway 74 near Ethanac Road and Eugene Street. There are no BUOW occurrences documented in the Project area,

Natural and non-natural substrates were examined for potential burrow sites. The site was searched for molted feathers, whitewash, cast pellets and/or prey remains. Disturbance characteristics and all other animal sign encountered within the survey area were recorded. Date time and weather conditions were logged. A hand-held, global positioning system (GPS) unit was used to survey to identify survey area boundaries. Representative photographs of the survey area were taken, and Google Earth Pro was accessed to provide recent aerial photographs of the Project site and surrounding area.

Riverine/Riparian Areas and Jurisdictional Waters

The site was also assessed for State and /or federal jurisdictional waters that are subject to Sections 404 and 401 of the federal CWA regulated by the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) respectively; and/or Section 1602 of the California Fish and Game Code (FCG) administered by the CDFW and Riverine/Riparian and Vernal Pool habitat subject to Section 6.1.2 of the MSHCP.

The methods used in this study to delineate the non-wetland WoUS at the Ordinary High Water Mark (OHWM) in variable, ephemeral, intermittent, or perennial non-wetland waters followed guidance described in *A Field Guide to the Identification of the Ordinary High Water Mark in the Arid West Region of the Western United States* (Lichvar and McColley 2008) and the *Updated Datasheet for the Identification of the Ordinary High Water Mark in the Arid West Region of the Western United States* ("Updated Datasheet", Curtis and Lichvar 2010).

The RWQCB maintains jurisdiction over all waters of the State, including wetlands. For the purposes of Porter-Cologne, the methods used to determine federal jurisdiction over non-wetland waters were also used to determine the extent of RWQCB jurisdiction over non-wetland waters within the property.

Evaluation of FGC Section 1600 Streambed Waters followed guidance in the Mapping Episodic Stream Activity (MESA) protocols *[MESA Field Guide*], pursuant to which CDFW claims jurisdiction beyond traditional stream banks and the outer edge of riparian. Under MESA, the term stream is defined broadly to include "a body of water that flows perennially or episodically and that is defined by the area in which water currently flows, or has flowed, over a given course during the historic regime [i.e., 'circa 1800 to the present'], and where the width of its course can reasonably be identified by physical or biological indicators."

The methods used to determine any riparian/riverine or vernal pool areas were based on the above techniques as well as soils evaluations and vegetation classifications. This is because an area may be characterized as riparian based on its vegetative composition but does not meet the criteria of being federal or state jurisdictional water.

RESULTS

Regional Setting

According to the U.S. EPA Regional map, the Project site is located in the Inland Valleys (85k) ecoregion. An ecoregion is a regional area that has similar ecosystems in terms of type, quality, and quantity of environmental resources. The Inland Valleys ecoregion is influenced less by marine processes, and more by alluvial processes. The ecoregion consists of alluvial fans and basin floors at the base of the San Bernardino and San Gabriel mountains and the San Jacinto and Perris Valleys in the south. Soil moisture is generally xeric, and historically, the region was composed of Riversidean coastal sage scrub, valley grasslands, and riparian woodlands. The ecoregion is now heavily urbanized with some remaining agriculture.

Hydrologically, the Project site is located within the Lake Mathews hydrologic area, in the 14,217-acre hydrologic sub-area (HSA 801.35) within the Temescal Wash watershed (HUC 180702030601) (Figure 6).

The City of Lake Elsinore is located in southwestern Riverside County at the foothills of the Cleveland National Forest. Topographically, Lake Elsinore is located on the east side of the Santa Ana mountains. The general climate of Lake Elsinore includes hot summers (99°F average maximum in August) and mild winters (38°F average minimum) with cool ocean breezes and sparse winter rainfall, averaging 12.09 inches of precipitation per year.

According to the database searches, 53 sensitive species (24 plants ,24 vertebrates, 5 invertebrates) and 3 sensitive habitats have been documented in the *Lake Elsinore* USGS quadrangle (Table 1). Figure 7 depicts the sensitive species within a one mile radius of the Project site.

Existing Site Conditions

Weather conditions during the survey were overcast with no wind. Survey hours of spanned from 8:30 a.m. to 10:30 a.m. with temperatures ranging from 65 degrees Fahrenheit (° F) to 70° F

The topography of the Project site is relatively flat, with elevation increasing in the northern portion of the parcel. Site elevation ranges from 1,414 feet to 1,389 feet above mean sea level (MSL).

The Project site is vacant and is surrounded by flat bladed disturbed land on the west, south, and north, and by Hwy 74 (Central Avenue) to the east. The site does not connect to native, undisturbed areas.

Soils on the Project site area consist of Cortina cobbly loamy sand, 2-9% slopes (CmC), Lodo rocky loam, 25-50% slopes (LpF2), and Arbuckle gravelly loam, 2-9% slopes – dry, MLRA 19 (AIC), (Figure 8). Soils in the Arbuckle series are well-drained remnants of alluvial fans derived from numerous types of rock. Soils in the Cortina series are well-drained soils made from alluvium derived from metasedimentary rock. The Lodo series consists of shallow, somewhat excessively drained soils that formed in material weathered from hard shale and fine grained sandstone. Terrace escarpments are landforms (terraces) made from alluvium derived from mixed sources.

The entire site is mapped by the RCA MSHCP Vegetation (2012) layer as developed/disturbed land, and the site survey confirmed these findings for all but the northeast corner, which consists of a mix of

salt cedar, eucalyptus and willow scrub. The vegetation here is used as cover for a homeless encampment that supports approximately 10 transients. This area is heavily littered and disturbed. Many of the bushes and trees on site have had trunks/branches sawed off and used for cover in the homeless encampment.

Habitat

The northeast corner of the Project site supports an over-story canopy of eucalyptus trees (*Eucalyptus* ssp) approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches. The mid-story is densely covered in salt cedar (*Tamarix ramossima*) with a small thicket of black willow shrubs (*Salix gooddingii*). The average height of the mid-story is approximately 12 feet. The dense understory primarily consists of short-podded mustard (*Hischfeldia incana*), tocalote *(Centaurea melitensis*), and non-native grasses (*Bromus* ssp.). A few native plants are found scattered along the eastern and western edges of the Project site including California buckwheat (*Erioginum faciculatum*), encilia (*Encilia farinosa)* and telegraph weed (*Heterotheca grandiflora*). The remainder of the Project site is bare and compacted due to blading.

Although, the vegetation in the northeastern corner of the Project site is mostly non-native (salt cedar and eucalyptus) and heavily impacted by a homeless encampment, it provides potentially suitable habitat for nesting birds, including raptor species.

Wildlife

Wildlife observed at the time of survey included yellow-rumped warbler, black phoebe, white-crowned sparrow, common raven, American crow, lesser goldfinch, house finch, European starling and mourning dove.

MSHCP Surveys

The Regional Conservation Authority (RCA) Information Map identifies the following for both APN 347-130-029 and 347-130-028:

- The parcels are located in the Elsinore Area Plan of the MSHCP.
- APN 347-130-028 is located in an area that requires focused BUOW surveys be conducted if suitable habitat is present. APN 347-130-029 is not located in an BUOW survey area (Figure 4)
- The parcels are not located in or adjacent to a Criteria Cell
- The parcels are not in a criteria species survey area
- The parcels are not in a mammal survey area
- The parcels are not in a narrow endemic plant survey area
- The parcels are not in a cellgroup

Burrowing owl (BUOW)

BUOW are known to occur locally within suitable habitat areas, with the closest occurrence being 3.6 miles northeast from the Project site along Highway 74 near Ethanac Road and Eugene Street in 1999.

The BUOW is currently designated as a California Species of Special Concern. It is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. They use a wide variety of arid and semi-arid environments with level to gently-sloping areas characterized by open vegetation and bare ground. BUOWs rarely dig their own burrows and are instead dependent upon the presence of burrowing mammals (i.e., California ground squirrels [*Otospermophilus beecheyi*], coyotes, and badgers [*Taxidea taxus*]) whose burrows are often used for roosting and nesting. The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of BUOWs. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, stand-pipes, and dry culverts. They also require low growth or open vegetation allowing line-of-sight observation of the surrounding habitat to forage and watch for predators. In California, the BUOW breeding season extends from the beginning of February through the end of August.

Under the MSHCP burrowing owl is considered an adequately conserved covered species that may still require focused surveys in certain areas as designated in Figure 6-4 of the MSHCP. The survey for burrowing owl requires a systematic survey of all areas that provide suitable habitat plus a 150-meter (approximately 500 feet) zone of influence on all sides of suitable habitat, where applicable.

The area on site requiring BUOW surveys is densely vegetated in a three story canopy cover structure that includes eucalyptus trees, salt cedar and willows, and non-native grasses and weeds. The habitat composition and structure is not suitable for BUOW. No burrows, feathers, whitewash, castings, prey remains or BUOW individuals were observed on site or in the survey buffer area which was surveyed by binoculars. (The adjacent properties are private property and access was not granted to survey). Based on the survey results BUOW are absent, the habitat within the required survey area is unsuitable and therefore, further investigation is not recommended or warranted

Heritage Trees

The City of Lake Elsinore's Palm Tree Preservation Program is limited to palm species within the city limits. Palm trees are not on site; therefore, the Project will not impact heritage trees.

Riverine/Riparian Areas and Jurisdictional Waters

A roadside swale originating from HWY74 and N. Frontage road located along the northeastern boundary of the site, enters the Project site in the northern portion of APN 347-130-028 and continues westerly along the property boundary between the Project site and the parcel north of the Project site (Figure 7). This swale collects street runoff and is not a natural or jurisdictional feature subject to Sections 1600 of the FGC or 404/401 of the federal CWA. There is no bed or bank associated with this swale indicating a flow of water. The water runoff from HWY 74 travels west, back flows to the southeast and percolates in the well-drained soils. There is no evidence that the swale connects to the blue line stream located off-site to the west.

This roadside is a result of man-made roadside water diversion from HWY 74 and is not considered jurisdictional or riverine/riparian. Although the patch of willows growing in the mid-story of the swale are riparian it is not the intent of the MSHCP to conserve small patches of riparian species growing as a direct result of man-made features. The willows occur as a direct result of roadside runoff. If the run off was redirected, these willows would not exist. For further clarification as defined under Section 6.1.2 of the MSHCP, *Protection of Species Associated with Riparian/Riverine*

Areas and Vernal Pools, riparian/riverine areas are areas dominated by trees, shrubs, persistent emergent plants, or emergent mosses and lichens which occur close to or are dependent upon nearby freshwater, or areas with freshwater flowing during all or a portion of the year. Conservation of these areas is intended to protect habitat that is essential to a number of listed or special-status water-dependent fish, amphibian, avian, and plant species.

Based on the Project's Site Plan (Figure 8), 0.41 acre will be permanently impacted by grading and construction.

Due to the presence of a willow scrub thicket the following three bird species must be addressed according to the MSHCP.

- Southwestern willow flycatcher (*Empidonax trallii extimus*) [SWWF]
- least Bell's vireo (*Vireo bellii pusillus*) [LBVI]
- yellow-billed cuckoo (*Coccyzus americanus*) [YBCU]

Southwestern willow flycatcher

The southwestern willow flycatcher (SWWF) is a State and federally listed species. In 1992, it was listed by the California Fish and Game Commission endangered, under the California Endangered Species Act (CESA) of 1970. It was federally listed as endangered on February 27, 1995, under the ESA (60 FR 10694). The USFWS designated critical habitat for the species on July 22, 1997. This habitat includes 18 units with a total of 599 miles of river in California, New Mexico, and Arizona. In California, critical habitat was designated along portions of the Santa Ana River, San Luis Rey River, San Diego River, Santa Margarita River, Tijuana River, and south fork of the Kern River (62 FR 39129). On May 11, 2001, the critical habitat designation from 1997 was struck down by the U.S. 10th Circuit Court of Appeals who required further economic analysis. A recovery plan was finalized by USFWS in March of 2003. Critical habitat designations for this species were re-proposed and finalized in June 2004 (USFWS, 2003c).

The species historical range included Arizona, California, Colorado, New Mexico, Texas, and Utah. Southwest Region (Region 2) Counties in California in which this population is known to or is believed to occur: Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Santa Cruz, Tulare, Tuolumne, Ventura.

The SWWF is a small passerine bird measuring approximately 5.7 inches in length. It has a grayish-green back and wings, whitish throat, a light gray-olive breast, and pale yellowish belly. It has two visible white wing bars and a faint or absent eye ring. The call consists of a repeated "whit" and their song is a sneezy "fitz-bew." (60 FR 10694). The SWWF is currently one of the four recognized subspecies of the willow flycatcher. This flycatcher is a neotropical migrant that breeds in the southwestern United States from mid-April to early-September. In the fall, it migrates south to its wintering grounds in portions of South America, Central America and Mexico. (60 FR 10694)

The SWWF breeds in dense riparian habitats along rivers, streams, and other wetlands at elevations ranging from sea level to 8,500 feet (Sogge 1997). Occupied habitat is generally dominated by shrubs and trees 13 to 23 feet or more in height, which provide dense lower and mid-story vegetation approximately 10 to 13 feet aboveground. This dense vegetation is often interspersed with open water, small openings, or sparse vegetation, creating a mosaic that is not uniformly dense (62 FR

39129). Plant species closely associated with the flycatcher include willows (Salix spp.), boxelder (*Acer negungo*), seepwillow (*Baccharis* spp.), with an overstory of cottonwood (*Populus fremontii*) (62 FR 39129).

The SWWF has not been documented on site or within a one mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the size or structure preferred by this species. They are found in habitat areas with a well-developed overstory, mid-story, understory, consisting of willow, mule fat and cottonwood, near water, with a minimum patch size of four (4) acres. This species requires a habitat structure of a 20-30-foot upper canopy, 15-12 foot mid-story and a lower story of 5-3 feet. This species is not found in salt cedar or eucalyptus. Although there is a willow component it is not the size or structure where this species is found. These conditions are absent from the site. The acreage and structure of 0.11 acre of eucalyptus trees approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs with a DBH of 6 inches is not the type of habitat is not the type or structure that this species is found.

Nor are they found in high disturbance areas which is the case on site due to the transient encampments and cutting of the vegetation. The specific requirement for this species is the presence of water. These are not the conditions on site.

Therefore, SWWF has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

Least Bell's vireo

Least Bell's vireo (LBVI) was first proposed for listing as endangered by the USFWS on May 3, 1985, (50 FR 18968) and was subsequently listed as federally endangered on May 2, 1986 (60 FR 10694). Critical habitat units were designated by the USFWS on February 2, 1994 (59 FR 4845) and included reaches of ten streams in six counties in southern California and the surrounding approximately 38,000 acres. The critical habitat units exist in the Santa Ynez River, Santa Clara River, Santa Ana River, Santa Margarita River, San Luis Rey River, Sweetwater River, San Diego River, Tijuana River, Coyote Creek, and Jumul-Dulzura Creek.

The species historical range included California; California/Nevada Region (Region 8)Counties in California in which this population is known to or is believed to occur includes: Imperial, Inyo, Kern, Los Angeles, Monterey, Orange, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, Stanislaus, Tulare, Ventura, Yolo.

The LBVI is a small, olive-gray migratory songbird that nests and forages almost exclusively in riparian woodland habitats. Bell's vireos as a group are highly territorial and are almost exclusively insectivorous. LBVI generally begin to arrive from their wintering range in southern Baja California and establish breeding territories by mid-March to late-March. A large majority of breeding vireos depart their breeding grounds by the third week of September and only a very few have been found wintering in the United States.

Nests are usually placed in forks of branches between 2 and 5 feet from the ground. Females lay two to five eggs with both parents incubating the clutch for approximately 14 days and the young fledging

after 10 to 12 days. The fledglings will remain in the parental territory for up to a month. LBVI leave the breeding grounds and migrate south mid to late September.

Their nesting habitat typically consists of well-developed overstory, understory, and low densities of aquatic and herbaceous cover. The understory frequently contains dense sub-shrub or shrub thickets. The overstory usually contains black willow, cottonwood and Sycamore. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. Although LBVI use a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. Vireos forage in riparian habitats up to 984 feet from the nest and use both high and low scrub layers as foraging substrate.

The LBVI has not been documented on site or within a 1- mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the structure or patch size preferred by this species. The acreage and structure of 0.11 acre of eucalyptus trees, approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs, with a DBH of 6 inches is not the type of habitat that this species is found. This species is not found in salt cedar or eucalyptus.

Nor are they found in high disturbance areas. Although there is a willow component, it is not the size or structure where this species is found. They are located in well-developed overstory, mid-story, understory, and low densities of aquatic and herbaceous cover with a minimum patch size of two (2) acres, which is not the case for this site.

Therefore, LBVI has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

Yellow-billed cuckoo

The YBCU is listed as endangered in the state of California and was federally listed as threatened in 2014. Designation of critical habitat for the western distinct population segment of the Yellow-Billed Cuckoo (*Coccyzus americanus*) was made by the USFWS in 2014 (50 CFR Part 17). In 1971 it was listed by the California Department of Fish and Game as Rare. By 1977 it had become "one of the rarest birds" in the state. A 1977 survey of historical sites and suitable habitat at six widely scattered rivers turned up 54 birds in the Sacramento Valley (Tehama, Putte, Glenn, Colusa, and Sutter counties), 9 on the South Fork of the Kern River near Weldon, 3 along the Santa Ana River, Riverside County, 4 in Owens Valley, Inyo County, 6 on the Armargosa River south of Tecopa, Inyo and San Bernardino County, and 65 on both sides of the Colorado River from the Nevada state line to the Mexican border (Gaines 1977). By 1986 the entire breeding population in California had dropped to 31-42 pairs (Laymon and Halterman 1987).

The YBCU was once common in riparian habitat throughout the western United States. In California the YBCU has declined from a "fairly common breeding species" throughout most of the state to a current population of less than 50 pairs (Gaines and Laymon 1984; Laymon and Halterman 1991). The geographical breeding range of the YBCU in the western United States North America includes suitable habitat within the low- to moderate-elevation areas, including the upper and middle

Rio Grande, the Colorado River Basin, the Sacramento and San Joaquin River systems, the Columbia River system, and the Fraser River.

The species historical range included Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, Wyoming. The California/Nevada Region (Region 8) Counties in California in which this population is known to or is believed to occur include: Alameda, Butte, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kern, Lake, Lassen, Madera, Marin, Mendocino, Modoc, Mono, Plumas, Sacramento, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuma.

The YBCU is a medium sized bird, with a long and slim profile. Its legs are short and bluish-gray, and its tail is gray-brown above and black below with three striking pairs of large white dots visible in flight. Its body is brown above with white under parts. The undersides of its pointed wings are rufous. Adult birds have a long-curved bill which is blue-black above and yellow at the base of the mandibles. Juveniles have a completely blue-black bill.

Though the YBCU will occupy a variety of marginal habitats, particularly at the edges of their range, YBCU in the West are overwhelmingly associated with relatively expansive stands of mature cottonwood willow forests. Canopy height ranged from 5-25 m, canopy cover from 20-90 percent, and understory cover from 30-90 percent. Willows and open water are required and the habitat will vary from dense willow-cottonwood forests to marshy bottomlands with scattered willow thickets. Today, five of the remaining eight populations in California are in immediate danger of extinction, including 2 sites in Owens Valley, the Armargosa River near Tecopa, the Mojave River and the Santa Ana River. These populations only harbor 1-2 individuals in some years and none in others, making them highly vulnerable to extirpation from both stochastic and systemic processes. According to the California Department of Fish and Wildlife (1980), remnant patches of suitable habitat in sizes sufficient to support breeding yellow-billed cuckoos are scarce.

The YBCU has not been documented on site or within a 1- mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the structure or size preferred by this species. They are found in habitat areas with a well-developed overstory, mid-story, understory, consisting of willow and cottonwood, near water, with a minimum patch size of forty (40) acres. This species requires a habitat structure of a 30-75-foot upper canopy, 18-20 foot mid-story and a lower story of 5-3 feet. This species is not found in salt cedar or eucalyptus. Although there is a willow component, it is not the size or structure where this species is found. These conditions are absent from the site. The acreage and structure of 0.11 acre of eucalyptus trees approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs with a DBH of 6 inches is not the type of habitat or structure that this species is found. Nor are they found in high disturbance areas which is the case on site due to the transient encampments and cutting of the vegetation. This species is very sensitive to disturbance and is only found in pristine environments. The specific requirement for this species is the presence of water which is absent from the site.

Therefore, YBCU has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

Vernal Pools

No vernal pool resources occur on site. The soils are well drained and no evidence of pooling/ponding is present. Further historical imagery provides no evidence of past ponding or pooling.

CONCLUSIONS AND RECOMMENDATIONS

The Project site is currently vacant and has been subject to human disturbances. Parcel APN 347-130-028, the northeastern corner of the Project site has two occupied homeless encampments with trash littering the entire area and an old Porta Potty. Soils on site have been bladed, and many of the eucalyptus trees on site have had trunks/branches sawed off.

The Project site is within an MSHCP required survey area for BUOW. Based on the survey results BUOW are absent from the Project site and survey buffer. The habitat type, structure and composition is not suitable for BUOW and there is no potential for them to occur here. Therefore, no further action relative to BUOW is required.

The small patch of willow scrub located in the northest corner of the Project site is not suitable to support LBVI, SWWF or YBCU. Therefore, protocol surveys are not warranted. These migratory songbirds nest and forage almost exclusively in riparian woodland habitats with nesting habitat typically consisting of well-developed overstory, understory, and low densities of aquatic and herbaceous cover. The understory frequently contains dense sub-shrub or shrub thickets. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. These conditions do not occur on site. Although these song birds use a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. Territories for these three species range in size from 0.5 to 7.5 acres, with an average size of approximately 2 acres. The willow scrub on site is 0.27 acre in size and does not meet the habitat structure requirements of these three species. Further, the consistent presence of transients in the willow thicket presents a major disturbance that is not conducive to bird nesting in general.

The eucalyptus and salt cedar vegetation growing in the northeast corner of the property does however, provide potentially suitable nesting habitat for birds, including raptor species. Therefore, the following is recommended to avoid potential impacts to nesting birds and/or raptors:

> Recommendation: Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. In general, Projects should be constructed outside of this time to avoid impacts to nesting birds. If a Project cannot be constructed outside of nesting season, the project site shall be surveyed for nesting birds by a qualified avian biologist prior to initiating the construction activities. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) will be prepared and implemented. At a minimum, the NBP will include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The NBP will include a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be determined by the

biologist, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist has determined the young birds have successfully fledged or that the nest has otherwise become inactive.

Should you have any questions or require further information, please contact me at (909) 915-5900 or shay@jericho-systems.com should you have any questions or require further information.

Sincerely,

Shay Lawrey, President

Attachments:

A. *Site Photographs*
B. *Species Occurrence Table*
C. *Figures*

0 0.00750.015 0.03 0.045 0.06 Miles

1 inch = 108 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Progress & Preservation

Photo Map

76 Gas Station - 74 Highway
Lake Elsinore, CA

Attachment A – Site Photographs

	Photo 1 – Facing north east from the most southern point of the Project.
	Photo 2 – Facing west, start of encampment.

	Photo 3 – Looking west, northern encampment.
	Photo 4 – Facing east toward HWY74,.

	Photo 5 – Facing west; between the two encampments.
	Photo 6 – Facing east.

	Photo 7 – Facing south from northwest portion of project.
	Photo 8 – Facing west from most northwestern point of project.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Plants				
Allium munzii	Munz's onion	Endangered Threatened G1 S1 1B.1	Chaparral, coastal scrub, cismontane woodland, pinyon and juniper woodland, valley and foothill grassland. Heavy clay soils; grows in grasslands & openings within shrublands or woodlands. 375-1040 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Ambrosia pumila	San Diego ambrosia	Endangered None G1 S1 1B.1	Chaparral, coastal scrub, valley and foothill grassland. Sandy loam or clay soil; sometimes alkaline. In valleys; persists where disturbance has been superficial. Sometimes on margins or near vernal pools. 3-580 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Atriplex coronata var. *notatior*	San Jacinto Valley crownscale	Endangered None G4T1 S1 1B.1	Playas, valley and foothill grassland, vernal pools. Alkaline areas in the San Jacinto River Valley. 35-460 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Brodiaea filifolia	thread-leaved brodiaea	Threatened Endangered G2 S2 1B.1	Usually associated with annual grassland and vernal pools; often surrounded by shrubland habitats. Occurs in openings on clay soils. 15-1030 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Calochortus plummerae	Plummer's mariposa-lily	None None G4 S4 4.2	Coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, lower montane coniferous forest. Occurs on rocky and sandy sites, usually of granitic or alluvial material. Can be very common after fire. 60-2500 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Carex buxbaumii	Buxbaum's sedge	None None G5 S3 4.2	Bogs and fens, meadows and seeps, marshes and swamps. Mesic sites. 3-3300 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Caulanthus simulans	Payson's jewelflower	None None G4 S4 4.2 USFS: Sensitive	Chaparral, coastal scrub. Frequently in burned areas, or in disturbed sites such as streambeds; also on rocky, steep slopes. Sandy, granitic soils. 90-2200 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Centromadia pungens ssp. *laevis*	smooth tarplant	None None G3G4T2 S2 1B.1	Wetland Valley and foothill grassland, chenopod scrub, meadows and seeps, playas, riparian woodland. Alkali meadow, alkali scrub; also in disturbed places. 5-1170 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Chorizanthe leptotheca	Peninsular spineflower	None None G3 S3 4.2	Chaparral, coastal scrub, lower montane coniferous forest. On granitic soils, in alluvial fans. 300-1900 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Chorizanthe parryi var. *parryi*	Parry's spineflower	None None G3T2 S2 1B.1 BLM: Sensitive USFS: Sensitive	Coastal scrub, chaparral, cismontane woodland, valley and foothill grassland. Dry slopes and flats; sometimes at interface of 2 vegetation types, such as chaparral and oak woodland. Dry, sandy soils. 90-1220 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Chorizanthe polygonoides var. *longispina*	long-spined spineflower	None None G5T3 S3 1B.2 BLM: Sensitive	Chaparral, coastal scrub, meadows and seeps, valley and foothill grassland, vernal pools. Gabbroic clay. 30-1630 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Convolvulus simulans	small-flowered morning-glory	None None G4 S4 4.2	Chaparral, coastal scrub, valley and foothill grassland. Wet clay, serpentine ridges. 30-700 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dodecahema leptoceras	slender-horned spineflower	Endangered Endangered G1 S1 1B.1	Chaparral, cismontane woodland, coastal scrub (alluvial fan sage scrub). Flood deposited terraces and washes; associates include Encelia, Dalea, Lepidospartum, etc. Sandy soils. 200-765 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dudleya multicaulis	many-stemmed dudleya	None None G2 S2 1B.2 USFS: Sensitive	Chaparral, coastal scrub, valley and foothill grassland. In heavy, often clayey soils or grassy slopes. 1-910 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Harpagonella palmeri	Palmer's grapplinghook	None None G4 S3 4.2	Chaparral, coastal scrub, valley and foothill grassland. Clay soils; open grassy areas within shrubland. 20-955 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Hordeum intercedens	vernal barley	None None G3G4 S3S4 3.2	Valley and foothill grassland, vernal pools, coastal dunes, coastal scrub. Vernal pools, dry, saline streambeds, alkaline flats. 5-1000 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Juglans californica	southern California black walnut	None None G4 S4 4.2	Chaparral, coastal scrub, cismontane woodland, riparian woodland. Slopes, canyons, alluvial habitats. 50-900 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Lasthenia glabrata ssp. *coulteri*	Coulter's goldfields	None None G4T2 S2 1B.1 BLM: Sensitive	Coastal salt marshes, playas, vernal pools. Usually found on alkaline soils in playas, sinks, and grasslands. 1-1375 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Lepechinia cardiophylla	heart-leaved pitcher sage	None None G3 S2S3 1B.2 USFS: Sensitive	Closed-cone coniferous forest, chaparral, cismontane woodland. 115-1345 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Myosurus minimus ssp. *apus*	little mousetail	None None G5T2Q S2 3.1	Vernal pools, valley and foothill grassland. Alkaline soils. 20-640 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Navarretia fossalis	spreading navarretia	Threatened None G2 S2 1B.1	San Diego hardpan and San Diego claypan vernal pools; in swales & vernal pools, often surrouded by other habitat types. 15-850 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Orcuttia californica	California Orcutt grass	Endangered Endangered G1 S1 1B.1	Wetland Vernal pools. 10-660 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Romneya coulteri	Coulter's matilija poppy	None None G4 S4	Desert wash Coastal scrub, chaparral. In washes and on slopes; also after burns. 20-1200 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
		4.2		
Tortula californica	California screw moss	None None G2G3 S2? 1B.2 BLM: Sensitive	Chenopod scrub, valley and foothill grassland. Moss growing on sandy soil. 45-750 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Birds				
Accipiter cooperii	Cooper's hawk	None None G5 S4 CDFW: Watch List IUCN: Least Concern	Woodland, chiefly of open, interrupted or marginal type. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks.	Marginally suitable habitat occurs on site. Potential to occur is **moderate**.
Aimophila ruficeps canescens	southern California rufous-crowned sparrow	None None G5T3 S3 CDFW: Watch List	Resident in Southern California coastal sage scrub and sparse mixed chaparral. Frequents relatively steep, often rocky hillsides with grass and forb patches.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Artemisiospiza belli belli	Bell's sage sparrow	None None G5T2T3 S3 CDFW: Watch List USFWS: Birds of Conservation Concern	Nests in chaparral dominated by fairly dense stands of chamise. Found in coastal sage scrub in south of range. Nest located on the ground beneath a shrub or in a shrub 6-18 inches above ground. Territories about 50 yds apart.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Athene cunicularia	burrowing owl	None None G4 S3 BLM: Sensitive CDFW: Species of Special Concern	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
		IUCN: Least Concern USFWS: Birds of Conservation Concern		
Charadrius alexandrinus nivosus	western snowy plover	Threatened None G3T3 S2S3 CDFW: Species of Special ConcernNABCI: Red Watch List USFWS: Birds of Conservation Concern	Sandy beaches, salt pond levees & shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Elanus leucurus	white-tailed kite	None None G5 S3S4 BLM: Sensitive CDFW: Fully Protected IUCN: Least Concern	Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	Marginally suitable habitat for this species occurs on site. Potential to occur is **moderate**.
Empidonax traillii extimus	southwestern willow flycatcher	Endangered Endangered G5T2 S1 NABCI: Red Watch List	Riparian woodlands with multiple canopy layers in Southern California.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The dense canopy layers of riparian vegetation this species requires is not on site. The habitat requirements for this species are not on site. Potential to occur is **low**.
Eremophila alpestris actia	California horned lark	None None G5T4Q S4 CDFW: Watch List IUCN: Least Concern	Short-grass prairie, "bald" hills, mountain meadows, open coastal plains, fallow grain fields, alkali flats.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Icteria virens	yellow-breasted chat	None None G5 S3 CDFW: Species of Special ConcernIUCN: Least Concern	Summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian, consisting of willow, blackberry, wild grape; forages and nests within 10 ft of ground.	The willows on site are not in great enough quality and quantity to provide suitable habitat for this species. Potential to occur is **low**.
Lanius ludovicianus	loggerhead shrike	None None G4 S4 CDFW: Species of Special Concern IUCN: Least Concern USFWS: Birds of Conservation Concern	Broken woodlands, savannah, pinyon-juniper, Joshua tree, and riparian woodlands, desert oases, scrub & washes. Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Plegadis chihi	white-faced ibis	None None G5 S3S4 CDFW: Watch List IUCN: Least Concern	Shallow freshwater marsh. Dense tule thickets for nesting, interspersed with areas of shallow water for foraging.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Polioptila californica californica	coastal California gnatcatcher	Threatened None G4G5T2Q S2 CDFW: Species of Special Concern NABCI: Yellow Watch List	Obligate, permanent resident of coastal sage scrub below 2500 ft in Southern California. Low, coastal sage scrub in arid washes, on mesas and slopes. Not all areas classified as coastal sage scrub are occupied.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Vireo bellii pusillus	least Bell's vireo	Endangered Endangered G5T2 S2 IUCN: Near Threatened NABCI: Yellow Watch List	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	The willows on site are not in great enough quality and quantity to provide suitable habitat for this species. Potential to occur is **low**.
Mammals				
Chaetodipus fallax fallax	northwestern San Diego pocket mouse	None None G5T3T4 S3S4 CDFW: Species of Special Concern	Coastal scrub, chaparral, grasslands, sagebrush, etc. in western San Diego County. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dipodomys merriami parvus	San Bernardino kangaroo rat	Endangered Candidate Endangered G5T1 S1 CDFW: Species of Special Concern	Alluvial scrub vegetation on sandy loam substrates characteristic of alluvial fans and flood plains. Needs early to intermediate seral stages.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dipodomys stephensi	Stephens' kangaroo rat	Endangered Threatened G2 S2 IUCN: Endangered	Primarily annual & perennial grasslands, but also occurs in coastal scrub & sagebrush with sparse canopy cover. Prefers buckwheat, chamise, brome grass and filaree. Will burrow into firm soil.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Lepus californicus bennettii	San Diego black-tailed jackrabbit	None None G5T3T4 S3S4 CDFW: Species of Special Concern	Intermediate canopy stages of shrub habitats & open shrub / herbaceous & tree / herbaceous edges. Coastal sage scrub habitats in Southern California.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Reptiles				

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Arizona elegans occidentalis	California glossy snake	None None G5T2 S2 CDFW: Species of Special Concern	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular ranges, south to Baja California. Generalist reported from a range of scrub and grassland habitats, often with loose or sandy soils.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Aspidoscelis hyperythra	orange-throated whiptail	None None G5 S2S3 CDFW: Watch List IUCN: Least Concern USFS: Sensitive	Inhabits low-elevation coastal scrub, chaparral, and valley-foothill hardwood habitats. Prefers washes and other sandy areas with patches of brush and rocks. Perennial plants necessary for its major food: termites.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Crotalus ruber	red-diamond rattlesnake	None None G4 S3 CDFW: Species of Special Concern USFS: Sensitive	Chaparral, woodland, grassland, & desert areas from coastal San Diego County to the eastern slopes of the mountains. Occurs in rocky areas and dense vegetation. Needs rodent burrows, cracks in rocks or surface cover objects.	The microhabitat conditions required for this species are not on site. Potential to occur is **low**.
Phrynosoma blainvillii	coast horned lizard	None None G3G4 S3S4 BLM: Sensitive CDFW: Species of Special Concern IUCN: Least Concern	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Salvadora hexalepis virgultea	coast patch-nosed snake	None None G5T4 S2S3	Brushy or shrubby vegetation in coastal Southern California. Require small mammal burrows for refuge and overwintering sites.	Small mammal burrows were not detected on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
		CDFW: Species of Special Concern		
Amphibians				
Spea hammondii	western spadefoot	None None G3 S3 BLM: Sensitive CDFW: Species of Special Concern IUCN: Near Threatened	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Crustaceans				
Branchinecta lynchi	vernal pool fairy shrimp	Threatened None G3 S3 IUCN: Vulnerable	Endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains, in astatic rain-filled pools. Inhabit small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Streptocephalus woottoni	Riverside fairy shrimp	Endangered None G1G2 S1S2 IUCN: Endangered	Endemic to Western Riverside, Orange, and San Diego counties in areas of tectonic swales/earth slump basins in grassland and coastal sage scrub. Inhabit seasonally astatic pools filled by winter/spring rains. Hatch in warm water later in the season.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Insects				
Bombus crotchii	Crotch bumble bee	None Candidate Endangered G3G4 S1S2	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Cicindela senilis frosti	senile tiger beetle	None None G2G3T1T3 S1	Mud shore/flats Wetland Inhabits marine shoreline, from Central California coast south to salt marshes of San Diego. Also found at Lake Elsinore Inhabits dark-colored mud in the lower zone and dried salt pans in the upper zone.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Euphydryas editha quino	quino checkerspot butterfly	Endangered None G5T1T2 S1S2	Sunny openings within chaparral & coastal sage shrublands in parts of Riverside & San Diego counties. Hills and mesas near the coast. Need high densities of food plants Plantago erecta, P. insularis, and Orthocarpus purpurescens.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Habitats				
Southern Coast Live Oak Riparian Forest		None None G4 S4	Riparian forest	This habitat is not on site
Southern Cottonwood Willow Riparian Forest		None None G3 S3.2	Riparian forest	This habitat is not on site
Southern Sycamore Alder Riparian Woodland		None None G4 S4	Riparian woodland	This habitat is not on site

Attachment B - Species Occurrence Table

Coding and Terms

E = Endangered T = Threatened C = Candidate FP = Fully Protected SSC = Species of Special Concern R = Rare

State Species of Special Concern: An administrative designation given to vertebrate species that appear to be vulnerable to extinction because of declining populations, limited acreages, and/or continuing threats. Raptor and owls are protected under section 3502.5 of the California Fish and Game code: "It is unlawful to take, possess or destroy any birds in the orders Falconiformes or Strigiformes or to take, possess or destroy the nest or eggs of any such bird."

State Fully Protected: The classification of Fully Protected was the State's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, mammals, amphibians and reptiles. Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

Global Rankings (Species or Natural Community Level):

G1 = Critically Imperiled – At very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors.
G2 = Imperiled – At high risk of extinction due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors.
G3 = Vulnerable – At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.
G4 = Apparently Secure – Uncommon but not rare; some cause for long-term concern due to declines or other factors.
G5 = Secure – Common; widespread and abundant.

Subspecies Level: Taxa which are subspecies or varieties receive a taxon rank (T-rank) attached to their G-rank. Where the G-rank reflects the condition of the entire species, the T-rank reflects the global situation of just the subspecies. For example: the Point Reyes mountain beaver, *Aplodontia rufa* ssp. *phaea* is ranked G5T2. The G-rank refers to the whole species range i.e., *Aplodontia rufa.* The T-rank refers only to the global condition of ssp. *phaea*.

State Ranking:

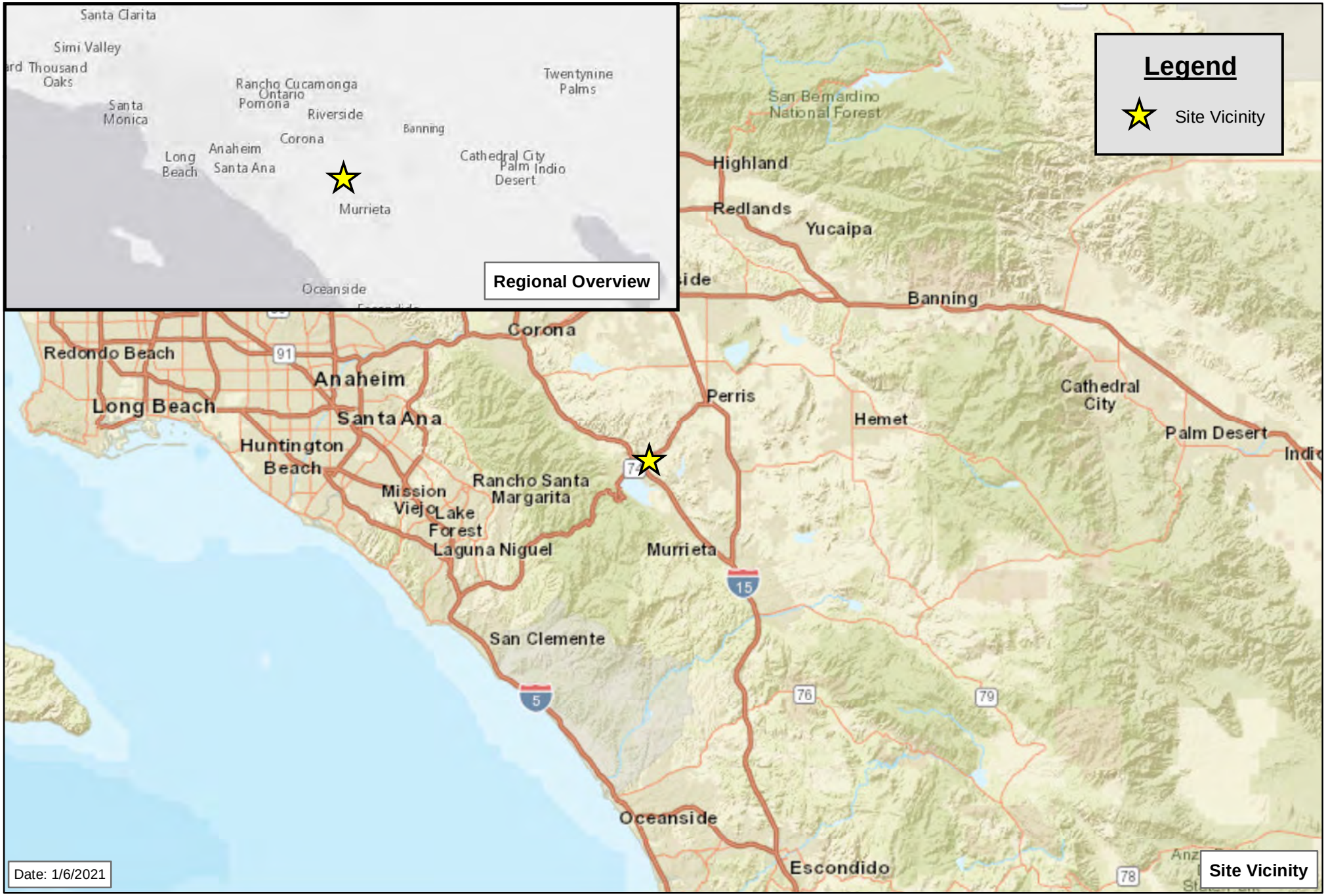
S1 = Critically Imperiled – Critically imperiled in the State because of extreme rarity (often 5 or fewer populations) or because of factor(s) such as very steep declines making it especially vulnerable to extirpation from the State.
S2 = Imperiled – Imperiled in the State because of rarity due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the State.
S3 = Vulnerable – Vulnerable in the State due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation from the State.
S4 = Apparently Secure – Uncommon but not rare in the State; some cause for long-term concern due to declines or other factors.
S5 = Secure – Common, widespread, and abundant in the State.

California Rare Plant Rankings (CNPS List):

1A = Plants presumed extirpated in California and either rare or extinct elsewhere.
1B = Plants rare, threatened, or endangered in California and elsewhere.
2A = Plants presumed extirpated in California, but common elsewhere.
2B = Plants rare, threatened, or endangered in California, but more common elsewhere.
3 = Plants about which more information is needed; a review list.
4 = Plants of limited distribution; a watch list.

Threat Ranks:

.1 = Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2 = Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
.3 = Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)



0 5 10 20 30 40 Miles

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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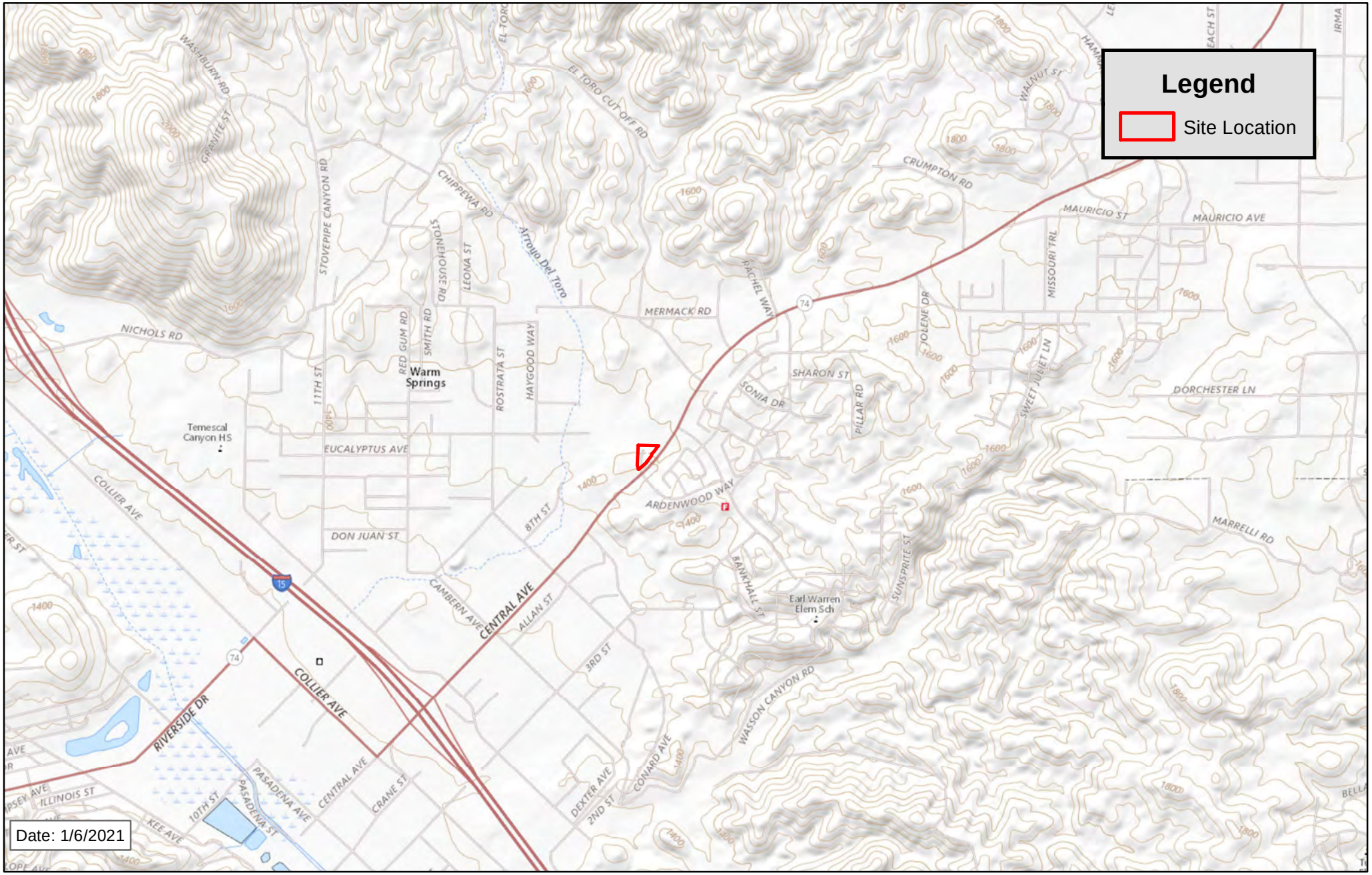
Figure 1 - Regional Overview Site Vicinity	76 Gas Station - 74 Highway Lake Elsinore, CA



Service Layer Credits: USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed October 2018.

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Figure 2
Site Location

76 Gas Station - 74 Highway
Lake Elsinore, CA

0 0.0325 0.065 0.13 0.195 0.26 Miles

1 inch = 417 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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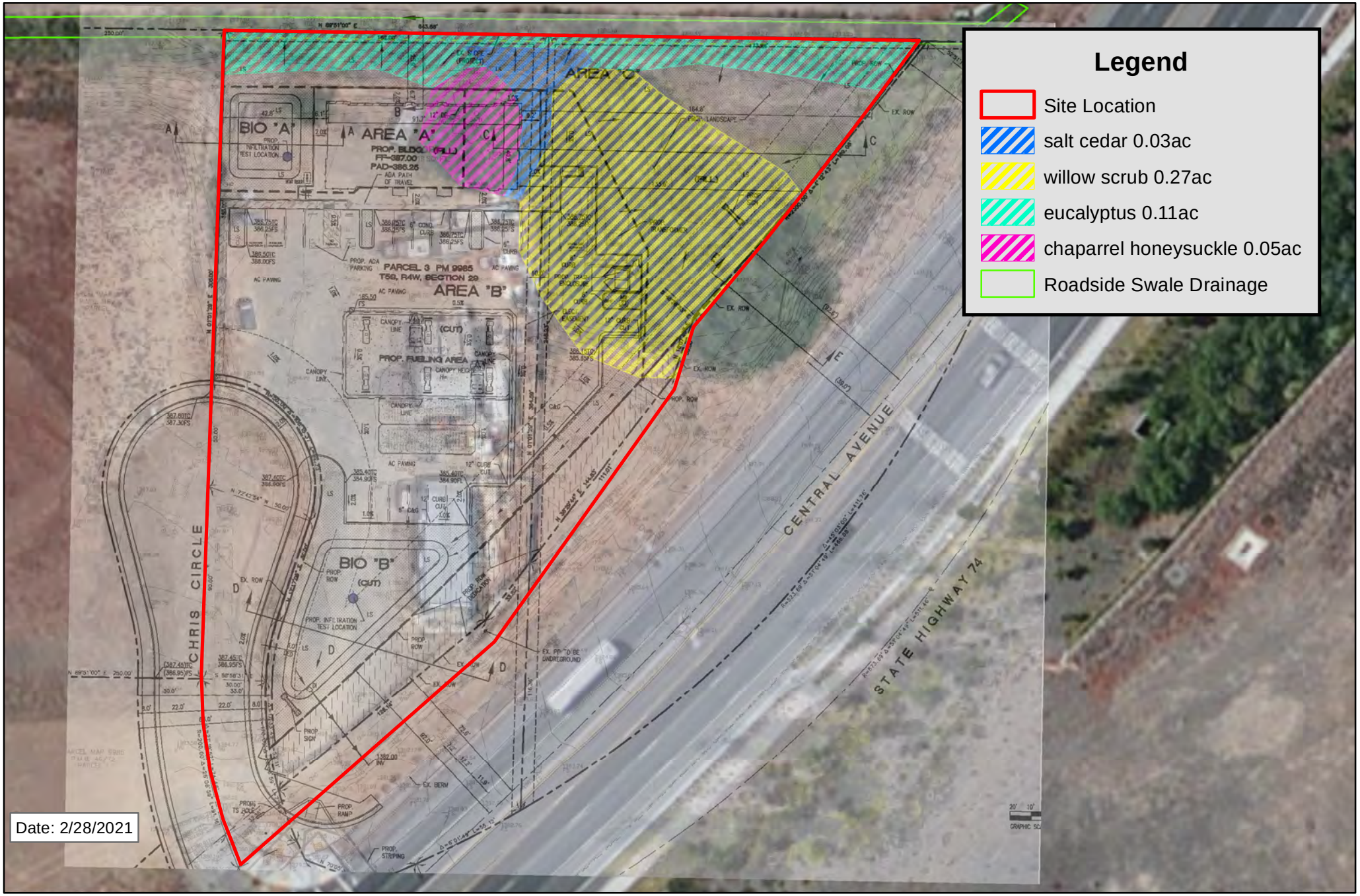
Figure 3
Site Location

76 Gas Station - 74 Highway
Lake Elsinore, CA



0 0.004750.0095 0.019 0.0285 0.038 Miles

1 inch = 58 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 4 Site Plan	76 Gas Station - 74 Highway Lake Elsinore, CA

0 0.0175 0.035 0.07 0.105 0.14 Miles

1 inch = 216 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 5 MSHCP	76 Gas Station - 74 Highway Lake Elsinore, CA

0 0.0075 0.015 0.03 0.045 0.06 Miles

1 inch = 104 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 6 Blueline Waters	76 Gas Station - 74 Highway Lake Elsinore, CA

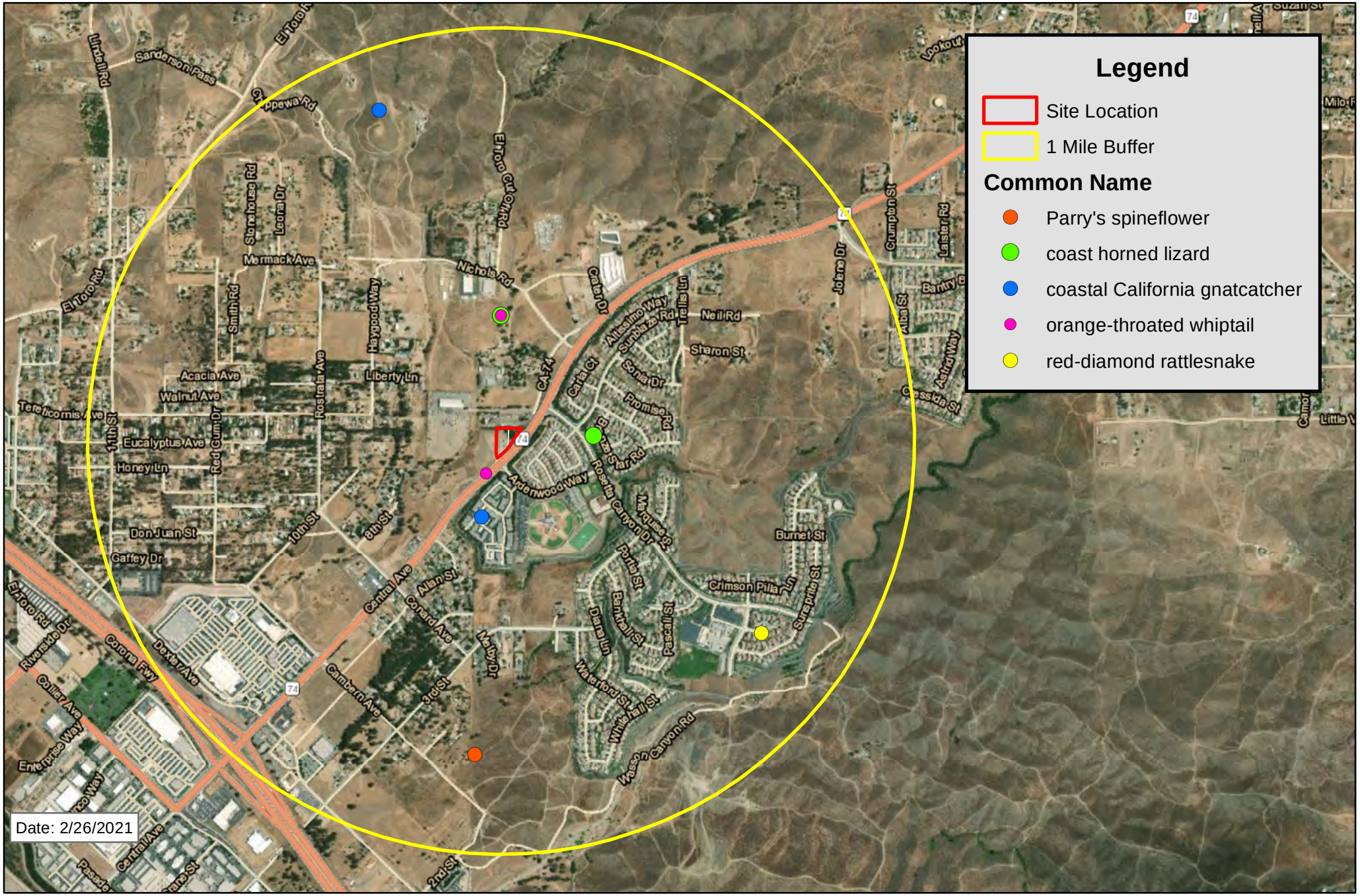

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Figure 7
CNDDB

76 Gas Station - 74 Highway
Lake Elsinore, CA

0 0.005 0.01 0.02 0.03 0.04 Miles

1 inch = 83 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 8
Soils

76 Gas Station - 74 Highway
Lake Elsinore, CA

JERICHO SYSTEMS INC.
Progress & Preservation
47 1st Street, Suite 1
Redlands, CA 92373-4601
(909) 915-5900

February 23, 2021
(Revised May 1, 2021)

Joseph Karaki, President
Karaki WS
4887 E. La Palma Ave, Suite 707
Anaheim, CA 92807

RE: Biological Resources Assessment, Jurisdictional Delineation
Commercial Retail (76 Station) – APN: 347-130-029 & 347-130-028
Central Avenue (Hwy 74) and Eighth Street
City of Lake Elsinore, Riverside County, California

Dear Mr. Karaki:

Jericho Systems, Inc. (Jericho) is pleased to provide this Biological Resources Assessment and Jurisdictional Delineation for the above-referenced Project.

The results of Jericho's field survey are intended to provide sufficient baseline information to the County of Riverside, City of Lake Elsinore, and, if required, to federal and State regulatory agencies, including U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), respectively, to determine if impacts will occur, quantify those impacts and to identify mitigation measures to offset any impacts.

The Project site is located within the Western Riverside County Multiple Species Habitat Plan (MSHCP) area and as such, is subject to the conditions and conservation requirements identified in the MSHCP. Riverside County adopted the MSHCP on June 17, 2003. The City of Lake Elsinore is signatory to the MSHCP Implementing Agreement and thereby a permittee responsible for meeting the terms and conditions outlined in the MSHCP and the Biological Opinion issued for the MSHCP. Therefore, the City of Lake Elsinore has the responsibility to ensure the projects they approve are consistent the MSHCP and will not preclude the overall conservation goals and reserve design from being accomplished.

The MSHCP is a criteria-based plan and identification of planning units on which to base the Criteria is necessary for such a criteria-based plan. The MSHCP Conservation Area is comprised of a variety of existing and proposed Cores, Extensions of Existing Cores, Linkages, Constrained Linkages and Non-contiguous Habitat Blocks. The MSHCP coverage area is divided into Area Plans (AP) based on the Riverside County's General Plan Area Plan boundaries. Each of the AP's has: established conservation criteria, species specific surveys that may be required based on on-site Habitat Assessment, and resources and areas identified for conservation. In each Area Plan text, applicable Cores and Linkages are identified.

There are 146 species covered by the MSHCP. Surveys are not required for 106 of these covered species. The remaining 40 covered species may require focused surveys for proposed development

projects include 4 birds, 3 mammals, 3 amphibians, 3 crustaceans, 14 Narrow Endemic Plants, and 13 other sensitive plants within the Criteria Area. The need to conduct focused surveys for all but six of these 40 species is determined by the presence of suitable habitat within designated 'survey areas' mapped for each of the species. The remaining six species that require focused surveys throughout the entire MSHCP area are associated with riparian/riverine areas and vernal pools and include least Bell's vireo, southwestern willow flycatcher, western yellow-billed cuckoo, Riverside fairy shrimp, Santa Rosa Plateau fairy shrimp, and vernal pool fairy shrimp.

The MSHCP requires that a project comply with the MSHCP policies identified in Section 6 of the MSHCP. For this Project site, a habitat suitability assessment for burrowing owl (MSHCP section 6.3.2) and MSHCP Riparian/Riverine resources (MSHCP section 6.1.2) was required and conducted.

The Project site was also evaluated for the presence jurisdictional waters, subject to the federal Clean Water Act (CWA), Porter-Cologne (Porter-Cologne) and California Fish and Game Code (FGC) regulations. Jurisdictional resources subject to the CWA regulations include non-wetland waters and wetland waters of the U.S. (WoUS) whereas jurisdictional resources subject to Porter-Cologne include non-wetland waters and waters of the State (WoS). The California FGC encompasses the resources that constitute a stream or river, including associated riparian vegetation and floodplain.

Evaluation of Riparian/Riverine resources followed guidance provided in the MSHCP Section 6.1.2. Potential federal jurisdiction followed the regulations set forth in 33CFR part 328 and the USACE guidance documents and evaluation of potential State jurisdiction followed guidance in the Fish and Game Code and A Review of Stream Processes and Forms in Dryland Watersheds (CDFW, 2010).

PROJECT LOCATION

The approximately 1.9-acre Project site is made up of two parcels: APN 347-130-029 (1.12 acre) and 347-130-028 (0.49 acre) and is located in the City of Lake Elsinore, Riverside County, California. The Project site is bounded on the north by 8th Street, on the south by Ardenwood Way and rural industrial land use, on the east by Hwy 74 (Central Avenue), and on the west by vacant land. The project site can be found on the *Lake Elsinore* U. S. Geological Survey (USGS) 7.5-minute topographic map within Section 29 of Township 5 South, Range 4 West (Figure 1-3).

PROJECT UNDERSTANDING

The Project proposes a gas station consisting of a 3,516 square foot (sf) convenience store, 3,160 sf fueling canopy with six multi-product dispensers, and two underground storage tanks. See Figure 4 for site layout.

METHODS

Prior to the field investigation, reference materials and databases relevant to the Project site were reviewed for the *Lake Elsinore* 7.5-minute USGS quadrangle. The sources reviewed included:

- California Natural Diversity Database (CNDDB) *Rarefind 5*);
- CNDDB Biogeographic Information and Observation System (BIOS);
- California Native Plant Society Electronic Inventory (CNPSEI) database;
- Calflora Database;
- USDA Natural Resources Conservation Service (NRCS) Web Soil Survey;

- USF-WS National Wetland Inventory;
- Environmental Protection Agency (EPA) Water Program "My Waters" data layers;
- RCA/MSHCP Information Map

On January 16, 2021, Jericho Principal Ecologist, Shay Lawrey conducted a field survey of the Project site with focus on potential habitat for listed species, sensitive species, migratory birds, burrowing owl and riverine/riparian/vernal pool resources. Ms. Lawrey is a qualified biologist with advanced degrees in Biology and 25 years of experience surveying for the sensitive species known to in California and riverine/riparian/vernal pool resources. Ms. Lawrey surveyed the Project site on a calm weather, overcast day, during peak animal activity, between 8:30 a.m. and 10:30 am.

Ms. Lawrey conducted the survey by walking transects spaced in approximately 15 meters (approximately 50 feet) intervals to provide 100 percent visual coverage of the ground surface. Wildlife species were detected during field surveys by sight, calls, tracks, scat, or other signs. In addition to species observed, expected wildlife usage of the site was determined according to known habitat preferences of local wildlife species and knowledge of their relative distributions in the area. Ms. Lawrey assessed the Project site for habitat type, structure, species composition/association, condition, and human disturbances. Attention was focused on identifying potential habitat for special status species known to occur locally and identifying potential jurisdictional waters and/or riverine/riparian/vernal pool resources within and/or adjacent to the Project site.

Riverside County also requires that any survey limitations be identified. No limitations affected the results and conclusions given herein. The buffer survey area located on adjacent private property was surveyed via binoculars to avoid trespass. Surveys were conducted during the appropriate season to observe the target species, in good weather conditions, by a qualified biologist who followed all pertinent protocols.

Stephen's kangaroo rat Habitat Assessment

The RCA Mapping Information System identified that the Project parcel is not in a Stephen's kangaroo rat (*Dipodomys stephensi*, [SKR]) fee area. Therefore, this analysis was not applicable.

Burrowing Owl Habitat Assessment

The RCA Mapping Information System identified that APN 347-130-028 (0.49 acre), located in the Project's northeastern portion is within a survey area required for the western burrowing owl (*Athene cunicularia hypugaea*) [BUOW]) (Figure 5).

The BUOW habitat suitability assessment was conducted in accordance with the Western Riverside County MSHCP, which follows the 1993 *"Burrowing Owl Survey Protocol and Mitigation Guidelines"* prepared by the California Burrowing Owl Consortium. Step 1 of the survey protocol is the habitat suitability assessment. If suitable habitat is present, this protocol requires four (4) surveys between April 15 and July 15 with the first site survey counting as one survey period.

Burrowing owl habitat generally includes, but is not limited to, short or sparse vegetation (at least at some time of year), presence of burrows, burrow surrogates or presence of fossorial mammal dens, well-drained soils, and abundant and available prey.

Per the literature review, the closest documented BUOW occurrence is approximately 3.8 miles northeast from the Project site along Highway 74 near Ethanac Road and Eugene Street. There are no BUOW occurrences documented in the Project area,

Natural and non-natural substrates were examined for potential burrow sites. The site was searched for molted feathers, whitewash, cast pellets and/or prey remains. Disturbance characteristics and all other animal sign encountered within the survey area were recorded. Date time and weather conditions were logged. A hand-held, global positioning system (GPS) unit was used to survey to identify survey area boundaries. Representative photographs of the survey area were taken, and Google Earth Pro was accessed to provide recent aerial photographs of the Project site and surrounding area.

Riverine/Riparian Areas and Jurisdictional Waters

The site was also assessed for State and /or federal jurisdictional waters that are subject to Sections 404 and 401 of the federal CWA regulated by the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) respectively; and/or Section 1602 of the California Fish and Game Code (FCG) administered by the CDFW and Riverine/Riparian and Vernal Pool habitat subject to Section 6.1.2 of the MSHCP.

The methods used in this study to delineate the non-wetland WoUS at the Ordinary High Water Mark (OHWM) in variable, ephemeral, intermittent, or perennial non-wetland waters followed guidance described in *A Field Guide to the Identification of the Ordinary High Water Mark in the Arid West Region of the Western United States* (Lichvar and McColley 2008) and the *Updated Datasheet for the Identification of the Ordinary High Water Mark in the Arid West Region of the Western United States* ("Updated Datasheet", Curtis and Lichvar 2010).

The RWQCB maintains jurisdiction over all waters of the State, including wetlands. For the purposes of Porter-Cologne, the methods used to determine federal jurisdiction over non-wetland waters were also used to determine the extent of RWQCB jurisdiction over non-wetland waters within the property.

Evaluation of FGC Section 1600 Streambed Waters followed guidance in the Mapping Episodic Stream Activity (MESA) protocols *[MESA Field Guide*], pursuant to which CDFW claims jurisdiction beyond traditional stream banks and the outer edge of riparian. Under MESA, the term stream is defined broadly to include "a body of water that flows perennially or episodically and that is defined by the area in which water currently flows, or has flowed, over a given course during the historic regime [i.e., 'circa 1800 to the present'], and where the width of its course can reasonably be identified by physical or biological indicators."

The methods used to determine any riparian/riverine or vernal pool areas were based on the above techniques as well as soils evaluations and vegetation classifications. This is because an area may be characterized as riparian based on its vegetative composition but does not meet the criteria of being federal or state jurisdictional water.

RESULTS

Regional Setting

According to the U.S. EPA Regional map, the Project site is located in the Inland Valleys (85k) ecoregion. An ecoregion is a regional area that has similar ecosystems in terms of type, quality, and quantity of environmental resources. The Inland Valleys ecoregion is influenced less by marine processes, and more by alluvial processes. The ecoregion consists of alluvial fans and basin floors at the base of the San Bernardino and San Gabriel mountains and the San Jacinto and Perris Valleys in the south. Soil moisture is generally xeric, and historically, the region was composed of Riversidean coastal sage scrub, valley grasslands, and riparian woodlands. The ecoregion is now heavily urbanized with some remaining agriculture.

Hydrologically, the Project site is located within the Lake Mathews hydrologic area, in the 14,217-acre hydrologic sub-area (HSA 801.35) within the Temescal Wash watershed (HUC 180702030601) (Figure 6).

The City of Lake Elsinore is located in southwestern Riverside County at the foothills of the Cleveland National Forest. Topographically, Lake Elsinore is located on the east side of the Santa Ana mountains. The general climate of Lake Elsinore includes hot summers (99°F average maximum in August) and mild winters (38°F average minimum) with cool ocean breezes and sparse winter rainfall, averaging 12.09 inches of precipitation per year.

According to the database searches, 53 sensitive species (24 plants ,24 vertebrates, 5 invertebrates) and 3 sensitive habitats have been documented in the *Lake Elsinore* USGS quadrangle (Table 1). Figure 7 depicts the sensitive species within a one mile radius of the Project site.

Existing Site Conditions

Weather conditions during the survey were overcast with no wind. Survey hours of spanned from 8:30 a.m. to 10:30 a.m. with temperatures ranging from 65 degrees Fahrenheit (° F) to 70° F

The topography of the Project site is relatively flat, with elevation increasing in the northern portion of the parcel. Site elevation ranges from 1,414 feet to 1,389 feet above mean sea level (MSL).

The Project site is vacant and is surrounded by flat bladed disturbed land on the west, south, and north, and by Hwy 74 (Central Avenue) to the east. The site does not connect to native, undisturbed areas.

Soils on the Project site area consist of Cortina cobbly loamy sand, 2-9% slopes (CmC), Lodo rocky loam, 25-50% slopes (LpF2), and Arbuckle gravelly loam, 2-9% slopes – dry, MLRA 19 (AIC), (Figure 8). Soils in the Arbuckle series are well-drained remnants of alluvial fans derived from numerous types of rock. Soils in the Cortina series are well-drained soils made from alluvium derived from metasedimentary rock. The Lodo series consists of shallow, somewhat excessively drained soils that formed in material weathered from hard shale and fine grained sandstone. Terrace escarpments are landforms (terraces) made from alluvium derived from mixed sources.

The entire site is mapped by the RCA MSHCP Vegetation (2012) layer as developed/disturbed land, and the site survey confirmed these findings for all but the northeast corner, which consists of a mix of

salt cedar, eucalyptus and willow scrub. The vegetation here is used as cover for a homeless encampment that supports approximately 10 transients. This area is heavily littered and disturbed. Many of the bushes and trees on site have had trunks/branches sawed off and used for cover in the homeless encampment.

Habitat

The northeast corner of the Project site supports an over-story canopy of eucalyptus trees (*Eucalyptus* ssp) approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches. The mid-story is densely covered in salt cedar (*Tamarix ramossima*) with a small thicket of black willow shrubs (*Salix gooddingii*). The average height of the mid-story is approximately 12 feet. The dense understory primarily consists of short-podded mustard (*Hischfeldia incana*), tocalote *(Centaurea melitensis*), and non-native grasses (*Bromus* ssp.). A few native plants are found scattered along the eastern and western edges of the Project site including California buckwheat (*Erioginum faciculatum*), encilia (*Encilia farinosa)* and telegraph weed (*Heterotheca grandiflora*). The remainder of the Project site is bare and compacted due to blading.

Although, the vegetation in the northeastern corner of the Project site is mostly non-native (salt cedar and eucalyptus) and heavily impacted by a homeless encampment, it provides potentially suitable habitat for nesting birds, including raptor species.

Wildlife

Wildlife observed at the time of survey included yellow-rumped warbler, black phoebe, white-crowned sparrow, common raven, American crow, lesser goldfinch, house finch, European starling and mourning dove.

MSHCP Surveys

The Regional Conservation Authority (RCA) Information Map identifies the following for both APN 347-130-029 and 347-130-028:

- The parcels are located in the Elsinore Area Plan of the MSHCP.
- APN 347-130-028 is located in an area that requires focused BUOW surveys be conducted if suitable habitat is present. APN 347-130-029 is not located in an BUOW survey area (Figure 4)
- The parcels are not located in or adjacent to a Criteria Cell
- The parcels are not in a criteria species survey area
- The parcels are not in a mammal survey area
- The parcels are not in a narrow endemic plant survey area
- The parcels are not in a cellgroup

Burrowing owl (BUOW)

BUOW are known to occur locally within suitable habitat areas, with the closest occurrence being 3.6 miles northeast from the Project site along Highway 74 near Ethanac Road and Eugene Street in 1999.

The BUOW is currently designated as a California Species of Special Concern. It is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. They use a wide variety of arid and semi-arid environments with level to gently-sloping areas characterized by open vegetation and bare ground. BUOWs rarely dig their own burrows and are instead dependent upon the presence of burrowing mammals (i.e., California ground squirrels [*Otospermophilus beecheyi*], coyotes, and badgers [*Taxidea taxus*]) whose burrows are often used for roosting and nesting. The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of BUOWs. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, stand-pipes, and dry culverts. They also require low growth or open vegetation allowing line-of-sight observation of the surrounding habitat to forage and watch for predators. In California, the BUOW breeding season extends from the beginning of February through the end of August.

Under the MSHCP burrowing owl is considered an adequately conserved covered species that may still require focused surveys in certain areas as designated in Figure 6-4 of the MSHCP. The survey for burrowing owl requires a systematic survey of all areas that provide suitable habitat plus a 150-meter (approximately 500 feet) zone of influence on all sides of suitable habitat, where applicable.

The area on site requiring BUOW surveys is densely vegetated in a three story canopy cover structure that includes eucalyptus trees, salt cedar and willows, and non-native grasses and weeds. The habitat composition and structure is not suitable for BUOW. No burrows, feathers, whitewash, castings, prey remains or BUOW individuals were observed on site or in the survey buffer area which was surveyed by binoculars. (The adjacent properties are private property and access was not granted to survey). Based on the survey results BUOW are absent, the habitat within the required survey area is unsuitable and therefore, further investigation is not recommended or warranted

Heritage Trees

The City of Lake Elsinore's Palm Tree Preservation Program is limited to palm species within the city limits. Palm trees are not on site; therefore, the Project will not impact heritage trees.

Riverine/Riparian Areas and Jurisdictional Waters

A roadside swale originating from HWY74 and N. Frontage road located along the northeastern boundary of the site, enters the Project site in the northern portion of APN 347-130-028 and continues westerly along the property boundary between the Project site and the parcel north of the Project site (Figure 7). This swale collects street runoff and is not a natural or jurisdictional feature subject to Sections 1600 of the FGC or 404/401 of the federal CWA. There is no bed or bank associated with this swale indicating a flow of water. The water runoff from HWY 74 travels west, back flows to the southeast and percolates in the well-drained soils. There is no evidence that the swale connects to the blue line stream located off-site to the west.

This roadside is a result of man-made roadside water diversion from HWY 74 and is not considered jurisdictional or riverine/riparian. Although the patch of willows growing in the mid-story of the swale are riparian it is not the intent of the MSHCP to conserve small patches of riparian species growing as a direct result of man-made features. The willows occur as a direct result of roadside runoff. If the run off was redirected, these willows would not exist. For further clarification as defined under Section 6.1.2 of the MSHCP, *Protection of Species Associated with Riparian/Riverine*

Areas and Vernal Pools, riparian/riverine areas are areas dominated by trees, shrubs, persistent emergent plants, or emergent mosses and lichens which occur close to or are dependent upon nearby freshwater, or areas with freshwater flowing during all or a portion of the year. Conservation of these areas is intended to protect habitat that is essential to a number of listed or special-status water-dependent fish, amphibian, avian, and plant species.

Based on the Project's Site Plan (Figure 8), 0.41 acre will be permanently impacted by grading and construction.

Due to the presence of a willow scrub thicket the following three bird species must be addressed according to the MSHCP.

- Southwestern willow flycatcher (*Empidonax trallii extimus*) [SWWF]
- least Bell's vireo (*Vireo bellii pusillus*) [LBVI]
- yellow-billed cuckoo (*Coccyzus americanus*) [YBCU]

Southwestern willow flycatcher

The southwestern willow flycatcher (SWWF) is a State and federally listed species. In 1992, it was listed by the California Fish and Game Commission endangered, under the California Endangered Species Act (CESA) of 1970. It was federally listed as endangered on February 27, 1995, under the ESA (60 FR 10694). The USFWS designated critical habitat for the species on July 22, 1997. This habitat includes 18 units with a total of 599 miles of river in California, New Mexico, and Arizona. In California, critical habitat was designated along portions of the Santa Ana River, San Luis Rey River, San Diego River, Santa Margarita River, Tijuana River, and south fork of the Kern River (62 FR 39129). On May 11, 2001, the critical habitat designation from 1997 was struck down by the U.S. 10th Circuit Court of Appeals who required further economic analysis. A recovery plan was finalized by USFWS in March of 2003. Critical habitat designations for this species were re-proposed and finalized in June 2004 (USFWS, 2003c).

The species historical range included Arizona, California, Colorado, New Mexico, Texas, and Utah. Southwest Region (Region 2) Counties in California in which this population is known to or is believed to occur: Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Santa Cruz, Tulare, Tuolumne, Ventura.

The SWWF is a small passerine bird measuring approximately 5.7 inches in length. It has a grayish-green back and wings, whitish throat, a light gray-olive breast, and pale yellowish belly. It has two visible white wing bars and a faint or absent eye ring. The call consists of a repeated "whit" and their song is a sneezy "fitz-bew." (60 FR 10694). The SWWF is currently one of the four recognized subspecies of the willow flycatcher. This flycatcher is a neotropical migrant that breeds in the southwestern United States from mid-April to early-September. In the fall, it migrates south to its wintering grounds in portions of South America, Central America and Mexico. (60 FR 10694)

The SWWF breeds in dense riparian habitats along rivers, streams, and other wetlands at elevations ranging from sea level to 8,500 feet (Sogge 1997). Occupied habitat is generally dominated by shrubs and trees 13 to 23 feet or more in height, which provide dense lower and mid-story vegetation approximately 10 to 13 feet aboveground. This dense vegetation is often interspersed with open water, small openings, or sparse vegetation, creating a mosaic that is not uniformly dense (62 FR

39129). Plant species closely associated with the flycatcher include willows (Salix spp.), boxelder (*Acer negungo*), seepwillow (*Baccharis* spp.), with an overstory of cottonwood (*Populus fremontii*) (62 FR 39129).

The SWWF has not been documented on site or within a one mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the size or structure preferred by this species. They are found in habitat areas with a well-developed overstory, mid-story, understory, consisting of willow, mule fat and cottonwood, near water, with a minimum patch size of four (4) acres. This species requires a habitat structure of a 20-30-foot upper canopy, 15-12 foot mid-story and a lower story of 5-3 feet. This species is not found in salt cedar or eucalyptus. Although there is a willow component it is not the size or structure where this species is found. These conditions are absent from the site. The acreage and structure of 0.11 acre of eucalyptus trees approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs with a DBH of 6 inches is not the type of habitat is not the type or structure that this species is found.

Nor are they found in high disturbance areas which is the case on site due to the transient encampments and cutting of the vegetation. The specific requirement for this species is the presence of water. These are not the conditions on site.

Therefore, SWWF has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

Least Bell's vireo

Least Bell's vireo (LBVI) was first proposed for listing as endangered by the USFWS on May 3, 1985, (50 FR 18968) and was subsequently listed as federally endangered on May 2, 1986 (60 FR 10694). Critical habitat units were designated by the USFWS on February 2, 1994 (59 FR 4845) and included reaches of ten streams in six counties in southern California and the surrounding approximately 38,000 acres. The critical habitat units exist in the Santa Ynez River, Santa Clara River, Santa Ana River, Santa Margarita River, San Luis Rey River, Sweetwater River, San Diego River, Tijuana River, Coyote Creek, and Jumul-Dulzura Creek.

The species historical range included California; California/Nevada Region (Region 8)Counties in California in which this population is known to or is believed to occur includes: Imperial, Inyo, Kern, Los Angeles, Monterey, Orange, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, Stanislaus, Tulare, Ventura, Yolo.

The LBVI is a small, olive-gray migratory songbird that nests and forages almost exclusively in riparian woodland habitats. Bell's vireos as a group are highly territorial and are almost exclusively insectivorous. LBVI generally begin to arrive from their wintering range in southern Baja California and establish breeding territories by mid-March to late-March. A large majority of breeding vireos depart their breeding grounds by the third week of September and only a very few have been found wintering in the United States.

Nests are usually placed in forks of branches between 2 and 5 feet from the ground. Females lay two to five eggs with both parents incubating the clutch for approximately 14 days and the young fledging

after 10 to 12 days. The fledglings will remain in the parental territory for up to a month. LBVI leave the breeding grounds and migrate south mid to late September.

Their nesting habitat typically consists of well-developed overstory, understory, and low densities of aquatic and herbaceous cover. The understory frequently contains dense sub-shrub or shrub thickets. The overstory usually contains black willow, cottonwood and Sycamore. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. Although LBVI use a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. Vireos forage in riparian habitats up to 984 feet from the nest and use both high and low scrub layers as foraging substrate.

The LBVI has not been documented on site or within a 1- mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the structure or patch size preferred by this species. The acreage and structure of 0.11 acre of eucalyptus trees, approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs, with a DBH of 6 inches is not the type of habitat that this species is found. This species is not found in salt cedar or eucalyptus.

Nor are they found in high disturbance areas. Although there is a willow component, it is not the size or structure where this species is found. They are located in well-developed overstory, mid-story, understory, and low densities of aquatic and herbaceous cover with a minimum patch size of two (2) acres, which is not the case for this site.

Therefore, LBVI has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

Yellow-billed cuckoo

The YBCU is listed as endangered in the state of California and was federally listed as threatened in 2014. Designation of critical habitat for the western distinct population segment of the Yellow-Billed Cuckoo (*Coccyzus americanus*) was made by the USFWS in 2014 (50 CFR Part 17). In 1971 it was listed by the California Department of Fish and Game as Rare. By 1977 it had become "one of the rarest birds" in the state. A 1977 survey of historical sites and suitable habitat at six widely scattered rivers turned up 54 birds in the Sacramento Valley (Tehama, Putte, Glenn, Colusa, and Sutter counties), 9 on the South Fork of the Kern River near Weldon, 3 along the Santa Ana River, Riverside County, 4 in Owens Valley, Inyo County, 6 on the Armargosa River south of Tecopa, Inyo and San Bernardino County, and 65 on both sides of the Colorado River from the Nevada state line to the Mexican border (Gaines 1977). By 1986 the entire breeding population in California had dropped to 31-42 pairs (Laymon and Halterman 1987).

The YBCU was once common in riparian habitat throughout the western United States. In California the YBCU has declined from a "fairly common breeding species" throughout most of the state to a current population of less than 50 pairs (Gaines and Laymon 1984; Laymon and Halterman 1991). The geographical breeding range of the YBCU in the western United States North America includes suitable habitat within the low- to moderate-elevation areas, including the upper and middle

Rio Grande, the Colorado River Basin, the Sacramento and San Joaquin River systems, the Columbia River system, and the Fraser River.

The species historical range included Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, Wyoming. The California/Nevada Region (Region 8) Counties in California in which this population is known to or is believed to occur include: Alameda, Butte, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kern, Lake, Lassen, Madera, Marin, Mendocino, Modoc, Mono, Plumas, Sacramento, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuma.

The YBCU is a medium sized bird, with a long and slim profile. Its legs are short and bluish-gray, and its tail is gray-brown above and black below with three striking pairs of large white dots visible in flight. Its body is brown above with white under parts. The undersides of its pointed wings are rufous. Adult birds have a long-curved bill which is blue-black above and yellow at the base of the mandibles. Juveniles have a completely blue-black bill.

Though the YBCU will occupy a variety of marginal habitats, particularly at the edges of their range, YBCU in the West are overwhelmingly associated with relatively expansive stands of mature cottonwood willow forests. Canopy height ranged from 5-25 m, canopy cover from 20-90 percent, and understory cover from 30-90 percent. Willows and open water are required and the habitat will vary from dense willow-cottonwood forests to marshy bottomlands with scattered willow thickets. Today, five of the remaining eight populations in California are in immediate danger of extinction, including 2 sites in Owens Valley, the Armargosa River near Tecopa, the Mojave River and the Santa Ana River. These populations only harbor 1-2 individuals in some years and none in others, making them highly vulnerable to extirpation from both stochastic and systemic processes. According to the California Department of Fish and Wildlife (1980), remnant patches of suitable habitat in sizes sufficient to support breeding yellow-billed cuckoos are scarce.

The YBCU has not been documented on site or within a 1- mile radius. The small willow scrub thicket onsite is highly degraded and occupied by transients. The habitat formed as a result of street run off and does not have the structure or size preferred by this species. They are found in habitat areas with a well-developed overstory, mid-story, understory, consisting of willow and cottonwood, near water, with a minimum patch size of forty (40) acres. This species requires a habitat structure of a 30-75-foot upper canopy, 18-20 foot mid-story and a lower story of 5-3 feet. This species is not found in salt cedar or eucalyptus. Although there is a willow component, it is not the size or structure where this species is found. These conditions are absent from the site. The acreage and structure of 0.11 acre of eucalyptus trees approximately 35 feet in height, with a range in diameter at breast height (DBH) of 6 inches to 18 inches and a mid-story densely covered in 0.03 acre of salt cedar with a DBH of 8 inches and 0.27 acre of black willow shrubs with a DBH of 6 inches is not the type of habitat or structure that this species is found. Nor are they found in high disturbance areas which is the case on site due to the transient encampments and cutting of the vegetation. This species is very sensitive to disturbance and is only found in pristine environments. The specific requirement for this species is the presence of water which is absent from the site.

Therefore, YBCU has no potential to occur on site and /or in the Project vicinity. Further investigation is not warranted.

Vernal Pools

No vernal pool resources occur on site. The soils are well drained and no evidence of pooling/ponding is present. Further historical imagery provides no evidence of past ponding or pooling.

CONCLUSIONS AND RECOMMENDATIONS

The Project site is currently vacant and has been subject to human disturbances. Parcel APN 347-130-028, the northeastern corner of the Project site has two occupied homeless encampments with trash littering the entire area and an old Porta Potty. Soils on site have been bladed, and many of the eucalyptus trees on site have had trunks/branches sawed off.

The Project site is within an MSHCP required survey area for BUOW. Based on the survey results BUOW are absent from the Project site and survey buffer. The habitat type, structure and composition is not suitable for BUOW and there is no potential for them to occur here. Therefore, no further action relative to BUOW is required.

The small patch of willow scrub located in the northest corner of the Project site is not suitable to support LBVI, SWWF or YBCU. Therefore, protocol surveys are not warranted. These migratory songbirds nest and forage almost exclusively in riparian woodland habitats with nesting habitat typically consisting of well-developed overstory, understory, and low densities of aquatic and herbaceous cover. The understory frequently contains dense sub-shrub or shrub thickets. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. These conditions do not occur on site. Although these song birds use a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. Territories for these three species range in size from 0.5 to 7.5 acres, with an average size of approximately 2 acres. The willow scrub on site is 0.27 acre in size and does not meet the habitat structure requirements of these three species. Further, the consistent presence of transients in the willow thicket presents a major disturbance that is not conducive to bird nesting in general.

The eucalyptus and salt cedar vegetation growing in the northeast corner of the property does however, provide potentially suitable nesting habitat for birds, including raptor species. Therefore, the following is recommended to avoid potential impacts to nesting birds and/or raptors:

> Recommendation: Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. In general, Projects should be constructed outside of this time to avoid impacts to nesting birds. If a Project cannot be constructed outside of nesting season, the project site shall be surveyed for nesting birds by a qualified avian biologist prior to initiating the construction activities. If active nests are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) will be prepared and implemented. At a minimum, the NBP will include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The NBP will include a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be determined by the

biologist, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist has determined the young birds have successfully fledged or that the nest has otherwise become inactive.

Should you have any questions or require further information, please contact me at (909) 915-5900 or shay@jericho-systems.com should you have any questions or require further information.

Sincerely,

Shay Lawrey, President

Attachments:

A. *Site Photographs*
B. *Species Occurrence Table*
C. *Figures*

0 0.00750.015 0.03 0.045 0.06 Miles

1 inch = 108 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

ÉRICHO SYSTEMS INC.
Progress & Preservation

Photo Map

76 Gas Station - 74 Highway
Lake Elsinore, CA

Attachment A – Site Photographs

	Photo 1 – Facing north east from the most southern point of the Project.
	Photo 2 – Facing west, start of encampment.

	Photo 3 – Looking west, northern encampment.
	Photo 4 – Facing east toward HWY74,.

	Photo 5 – Facing west; between the two encampments.
	Photo 6 – Facing east.

	Photo 7 – Facing south from northwest portion of project.
	Photo 8 – Facing west from most northwestern point of project.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Plants				
Allium munzii	Munz's onion	Endangered Threatened G1 S1 1B.1	Chaparral, coastal scrub, cismontane woodland, pinyon and juniper woodland, valley and foothill grassland. Heavy clay soils; grows in grasslands & openings within shrublands or woodlands. 375-1040 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Ambrosia pumila	San Diego ambrosia	Endangered None G1 S1 1B.1	Chaparral, coastal scrub, valley and foothill grassland. Sandy loam or clay soil; sometimes alkaline. In valleys; persists where disturbance has been superficial. Sometimes on margins or near vernal pools. 3-580 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Atriplex coronata var. *notatior*	San Jacinto Valley crownscale	Endangered None G4T1 S1 1B.1	Playas, valley and foothill grassland, vernal pools. Alkaline areas in the San Jacinto River Valley. 35-460 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Brodiaea filifolia	thread-leaved brodiaea	Threatened Endangered G2 S2 1B.1	Usually associated with annual grassland and vernal pools; often surrounded by shrubland habitats. Occurs in openings on clay soils. 15-1030 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Calochortus plummerae	Plummer's mariposa-lily	None None G4 S4 4.2	Coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, lower montane coniferous forest. Occurs on rocky and sandy sites, usually of granitic or alluvial material. Can be very common after fire. 60-2500 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Carex buxbaumii	Buxbaum's sedge	None None G5 S3 4.2	Bogs and fens, meadows and seeps, marshes and swamps. Mesic sites. 3-3300 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Caulanthus simulans	Payson's jewelflower	None None G4 S4 4.2 USFS: Sensitive	Chaparral, coastal scrub. Frequently in burned areas, or in disturbed sites such as streambeds; also on rocky, steep slopes. Sandy, granitic soils. 90-2200 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Centromadia pungens ssp. *laevis*	smooth tarplant	None None G3G4T2 S2 1B.1	Wetland Valley and foothill grassland, chenopod scrub, meadows and seeps, playas, riparian woodland. Alkali meadow, alkali scrub; also in disturbed places. 5-1170 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Chorizanthe leptotheca	Peninsular spineflower	None None G3 S3 4.2	Chaparral, coastal scrub, lower montane coniferous forest. On granitic soils, in alluvial fans. 300-1900 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Chorizanthe parryi var. *parryi*	Parry's spineflower	None None G3T2 S2 1B.1 BLM: Sensitive USFS: Sensitive	Coastal scrub, chaparral, cismontane woodland, valley and foothill grassland. Dry slopes and flats; sometimes at interface of 2 vegetation types, such as chaparral and oak woodland. Dry, sandy soils. 90-1220 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Chorizanthe polygonoides var. *longispina*	long-spined spineflower	None None G5T3 S3 1B.2 BLM: Sensitive	Chaparral, coastal scrub, meadows and seeps, valley and foothill grassland, vernal pools. Gabbroic clay. 30-1630 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Convolvulus simulans	small-flowered morning-glory	None None G4 S4 4.2	Chaparral, coastal scrub, valley and foothill grassland. Wet clay, serpentine ridges. 30-700 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dodecahema leptoceras	slender-horned spineflower	Endangered Endangered G1 S1 1B.1	Chaparral, cismontane woodland, coastal scrub (alluvial fan sage scrub). Flood deposited terraces and washes; associates include Encelia, Dalea, Lepidospartum, etc. Sandy soils. 200-765 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dudleya multicaulis	many-stemmed dudleya	None None G2 S2 1B.2 USFS: Sensitive	Chaparral, coastal scrub, valley and foothill grassland. In heavy, often clayey soils or grassy slopes. 1-910 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Harpagonella palmeri	Palmer's grapplinghook	None None G4 S3 4.2	Chaparral, coastal scrub, valley and foothill grassland. Clay soils; open grassy areas within shrubland. 20-955 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Hordeum intercedens	vernal barley	None None G3G4 S3S4 3.2	Valley and foothill grassland, vernal pools, coastal dunes, coastal scrub. Vernal pools, dry, saline streambeds, alkaline flats. 5-1000 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Juglans californica	southern California black walnut	None None G4 S4 4.2	Chaparral, coastal scrub, cismontane woodland, riparian woodland. Slopes, canyons, alluvial habitats. 50-900 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Lasthenia glabrata ssp. *coulteri*	Coulter's goldfields	None None G4T2 S2 1B.1 BLM: Sensitive	Coastal salt marshes, playas, vernal pools. Usually found on alkaline soils in playas, sinks, and grasslands. 1-1375 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Lepechinia cardiophylla	heart-leaved pitcher sage	None None G3 S2S3 1B.2 USFS: Sensitive	Closed-cone coniferous forest, chaparral, cismontane woodland. 115-1345 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Myosurus minimus ssp. *apus*	little mousetail	None None G5T2Q S2 3.1	Vernal pools, valley and foothill grassland. Alkaline soils. 20-640 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Navarretia fossalis	spreading navarretia	Threatened None G2 S2 1B.1	San Diego hardpan and San Diego claypan vernal pools; in swales & vernal pools, often surrouded by other habitat types. 15-850 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Orcuttia californica	California Orcutt grass	Endangered Endangered G1 S1 1B.1	Wetland Vernal pools. 10-660 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Romneya coulteri	Coulter's matilija poppy	None None G4 S4	Desert wash Coastal scrub, chaparral. In washes and on slopes; also after burns. 20-1200 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
		4.2		
Tortula californica	California screw moss	None None G2G3 S2? 1B.2 BLM: Sensitive	Chenopod scrub, valley and foothill grassland. Moss growing on sandy soil. 45-750 m.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Birds				
Accipiter cooperii	Cooper's hawk	None None G5 S4 CDFW: Watch List IUCN: Least Concern	Woodland, chiefly of open, interrupted or marginal type. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks.	Marginally suitable habitat occurs on site. Potential to occur is **moderate**.
Aimophila ruficeps canescens	southern California rufous-crowned sparrow	None None G5T3 S3 CDFW: Watch List	Resident in Southern California coastal sage scrub and sparse mixed chaparral. Frequents relatively steep, often rocky hillsides with grass and forb patches.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Artemisiospiza belli belli	Bell's sage sparrow	None None G5T2T3 S3 CDFW: Watch List USFWS: Birds of Conservation Concern	Nests in chaparral dominated by fairly dense stands of chamise. Found in coastal sage scrub in south of range. Nest located on the ground beneath a shrub or in a shrub 6-18 inches above ground. Territories about 50 yds apart.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Athene cunicularia	burrowing owl	None None G4 S3 BLM: Sensitive CDFW: Species of Special Concern	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
		IUCN: Least Concern USFWS: Birds of Conservation Concern		
Charadrius alexandrinus nivosus	western snowy plover	Threatened None G3T3 S2S3 CDFW: Species of Special ConcernNABCI: Red Watch List USFWS: Birds of Conservation Concern	Sandy beaches, salt pond levees & shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Elanus leucurus	white-tailed kite	None None G5 S3S4 BLM: Sensitive CDFW: Fully Protected IUCN: Least Concern	Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	Marginally suitable habitat for this species occurs on site. Potential to occur is **moderate**.
Empidonax traillii extimus	southwestern willow flycatcher	Endangered Endangered G5T2 S1 NABCI: Red Watch List	Riparian woodlands with multiple canopy layers in Southern California.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The dense canopy layers of riparian vegetation this species requires is not on site. The habitat requirements for this species are not on site. Potential to occur is **low**.
Eremophila alpestris actia	California horned lark	None None G5T4Q S4 CDFW: Watch List IUCN: Least Concern	Short-grass prairie, "bald" hills, mountain meadows, open coastal plains, fallow grain fields, alkali flats.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Icteria virens	yellow-breasted chat	None None G5 S3 CDFW: Species of Special ConcernIUCN: Least Concern	Summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian, consisting of willow, blackberry, wild grape; forages and nests within 10 ft of ground.	The willows on site are not in great enough quality and quantity to provide suitable habitat for this species. Potential to occur is **low**.
Lanius ludovicianus	loggerhead shrike	None None G4 S4 CDFW: Species of Special Concern IUCN: Least Concern USFWS: Birds of Conservation Concern	Broken woodlands, savannah, pinyon-juniper, Joshua tree, and riparian woodlands, desert oases, scrub & washes. Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Plegadis chihi	white-faced ibis	None None G5 S3S4 CDFW: Watch List IUCN: Least Concern	Shallow freshwater marsh. Dense tule thickets for nesting, interspersed with areas of shallow water for foraging.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Polioptila californica californica	coastal California gnatcatcher	Threatened None G4G5T2Q S2 CDFW: Species of Special Concern NABCI: Yellow Watch List	Obligate, permanent resident of coastal sage scrub below 2500 ft in Southern California. Low, coastal sage scrub in arid washes, on mesas and slopes. Not all areas classified as coastal sage scrub are occupied.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Vireo bellii pusillus	least Bell's vireo	Endangered Endangered G5T2 S2 IUCN: Near Threatened NABCI: Yellow Watch List	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	The willows on site are not in great enough quality and quantity to provide suitable habitat for this species. Potential to occur is **low**.
Mammals				
Chaetodipus fallax fallax	northwestern San Diego pocket mouse	None None G5T3T4 S3S4 CDFW: Species of Special Concern	Coastal scrub, chaparral, grasslands, sagebrush, etc. in western San Diego County. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dipodomys merriami parvus	San Bernardino kangaroo rat	Endangered Candidate Endangered G5T1 S1 CDFW: Species of Special Concern	Alluvial scrub vegetation on sandy loam substrates characteristic of alluvial fans and flood plains. Needs early to intermediate seral stages.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Dipodomys stephensi	Stephens' kangaroo rat	Endangered Threatened G2 S2 IUCN: Endangered	Primarily annual & perennial grasslands, but also occurs in coastal scrub & sagebrush with sparse canopy cover. Prefers buckwheat, chamise, brome grass and filaree. Will burrow into firm soil.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Lepus californicus bennettii	San Diego black-tailed jackrabbit	None None G5T3T4 S3S4 CDFW: Species of Special Concern	Intermediate canopy stages of shrub habitats & open shrub / herbaceous & tree / herbaceous edges. Coastal sage scrub habitats in Southern California.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Reptiles				

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Arizona elegans occidentalis	California glossy snake	None None G5T2 S2 CDFW: Species of Special Concern	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular ranges, south to Baja California. Generalist reported from a range of scrub and grassland habitats, often with loose or sandy soils.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Aspidoscelis hyperythra	orange-throated whiptail	None None G5 S2S3 CDFW: Watch List IUCN: Least Concern USFS: Sensitive	Inhabits low-elevation coastal scrub, chaparral, and valley-foothill hardwood habitats. Prefers washes and other sandy areas with patches of brush and rocks. Perennial plants necessary for its major food: termites.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Crotalus ruber	red-diamond rattlesnake	None None G4 S3 CDFW: Species of Special Concern USFS: Sensitive	Chaparral, woodland, grassland, & desert areas from coastal San Diego County to the eastern slopes of the mountains. Occurs in rocky areas and dense vegetation. Needs rodent burrows, cracks in rocks or surface cover objects.	The microhabitat conditions required for this species are not on site. Potential to occur is **low**.
Phrynosoma blainvillii	coast horned lizard	None None G3G4 S3S4 BLM: Sensitive CDFW: Species of Special Concern IUCN: Least Concern	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Salvadora hexalepis virgultea	coast patch-nosed snake	None None G5T4 S2S3	Brushy or shrubby vegetation in coastal Southern California. Require small mammal burrows for refuge and overwintering sites.	Small mammal burrows were not detected on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
		CDFW: Species of Special Concern		
Amphibians				
Spea hammondii	western spadefoot	None None G3 S3 BLM: Sensitive CDFW: Species of Special Concern IUCN: Near Threatened	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Crustaceans				
Branchinecta lynchi	vernal pool fairy shrimp	Threatened None G3 S3 IUCN: Vulnerable	Endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains, in astatic rain-filled pools. Inhabit small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Streptocephalus woottoni	Riverside fairy shrimp	Endangered None G1G2 S1S2 IUCN: Endangered	Endemic to Western Riverside, Orange, and San Diego counties in areas of tectonic swales/earth slump basins in grassland and coastal sage scrub. Inhabit seasonally astatic pools filled by winter/spring rains. Hatch in warm water later in the season.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Insects				
Bombus crotchii	Crotch bumble bee	None Candidate Endangered G3G4 S1S2	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Cicindela senilis frosti	senile tiger beetle	None None G2G3T1T3 S1	Mud shore/flats Wetland Inhabits marine shoreline, from Central California coast south to salt marshes of San Diego. Also found at Lake Elsinore Inhabits dark-colored mud in the lower zone and dried salt pans in the upper zone.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.

Attachment B - Species Occurrence Table

Scientific Name	Common Name	Federal Status State Status Other Status	Habitats	Potential To Occur
Euphydryas editha quino	quino checkerspot butterfly	Endangered None G5T1T2 S1S2	Sunny openings within chaparral & coastal sage shrublands in parts of Riverside & San Diego counties. Hills and mesas near the coast. Need high densities of food plants Plantago erecta, P. insularis, and Orthocarpus purpurescens.	Habitat on site consists of dense, annual, primarily invasive species with stands of gum trees. The habitat requirements for this species are not on site. Potential to occur is **low**.
Habitats				
Southern Coast Live Oak Riparian Forest		None None G4 S4	Riparian forest	This habitat is not on site
Southern Cottonwood Willow Riparian Forest		None None G3 S3.2	Riparian forest	This habitat is not on site
Southern Sycamore Alder Riparian Woodland		None None G4 S4	Riparian woodland	This habitat is not on site

Attachment B - Species Occurrence Table

Coding and Terms

E = Endangered T = Threatened C = Candidate FP = Fully Protected SSC = Species of Special Concern R = Rare

State Species of Special Concern: An administrative designation given to vertebrate species that appear to be vulnerable to extinction because of declining populations, limited acreages, and/or continuing threats. Raptor and owls are protected under section 3502.5 of the California Fish and Game code: "It is unlawful to take, possess or destroy any birds in the orders Falconiformes or Strigiformes or to take, possess or destroy the nest or eggs of any such bird."

State Fully Protected: The classification of Fully Protected was the State's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, mammals, amphibians and reptiles. Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

Global Rankings (Species or Natural Community Level):

G1 = Critically Imperiled – At very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors.
G2 = Imperiled – At high risk of extinction due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors.
G3 = Vulnerable – At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.
G4 = Apparently Secure – Uncommon but not rare; some cause for long-term concern due to declines or other factors.
G5 = Secure – Common; widespread and abundant.

Subspecies Level: Taxa which are subspecies or varieties receive a taxon rank (T-rank) attached to their G-rank. Where the G-rank reflects the condition of the entire species, the T-rank reflects the global situation of just the subspecies. For example: the Point Reyes mountain beaver, *Aplodontia rufa* ssp. *phaea* is ranked G5T2. The G-rank refers to the whole species range i.e., *Aplodontia rufa.* The T-rank refers only to the global condition of ssp. *phaea*.

State Ranking:

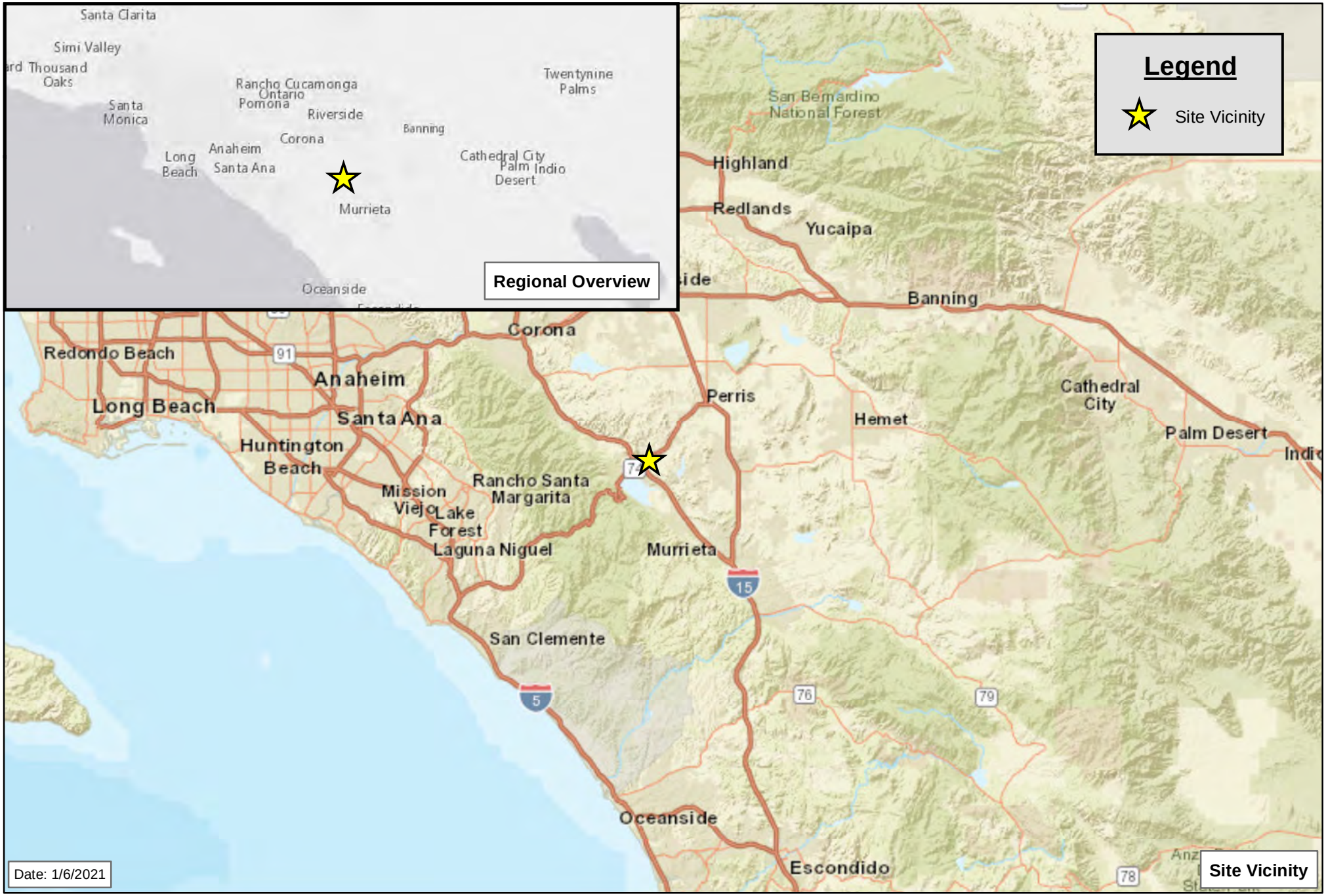
S1 = Critically Imperiled – Critically imperiled in the State because of extreme rarity (often 5 or fewer populations) or because of factor(s) such as very steep declines making it especially vulnerable to extirpation from the State.
S2 = Imperiled – Imperiled in the State because of rarity due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the State.
S3 = Vulnerable – Vulnerable in the State due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation from the State.
S4 = Apparently Secure – Uncommon but not rare in the State; some cause for long-term concern due to declines or other factors.
S5 = Secure – Common, widespread, and abundant in the State.

California Rare Plant Rankings (CNPS List):

1A = Plants presumed extirpated in California and either rare or extinct elsewhere.
1B = Plants rare, threatened, or endangered in California and elsewhere.
2A = Plants presumed extirpated in California, but common elsewhere.
2B = Plants rare, threatened, or endangered in California, but more common elsewhere.
3 = Plants about which more information is needed; a review list.
4 = Plants of limited distribution; a watch list.

Threat Ranks:

.1 = Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2 = Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
.3 = Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)



0 5 10 20 30 40 Miles

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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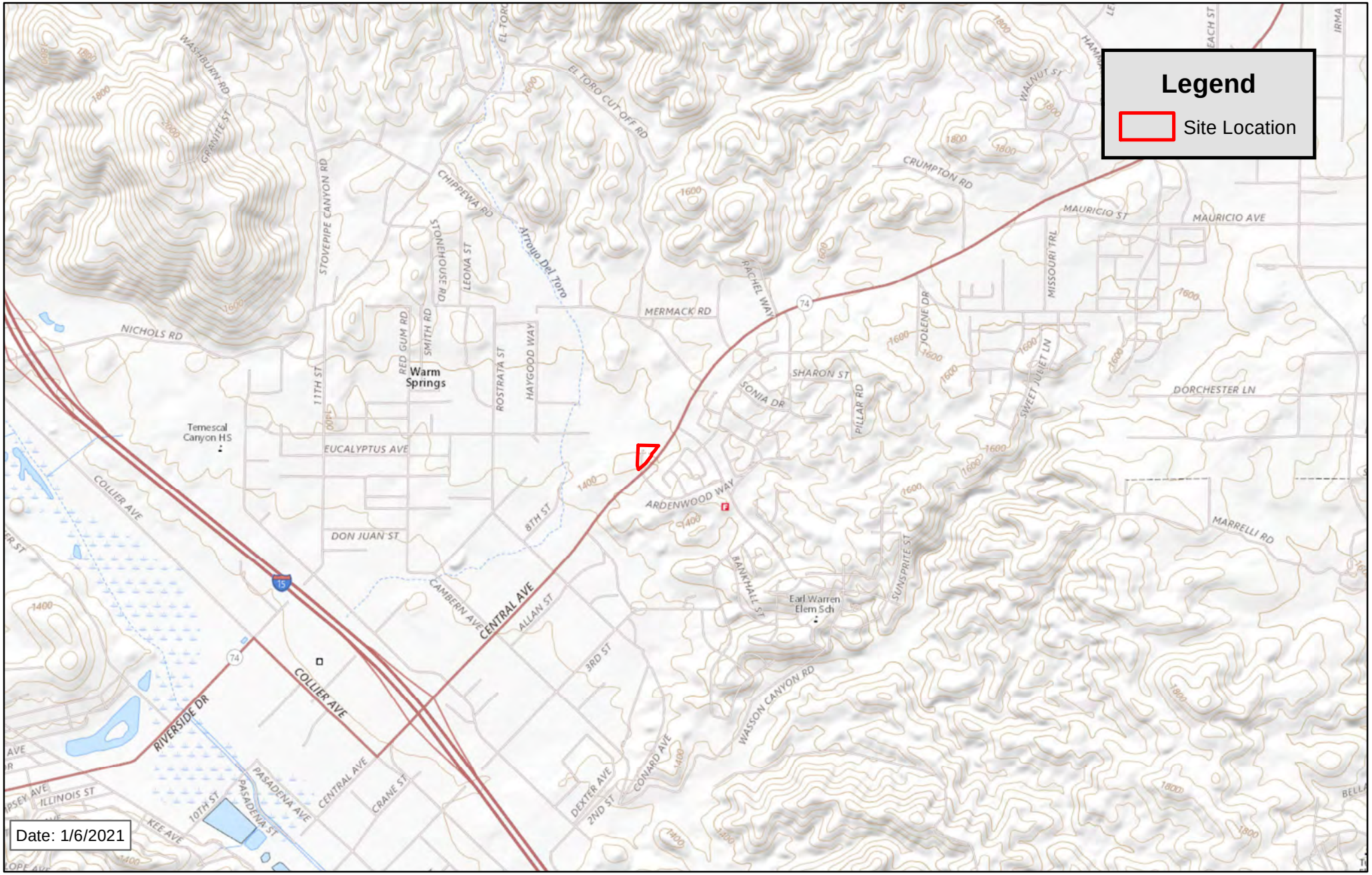
Figure 1 - Regional Overview Site Vicinity	76 Gas Station - 74 Highway Lake Elsinore, CA



Service Layer Credits: USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed October 2018.

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Figure 2
Site Location

76 Gas Station - 74 Highway
Lake Elsinore, CA

0 0.0325 0.065 0.13 0.195 0.26 Miles

1 inch = 417 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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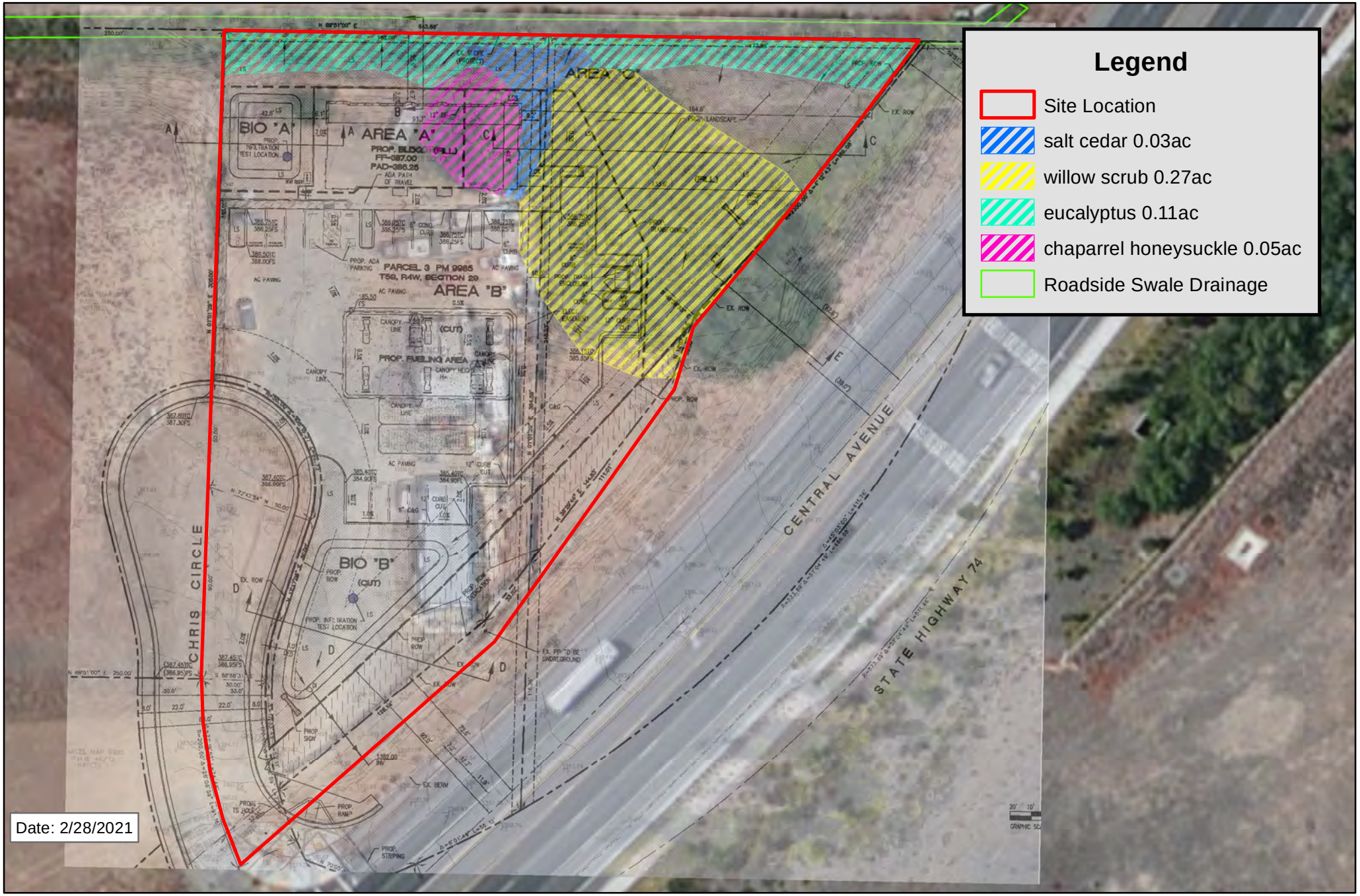
Figure 3
Site Location

76 Gas Station - 74 Highway
Lake Elsinore, CA



0 0.004750.0095 0.019 0.0285 0.038 Miles

1 inch = 58 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 4 Site Plan	76 Gas Station - 74 Highway Lake Elsinore, CA

0 0.0175 0.035 0.07 0.105 0.14 Miles

1 inch = 216 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 5 MSHCP	76 Gas Station - 74 Highway Lake Elsinore, CA

0 0.0075 0.015 0.03 0.045 0.06 Miles

1 inch = 104 feet

Imagery Date: 7/19/2019

Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 6 Blueline Waters	76 Gas Station - 74 Highway Lake Elsinore, CA

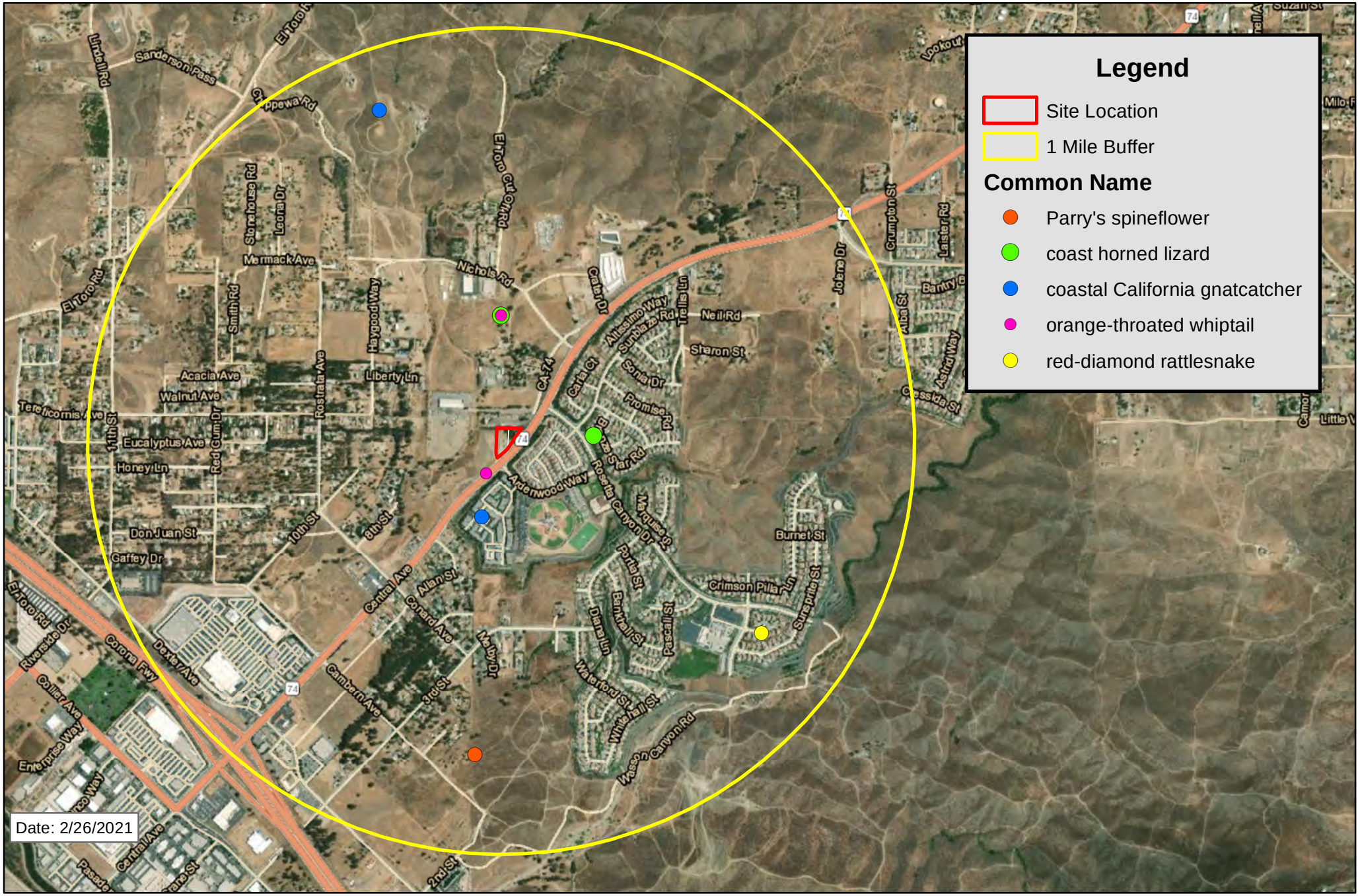

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Figure 7
CNDDB

76 Gas Station - 74 Highway
Lake Elsinore, CA

0 0.005 0.01 0.02 0.03 0.04 Miles

1 inch = 83 feet

Imagery Date: 7/19/2019

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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Figure 8
Soils

76 Gas Station - 74 Highway
Lake Elsinore, CA

Phase I Cultural Resources Assessment Report for the 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Lake Elsinore, Riverside County, California

February 2021

Conditional Use Permit No. 200043

Lake Elsinore, California USGS 7.5' Quad, Township 5 South, Range 4 West, Section 29

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Key Words: 1.44 acres, negative survey, *Lake Elsinore, California* 7.5-minute Topographic Map

NATIONAL ARCHAEOLOGICAL DATABASE INFORMATION

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Submitted to: County of Riverside

Report Date: February 2021

Report Title: Phase I Cultural Resources Assessment Report for the 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Lake Elsinore, Riverside County, California

Type of Study: Phase I Cultural Resources Assessment

New Sites: none

Updated Sites: P-33-000641/RIV-641

USGS Quad: *Lake Elsinore, California* 7.5-minute Topographic Map

Area: approximately 1.44 acres

Keywords: negative survey, *Lake Elsinore, California* 7.5-minute Topographic Map

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MANAGEMENT SUMMARY

This report provides the results of a Phase I cultural resources assessment completed by Red Tail Environmental (Red Tail) for the proposed 28771 Highway 74 Project (Project). The Project consists of the development of two parcels for a gas station that will include a convenience market, a fueling canopy with six multi-product dispensers, and two underground storage tanks in Riverside County, California. This study was performed in compliance with the California Environmental Quality Act and the County of Riverside (County) Planning Department – Cultural Resources Review Requirements. The County of Riverside is the lead agency.

This Phase I cultural resources assessment was conducted to identify all cultural resources and historic properties within the Project area and to determine project-related effects on these resources. The study consisted of a review of relevant site records and reports on file with the Eastern Information Center (EIC) of the California Historical Resources Information System (CHRIS) within a 1-mile (mi.) search radius, a pedestrian survey of the Project area by an archaeologist, and a review of the Sacred Lands File (SLF) held by the Native American Heritage Commission (NAHC). This report includes the results of the study, as well as a brief historic background sketch for the area, and recommendations for future work.

The record search of the SLF held by the NAHC was negative and contact information for twenty-seven Native American groups and individuals were included by the NAHC for additional information. Red Tail sent the 27 individuals and groups letters requesting any additional information relevant to the project on February 8, 2021. To date, three responses have been received. On February 8, 2021 Joyce Stanfield Perry, President, Juaneño Band of Mission Indians, Acjachemen Nation, responded that they yield recommendations and monitoring responsibilities to the Pechanga Band of Luiseno Indians. On February 8, 2021 Jill McCormick, Quechan Historic Preservation Officer responded that they have no comments on the project and defer to more local tribes. On February 9, 2021 Cami Mojado, San Luis Rey Band of Mission Indians responded that they defer to Pechanga or other tribes that may be closer to the Project. No additional responses have been received to date.

The record search from the EIC was requested on January 21, 2021 and received on February 12, 2021. The record search revealed that 56 cultural resource studies had been conducted within 1-mile of the Project Area, with two studies intersecting portions of the Project Area. The records search also indicated that seventeen (17) previously recorded cultural resources were located within 1-mile of the Project. One resource, P-33-000641/CA-RIV-641, was previously recorded within the Project Area. The resource, originally recorded in 1973 by J. Humbert and S. Hammond, consisted of a single bedrock outcrop containing four milling slicks. No surficial artifacts were present at the time of original recordation. The resource was later updated in 1978 (recorder unknown), noting that the outcrop was no longer present, most likely due to being removed for the widening of State Route 74. No further updates to the resource have occurred since 1978.

An archaeological survey was completed by Red Tail on February 3, 2021. The project area is located on the northwest side of State Route 74/ Central Avenue upon a gently sloping alluvial terrace with a southerly aspect. The western parcel, APN 347-130-029, had been previously graded and was mostly devoid of vegetation. The eastern parcel, APN 347-130-028, did not appear to have been previously graded or disturbed except for the southern edge which had been benched, presumably for slope retention. The southern border of the east parcel also contained a low-lying concrete retaining wall/curb which appeared to be modern in construction style. The north and northeastern portions of the Project Area contained a small east-west-trending drainage containing a mix of riparian vegetation, including mulefat and willow, and ornamental vegetation, including eucalyptus trees. Ground visibility within the north and northeastern portions of the Project Area were moderate (approximately 25 to 50 percent) to low (less than 25 percent)

due to vegetation. Visibility within the central and southern portions of the east parcel and the entirety of the west parcel were moderate to good (75 percent and higher). The project area was transected in 10-meter intervals. The archaeological survey was negative and no evidence of cultural resources was identified. No evidence of resource P-33-000641/CA-RIV-641 was observed.

As no cultural resources were identified implementation of the project will not cause an adverse effect. However, due to the presence of the drainage within the northern portions of the Project Area, a bed rock milling feature previously recorded within the Project area, presumable destroyed by the construction of Highway 74 and several prehistoric resources located within one mile of the Project, archaeological monitoring is recommended.

1. INTRODUCTION AND SETTING

PURPOSE OF STUDY

This Phase I cultural resources assessment was conducted in compliance with the California Environmental Quality Act (CEQA), which requires that before approving discretionary projects the lead agency must identify and examine the significant adverse environmental effects which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment (Sections 15064.5(b) and 21084). A substantial adverse change is defined as demolition, destruction, relocation, or alteration activities which would impair historical significance (Sections 15064.5(b)(1) and 5020.1). Any historical resources listed in or eligible to be listed in the California Register of Historical Resources (CRHR), including archaeological resources, is considered to be historically or culturally significant. Resources which are listed in a local historic register or deemed significant in a historical resource survey as provided under Section 5024.1(g) are presumed historically or culturally significant unless "the preponderance of evidence" demonstrates they are not. Finally, a resource that is not listed in, or determined to be eligible for listing in, the CRHR, not included in a local register of historic resources, or not deemed significant in a historical resource survey may nonetheless be historically significant, pursuant to Section 21084.1.

This study was also conducted in compliance with the County of Riverside General Plan, Municipal Code, and County of Riverside Planning Department – Cultural Resources Review Requirements. The County of Riverside's General Plan follows both federal and state laws and guidelines for the definition of significance and sensitivity of cultural resources. Cultural resources are defined as objects, buildings, structures, sites, areas, places, records, or manuscripts, and may also include places that have historic or traditional associations or are important for traditional cultural uses. The County of Riverside has enacted the following general plan policies in the Open Space and Conservation Element to ensure that cultural resources are appropriately considered:

- OS 19.1 Cultural resources (both prehistoric and historic) are a valued part of the history of the County of Riverside.
- OS 19.2 The County of Riverside shall establish a cultural resources program in consultation with Tribes and the professional cultural resources consulting committee. Such a program shall, at a minimum, address each of the following: application processing requirements, information database(s), confidentiality of site locations, content and review of technical studies, professional consultant qualification and requirements, site monitoring, examples of preservation and mitigation techniques and methods, and the descendant community consultation requirements of local, state, and federal law.
- OS 19.3 Review proposed development for the possibility of cultural resources and for compliance with the cultural resources program.
- OS 19.4 To the extent feasible, designate as open space and allocate resources and/or tax credits to prioritize the protection of cultural resources preserved in place or left in an undisturbed state.
- OS 19.5 Exercise sensitivity and respect for human remains from both prehistoric and historic time periods and comply with all applicable laws concerning such remains.

The County of Riverside's Municipal Code Section 15.72.050., Establishing Historic Preservation Districts, provides details regarding how to establish a historic preservation district in the county of Riverside and the approval process for its establishment.

Relevant to this Phase I cultural resources assessment the County of Riverside Planning Department – Cultural Resources Review Requirements includes a Level of Significance Checklist and a Phase I Archaeological Survey Report Outline.

PROJECT DESCRIPTION

The Project proposes to develop portions of Parcels 347-130-028 and 347-130-029 for a gasoline station with a convenience store. The Project will include a 3,516 square foot convenience market (Building A), and a 3,160 square foot canopied fueling station containing six multi-product dispensers (Building B). The two underground storage tanks will be installed directly south of the fueling canopy. Building A will contain a quick service restaurant. Parking provided is 20 parking spaces, including two accessible and two electric charging vehicle stalls. The Zoning for the property is Scenic Highway Commercial C-P-S, and it is located within the Highway 74 Community Plan.

PROJECT LOCATION

The Project site is located at 28771 Highway 74 (Central Avenue), Lake Elsinore, CA 92532, within unincorporated Riverside County, California. The Project is in parcel numbers APN 347-130-028 and 347-130-029 and is bounded to the east and south by Central Avenue, on the north by El Toro Cutoff Road and Nichols Road, and west by Haygood Way and Rostrata Street. The Project is shown on the *Lake Elsinore, California* USGS 7.5-minute quadrangle within Township 5 South, Range 4 West, Section 29 (Figures 1-3). The Project site consists of 1.44 acres.

PROJECT PERSONNEL

Red Tail Principal Investigator Shelby Castells, M.A., RPA served as the primary author of this report and managed the study. Her personnel qualifications are included in Appendix A. Red Tail Senior Archaeologist Spencer Bietz conducted the archaeological survey and contributed to the report.

SETTING

The Project area is located within western Riverside County within a suburban area with elevations within the parcel ranging from 1,389 to 1,395 feet above mean sea level (amsl). Modern climate conditions within the Project area consist of a Mediterranean climate, with average rainfall of nine to ten inches per year, generally from January through March. The project area is located within the foothills of the western and southern portions of the Santa Ana Mountain Range, which belongs to the Peninsular Ranges Geomorphic Province. The Peninsular Ranges make up the majority of western Riverside County and contains a series of mountain ranges separated by northwest trending valleys (California Department of Conservation, California Geological Survey, 2002). The Project area is located northeast of Lake Elsinore, the largest natural freshwater lake in Southern California, which is situated at the lowest point within the San Jacinto River watershed. Although the lake is a terminal lake within the partially closed San Jacinto Basin, overflow funnels through Temescal Wash on its northeastern shore to flow through Temescal Canyon to Temescal Creek, which in turn joins with the Santa Ana River, ending at the Pacific Ocean. Portions of the Project area have been previously developed for a single-family residence. Vegetation within the Project Area consists of a mix of riparian vegetation, including willow and mulefat, and non-native vegetation including Russian thistle, eucalyptus trees, and annual grasses.

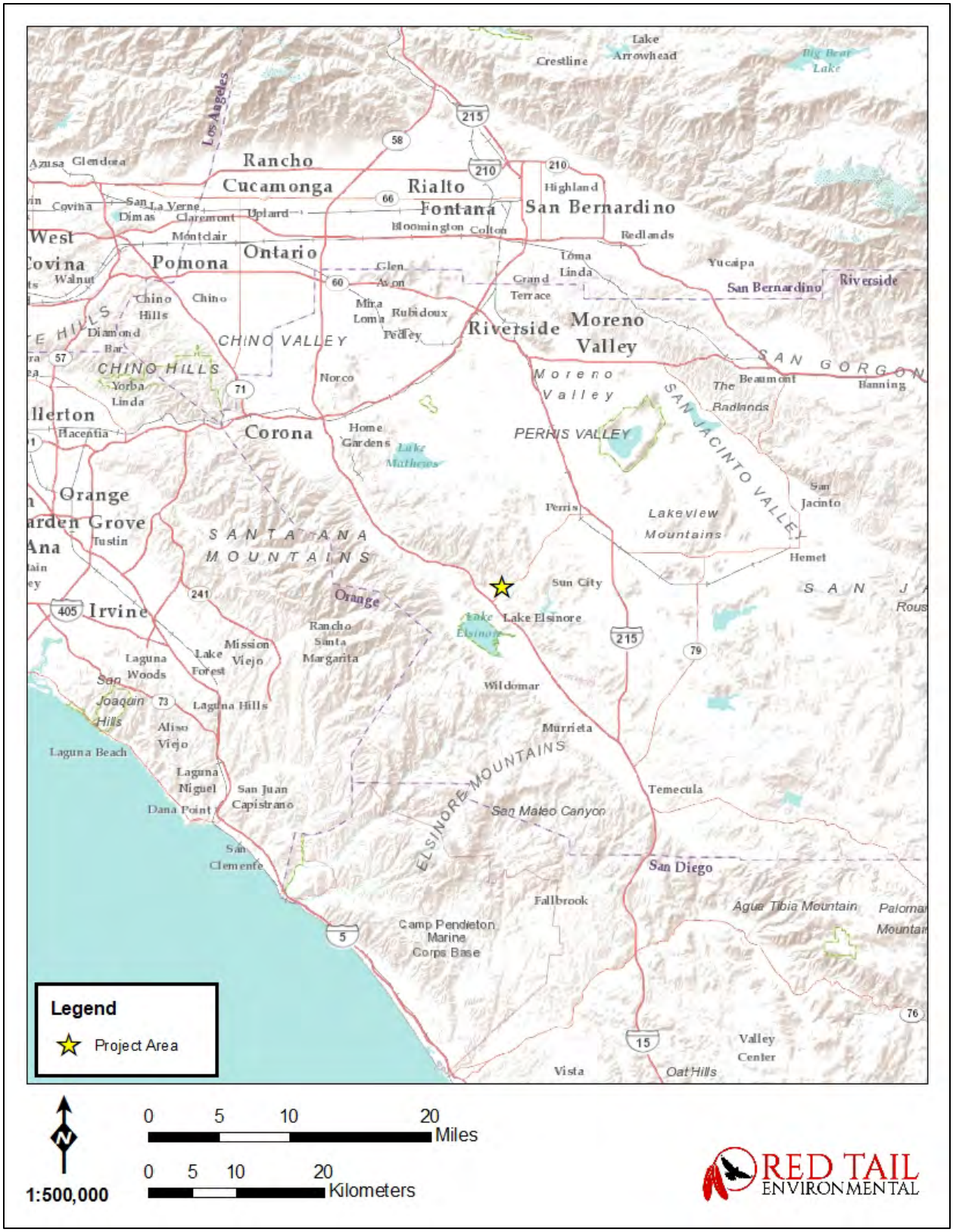


Figure 1. Project Vicinity Map.

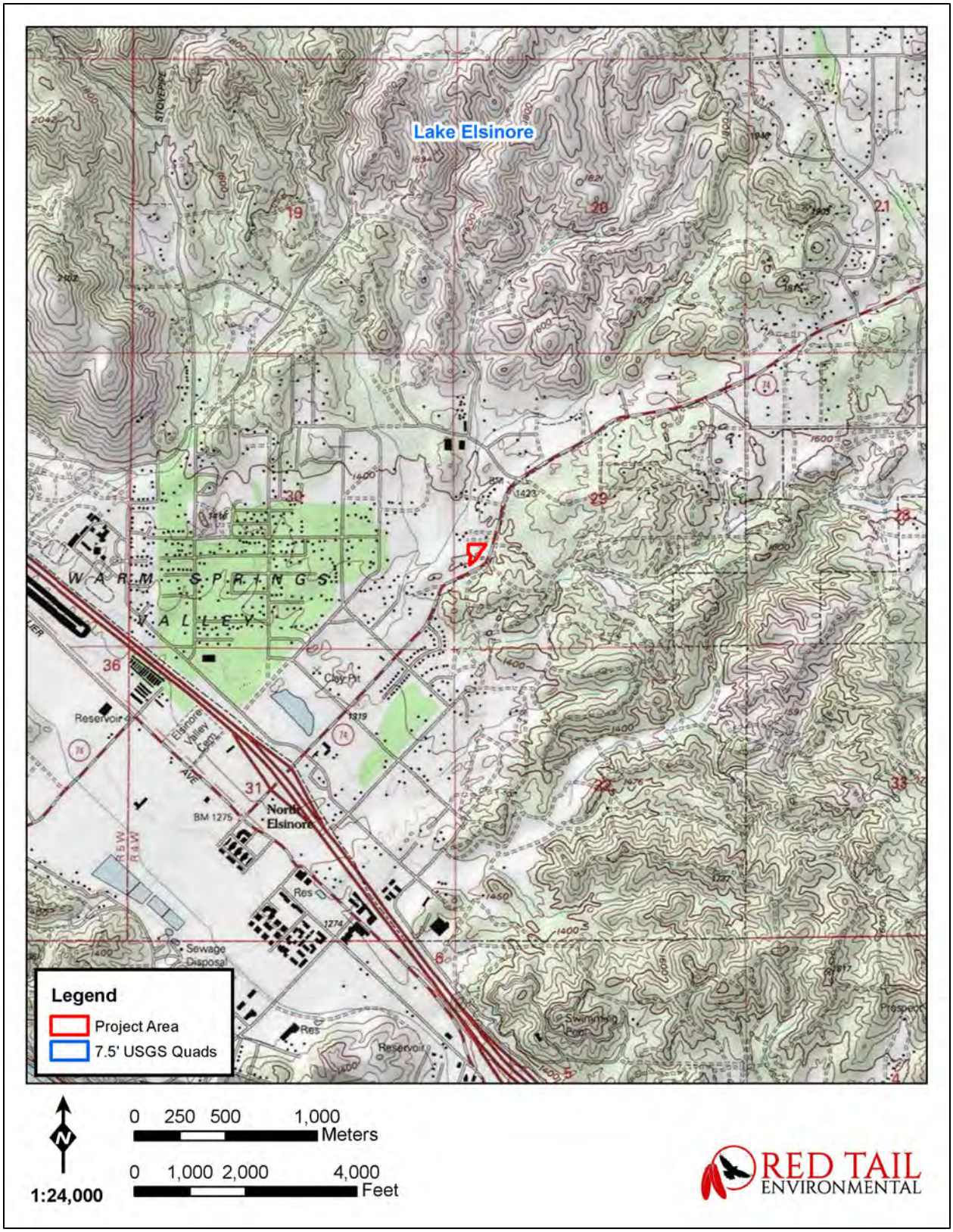


Figure 2. Project Area, shown on the USGS 7.5' *Lake Elsinore, California* Quad Map.

Figure 3. Project Area, aerial photograph.

2. PREHISTORIC CONTEXT

The cultural setting of the Project area can be divided into the prehistoric, ethnohistoric, and historic periods, as discussed below.

PREHISTORIC ARCHAEOLOGY

While no single chronology is agreed upon, archaeologists generally concur that human occupation within Southern California spans at least the last 14,000 years. It was believed that people first came to North and South America over the Bering Land Bridge, however recent studies have identified that this ice-free corridor was not passable until 13,000 years ago and an alternate coastal route has been proposed. The Pacific Northwest coast was deglaciated by approximately 14,000 B.C. and travel along the Pacific Coast in boats would have been possible during this period. A widespread kelp forest could have created a "kelp highway" with enough resources to support people entering North America (Erlandson et al. 2007, Masters and Aiello 2007, Gallegos 2017). Erlandson (2007:56) contends that "it seems most likely that the peopling of the Americas included both coastal and interior migrations of peoples from northeastern Asia and Beringia, with an earlier migration possibly following the northern Pacific coast".

In Riverside County and the surrounding area, there is no consensus on times or terms in which human occupation started. It is unknown if the first people arrived in Riverside County via the coast or from the pluvial lakes within the Great Basin to the east, as both locations contain archaeological sites with early dates (Gallegos 2017). In addition, the inland valleys of Southern California, have been less intensively studied than the desert and coastal regions and therefore a variety of cultural periods have been suggested but generally researchers have not reached a consensus on the start or phases of prehistoric occupation of the area (Horne and McDougall 2007). Overall, three general cultural periods are recognized: the Paleo-Indian Period, the Archaic Period and the Late Prehistoric Period.

Paleo-Indian Period / San Dieguito Period (ca. 12,000 to 8,000 YBP)

As in most of North America, the Paleo-Indian Period is the earliest recognized period of California prehistory and coincides with the end of the late Pleistocene, circa 11,000 to 13,000 YBP (years before present). The environment was cool and moist, with deep pluvial lakes in the desert and basin lands (Moratto 1984). However, by the end of the late Pleistocene, the climate became warmer, causing glaciers to melt and sea levels to rise. Inland lakes began to recede and evaporate and there was a great deal of erosion in the coastal areas. The warmer climate also resulted in major vegetation changes and the extinction of Pleistocene megafauna (Moratto 1984, Martin 1967, Martin 1973, Fagan 1991).

Paleo-Indian sites have been identified across most of North American, often referred to as the Clovis Complex. The Clovis Complex is defined by the use of large fluted projectile points and other large bifacial stone tools. Within Southern California and the Colorado Desert the Clovis Complex is referred to as the Western Stemmed Point Tradition (WSPT) and was characterized by leaf shaped and large stemmed projectile points, scrapers and other stone tools. Archaeological evidence of the WSPT has been found across the western interior of North America with small regional variations (Gallegos 2017, Sutton 2016, Warren 1968). Similar archaeological remains are also known as the Lake Mohave Complex (Warren 1968). Overall, ground stone use was infrequent in San Dieguito archaeological remains, leading to the belief that the San Dieguito were highly mobile groups and their subsistence practices focused on the hunting of large game.

Several isolated fluted points have been recorded in Southern California, but none have been recorded near the project area in associated with radiocarbon dates or in association with Pleistocene fauna (Rondeau et al. 2007). In Riverside County, only one isolated fluted point has been identified on the surface of a site in

the Pinto Basin in the central part of the county (Campbell and Campbell 1935, Dillon 2002:113). Fluted points have been dated outside of California to 13,500 years before the present. The earliest known archaeological sites near the Project area, with reliable dates, are from the Channel Islands. The Arlington Springs site on Santa Rosa Island dates to 13,300 years ago, and the Daisy Cave site on San Miguel Island dates to 12,300-11,120 years ago (Lightfoot and Parrish 2009). Daisy Cave mentioned above, is one of the largest, early Holocene archaeological deposits that has been excavated. The study identified over 18 types of fish, multiple shellfish, marine mammals, and birds remains, showing that people relied on a wide assortment of marine resources as early as 8000 B.C., rather than subsisting on large mammal hunting (Erlandson, et al., 2007). Over 25 shell midden sites that date to between 12,000 and 8,000 years ago have been recorded on the Channel Islands. On the mainland, a site near San Luis Obispo dates to 10,300-9,650 years ago and a several sites on Cedros Island in Baja California date to 12,000 years ago (Lightfoot and Parrish 2009). Other early sites in the vicinity of the Project area consist of the C.W. Harris Site (SDI-149), in San Diego County, with radiocarbon dates ranging from 9,030 YBP to 8,540 YBP (Byrd and Raab 2007, Gallegos 2017) and within Orange County, there are sites dating from 9,000 to 10,000 years ago (Macko 1998a:4, Mason and Peterson 1994:55–57) and the Elsinore site (CA-RIV-2798-B), has deposits dating as early as 8,580 YBP (Grenda 1997:260). As, no archaeological sites dating to the Paleoindian Period have been identified within the vicinity of the Project Area. It is unknown if the lack of Paleoindian Period sites relates to a lack of archaeological data or is evidence that the vicinity of the Project Area was a less sustainable area than the interior desert or the coastal regions. During this period the desert interior may have been more suitable to prehistoric occupation than the interior valleys of southern California and it is more likely that Paleoindian populations in southern California were centered on the coastal or interior desert regions or around the few large, reliable, drought-resistant water sources present within the inland valley areas (Horne and McDougall 2007).

When Paleo megafauna began to become extinct, Paleo-Indian peoples had to focus on different subsistence strategies (Erlandson et al., 2007). Recent studies along the Southern California coast have focused on the diversity of subsistence strategies during this period, acknowledging the use of smaller animals and plant foods as staples, with limited evidence for big game hunting. Byrd and Raab argue that an environmental change from 10,000 to 8,000 cal. B.C. caused warming and drying conditions which shrunk the interior lakes and streams in Southern California's deserts and spurred the change from a reliance on large game hunting to a focus on a variety of subsistence strategies (Byrd and Raab 2007). Archaeological research across Southern California has shown the use of shellfish, marine mammals, and fish declined proportionately with distance from the coast. Less is known about plant use in interior sites aside from the fact that an increase of milling tools is present suggesting that plant resources were heavily relied upon during this early period (Erlandson et al., 2007).

Archaic Period / Millingstone Horizon (ca. 9500/8000 to 1500 YBP)

The Archaic Period within the vicinity of the Project area was defined by a lengthy time period with little change within the archaeological record. In contrast to the Paleoindian Period the archaeological record within the Archaic Period consisted of a tool kit that focused on collection and processing of small plant seeds and hunting of a variety of medium and small game animals (Byrd and Raab 2007, Hale 2009, Rogers 1945, Warren 1968). Across Southern California this period is often referred to as the Millingstone Horizon, and is often divided into the Early, Middle, and Late Archaic Period. In addition to the Early, Middle, and Late Archaic Period, it was also referred to as the Encinitas Tradition by Warren (1968), the La Jolla Tradition, in San Diego County, and the Greven Knoll Pattern (SWCA 2018, Sutton 2010, Sutton 2011). Sutton created the Greven Knoll Pattern nomenclature as a redefined interpretation of the Encinitas Tradition, and used it to refer to all expressions of the inland Milling Stone Horizon in Southern California north of San Diego County (Sutton 2010).

There is a discrepancy on the start of the Millingstone Horizon, while Lightfoot and Parrish (2009) argues that early milling stone assemblages show that by 9,000 years ago milling tools were in use and that seeds and nuts must have been a dominate food source, other archaeologists argue that the Millingstone Horizon is generally attribute to the Middle to Late Holocene Period and has been identified across much of central and southern California by ca. 8,000 to 7,000 YBP (Byrd and Raab 2007, Hale 2009, Moratto 1984).

Interior archaeological sites from this period were thought to have been left by seasonally mobile groups with small settlements, based on the availability of food resources. There is little archaeological evidence for group size and type and use of habitation structures within Riverside County for the middle Holocene. The Millingstone Horizon or Archaic Period tool kit at inland sites focused on collection and processing of small plant seeds and hunting of a variety of medium and small game animals; while along the coast there was a reliance on marine resources (Byrd and Raab 2007, Hale 2009, Rogers 1945, Warren 1968). Artifacts from this period consist of grinding implements (manos and metates), atlatl or dart projectile points, quarry-based tools, as well as lithic choppers and scrapers that indicate the focus was on collection and processing of small plant seeds and hunting of a variety of medium and small game animals (Byrd & Raab 2007, Hale 2009, Rogers 1945, Warren 1968).

Mortuary practices consist of flexed inhumations which are often accompanied by grave goods of milling stones and other artifacts. This seems to represent a more sedentary lifestyle with a subsistence economy based upon the use of a broad variety of terrestrial resources than identified during the Paleoindian Period. Research indicates that residential bases or camps were moved in a seasonal round (de Barros 1996, Mason 1997, Koerper 2002), with some sites occupied year-round, with portions of the village population leaving at certain times of the year to exploit seasonally available resources.

During this lengthy period very little technological changes are identified within the archaeological record until approximately 5,000 years ago when there was an increase in sedimentation along the coast. This transformed the estuaries into shallow wetlands, closed several of the lagoons, transformed the coastal areas into sand and mudflats, and limited the kelp forests, causing the coastal region to have a lower level of subsistence resources than in the past. During this time the deserts became more arid, and there was an increase in use of the inland valleys within the vicinity of the Project Area (Byrd and Raab 2007, Gallegos 2007, Masters and Aiello 2007).

Early Archaic Period (ca. 9500/8000 to 7000 YBP)

Horne and McDougall (2007) report that there is little archaeological evidence within Riverside County during this period. However, several sites within the region date to the Early Archaic Period. The first consists of a single human burial dating to 7380 ± 300 B.P., which was capped by several large highly shaped metates. The second was a small temporary camp dated by obsidian hydration data and stratigraphic information to the Early Archaic Period (Horne and McDougall 2007:19). An additional site within Riverside County, SDI-6069, within the San Jacinto Valley area was identified in an alluvial fan just above the floor of the San Jacinto Valley. The site contains several different cultural occupations, and the lowest level contained radiocarbon dates from 7940 to 8370 B.P., while radiocarbon from the upper component of the site dated to 2230 B.P., within the Late Archaic Period (Horne and McDougall 2007:19). An additional site, SDI-2798/H, known as the Lake Elsinore site, contained one radiocarbon date from 8400 ± 60 B.P. Additional radiocarbon dates show habitation of the site during the Middle Archaic Period as well (Horne and McDougall 2007:19).

Artifacts associated with these Early Archaic Period sites include flaked stone tools and ground stone tools. Data recovery excavation within SDI-6069 identified a larger variety of artifact types including an extensive variety of flaked and ground stone tools, marine and terrestrial faunal remains, and bone and shell tools and ornaments. Crescents have also been found sparsely during this period.

Overall evidence of Early Archaic Period habitations in the vicinity of the Project area are scarce, identifying that during this period the region around the Project area was likely too arid to support sedentary residential occupation, and the few sites dating to this time period with evidence of a larger habitation area were found near large inland water sources (Horne and McDougall 2007:19).

Middle Archaic Period (ca. 7000 to 4000 YBP)

During the Middle Archaic Period environmental conditions changed as the deserts became more arid and the coastal estuaries became less productive for shellfish and other food sources, causing a depopulation along the coastal zone, and settlements shifted to inland river valleys with an intensification of terrestrial game and plant resources (Byrd and Raab 2007, Gallegos 2007, Masters and Aiello 2007). Gallegos states that during this period to adapt to the changing environmental condition people changed their settlement patterns by increasing their use of plant and terrestrial animal use, which is evidence in the archaeological record through an increase in habitation areas near oak and grassland resources and away from the coastal zone (Gallegos 2007). Therefore, the inland valleys of western Riverside County became a more hospitable environment and there is a significantly larger number of archaeological sites dating to this period within the vicinity of the Project area (Horne and McDougall 2007).

The archaeological record dating to the Middle Archaic Period has identified several intensively used residential bases, and numerous temporary camps. Diagnostic artifacts include Pinto and Silver Lake projectile points and other large leaf-shaped projectile points, choppers, crescents, large drills, manos and metates inhumations, and a variety of flaked and groundstone tools. Additional non-utilitarian items include beads, pendants, charmstones, discoidals, spherical stones, and cogged stones (Horne and McDougall 2007). During this period, it is largely unknown if occupations of inland and coastal sites represent seasonal movement by the same groups of people, or if coastal sites represent a more permanent occupation, while inland groups followed a more mobile subsistence round.

Late Archaic Period (ca. 4000 to 1500 YBP)

The Late Archaic Period corresponds to a period of increased moisture in Southern California, followed by another dry period. This period is also referred to as the Intermediate Period by Wallace (1955) and the Campbell Tradition (Warren 1968). Horne and McDougall (2007) report that archaeological site types during this period range from residential bases with large diverse artifact assemblages, abundant faunal remains and cultural features to temporary bases, camps and task specific activity areas. More intensely used archaeological sites from the Late Archaic Period are often found adjacent to permanent water sources while smaller or temporary sites are found on upland benches or adjacent to alluvial fans (2007:23). In contrast to the Early and Middle Archaic Periods, archaeological sites from the Late Archaic Period show a longer and more frequent reuse suggesting an increase in sedentism. Generally, the artifact assemblage is similar to the Early and Middle Archaic Period, focusing on large projectile points, used for spears and atlatls, and ground stone items. However, projectile points became more refined, such as notched points, points with concave bases, and small stemmed points. Greater use of the mortar and pestle suggest that acorns became a more important food source. There was also an increase in broad leaf-shaped blades, bone and antler tools and use of asphaltum and steatite (Horne and McDougall 2007:24). In general, through the Archaic Period the archaeological evidence and artifact assemblages remain similar, but become more elaborate over time, possibly implying an increase in sedentism, an increase in subsistence efficiency, and/or an increase in sociopolitical complexity (Horne and McDougall 2007:24).

Little is known about the transition from the Archaic Period to the Late Prehistoric Period. Laylander reports that there is a relative scarcity of dates within archaeological sites from the period between 1300 B.C. to

A.D. 200, but it is unknown if this represents a decline in population during the end of the Archaic Period, or a bias in research data (Laylander 2014a).

During the end of the Late Archaic Period several researchers have identified an intermediate period, however it is largely unknown if this period is representative of the cultural change between the Milling Stone Period and the Late Prehistoric Period over time, adaptation to changing environmental conditions, or a distinct culture (Horne and McDougall 2007, SWCA 2018). This intermediate period roughly corresponds to the Medieval Warm Period which caused drought and warmer temperatures across the western United States. Archaeological evidence during this period supports a greater reliance on acorns as a food staple. Other changes include an influx of archaeological sites at reliable water sources such as the Colorado River and Lake Cahuilla.

Late Holocene Period /Late Prehistoric Period (1500 to 150 YBP)

There are differing opinions between researchers as to whether the shift to the Late Prehistoric Period was caused by new technologies developed by people already living in the area, spurred by changing environmental conditions, or if it was brought in by a migration of people into Southern California. Archaeological and anthropological evidence suggests that at approximately 1500 to 1,350 YBP, Takic speaking (speakers of Uto-Aztecan languages) groups from the Great Basin region moved into Riverside County, marking the transition to the Late Prehistoric Period, known as the Shoshonean Wedge (Byrd and Raab 2007, Gallegos 2017). An analysis of the Takic expansion by Sutton (2009) indicates that inland southern California was occupied by "proto-Yuman" populations before 1,000 YBP. The comprehensive, multi-phase model offered by Sutton (2009) uses linguistic, ethnographic, archaeological, and biological data to propose that Takic speaking groups moved south and east from the Los Angeles Basin. They then diffused south into Orange County and northern San Diego County, inland up the San Luis Rey River into the Palomar Mountain area and north into interior southern California around 1,250 YBP. In addition, during this period Lake Cahuilla began to receded, and the large populations of people living along the lake shores transitioned into the Colorado River basin to the east or the inland valleys to the west. The Late Prehistoric Period is identified as a continuation of the cultural practices that were present during the initial Euro-American exploration of Southern California and that were recorded during the Ethno-Historic Period (Byrd and Raab 2007).

The Late Prehistoric Period is defined by the introduction of the bow and arrow after approximately A.D. 500 and by A.D. 1000 ceramic vessels begin to appear at some sites (Meighan 1954, Warren 1961). Also, during this time mortuary practices changed from inhumations to cremations. It is thought that this practice came from the north or east, and it is unknown if the transition from inhumations to cremations was adopted for religious or population reasons, or to control the spread of disease (Byrd and Raab 2007, Lightfoot and Parrish 2009, Gallegos 2017). Other hallmarks of the Late Prehistoric Period include an increase in the reliance on plant food sources, small projectile points, increase use of mortars and pestles, the use of obsidian from the Obsidian Butte source and overall an increase in the complexity and diversity of material cultural (SWCA 2018).

Many of the Late Prehistoric Period archaeological sites are located inland and contain bedrock milling features, thought to relate to acorn or other seed processing. People lived in larger coastal and lower valley villages, that were located near permanent water sources. These villages acted as ceremonial and political centers, and may have been occupied, at least partially, year-round. Smaller villages and residential areas were inhabited seasonally and were located near subsistence resources or were used for specialized activities, especially in inland areas (Byrd and Raab 2007, Lightfoot and Parrish 2009). This may have led to an increase in community size, longer stays at the major residences and different societal organization.

Archaeological remains have identified over four dozen plant types were used in Southern California during this period (Byrd and Raab 2007). Grass seeds had the highest frequencies of use with a gradual increase in acorn usage (Hale 2009). Little is known about plant cultivation during the Late Holocene. There is evidence that a high number of plants that follow fires were used, but no major research projects have focused on proto-agriculture. Early Spanish accounts identify that the Native Americans were practicing cultivation of certain plants through burning and water diversion (Gallegos 2017). Agriculture was in use along the Colorado River, east of the Project Area as early as A.D. 700 (Schaefer and Laylander 2007).

Changes in lithic artifacts show a greater number of small, finely chipped projectile points, usually stemless with convex or concave bases, suggesting an increased utilization of the bow and arrow rather than the atlatl and dart for hunting. Common lithic materials for formed tools, primarily projectile points include chert, jasper, agate, silicified wood, rhyolite, wonderstone, quartz, obsidian from Obsidian Butte, and Santiago Peak metavolcanics (Shackley 2004, Lightfoot and Parrish 2009). Other items include steatite cooking vessels and containers, the increased presence of smaller bone and shell circular fishhooks, perforated stones, arrow shaft straighteners made of steatite, a variety of bone tools, and personal ornaments made from shell, bone, and stone. There is also an increased use of asphalt for waterproofing and as an adhesive (SWCA 2018).

During the Late Prehistoric Period villages acted as ceremonial and political centers, and may have been occupied, at least partially, year-round. Smaller residential areas were inhabited seasonally and were located near subsistence resources or were used for specialized activities, especially in inland areas (Byrd and Raab 2007, Lightfoot 2009). This may have led to an increase in community size, longer stays at the major residences and different societal organization. Most of the rock art in Riverside County, as in the rest of Southern California has been attributed to the Late Prehistoric Period. Ceramic use included a variety of vessel types as well as clay smoking pipes. While ceramic use is present in the Lake Cahuilla region as early as 800 YBP and there were at least five ceramic types present in the desert (Shackley 2004), it is not present in the vicinity of the Project area until circa 350 YBP (Horne and McDougall 2007, Schaefer and Laylander 2007). Ceramic types consisted of brownwares, graywares, and buffwares.

ETHNOHISTORIC PERIOD

The Late Prehistoric period essentially ended with the Spanish colonization and establishment of the missions. Disease and forced relocation, which reduced the populations considerably among the coastal settlements, did much to destroy the cultural pattern established at that period (Bean and Shipek 1978). The Late Prehistoric culture pattern appears to have lasted longer among the inland groups. Even after the missions were secularized in 1834, some inland groups were able to maintain most of their traditional orientation until the arrival of the settlers from 1859-1879, when most of the groups were displaced or dispersed (Bean and Shipek 1978). During the Ethnohistoric period, the Project area was a shared-use area and home to two closely related Takic-speaking groups: the Cahuilla and the Luiseño/Juaneño. Settlement patterns for both groups were essentially very similar with settlements typically located within valley bottoms, along streams, or along coastal strands near mountain ranges. Villages were often located in sheltered areas near good water supplies, in a defensive location, or on the side of warm thermal zone slopes.

Within the region, the diverse ecological zones provided a wide array of subsistence products. Principal game animals included deer, rabbit, jackrabbit, woodrat, mice, ground squirrels, antelope, valley and mountain quail, doves, ducks, and other birds. Coastal game included sea mammals, fish, mollusks, and crustaceans. Fresh-water game included trout and other local fish (Bean and Shipek 1978, Kroeber 1925). Of high importance were acorns, and village locations were typically located near water sources for use in acorn leeching. Grass seeds were the next most ample resource, in addition to manzanita, sunflower, chia, sage, lemonade berry, prickly pear, and pine nuts. Fire was used as a crop management technique as well

as for community rabbit drives. Tools for the acquisition, storage, or preparation of food were highly varied and constructed from locally derived materials, with a few items acquired via trade from specific localities (Bean 1978). Hunting activities used either individual or group participation, using bows and arrows for larger game or curved throwing sticks, slings, traps, or pit type deadfalls for smaller animals. Cremations were used in each group rather than inhumations. While culturally the groups shared similarities with may parts of their culture the Cahuilla differed from the Luiseño/Juaneño in that their religion was more like the Mohave tribes of the eastern deserts than the Chingichngish cult of the Luiseño/Juaneño. Overall, the archaeological record between the three groups is very similar.

Cahuilla

The Cahuilla traditional use area included the San Bernardino Mountains, Orocopia Mountains, and the Chocolate Mountains to the east, the Salton Sea and Borrego Springs to the south, the eastern slopes of Palomar Mountain and Lake Mathews to the west, and the Santa Ana River to the north (Bean 1978, Kroeber 1908). The Cahuilla traditionally inhabited areas from the desert and valley floors to the mountain areas, which included drastically different environmental areas and resources. The Project area is located along the western boundary of what would have been the Cahuilla traditional use area. Living inland, the Cahuilla had minimal contact with the Spaniards and were not as influenced to the extent that the coastal groups were, although the Asistencia at San Bernardino in 1819 did have several Cahuilla within their register.

Subsistence practices were similar to the Luiseño, with a focus on hunting medium and small game, such as rabbits, with bow and arrow. At least six kinds of acorns, mesquite, screw beans, piñon nuts, cacti, variety of seeds, wild fruits and berries and succulents were collected. Granaries were used to store items such as acorns and mesquite beans. Additional plants were used for medicine and construction materials. Within the desert region the Cahuilla practiced proto-agriculture with the cultivation of corn, beans, squashes, and melons (Bean 1978).

Baskets were used for a variety of purposes and forms primarily for food production and storage. Ceramic pottery, was generally a redware with five main vessel types: small mouthed jars, cooking pots, open bowls, dishes, and pipes (Bean 1978).

The Cahuilla were organized into two major groups of patrilineal, totemic clans: the Wildcats and the Coyotes (Bean 1978, Gifford 1918). Within the clans, either an entire clan, or family groups had ownership over important resources, such as mesquite or agave areas. Members of the clan could split into smaller family groups during certain times of the year and come together for resource collection or defense. The acorn collecting season caused the most dispersal outside of villages and family groups left for several weeks to collect at various acorn groves (Bean 1978). Within Cahuilla villages structures ranged from brush shelters to dome shaped and rectangular houses.

In the mid-1800s the Cahuilla began to be more directly affected by European-American migrants moving into the area in response to the California Gold Rush. In addition, a smallpox epidemic in 1863 took a large toll on the native population (Hooper 1920:340).

Luiseño/Juaneño

The traditional use area of the Luiseño encompassed about 1,500 square miles and extended in a north-northeasterly direction from Agua Hedondia Lagoon, to Aliso Creek and, to the east, included what are today known as Oceanside, Vista, San Marcos, Escondido, Palomar Mountain, the Gujieto, a portion of Valle de San Jose, north to Soboba and Temescal (Bean and Shipek 1978, Sparkman 1908, White 1962). The Luiseño was designated based on their associate with the Mission San Luis Rey, while the Juaneño are associated with the Mission San Juan Capistrano, however Bean and Shipek (1978) state that the Luiseño

and Juaneño are ethnologically and linguistically similar and that the distinction is based on the influence of the mission system. The Project area is adjacent to the northern boundary of the Luiseño/Juaneño traditional territory.

While the Luiseño along with the Cahuilla were Takic-speaking, and had similar social structures Bean and Shipek (1978) argue that the Luiseño social structure was more rigid due to their greater population density. The Luiseño lived in sedentary and autonomous villages located near reliable water sources and high resource areas. Each village contained named places associated with food products, raw materials, or sacred beings (Bean and Shipek 1978) Named places were owned by either an individual, a family, a chief, or the collective group. Group economic activities were restricted to areas owned by the village, whereas familial gatherings were limited to family-owned areas, unless given express permission to hold such gatherings in areas other than their own (Bean and Shipek 1978). The concept of private property was important, and trespassing upon private areas was punished severely. A Luiseño ritual and ceremonial specialist maintained the knowledge of the various ceremonies and passed on the knowledge to only one heir. Such ceremonies included funerals and clothes burning ceremonies. The decimation of the population after European contact, without doubt, caused the loss of some spiritual specialists. Additionally, the reservation system interrupted the social organization and settlement patterns (Bean and Shipek 1978, Shipek 1986).

Settlements were typically located within valley bottoms, along streams, or along coastal strands near mountain ranges. Villages were often located in sheltered areas near good water supplies, in a defensive location, or on the side of warm thermal zone slopes. Each village contained named places associated with food products, raw materials, or sacred beings (Bean and Shipek 1978). Named places were owned by either an individual, a family, a chief, or the collective group. Group economic activities were restricted to areas owned by the village as a whole, whereas familial gatherings were limited to family-owned areas, unless given express permission to hold such gatherings in areas other than their own (Bean and Shipek 1978). The concept of private property was important to the Luiseño, and trespassing upon private areas was punished severely. Private property also included houses, capital equipment, treasure goods and ritual equipment, trade and ceremonial beads, eagle nests, songs, and other nonmaterial possessions. Privately owned property was either inherited patrilineally or transferred to another owner (Sparkman 1908, Bean and Shipek 1978).

The diverse ecological zones within the Luiseño territory provided a wide array of subsistence products. Principal game animals included deer, rabbit, jackrabbit, woodrat, mice, ground squirrels, antelope, valley and mountain quail, doves, ducks, and other birds. (Gifford 1918, Sparkman 1908, Bean and Shipek 1978). The most important gathered resource were acorns, and village locations were typically located near water sources for use in acorn leeching. Grass seeds were the next most abundant resource, in addition to manzanita, sunflower, chia, sage, lemonade berry, prickly pear, and pine nuts. Fire was used as a crop management technique as well as for community rabbit drives. Tools for the acquisition, storage, or preparation of food were highly varied and constructed from locally derived materials, with a few items acquired via trade from specific localities (steatite bowls from Santa Catalina Island, obsidian blanks or tools from either eastern or northern neighbors) (Bean and Shipek 1978). Hunting activities used either individual or group participation, using bows and arrows for larger game or curved throwing sticks, slings, traps, or pit type deadfalls for smaller animals.

3. HISTORIC CONTEXT

Riverside County history can be divided into three periods: the Spanish, Mexican and American periods.

SPANISH PERIOD (1769-1822)

Along the coast of California, Spanish explorers began making expeditions between the mid-1500s and 1700s. In 1769, the King of Spain directed the Franciscan Order to direct religious and colonization matters in assigned territories of the Americas. Captain Gaspar de Portolá, 64 soldiers, missionaries, Baja (lower) California Native Americans, and Mexican civilians, established the Presidio of San Diego, a fortified military outpost, as the first Spanish settlement in Alta California. In July of 1769, while Portolá was exploring southern California, Franciscan Fr. Junípero Serra founded Mission San Diego de Alcalá at Presidio Hill, the first of the 21 missions that would be established in Alta California by the Spanish and the Franciscan Order between 1769 and 1823. In 1771 the Mission San Gabriel Archangel was established and in 1776 Mission San Juan Capistrano was established. The mission of San Luis Rey de Francia was established in 1798 four miles up the San Luis Rey river from the coast and in 1816, an outpost of San Luis Rey was established at Pala, 20 miles upriver. An additional outpost, the San Bernardino estancia was established in 1819.

A Spanish expedition led by Pedro Fages in 1772 was the first European group to travel in the vicinity of the Project area. Looking for deserters from the military post in San Diego, Fages crossed into the San Bernardino Valley from the southeast, crossing the Santa Ana River, then heading north through the Cajon Pass and into the Mojave Desert (Hampson et al. 1988). In 1774, Juan Bautista de Anza led an expedition into California and traversed the San Jacinto Valley, camping in the San Jacinto River Valley for water, and then heading west away from the river through Bernasconi Pass near present-day Lakeview. He went on through Moreno Valley near March Air Reserve Base, then headed into the Santa Ana River Valley near the present site of the City of Riverside. His expedition opened an overland travel route from Sonora in the Mexican interior to Monterey in California. In 1797 Spanish Padre Juan Santiago, explored the vicinity of the Project area, heading east from Mission San Juan Capistrano.

MEXICAN PERIOD (1821-1846)

After years of sporadic rebellion and warfare, New Spain (Mexico and the California territory) won independence from Spain in 1821 marking the beginning of the Mexican Period. As the ports in California were opened to foreign ships the population near the coast grew. However, the inland valleys remained largely vacant of European settlers except for use as grazing lands for cattle. During the Mexican Period the cattle industry grew in importance to become the leading industry in the region and the central focus of the Califoriño culture. The Mexican Government continued the land grant system first began by Spain and granted several land grants as part of the ranch system. The Project area is near the eastern boundary of the land grant for the Rancho La Laguna. Rancho La Laguna was first granted in 1844 (City of Lake Elsinore 2011).

The Mexican government secularized the California missions in 1833, and much of the mission lands were included in the land grants. The Native Americans which had been captured as part of the mission system became eligible for Mexican citizenship, however this period continued the physical and cultural decline of the Native American population (Heizer 1978). At their peak, the 21 California missions controlled approximately 74,000 neophytes (Bolton 1917). By 1834, the year before secularization took the institution from the missionaries, only 17,000 natives remained within their domain (Heizer 1978, Monroy 1990).

AMERICAN PERIOD (1848-PRESENT)

The signing of the Treaty of Guadalupe Hidalgo in 1848, ended the Mexican American War and marks the beginning of the American period, when California became a territory of the United States. California became the 31st state in 1850 and within three years the population of California had increased to more than 300,000.

Cattle continued to dominate the southern California economy through the 1850s as a source of hides but for the more than 90,000 new residents lured to California by the Gold Rush beginning in 1848, cattle were now an important source of meat and other supplies. Cattle were at first driven along major trails or roads such as the Gila Trail or Southern Overland Trail, then were transported by trains where available. The cattle boom ended for southern California as neighbor states and territories drove herds to northern California at reduced prices (Cleland 2005). During this period Rancho La Laguna changed hands several times, and an adobe house was constructed within the land grant which became the first postal service in the vicinity (City of Lake Elsinore 2011).

In Southern California, the floods of 1861-1862 followed by drought in 1863 and 1864 decimated the cattle industry and the large rancho owners who were "land rich and cash poor" began to sell off portions of their grants to satisfy debts (Guinn 1907). It was at this time that the new residents, mainly farmers, began experimental plantings to determine what their newly acquired land was best suited for within the vicinity of the Project area. In 1866 California Legislature passed an act that authorized payment of 250 for every 5000 mulberry trees that were at least two years old and 300 for every 100,000 cocoons produced. Tens of millions mulberry trees were planted, and the State treasury went almost bankrupt paying the incentives. By the end of the 1860's, the silk craze had waned and the State canceled the payments for tree planting and cocoons (Guinn 1907). After several other agricultural experiments, it was found that oranges were the most suitable crop for the area. Although the first orange trees in Riverside County were planted in 1871, the citrus industry really took off two years later when Eliza Tibbets received two Brazilian navel orange trees sent to her by a friend at the Department of Agriculture in Washington. The trees thrived in the Southern California climate and the navel orange industry grew rapidly. The citrus industry expanded in the region and spurred irrigation projects further expanding usable land and encouraging additional development.

On March 11, 1893, Riverside County was formed from an approximately 6,500 square miles of San Diego County and 560 square miles of San Bernardino County (Holmes 1912). Riverside County was formed primarily over political and tax issues between residents in San Bernardino and Riverside, and the displeasure of residents in the Temecula Valley area being too great a distance from the County seat in San Diego.

History of the Lake Elsinore Area

The Lake Elsinore region began its development in 1883 with the emergence of the railroad, which brought a steady flow of settlers and prospectors into the area. By 1884, the community of Lake Elsinore had been created and the newly developing town had established a school and post office (Hudson 1978). In 1888, the community was officially recognized as the City of Lake Elsinore and continued to expand during the following years due to a mining boom encompassing the areas surrounding Elsinore and the nearby town of Perris (City of Lake Elsinore 2011). The expansion of the city was slowed considerably during the Great Depression, at which time the only new expansion for the City was the completion of a new post office in 1932 (Hudson 1978). During the Great Depression and the following economic recovery, The Good Hope Mine was the most prosperous mine, producing over $2 million worth of gold. Additional materials mined during this time included tin ore, clay, coal, and asbestos (Hudson 1978). As Lake Elsinore grew from the

mining boom, new streams of revenue from tourism also propelled the City's progress and development. Tourists flocked to the area by way of the Ortega highway, which opened in 1932, as well as the airport. Tourism in the area attracted boaters, auto racing enthusiasts, and vacationers staying in the nearby lakefront resorts (Hudson 1978). The Crescent Bathhouse, one of Lake Elsinore's earliest attractions, was constructed in 1923 and was known as a hotspot for Hollywood starts including Will Rodgers. On July 30, 1975, the Crescent Bathhouse was declared a National Historic Place (Hudson 1978).

4. RESEARCH DESIGN

The Phase I cultural resource study was a systematic, intensive, non-sampling, non-collecting survey. The primary objectives with respect to prehistoric and historic archaeological resources are straightforward: to identify and document all of the resources that are detectable through surface observations. For the research design, the field requirements are (1) that survey coverage include all portions of the study area that can safely be covered and that offer some realistic prospects for containing identifiable resources (excluding, for instance, areas with very steep slopes, flooded areas, areas with no ground surface visibility, or areas where modern construction has destroyed or buried the natural ground surface), and (2) that the spatial extent and general character of any identified resources be documented according to the prevailing professional standards.

5. METHODS

Methods used to assess the presence or absence of cultural resources within the Project area included a search of existing records, archival research, and an intensive pedestrian archaeological field survey.

ARCHIVAL RESEARCH

The records search at the EIC was requested on January 21, 2021 and received on February 12, 2021, the results are included in confidential Appendix B. The search included the Project area and a radius of one-mi. around it. It included a review of all records for historic and prehistoric archaeological sites, as well as a review of all known cultural resource reports within a 1-mi. radius of the Project area, in addition to a review of the NRHP.

A record search of the Sacred Lands File held by the NAHC was requested on January 21, 2021 (Appendix C). The record search of the SLF held by the NAHC was negative and contact information for twenty-seven Native American groups and individuals were included by the NAHC for additional information. Red Tail sent the 27 individuals and groups letters requesting any additional information relevant to the project on February 8, 2021.

Historic aerial photographs and maps, provided by historicaerials.com and USGS Historical Topographic Map Explorer, of the Project area were examined.

FIELD SURVEY

The field survey was conducted on February 3, 2021 by Red Tail archaeologist Spencer Bietz. Field methods consisted of a pedestrian survey of the Project area by the archaeologist in transects spaced at 10-m intervals. The survey transects were aligned in cardinal directions in order to survey the maximum amount of visible area. Special attention was given to visible soils in areas devoid of vegetation or disturbed soils from bioturbation.

The Project area was photographed, and all visible soils were examined for cultural resources. Due to overlying riparian vegetation, ground visibility was poor within the northern and northeastern portions of the project area with less than 25 percent visibility. Several areas were devoid of vegetation and visibility was high in these areas.

Upon discovery of an artifact or feature, the archaeologist would additionally scout the immediate vicinity to determine whether the item was isolated, associated with only a few other items, or part of a larger site deposit. Any isolates and sites were recorded during the transects. Archaeological isolates were distinguished from sites on the basis that isolates consist of three or fewer artifacts within a 50-m radius. All site and isolate locations were recorded in Universal Transverse Mercator (UTM) coordinates using handheld GPS units with sub-meter accuracy. Sites would be plotted on proposed Project maps using NAD 83 UTM feet coordinates. Site information would be recorded on State of California Department of Parks and Recreation (DPR) 523 series forms. While the process of site documentation varies slightly depending on what kinds of artifacts and features were identified, at all sites the spatial boundaries would be delineated, site maps would be drawn, artifacts would be plotted, artifact inventories would be completed, and material types would be noted. All DPR Forms and confidential information included in Confidential Appendix D. All notes and photographs from the study are curated at Red Tail's office.

6. RESULTS

ARCHIVAL RESEARCH RESULTS

EIC Record Search Results

A record search of the Project area and a one-mile record search radius was requested on January 21, 2021 and received on February 12, 2021. The EIC record search results indicated that a total of 56 cultural resources studies have been completed within the 1-mi. record search radius (Table 1). Two of the previously conducted studies intersect the APE.

Table 1. Previously Conducted Studies within 1-Mile of the Project Area

Report Number	Report Date	Report Author(s)	Report Title	Relation to Project Area
RI-00420	1978	Robert M. Laidlaw	Environmental Impact Evaluation: Archaeological Assessment of 33 Acres Near Elsinore, Riverside County, California (Tentative Tract Map 11283)	Outside Project Area
RI-00425	1978	Richard Lando	Environmental Impact Evaluation: Archaeological Assessment of 33 Acres Near Elsinore, Riverside County, California (Tentative Tract Map 11283)	Intersects Project Area
RI-00769	1980	Larry L. Bowles and Jean A. Salpas	An Archaeological Assessment of Tentative Tract 14478 Near Lake Elsinore, Riverside County	Outside Project Area
RI-00928	1980	James D. Swenson	Environmental Impact Evaluation: Archaeological Assessment of Tentative Parcel 15186, East of Warm Springs Valley, Riverside County, California	Outside Project Area
RI-00929	1980	James D. Swenson	Environmental Impact Evaluation: An Archaeological Assessment of Tentative Parcel 15184, East of Warm Springs Valley, Riverside, California	Outside Project Area
RI-00930	1980	James D. Swenson	Environmental Impact Evaluation: An Archaeological Assessment of Tentative Parcel 15185, East of Warm Springs Valley, Riverside County, California	Outside Project Area
RI-00931	1980	James D. Swenson	Environmental Impact Evaluation: An Archaeological Assessment of Tentative Parcel 15187, East of Warm Springs Valley, Riverside County, California	Outside Project Area
RI-01013	1978	Stephen R. Hammond	Cultural Resources Survey of Two Materials Sources, Murrieta Creek and the Joe Deleo, Jr. Property, Riverside County, California	Outside Project Area
RI-01705	1981	Schroth, Adella	Archaeological Assessment of Ramsgate Project, Elsinore, Riverside County, California	Outside Project Area
RI-01837	1984	Stephen Bouscaren and Daniel McCarthy	An Archaeological Assessment of the Proposed Devers-Valley 500 KV Transmission Line and Corridor and the Proposed Valley-Auld-Skylark 115 KV T/L Corridor, Riverside County, California	Outside Project Area
RI-02027	1986	Brock, James	Archaeological Assessment of the Eda Grant Project Areas, City of Lake Elsinore	Outside Project Area
RI-02311	1987	Whitney-Desautels, Nancy	Archaeological Assessment Form: North Elsinore Mobile Home Park	Outside Project Area
RI-02312	1988	Parr, Robert E.	An Archaeological Assessment of 20 Acres of Land (Assessor's Parcel 347-28-10) Located Near Lake Elsinore In Riverside County, California	Outside Project Area
RI-02351	1987	Drover, C.E.	An Archaeological Assessment of the Biddle Property Feasibility Study Temescal Canyon, Riverside County, California	Outside Project Area
RI-02411	1988	Blodgett, Leslie M.	Archaeological Resources Assessment - Archival Record Search and Field Survey of the 40 Acre T-Frame Property in Lake Elsinore, Riverside County California	Outside Project Area
RI-02626	1989	De Munck, Victor	An Archaeological Assessment of the Elsinore Outlet Channel Tributaries Located in the Lake Elsinore Area of Riverside County, California.	Outside Project Area
RI-02627	1989	Brown, Joan C.	Cultural Resources Reconnaissance for the Pacific West Outlet Center, Lake Elsinore, Riverside County, California.	Outside Project Area
RI-02672	1989	Scientific Resource Surveys	Archaeological Survey Report North Lake Elsinore Hills, County of Riverside, California.	Outside Project Area

Report Number	Report Date	Report Author(s)	Report Title	Relation to Project Area
RI-02702	1990	Scientific Resource Surveys	Archaeological Survey Report Elsinore Bluffs Project County of Riverside, California.	Outside Project Area
RI-02703	1990	Scientific Resource Surveys	Archaeological Survey Report Tentative Tract 25487 County of Riverside, California.	Outside Project Area
RI-02839	1990	White, Robert S.	An Archaeological Assessment of Tt 25831, A 50+ Acre Parcel Located Near Warm Springs Valley, Lake Elsinore, Riverside County, California	Outside Project Area
RI-03257	1990	White, Robert S.	An Archaeological Assessment of a 7.76-Acre Parcel Located at 18938 Nichols Road in the Warm Springs Area of Lake Elsinore, Riverside County	Outside Project Area
RI-03295	1991	Keller, Jean	An Archaeological Assessment of Environmental Assessment 35577, 9.31 Acres of Land Near Elsinore, Riverside County, California, USGS Lake Elsinore, California Quadrangle, 7.5' Series	Outside Project Area
RI-03311	1990	Evans, Stuart A.	Cultural Resources Reconnaissance of Project Number 533-0769-78, 27 Acres in Elsinore, Riverside County, California	Outside Project Area
RI-03376	1989	Wade, Sue A. and Susan Hector	A Cultural Resource Survey of the Proposed Rancho-Temecula Effluent Pipeline from Temecula to Warm Springs in the Elsinore Valley with Additional Consideration of the Surface Water Discharge into Temescal Wash	Outside Project Area
RI-03875	1990	Crownover, Scott, Jane Rosenthal, Jason Marmor, and Beth Padon	Cultural Resource Assessment, North Peak Project, Riverside County, California	Outside Project Area
RI-04144	1998	Love, Bruce and Bai "Tom" Tang	Cultural Resources Report: Temescal Valley Regional Interceptor, Santa Ana Watershed Project Authority, Riverside County, California	Outside Project Area
RI-04403	1993	Romani, John	Archaeological Survey Report for the Proposed Widening of Route 74 From Seventh Street to the I-15 Freeway, Riverside County, Ca.	Outside Project Area
RI-04421	1990	LSA Associates, Inc.	Appendix B-Cultural Resources. In: Measure A Program Project Alternatives Analysis-Environmental Component, Technical Appendix Volume I	Outside Project Area
RI-04686	2002	Maxon, Patrick O.	Cultural Resources Inventory of a 50-Acre Parcel for the Clurman Company Project, City of Lake Elsinore, Riverside County, California	Outside Project Area
RI-04875	2004	Brady, Jon L. and John L. R. Whitehouse	Archaeological Survey Report for the Lake Elsinore Square Project, Riverside County, California	Outside Project Area
RI-05038	2005	Mckenna et al.	Letter Report: El Torro Road Pipeline Replacement Project, Lake Elsinore, Riverside County, California	Outside Project Area
RI-05321	2004	Goodwin, Riordan	Cultural Resource Assessment, Central Avenue Parcels (APNS 377- 120-007 And -008) City of Lake Elsinore, Riverside County, California	Outside Project Area
RI-05324	2002	Mclean, Deborah	First Supplemental Historic Property Survey Report-Negative Findings	Outside Project Area
RI-05680	2004	Lorna, Billat	Letter Report: Proposed Cellular Tower Project in Riverside County, California, Site Name/Number: CA-7294/ Collier	Outside Project Area
RI-06228	2004	Tang, Bai, Michael Hogan, Casey Tibbet, and Josh Smallwood	Historical/Archaeological Resources Survey Report, in and Near the City of Lake Elsinore, Riverside County, California	Outside Project Area
RI-06888	2006	Lerch, Michael K. and Gray, Marlesa A.	Cultural Resources Assessment of the Valley-Ivyglen Transmission Line Project, Riverside County, California	Intersects Project Area
RI-06987	2006	Glenn, Brian K.	Letter Report: Due Diligence Cultural Resources Assessment Letter Report for Approximately 4.27-acre Central and Dexter Project Area, City of Lake Ellsinore, County of Riverside, California	Outside Project Area
RI-07342	2007	Iverson, Dave	Letter Report: Cultural Resources Study for the Caliber Commercial Project (Crossroads), City of Lake Elsinore, Riverside County, California	Outside Project Area
RI-07664	2005	Smith, B.	A Cultural Resources Survey for the Central Self Storage Project	Outside Project Area

Report Number	Report Date	Report Author(s)	Report Title	Relation to Project Area
RI-07784	2008	Bonner, Wayne H. and Marnie Aislin-Kay	Letter Report: Cultural Resource Records Search and Site Visit Results For Sprint Nextel Telecommunications Candidate Rv80xc105b (Centex Water Tank), 222 Crimson Pillar Lane, Lake Elsinore, Riverside County, California	Outside Project Area
RI-08485	2009	Kurt Heidelberg	Archaeological Survey for Southern California Edison's Service Pole Installations in Temecula, Murrieta, and Lake Elsinore, Riverside County, California	Outside Project Area
RI-08810	2011	Wayne H. Bonner	Letter Report: Cultural Resources Records Search and Site Visit Results for T-Mobile USA Candidate IE24308-B	Outside Project Area
RI-09105	2014	-	Tractor Supply CO. Project (Commercial Design Review No. 2014-01& Conditional Use Permit No. 2014-01) Initial Study for Mitigated Negative Declaration No. 2014-01	Outside Project Area
RI-09188	2013	Don C. Perez	Cultural Resources Survey CLV2711 39423 Ardenwood Way Lake Elsinore, Riverside County, California 92532 EBI Project No. 61132304	Outside Project Area
RI-09253	2014	Matthew Gonzalez	Lake Elsinore Walmart Project, City of Lake Elsinore, Riverside County, California Phase I Cultural Resources Study	Outside Project Area
RI-09377	2014	Roberta Thomas	Cultural Resource Monitoring Report for the Arroyo del Toro Channel Project, Lake Elsinore, Riverside County, California	Outside Project Area
RI-09521	2014	David Brunzell	Cultural Resources Assessment of the Hammack Project, Lake Elsinore, Riverside County, California (BCR Consulting Project No. TRF 1417)	Outside Project Area
RI-09522	2010	David Brunzell	Phase I Cultural Resources Assessment Assessor Parcel Numbers 347-130-007-3 and 347-130-006-2 Unincorporated Riverside County, California	Outside Project Area
RI-09548	2016	Elisa Bechtel, M Litt, and Riordan Goodwin	Cultural Resources Assessment Central Plaza Project Assessor's Parcel Numbers 377-080-014, 031, 032, 033, & 034 City of Lake Elsinore, Riverside County, California	Outside Project Area
RI-09615	2014	Gregory Greenberg	Cultural Resources Survey, CLV2711 39423 Ardenwood Way Lake Elsinore, Riverside County, California 92532 SE 1/4 SW 1/4 S29 T05S R04W	Outside Project Area
RI-09746	2013	Jason Andrew Miller	Cultural Resources Survey Report Addendum Valley-Ivy Glenn 115kV Transmission Line Project Southern California Edison Riverside County, California	Outside Project Area
RI-10111	2017	David Brunzell	Cultural Resources Assessment Third Street Storm Drain Project Lake Elsinore Riverside County California	Outside Project Area
RI-10371	2018	Mary Robbins-Wade	Cultural Resources Survey for the Honda Lake Elsinore Project, Cultural Resources Inventory	Outside Project Area
RI-10403	2018	Jillian L. Hahnlen and Brian F. Smith	A Phase I and II Cultural Resources Assessment for the Nichols Ranch Specific Plan Project	Outside Project Area
RI-10410	2018	Sarah A. Williams	Cultural Resource Records Search and Site Visit Results for AT&T Mobility, LLC Candidate CLV2711 (Rosetta Canyon Park), 39423 Ardenwood Way, Lake Elsinore, Riverside County, California (EBI Project #6118001366)	Outside Project Area

The EIC records search also indicated that seventeen (17) previously recorded resources were located within one mile of the Project Area (Table 2). One previously recorded resource, P-33-000641/CA-RIV-641, was identified within the Project Area limits. The resource consists of a prehistoric site containing four grinding slicks upon 3 granite boulders and was originally recorded in 1973 by J. Humbert and S. Hammond. At the time of original recordation, no artifacts or midden were observed upon the surface surrounding the boulders. Additionally, Humbert and Hammond noted that the resource appeared to be likely heavily disturbed or destroyed from proposed future construction for the re-alignment of Highway 74. A follow-up survey in 1978, (recorders unknown) notes that the site was unable to be relocated. No additional updates to the resource have occurred since 1978.

Table 2. Previously Recorded Cultural Resources within 1-Mi. of the APE

Primary Number	Trinomial	Period	Contents	Recorder Date	Evaluation	Relation to the Project Area
P-33-000640	CA-RIV-640	Prehistoric	AP2 Lithic Scatter, AP4 Bedrock Milling Feature	J. Humbert, S. Hammond (1973) Unknown Author (1992)	Unknown	Outside Project Area
P-33-000641	CA-RIV-641	Prehistoric	AP4 Bedrock Milling Feature	J. Humbert, S. Hammond (1973)	Unknown	Within Project Area
P-33-002288	CA-RIV-2288	Prehistoric	AP4 Bedrock Milling Feature	A. Schroth (1981)	Unknown	Outside Project Area
P-33-003832	CA-RIV-3832H	Historic	AH7 Railroad Grade, HP19 Bridge	D. Leonard (2014) R. Hoffman (2011) J. Goodman (2006) J. Goodman, N. Reseburg, W. Jones (2006) K. Blevins, A. Hoover (2005) R. Goodwin (2001) CRM Tech (1996) B. Love (1995) K. Swope, D. Peirce (1990) D. McCarthy (1990)	Unknown	Outside Project Area
P-33-004316	CA-RIV-4316	Prehistoric	AP2 Lithic Scatter, AP4 Bedrock Milling Feature	Crownover, Pallette, Duffield, Holz (1990)	Unknown	Outside Project Area
P-33-008120	CA-RIV-6032	Prehistoric	AP2 Lithic Scatter	R. Cerreto (1997)	Unknown	Outside Project Area
P-33-008912	-	Prehistoric	AP16 Ground Stone Isolate	A. Duffield, S. Crownover, J. Marmor (1990)	Unknown	Outside Project Area
P-33-011216	-	Prehistoric	AP16 Lithic Isolate	L. Blodgett (1989)	Unknown	Outside Project Area
P-33-015359	CA-RIV-8115	Historic	AH2 Foundations/Structure Pads, AH4 Privies/Dumps/Trash Scatters	J. Goodman, D. Cogan, N. Reseburg (2006)	Unknown	Outside Project Area
P-33-015420	CA-RIV-8132H	Historic	HP40 Cemetery	T. Formica (2007)	3S	Outside Project Area
P-33-016218	CA-RIV-8367	Historic	AH4 Privies/Dumps/Trash Scatters	S. O'Neil (2007)	Unknown	Outside Project Area
P-33-017019	-	Historic	HP3 Multiple Family Property	A. Craft, J. Patterson (2007)	6Z	Outside Project Area
P-33-017020	CA-RIV-8861	Historic	AH4 Privies/Dumps/Trash Scatters	A. Craft, J. Patterson (2007)	Unknown	Outside Project Area
P-33-017023	CA-RIV-8863	Historic	AH4 Privies/Dumps/Trash Scatters	A. Craft, J. Patterson (2007)	Unknown	Outside Project Area
P-33-017576	-	Prehistoric	AP16 Ground Stone Isolate	R. Lichtenstein, C. Cisneros (2007)	Unknown	Outside Project Area
P-33-026719	CA-RIV-12591	Historic	AH2 Foundations/Structure Pads	R. Goodwin (2017)	6Z	Outside Project Area
P-33-028017	-	Historic	HP2 Single Family Property	E. Bechtel (2016)	6Z	Outside Project Area

NAHC Record Search Results

A record search of the SLF held by the NAHC was requested on January 21, 2021. The NAHC responded on February 8, 2021 that the record search of the SLF was negative. The NAHC also provided a list of 27 Native American individuals and organizations which may have additional information on the Project area. All correspondence pertaining to the NAHC, is included in Appendix C.

Red Tail sent the 27 individuals and groups letters requesting any additional information relevant to the project on February 8, 2021. To date, three responses have been received. On February 8, 2021 Joyce Stanfield Perry, President, Juaneño Band of Mission Indians, Acjachemen Nation, responded that they yield recommendations and monitoring responsibilities to the Pechanga Band of Luiseno Indians. On February

8, 2021 Jill McCormick, Quechan Historic Preservation Officer responded that they have no comments on the project and defer to more local tribes. On February 9, 2021 Cami Mojado, San Luis Rey Band of Mission Indians responded that they defer to Pechanga or other tribes that may be closer to the Project. No additional responses have been received to date.

To date, no additional responses have been received to date.

Historic Map and Aerial Photograph Research Results

In addition to historical documents requested from the EIC, Red Tail reviewed historic United States Geologic Survey (USGS) topographic maps and aerial photographs. Historical topographic maps were reviewed using USGS Historical Topographic Map Explorer, and aerial imagery was accessed via HistoricalAerials.com, part of NETROnline.com.

The project area is visible on topographic maps dating as early as 1953. Topographic maps from 1953, 1954, and 1970 display areas surrounding the project area as being largely undeveloped. Central Avenue/Highway 74 is fully developed and Conrad Avenue and 8th Street are also present within their modern-day alignments as unpaved roads. One structure is depicted at the north terminus of 8th Street within the three maps. Topographic maps from 1975, 1982, and 1985 depict the surrounding area as remaining mostly undeveloped although several new structures are plotted along Conrad Avenue and 8th Street. Starting in the 1988 topographic map, one structure is plotted as existing within the Project Area and is visible at the same location in the 2000 topographic map. Within the series of maps spanning 1975 and 2000, numerous new commercial and residential developments occur within the surrounding area. Conrad Avenue and 8th Street are upgraded and paved, and several new streets are created. Topographic maps from 2012, 2015, and 2018 show minor additional development within the area surrounding the project location with depicted structures and infrastructure such as streets and highways existing within modern-day locations. The structure depicted as existing within the project area is not plotted in the 2012, 2015, and 2018 topographic maps, however this appears to be due to a change in overall map styling and labelling rather than demolishment of the structure.

Aerial imagery for the project area and surrounding vicinity are available as early as 1967. Imagery from 1967 and 1978 show the project area and the surrounding vicinity as being largely undeveloped except for Central Avenue (existing as a paved thruway), Conrad Avenue and 8th Street (existing as unpaved roads) in addition to several other unpaved roads that connect to Central Avenue. Imagery from 1980, 1994, 2002, 2005, 2009, 2010, 2012, 2014, and 2016 depict several structures as existing within the project area. Development within the surrounding area accelerates during this span of time, with several unpaved roads, including 8th Street and Conrad Avenue, being upgraded and paved, the development of a commercial facility and a single family residence to the north of the project area, and numerous new residential and commercial structures. Aerial imagery from 2005 show additional development surrounding the project area including large grading operations occurring to the north and east. Aerial imagery from 2009, 2010, 2012, 2014, and 2016 show several additional developments within the surrounding vicinity, including the construction of the Ridgestone Apartments and the Rosetta Canyon Sports Park, both located northeast of the project area.

FIELD SURVEY RESULTS

The project area bisects a low-rolling alluvial terrace that is aligned northeast-southwest and is bordered by a small seasonal drainage to the north and by Central Avenue to the south and east. The parcel immediately west of the project area has been previously graded but now appears to lie fallow, displaying evidence of on-going opportunistic dumping activities. The south and eastern edges of the project area border an improved storm drain system that appears to be associated with the development along Central Avenue.

The western parcel, APN 347-130-029, had been previously graded and was mostly devoid of vegetation (Figure 4). The eastern parcel, APN 347-130-028, did not appear to have been previously graded or disturbed except for the southern edge which had been benched, presumably for slope retention (Figure 5). The southern border of the east parcel also contained a low-lying concrete retaining wall/curb which appeared to be modern in construction style (Figure 6). The north and northeastern portions of the Project Area contained a small east-west-trending drainage containing a mix of riparian vegetation, including mulefat and willow, and ornamental vegetation, including eucalyptus trees (Figures 7,8). Ground visibility within the north and northeastern portions of the Project Area were moderate (approximately 25 to 50 percent) to low (less than 25 percent) due to vegetation. Visibility within the central and southern portions of the east parcel and the entirety of the west parcel were moderate to good (75 percent and higher).

The field survey was unable to relocate resource P-33-000641/CA-RIV-641. The resource location provided through the EIC suggested that the resource was present within the southern portion of parcel 347-130-028. No indications of bedrock outcrops were visible during the survey effort. Inspections of the northern and northeastern portions of the Project Area also did not indicate the presence of intact bedrock outcrops. No previously unrecorded cultural resources were identified during the survey effort, and no indications of potential intact subsurface deposits were observed.

Figure 4. Overview of west parcel APN 347-130-029, facing north.

Figure 5. Overview of east parcel APN 347-130-028, facing west.

Figure 6. Overview of modern retaining wall/curb along southeast border of Project Area, facing northeast.

Figure 7. Overview of drainage within northeast corner of Project Area, facing west.

Figure 8. Overview of drainage within northern portion of Project Area, facing west.

7. RECOMMENDATIONS AND CONCLUSIONS

The archaeological survey was negative and no cultural resources were identified within the project area. However, one cultural resource P-33-000641/CA-RIV-641, was previously recorded within the Project Area. The resource, originally recorded in 1973, consisted of a single bedrock outcrop containing four milling slicks. No surficial artifacts were present at the time of original recordation. The resource was later updated in 1978 (recorder unknown), noting that the outcrop was no longer present, most likely due to being removed for the widening of State Route 74. No further updates to the resource have occurred since 1978.

While the archeological survey was negative, a prehistoric archaeological resource was previously recorded within the Project Area, and additional prehistoric archaeological resources that have been recorded within the record search radius, it is recommended that the following County's Conditions of Approval be followed: 15 Series Human Remains; 15 Series Unanticipated Resources; and 60 Series Cultural Resources Monitoring Program (CRMP) – Project Archaeologist / Archaeological Monitor be followed, as described below.

County Conditions of Approval

15 Series Human Remains

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with State Health and Safety Code Section 7050.5. Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted by the Coroner within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant". The Most Likely Descendant shall then make recommendations and engage in consultation with the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

15 Series Unanticipated Resources

The developer/permit holder or any successor in interest shall comply with the following for the life of this permit. If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed: All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative, and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis. Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other. Tribal Cultural Resources are also considered cultural resources.

** If not already employed by the project developer, a County approved archaeologist and a Native American Monitor from the consulting tribe(s) shall be employed by the project developer to assess the

significance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

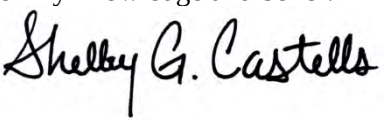
60 Series CRMP - Project Archaeologist / Archaeological Monitor

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Plan. A CRMP shall be developed in coordination with the consulting tribe(s) that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural, tribal cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a digitally-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The Professional Archaeologist may submit a detailed letter to the County of Riverside during grading requesting a modification to the monitoring program if circumstances are encountered that reduce the need for monitoring.

8. CERTIFICATION

CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this archaeological report, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

DATE: February 16, 2010 SIGNED: 

PRINTED NAME: Shelby Castells, M.A., RPA

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APPENDICES

APPENDIX A: PERSONNEL QUALIFICATIONS

Shelby Castells, M.A., RPA

Director of Archaeology

Professional Profile

Ms. Castells is the Director of Archaeology for Red Tail Environmental and acts as the Project Manager and Principal Investigator for all cultural resource studies. She has over fourteen years of experience in archaeology and cultural resource management in Southern California. She has been the Principal Investigator and Project Manager for numerous survey, monitoring, testing, and data recovery projects within the counties of San Diego, Imperial, Orange, Riverside, San Bernardino, and Kern. Ms. Castells has extensive experience providing regulatory compliance for CEQA, NEPA, NHPA, NAGPRA, and local guidelines and regulations. Ms. Castells is a Registered Professional Archaeologist, and exceeds the Secretary of the Interior Professional Qualifications Standards for Archaeology. Her interests focus on historical archaeology and the regional history and prehistory of Southern California.

Education

M.A., Anthropology, San Diego State University
B.A., Anthropology, University of California, San Diego

Registrations

Register of Professional Archaeologists (3748180)
San Diego County CEQA Consultant List for Archaeological Resources
Orange County's Reference List for Certified Archaeologists
Riverside County Cultural Resources Consultants List

Selected Archaeological Experience

City of San Diego Cultural and Paleontological Resources On-Call As-Needed Environmental Consulting Agreement (R-309919/H146284), San Diego, CA
Principal Investigator / Project Manager | San Diego County, CA
Provides cultural resources and paleontological support of the City of San Diego's utilities undergrounding program. Conducts cultural resources inventories including record searches and archaeological surveys to identify project areas which may contain cultural resources in support of multiple MNDs and a programmatic EIR. Recommends mitigation measures including resource testing and evaluation, avoidance, and construction monitoring. Works with the City and contractors to fulfill mitigation measures including construction monitoring, resource identification, recordation, and evaluation. City of San Diego, Transportation and Storm Water Department is the lead agency.

University of California, San Diego, Hillcrest Campus Long Range Development Plan EIR Project
Principal Investigator / Project Manager | San Diego, CA
Conducted a cultural resources survey and prepared a technical report in support of the project's EIR. Identified a cultural resource with human remains within the project area. Recommended mitigation measures for the resource to avoid adverse effects. Assisted UCSD with their AB-52 tribal consultation, including organizing, scheduling, facilitating, and reporting on tribal consultation meetings. UCSD was the lead agency.

SANDAG Bayshore Bikeway – Segment 8B Project
Principal Investigator / Project Manager | San Diego and National Cities
Conducted a cultural resource study for the Project including: delineating and mapping the area of potential effect, conducting a record search and an archaeological survey of the APE, preparing the Historic Property Survey Report,

Archaeological Survey Report, Finding of Effect document, and Department of Parks and Recreation Archaeological Site Forms for a railroad line eligible for and listed in the San Diego Register of Historical Resources and for a historic district that was eligible for the National Register of Historic Places. Created mitigation measures to avoid an adverse impact to these historic properties during implementation of the Project. Conducted AB-52 consultation on behalf of SANDAG. Assisted in SHPO consultation.

Heritage Road Bridge Replacement Project
Principal Investigator / Project Manager | City of Chula Vista, CA
Conducted a cultural resource study for the Project including: delineating and mapping the area of potential effect (APE), conducting a record search and an archaeological survey of the APE, preparing the Historic Property Survey Report and the Archaeology Survey Report, and creating mitigation measures. City of Chula Vista and Caltrans were the lead agencies.

North County Transit District Advanced Train Control and Positive Train Control Antennas at Five Locations for the Elvira to Morena Double Track Project
Principal Investigator / Project Manager | San Diego, CA
Conducted a cultural resources survey of the five areas of potential effect and prepared the associated Archaeological Resources Management Reports. Prepared the Federal Communications Commission's Form 620, public outreach and Tower Construction Notification System for each antenna. Consulted with the California State Historic Preservation. Federal Communication Commission was the lead agency.

Harbor View Hotel Project,
Principal Investigator / Project Manager | San Diego, CA
Prepared an archaeological assessment of the Project area and a construction monitoring plan in compliance with the City of San Diego's Mitigation Monitoring requirements. Managed the archaeological monitoring of the Project's construction during the initial ground disturbance and grading of the Project area. Identified, documented, and evaluated for significance under CEQA, to the CRHR, and to the City of San Diego Historical Resources Register a feature containing the remains of a historic boat. Documented the boat feature on DPR 523 forms. Provided a technical report with the results of the monitoring, testing, evaluation and data recovery, including an artifact analysis and historic research. City of San Diego was the lead agency.

Machado Smith Excavation, Old Town San Diego State of California Historic Park
Principal Investigator / Project Manager | San Diego, CA
Prepared a work plan and California State Parks permit application for the excavation in order to identify the location of two 19th century structures, evaluate the archaeological remains for eligibility to the CRHR and significance under CEQA, and to assist in the recreation of the buildings in Old Town San Diego State of California Historic Park. Directed excavations including mechanical trenching and hand excavations. Excavated 19th century features. Directed laboratory work associated with the excavations, cataloged the artifacts, performed the artifact analysis, and prepared the artifact collection for curation. Evaluated the cultural resource for eligibility to the NRHP and CRHR, and for significance under CEQA. Prepared a technical report providing the results of the excavation, artifact analysis, evaluation of the resources to the CRHR, provided mitigation measures, and guidance to the building recreation process. Prepared DPR 523 forms for the cultural resource. California State Parks was the lead agency.

San Diego County Administration Center Parking Garage, Cedar and Ketter Project
Principal Investigator / Project Manager | San Diego, CA
Prepared an archaeological assessment of the project area and a construction monitoring plan in compliance with CEQA and the City of San Diego's Mitigation Monitoring requirements. Managed the archaeological monitoring of the project's construction during the initial ground disturbance and grading of the Project area. Identified, documented, and evaluated

for significance under CEQA, to the CRHR, and to the City of San Diego Historical Resources Register a historic well. Performed a data recovery on the well feature. Provided a technical report with the results of the monitoring, testing, evaluation and data recovery, including an artifact analysis and historic research. Documented cultural resources on DPR 523 forms. Prepared the artifact collection, artifact analysis, and historic research to be incorporated into a display to be placed in the parking garage and the County Administration Center. City of San Diego was the lead agency.

Archaeological Survey for the County of San Diego Fuel Reduction Parcel Preparation Program in Julian, Whispering Pines, and Along State Route 78/79
Principal Investigator / Project Manager | San Diego County, CA
Conducted a cultural resources survey of the project area in compliance with CEQA and San Diego County Guidelines. Prepared a technical report and created avoidance measures in consultation with the County of San Diego to avoid all impacts to cultural resources and prepared a technical report. Documented cultural resources on DPR 523 Forms. San Diego County was the lead agency.

Pacifica Vista Self Storage Project
Principal Investigator / Project Manager | Vista, CA
Conducted a cultural resource survey of the project area and prepared technical report in compliance with CEQA and City of Vista Guidelines. Identified two cultural resources within the Project area, evaluated one cultural resource and created avoidance measures to avoid the second resource. Documented cultural resources on DPR 523 Forms. City of Vista was the lead agency.

Broadway Earthen Channel Repairs Project
Principal Investigator / Project Manager | El Cajon, CA
Conducted a cultural resource survey of the project area and prepared a technical report in support of the project's environmental documents. The project is subject to CEQA-Plus and was conducted in compliance with City of EL Cajon, County of San Diego and Section 106 of the NHPA requirements. Identified, documented, and evaluated a cultural resource within the project area. City of El Cajon, County of San Diego, and California Clean Water State Revolving Fund Program were the lead agencies.

Rancho Del Rio Biological Mitigation Parcel Project
Principal Investigator / Project Manager | San Diego, CA
Conducted a cultural resource survey of the project area and prepared a technical report in compliance with the City of San Diego CEQA Guidelines. Identified a cultural resource within the project area and documented the resource on DPR 523 Forms recommended avoidance measures or evaluation of the resource to the CRHR and City Register. City of San Diego was the lead agency.

India and Date Project at 1703 India Street for H.G. Fenton
Principal Investigator / Project Manager | San Diego, CA
Prepared an archaeological assessment of the Project area and a construction monitoring plan in compliance with the City of San Diego's Mitigation Monitoring requirements. Conducted a pre-testing program within the Project area using mechanically excavated trenches to identify possible archaeological deposits. Identified a layer of fill soil that did not need to be monitored. Managed the archaeological monitoring of the Project's construction during the initial ground disturbance and grading of the Project area. Identified, documented, and evaluated for significance under CEQA, to the CRHR, and to the City of San Diego Historical Resources Register two historic trash scatters. Performed evaluation testing on the archaeological deposits. Documented cultural resources on DPR 523 forms. Provided a technical report with the results of the monitoring, testing, and evaluation, including an artifact analysis and historic research. City of San Diego was the lead agency.

Spencer Bietz, B.A.

Senior Archaeologist / GIS Specialist

Professional Profile

Mr. Spencer Bietz is the Archaeological Field Director at Red Tail Environmental and has worked as a qualified archaeologist in California for the past 15 years. Mr. Bietz has completed a wide variety of cultural resource management projects and is a qualified archaeological monitor for the City of San Diego and County of San Diego. Mr. Bietz has worked on cultural resource projects throughout San Diego, Imperial, Orange, Riverside, San Bernardino, Inyo, Kern, Mono, Los Angeles, and Tulare Counties in California. Mr. Bietz has participated in projects for federal agencies such as the Bureau of Land Management and U.S. Forest Service; state agencies, including California State Parks and Caltrans; local governments, including the City and County of San Diego; and private clients. As an archaeologist and paleontologist, Mr. Bietz has experience with construction monitoring, geotechnical sampling, GIS mapping and data management, technical writing, soil screening, field survey and site recordation, resource evaluation, and artifact cataloging and preparation for curation. Mr. Bietz's personal research interests include historical archaeology and the regional history and prehistory of Southern California, GIS data management, modeling, and cartography.

Education

Certificate of Performance as Geographic Information Systems Specialist, San Diego Mesa College
B.A., Anthropology with Concentration in Archaeology, University of California, San Diego

Selected Archaeology Experience

City of San Diego Cultural and Paleontological Resources On-Call As-Needed Environmental Consulting Agreement (R-309919/H146284), San Diego, CA
Senior Archaeologist | San Diego County, CA
Conducts cultural resources inventories including record searches and archaeological surveys to identify project areas which may contain cultural resources in support of multiple MNDs and a programmatic EIR. Recommends mitigation measures including resource testing and evaluation, avoidance, and construction monitoring. Performs archaeological construction monitoring, resource identification, recordation, and evaluation. Also acts as the GIS Specialist to produce report maps and record resources identified during construction monitoring. City of San Diego, Transportation and Storm Water Department is the lead agency.

Archaeological Survey and Monitoring for the Tenaja Fire State and Campground and the Upper San Juan Campground Contract Areas, Trabuco Ranger District
Field Archaeologist | Cleveland National Forest, CA (2018-ongoing)
Conducted cultural resource monitoring and documentation of planned structure demolition within the Upper San Juan Campground Contract Area. Will be performing archaeological monitoring during ground disturbance in 2019. Contributed to technical report and created cartographic figures and digital GIS database. United States Forest Service is the lead agency.

Archaeological and Native American Monitoring for UU525 Block 4J1 Project
Field Director/Archaeological Monitor | San Diego, CA (2018-ongoing)
Field Director and archaeological monitor for the archaeological monitoring for the utility undergrounding project. Worked with construction crews to provide updated schedules. Reviewed notes, created monitoring schedule and archaeological discovery database. Created cartographic figures and digital GIS database. Collected, cleaned, and cataloged artifacts recovered during cultural resource monitoring efforts. City of San Diego is the lead agency.

Ives Residential at 1874 Spindrift Project
Field Director | San Diego, CA (2018-ongoing)
Conducted extended Phase I testing of the project area. Identified, recorded, and evaluated a prehistoric archaeological deposit. Contributed to data recovery technical report and created cartographic figures and GIS digital database. City of San Diego is the lead agency.

Mission Bay Geo-Archaeological Testing
Cultural Resource Monitor | San Diego, CA (2018)
Contributed as the primary cultural resource monitor, assisting in the collection of subsurface core samples for geo-archaeological analysis. Performed subsurface geotechnical bore sampling, photo documentation, sample documentation, GIS map creation and data management, and technical writing. City of San Diego was lead agency.

Crown Point Sewer and Water Group Monitoring, San Diego, California
Cultural Resource Monitor | San Diego, California (2016-2018)
Contributed as a cultural resource monitor during the excavation of trenches and manhole vaults in the community of Crown Point in Pacific Beach, California. City of San Diego was the lead agency.

Pio Pico North Development Project
Field Director | Carlsbad, CA (2016-2017)
Contributed as field director for subsurface testing of multiple resources within a parcel proposed for residential development. Assisted in the creation of the testing protocol and with technical report writing, and directed the excavation of more than 50 mechanically-excavated trenches and 20 TEUs. Additional activities included site recordation and evaluation, historical archival research, recordation and evaluation of a historic-era linear feature (water pipeline), artifact cataloging, shell speciation, GIS data creation and management, and figure creation.

Administration of Courts (AOC) California, San Diego County Courthouse Monitoring
Lead Cultural Resource Monitor | San Diego, CA (2014)
Contributed as the primary cultural resource monitor, assisting in the recording of cultural deposits and features during footing excavation. Oversaw the recording of cultural discoveries, photo documentation, artifact collection, testing of historic features, and site recordation using Trimble GeoXH devices. Assisted in GIS map creation and data management, and artifact preparation.

San Diego Gas and Electric Cultural Resources On-Call, San Diego County, California
Field Archaeologist | Cultural Resource Monitor | San Diego, CA (2014)
Contributed as a field archaeologist assisting in a variety of projects including cultural resource monitoring, deteriorated pole survey, FiRM infrastructure survey, resource testing and evaluation, technical report and summary letter writing, GIS data creation and management, and figure creation.

Sunrise Powerlink Monitoring, San Diego County, California
Cultural Resource Monitor | San Diego, CA (2008-2009)
Contributed as a cultural resource monitor accompanying survey and geo-technical testing crews in the survey and placement of proposed electrical tower locations and their respective access areas along the Sunrise Powerlink. Assisted in site recording, photo documentation, and the identification and marking of sensitive cultural areas for future avoidance by work crews. Additional tasks included writing and compiling of tower cultural data for the final summary report.

APPENDIX B: *CONFIDENTIAL* EIC RECORD SEARCH

(Provided Separately)

APPENDIX C: NAHC CORRESPONDENCE

RED TAIL
ENVIRONMENTAL

January 21, 2021

California Native American Heritage Commission
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
nahc@nahc.ca.gov

Re: 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Riverside County, California

Dear NAHC,

Red Tail Environmental (Red Tail) is conducting an archaeological study of the proposed 28771 Highway 74 Project (project), located on Assessor Parcel Number (APNs) 347-130-028 and 347-130-029, Highway 74, Lake Elsinore, Riverside County, California. Red Tail is currently conducting a record search with the Eastern Information Center. I am writing to request a record search of the Sacred Lands File to determine if you have registered any cultural resources, tribal cultural resources, traditional cultural properties, or areas of heritage sensitivity within the proposed project area. The project area is shown on the USGS 7.5' *Lake Elsinore, California* topographic quadrangle map within Township 5 South, Range 4 West, Section 29. The proposed project intends to develop portions of the two parcels for a gas station complex which will include a convenience store, a fueling canopy with six multi-product dispensers, and two underground storage tanks.

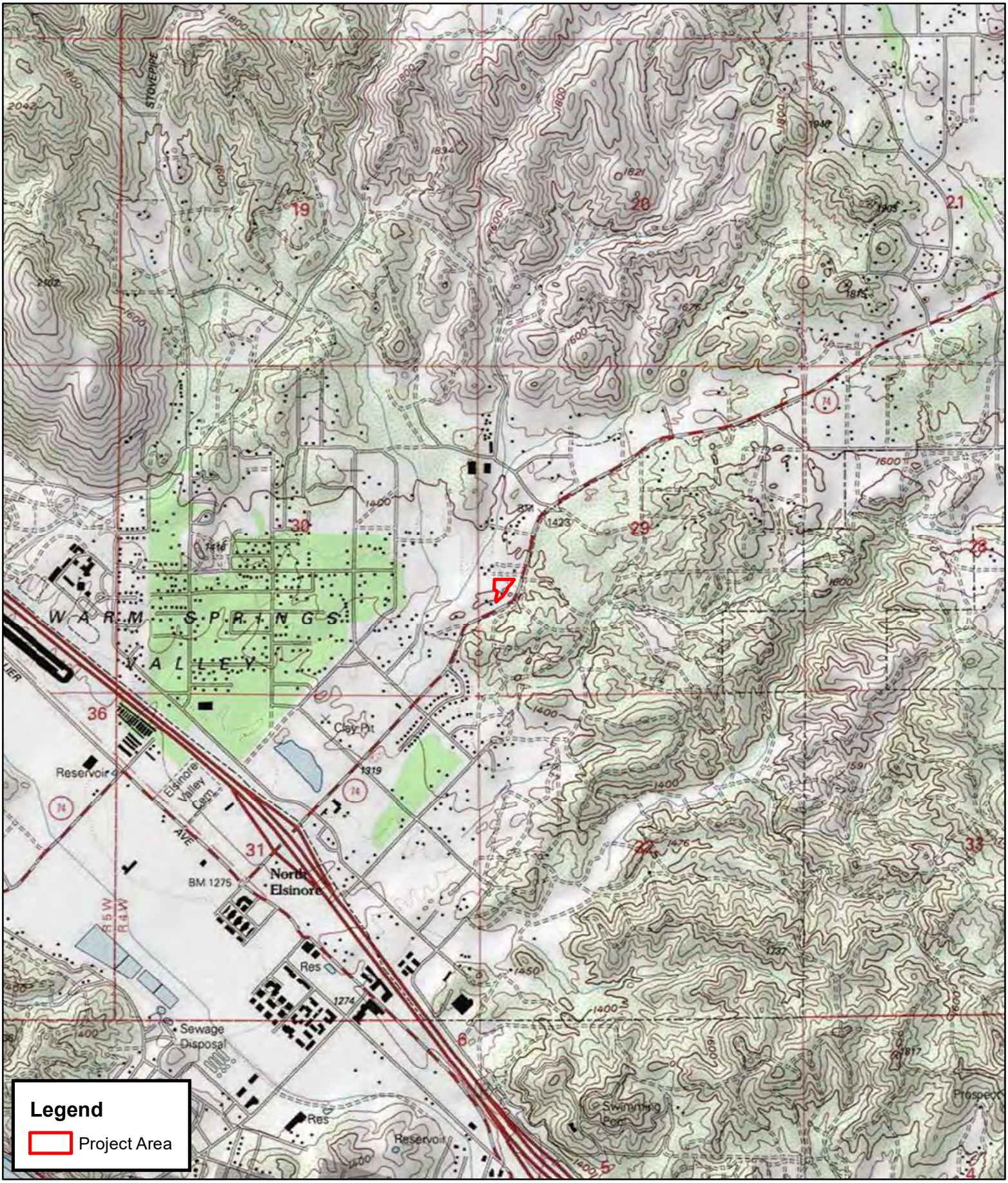
Our investigation will include direct contact with local tribal entities. Please include a list of the appropriate individuals to contact related to this project. Please submit your response via email to Shelby@redtailenvironmental.com.

Sincerely,

Shelby G. Castells

Shelby Castells, M.A., RPA
Director of Archaeology

Attachments: Project Area Map



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RED TAIL ENVIRONMENTAL

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
William Mungary
Paiute/White Mountain Apache

COMMISSIONER
Julie Tumamait-Stenslie
Chumash

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

February 4, 2021

Shelby Castells
Red Tail Environmental

Via Email to: Shelby@redtailenvironmental.com

Re: 28771 Highway 74 Project, Riverside County

Dear Ms. Castells:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
Riverside County
2/4/2021

Agua Caliente Band of Cahuilla Indians
Patricia Garcia-Plotkin, Director
5401 Dinah Shore Drive — Cahuilla
Palm Springs, CA, 92264
Phone: (760) 699 - 6907
Fax: (760) 699-6924
ACBCI-THPO@aguacaliente.net

Agua Caliente Band of Cahuilla Indians
Jeff Grubbe, Chairperson
5401 Dinah Shore Drive — Cahuilla
Palm Springs, CA, 92264
Phone: (760) 699 - 6800
Fax: (760) 699-6919

Augustine Band of Cahuilla Mission Indians
Amanda Vance, Chairperson
P.O. Box 846 — Cahuilla
Coachella, CA, 92236
Phone: (760) 398 - 4722
Fax: (760) 369-7161
hhaines@augustinetribe.com

Cabazon Band of Mission Indians
Doug Welmas, Chairperson
84-245 Indio Springs Parkway — Cahuilla
Indio, CA, 92203
Phone: (760) 342 - 2593
Fax: (760) 347-7880
jstapp@cabazonindians-nsn.gov

Cahuilla Band of Indians
Daniel Salgado, Chairperson
52701 U.S. Highway 371 — Cahuilla
Anza, CA, 92539
Phone: (951) 763 - 5549
Fax: (951) 763-2808
Chairman@cahuilla.net

Juaneno Band of Mission Indians Acjachemen Nation - Belardes
Matias Belardes, Chairperson
32161 Avenida Los Amigos — Juaneno
San Juan Capisttrano, CA, 92675
Phone: (949) 293 - 8522
kaamalam@gmail.com

Juaneno Band of Mission Indians Acjachemen Nation - Belardes
Joyce Perry, Tribal Manager
4955 Paseo Segovia — Juaneno
Irvine, CA, 92603
Phone: (949) 293 - 8522
kaamalam@gmail.com

La Jolla Band of Luiseno Indians
Fred Nelson, Chairperson
22000 Highway 76 — Luiseno
Pauma Valley, CA, 92061
Phone: (760) 742 - 3771

Los Coyotes Band of Cahuilla and Cupeño Indians
Shane Chapparosa, Chairperson
P.O. Box 189 — Cahuilla
Warner Springs, CA, 92086-0189
Phone: (760) 782 - 0711
Fax: (760) 782-0712

Morongo Band of Mission Indians
Denisa Torres, Cultural Resources Manager
12700 Pumarra Road — Cahuilla
Banning, CA, 92220 — Serrano
Phone: (951) 849 - 8807
Fax: (951) 922-8146
dtorres@morongo-nsn.gov

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed 28771 Highway 74 Project, Riverside County.

Morongo Band of Mission Indians
Robert Martin, Chairperson
12700 Pumarra Road — Cahuilla, Serrano
Banning, CA, 92220
Phone: (951) 849 - 8807
Fax: (951) 922-8146
dtorres@morongo-nsn.gov

Pala Band of Mission Indians
Shasta Gaughen, Tribal Historic Preservation Officer
PMB 50, 35008 Pala Temecula Rd. — Cupeno, Luiseno
Pala, CA, 92059
Phone: (760) 891 - 3515
Fax: (760) 742-3189
sgaughen@palatribe.com

Pauma Band of Luiseno Indians
Temet Aguilar, Chairperson
P.O. Box 369 — Luiseno
Pauma Valley, CA, 92061
Phone: (760) 742 - 1289
Fax: (760) 742-3422
bennaecalac@aol.com

Pechanga Band of Luiseno Indians
Mark Macarro, Chairperson
P.O. Box 1477 — Luiseno
Temecula, CA, 92593
Phone: (951) 770 - 6000
Fax: (951) 695-1778
epreston@pechanga-nsn.gov

Pechanga Band of Luiseno Indians
Paul Macarro, Cultural Resources Coordinator
P.O. Box 1477 — Luiseno
Temecula, CA, 92593
Phone: (951) 770 - 6306
Fax: (951) 506-9491
pmacarro@pechanga-nsn.gov

Quechan Tribe of the Fort Yuma Reservation
Manfred Scott, Acting Chairman
Kw'ts'an Cultural Committee
P.O. Box 1899 — Quechan
Yuma, AZ, 85366
Phone: (928) 750 - 2516
scottmanfred@yahoo.com

Quechan Tribe of the Fort Yuma Reservation
Jill McCormick, Historic Preservation Officer
P.O. Box 1899 — Quechan
Yuma, AZ, 85366
Phone: (760) 572 - 2423
historicpreservation@quechantribe.com

Ramona Band of Cahuilla
John Gomez, Environmental Coordinator
P. O. Box 391670 — Cahuilla
Anza, CA, 92539
Phone: (951) 763 - 4105
Fax: (951) 763-4325
jgomez@ramona-nsn.gov

Ramona Band of Cahuilla
Joseph Hamilton, Chairperson
P.O. Box 391670 — Cahuilla
Anza, CA, 92539
Phone: (951) 763 - 4105
Fax: (951) 763-4325
admin@ramona-nsn.gov

Rincon Band of Luiseno Indians
Cheryl Madrigal, Tribal Historic Preservation Officer
One Government Center Lane — Luiseno
Valley Center, CA, 92082
Phone: (760) 297 - 2635
crd@rincon-nsn.gov

Rincon Band of Luiseno Indians
Bo Mazzetti, Chairperson
One Government Center Lane — Luiseno
Valley Center, CA, 92082
Phone: (760) 749 - 1051
Fax: (760) 749-5144
bomazzetti@aol.com

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San Luis Rey Band of Mission Indians
1889 Sunset Drive — Luiseno
Vista, CA, 92081
Phone: (760) 724 - 8505
Fax: (760) 724-2172
cjmojado@slrmissionindians.org

San Luis Rey Band of Mission Indians
San Luis Rey, Tribal Council
1889 Sunset Drive — Luiseno
Vista, CA, 92081
Phone: (760) 724 - 8505
Fax: (760) 724-2172
cjmojado@slrmissionindians.org

Santa Rosa Band of Cahuilla Indians
Lovina Redner, Tribal Chair
P.O. Box 391820 — Cahuilla
Anza, CA, 92539
Phone: (951) 659 - 2700
Fax: (951) 659-2228
lsaul@santarosa-nsn.gov

Soboba Band of Luiseno Indians
Scott Cozart, Chairperson
P. O. Box 487 — Cahuilla
San Jacinto, CA, 92583 — Luiseno
Phone: (951) 654 - 2765
Fax: (951) 654-4198
jontiveros@soboba-nsn.gov

Soboba Band of Luiseno Indians
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 — Cahuilla
San Jacinto, CA, 92581 — Luiseno
Phone: (951) 663 - 5279
Fax: (951) 654-4198
jontiveros@soboba-nsn.gov

Torres-Martinez Desert Cahuilla Indians
Michael Mirelez, Cultural Resource Coordinator
P.O. Box 1160 — Cahuilla
Thermal, CA, 92274
Phone: (760) 399 - 0022
Fax: (760) 397-8146
mmirelez@tmdci.org

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RED TAIL
ENVIRONMENTAL

February 8, 2021

Ms. Amanda Vance
Chairperson
Augustine Band of Cahuilla Mission Indians
PO Box 846, Coachella, CA, 92236
760-398-4722
hhaines@augustinetribe.com

Re: 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Riverside County, California

Dear Ms. Vance,

Red Tail Environmental (Red Tail) is conducting an archaeological study of the 28771 Highway 74 Project (project), located on Assessor Parcel Number (APNs) 347-130-028 and 347-130-029, Highway 74, Lake Elsinore, Riverside County, California. The project area is shown on the United States Geologic Survey (USGS) 7.5' *Lake Elsinore, California* topographic quadrangle within Section 29 of Township 5 South, Range 4 West. The Project is being undertaken in compliance with the California Environmental Quality Act (CEQA) and the County of Riverside is overseeing the project as lead agency. The project intends to develop portions of the two parcels for a gas station complex which will include a convenience store, a fueling canopy with six multi-product dispensers, and two underground storage tanks.

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Sincerely,

Shelby G. Castells

Shelby Castells, M.A., RPA
Director of Archaeology
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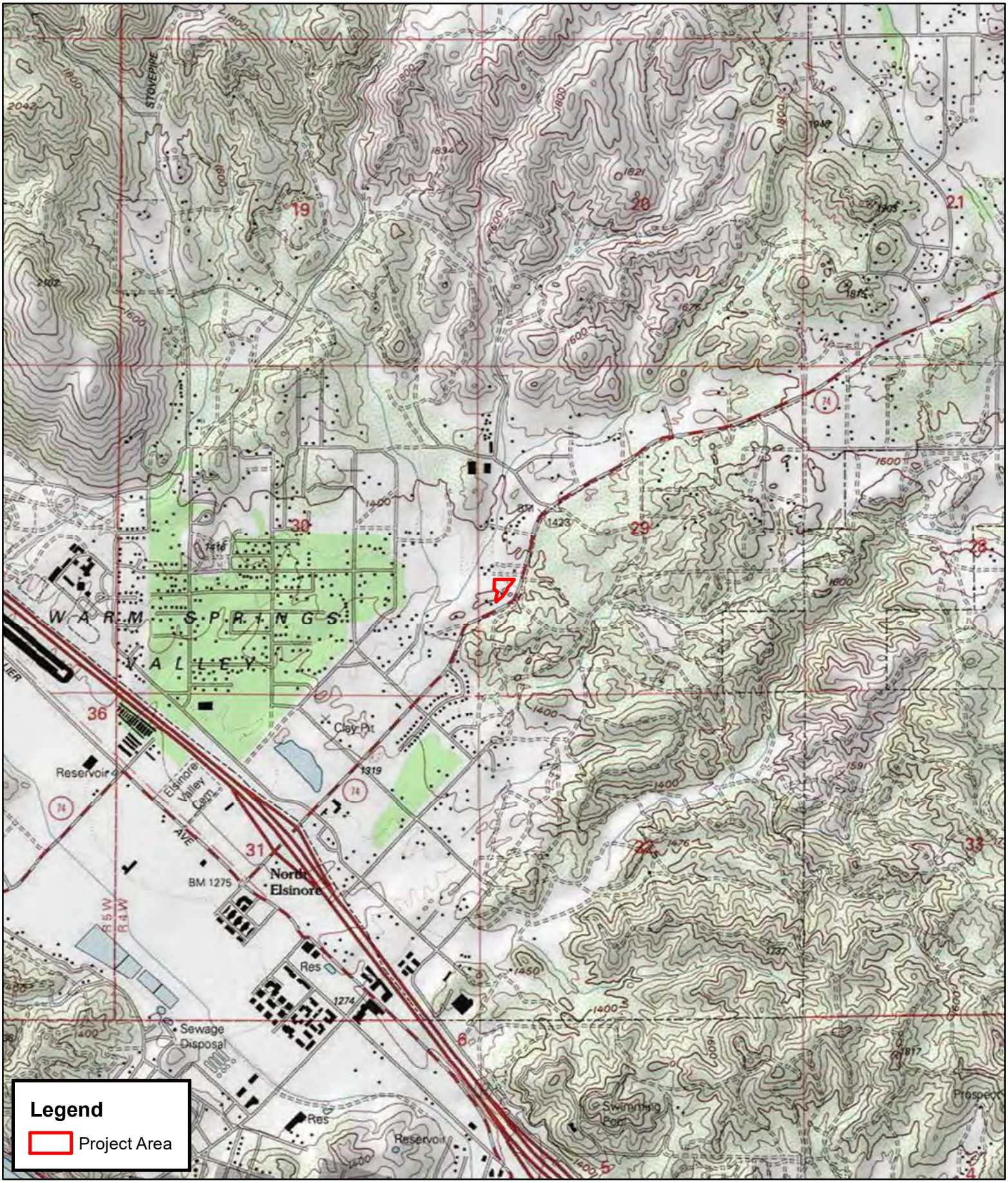

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RED TAIL ENVIRONMENTAL

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February 8, 2021

Mr. Bo Mazzetti
Chairperson
Rincon Band of Luiseno Indians
One Government Center Land, Valley Center, CA, 92082
760-749-1051
bomazzetti@aol.com

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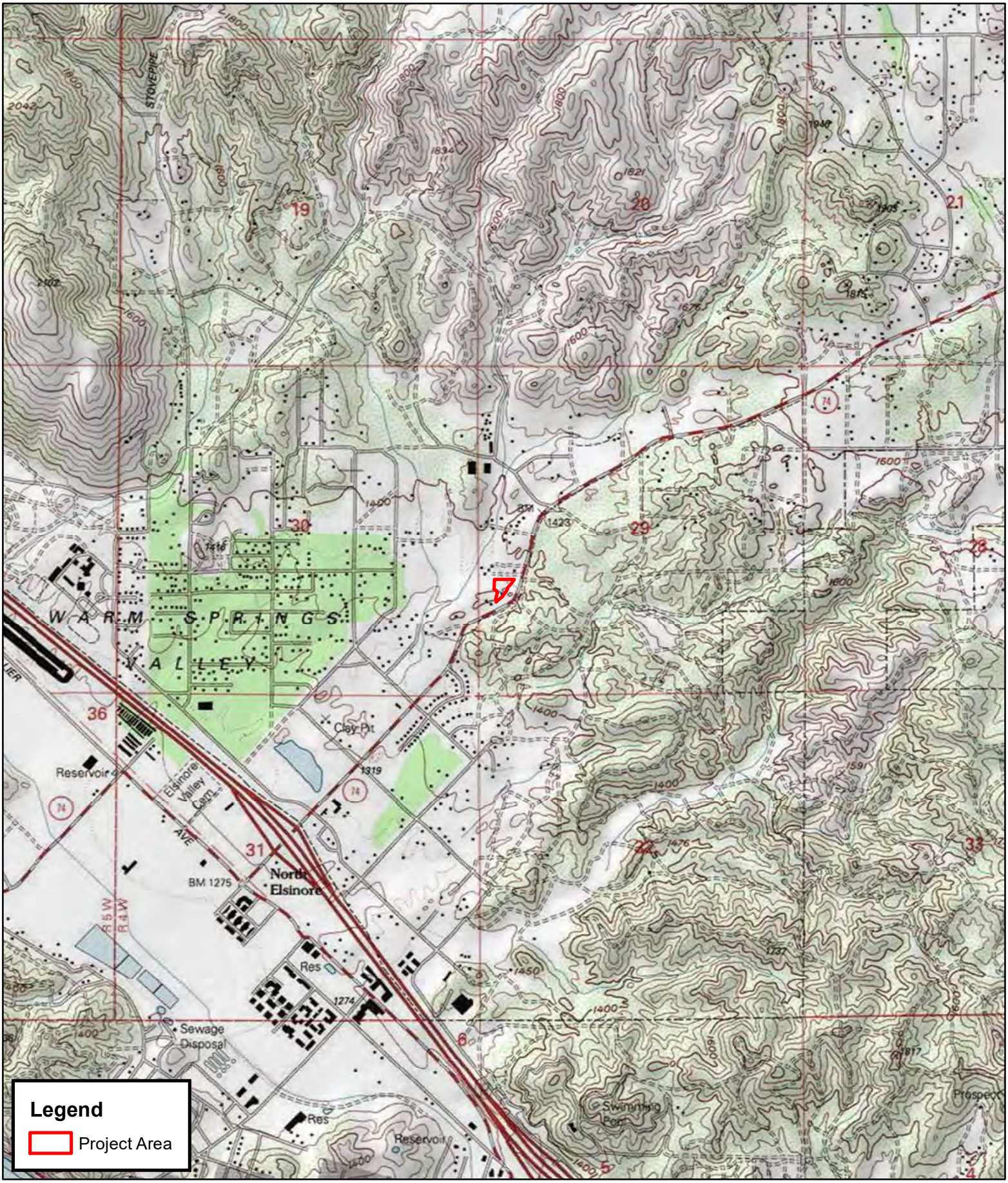

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Ms. Cheryl Madrigal
Tribal Historic Preservation Officer
Rincon Band of Luiseno Indians
One Government Center Land, Valley Center, CA, 92082
760-297-2635
crd@rincon-nsn.gov

Re: 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Riverside County, California

Dear Ms. Madrigal,

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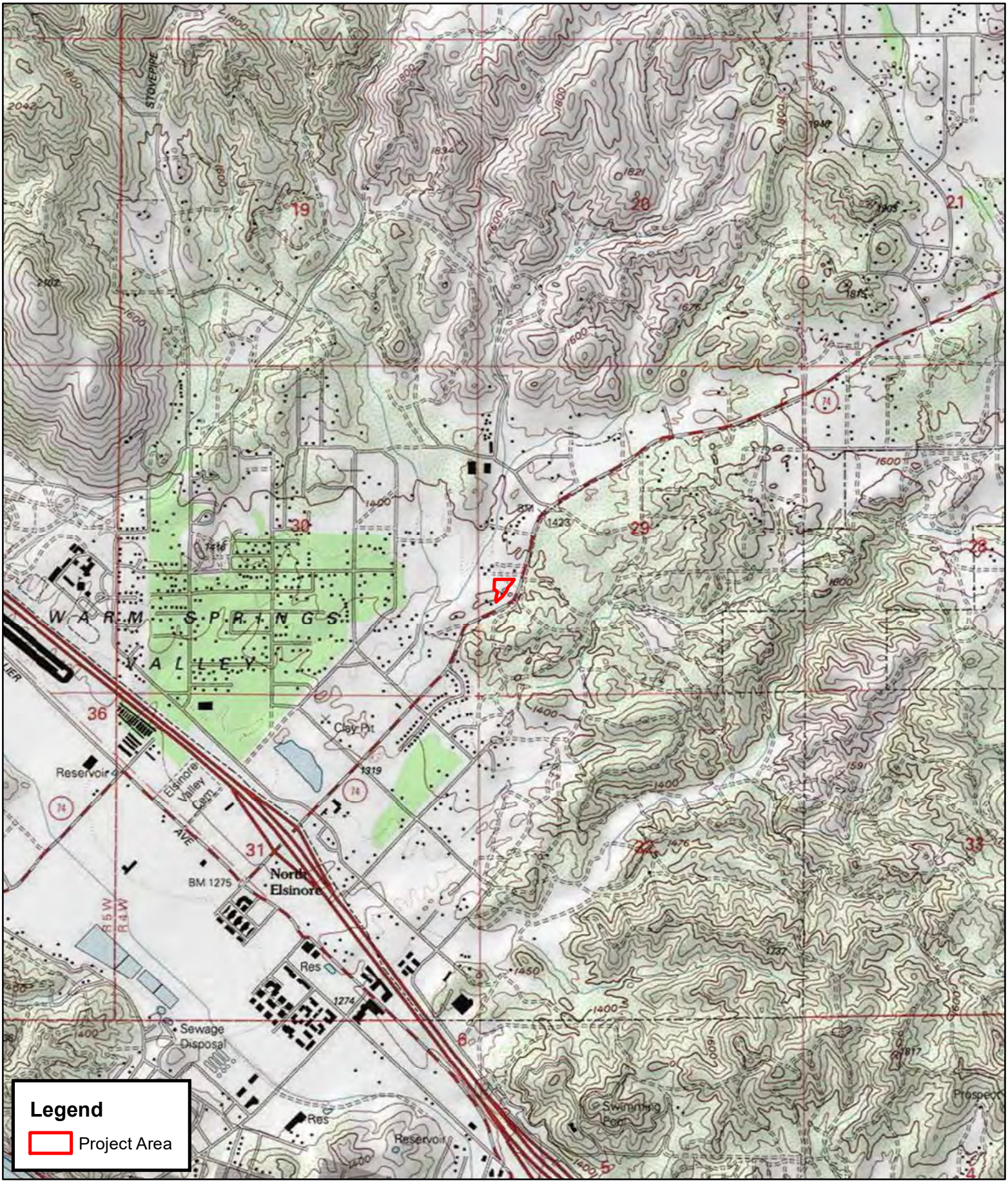

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February 8, 2021

Mr. Daniel Salgado
Chairperson
Cahuilla Band of Indians
52701 US Highway 371, Anza, CA, 92539
951-763-5549
chairman@cahuilla.net

Re: 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Riverside County, California

Dear Mr. Salgado,

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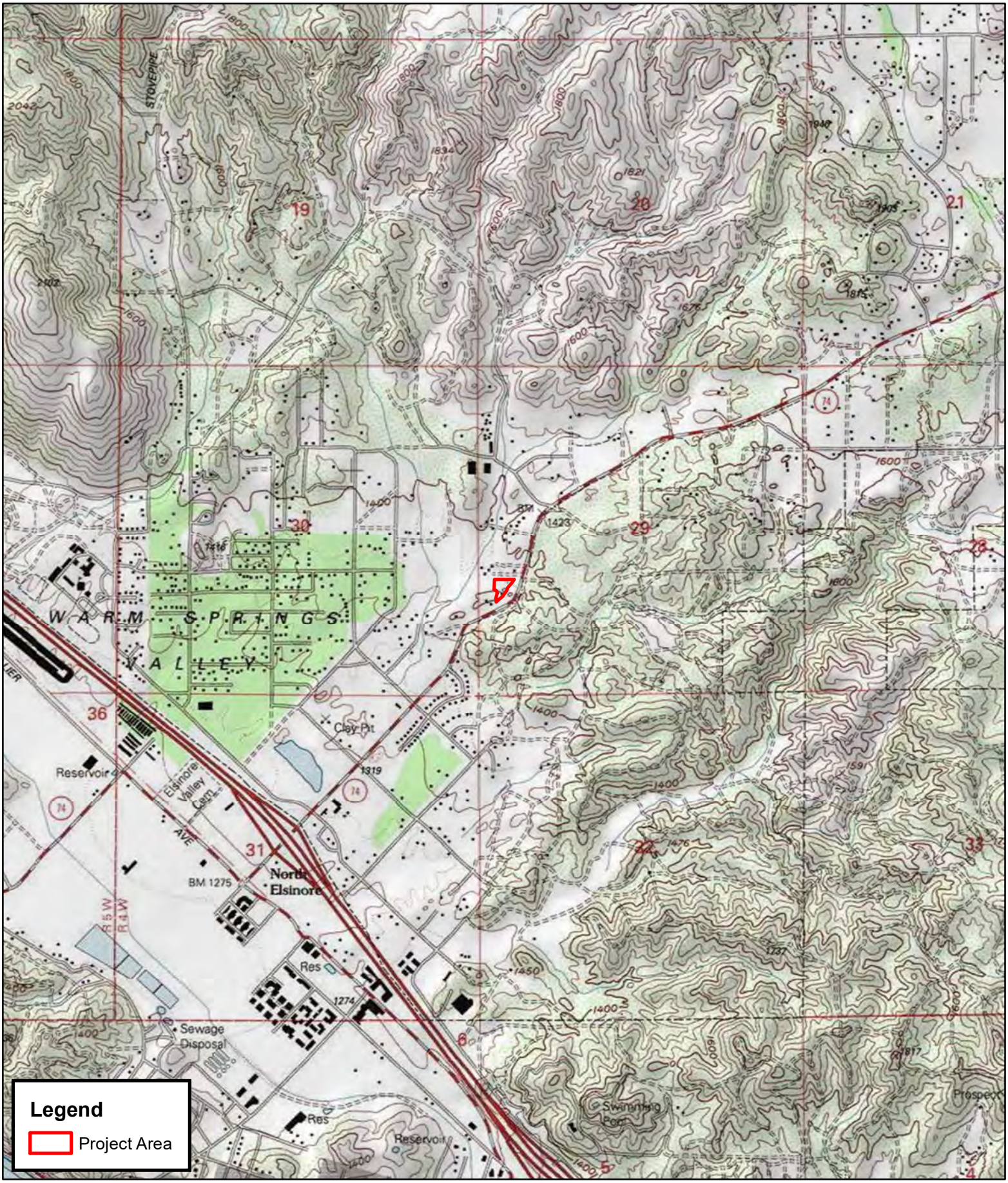

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February 8, 2021

Ms. Denisa Torres
Cultural Resources Manager
Morongo Band of Mission Indians
12700 Pumarra Road, Banning, CA, 92220
951-849-8807
dtorres@morongo-nsn.gov

Re: 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Riverside County, California

Dear Ms. Torres,

Red Tail Environmental (Red Tail) is conducting an archaeological study of the 28771 Highway 74 Project (project), located on Assessor Parcel Number (APNs) 347-130-028 and 347-130-029, Highway 74, Lake Elsinore, Riverside County, California. The project area is shown on the United States Geologic Survey (USGS) 7.5' *Lake Elsinore, California* topographic quadrangle within Section 29 of Township 5 South, Range 4 West. The Project is being undertaken in compliance with the California Environmental Quality Act (CEQA) and the County of Riverside is overseeing the project as lead agency. The project intends to develop portions of the two parcels for a gas station complex which will include a convenience store, a fueling canopy with six multi-product dispensers, and two underground storage tanks.

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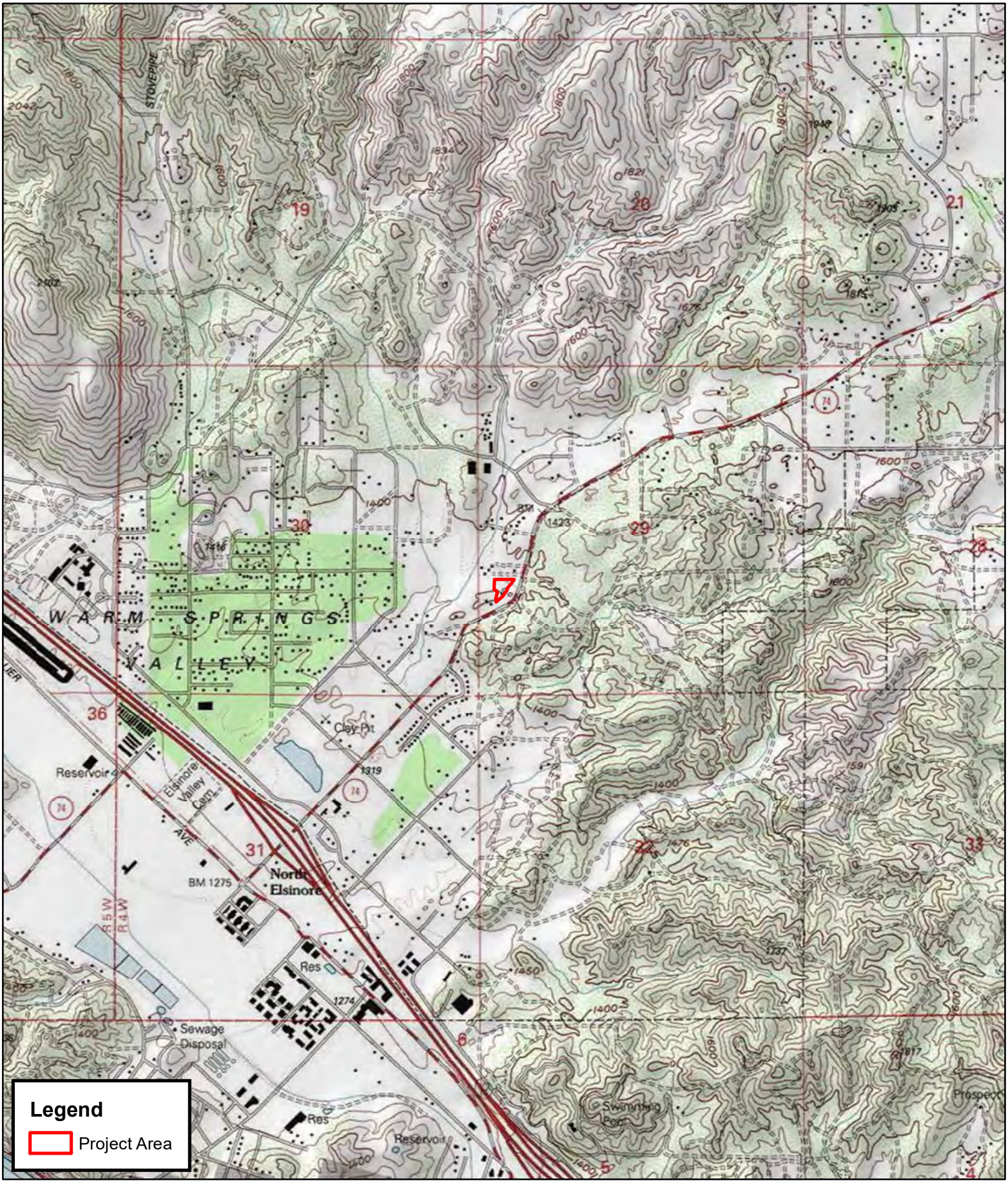

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Chairperson
Cabazon Band of Mission Indians
84-245 Indio Springs Parkway, Indio, CA, 92203
760-342-2593
jstapp@cabazonindians-nsn.gov

Re: 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Riverside County, California

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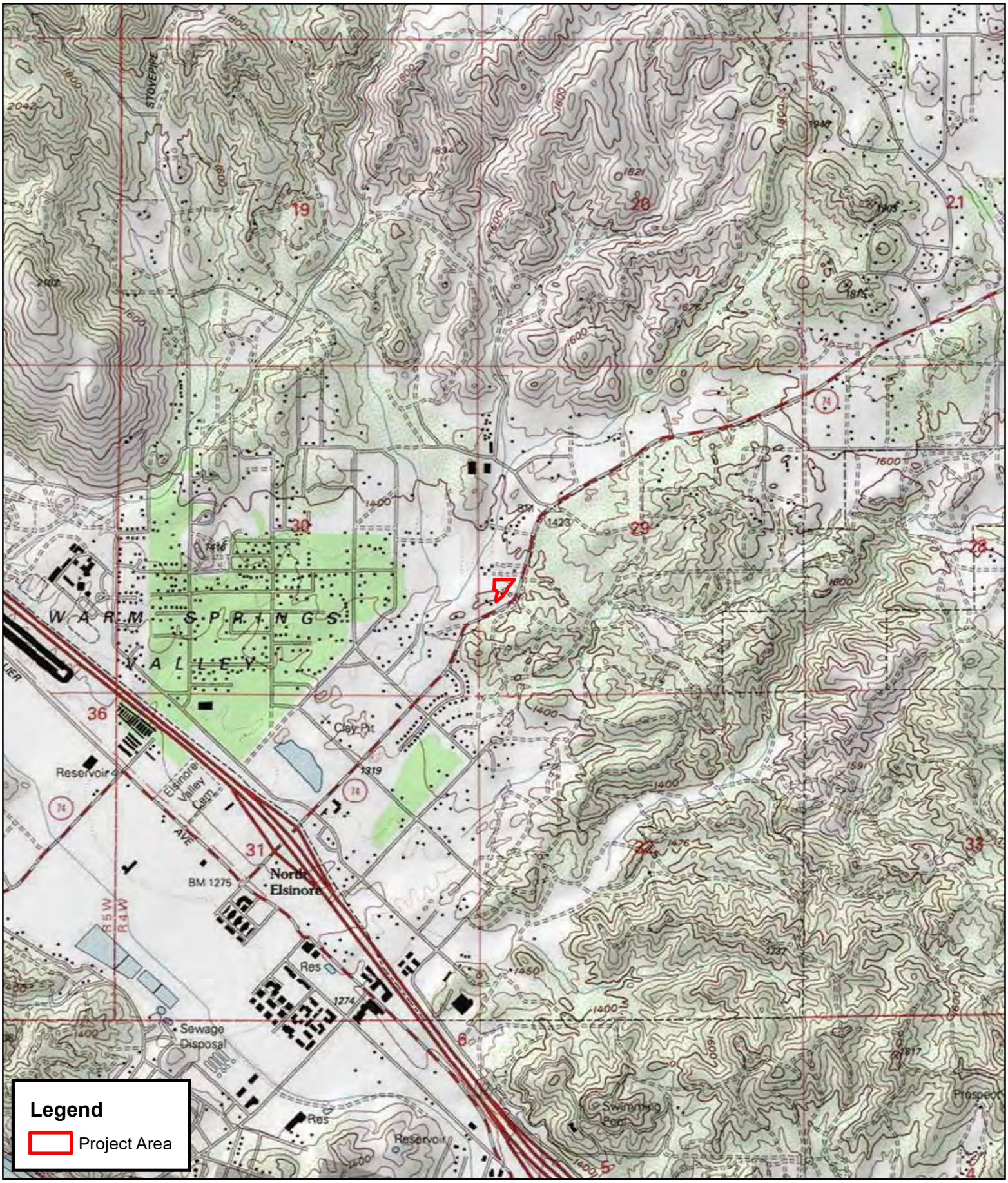

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February 8, 2021

Mr. Fred Nelson
Chairperson
La Jolla Band of Luiseno Indians
22000 Highway 76, Pauma Valley, CA, 92061
760-742-3771

Re: 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Riverside County, California

Dear Mr. Nelson,

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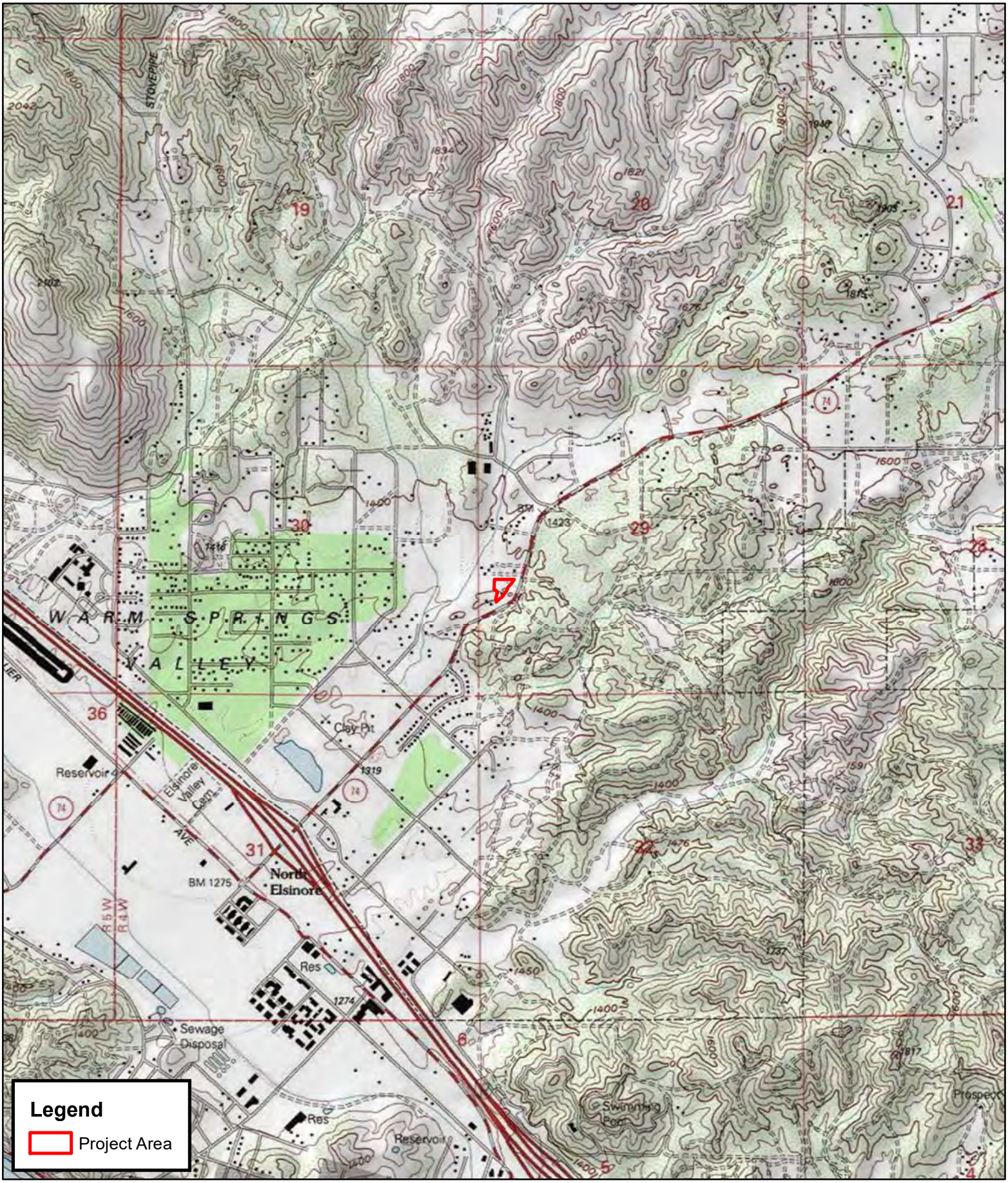

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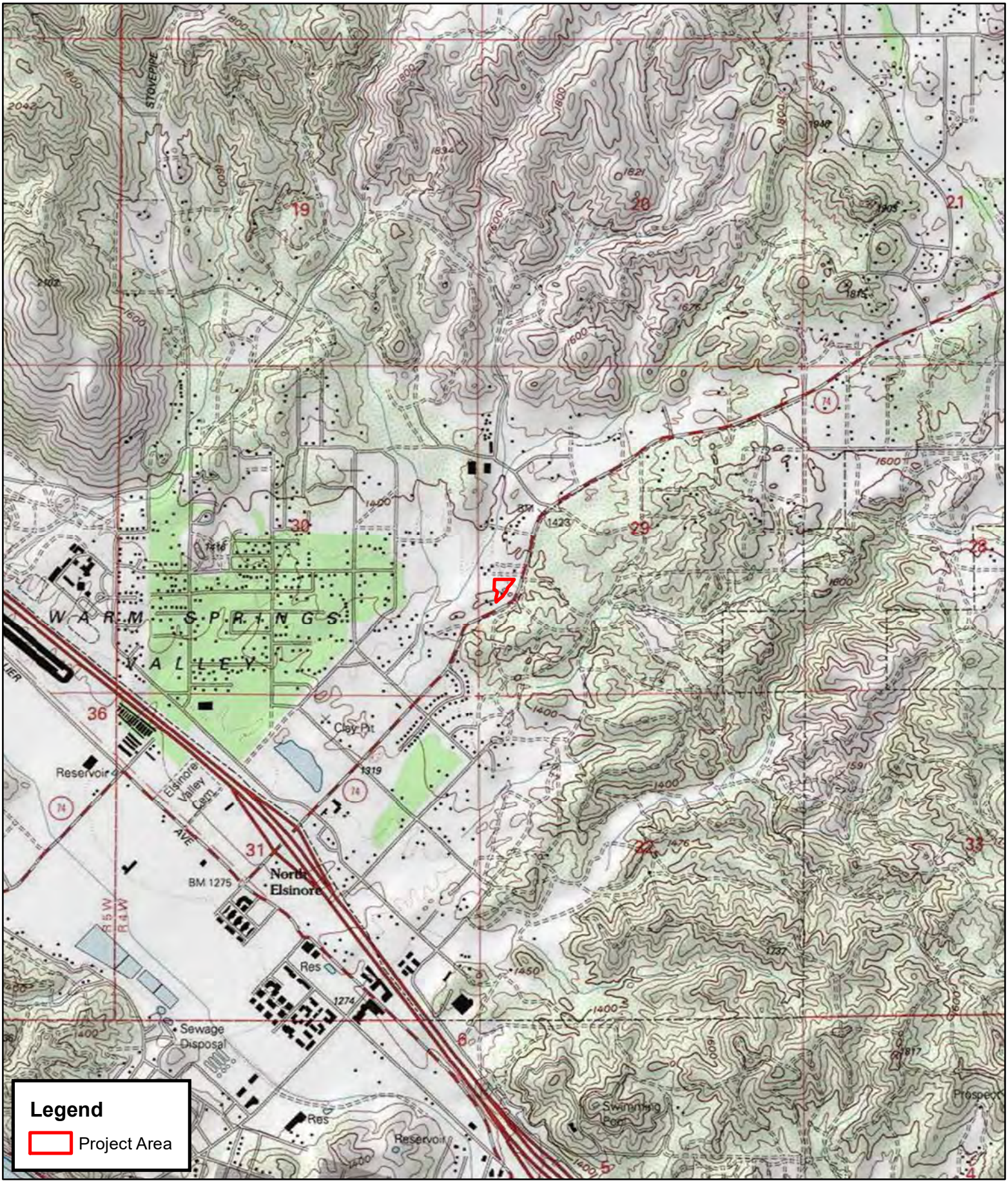
Director of Archaeology
Attachments: Figure 1. Project Location Map



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RED TAIL ENVIRONMENTAL

RED TAIL
ENVIRONMENTAL

February 8, 2021

Mr. Jeff Grubbe
Chairperson
Agua Caliente Band of Cahuilla Indians
5401 Dinah Shore Drive, Palm Springs, CA, 92264
760-699-6800

Re: 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Riverside County, California

Dear Mr. Grubbe,

Red Tail Environmental (Red Tail) is conducting an archaeological study of the 28771 Highway 74 Project (project), located on Assessor Parcel Number (APNs) 347-130-028 and 347-130-029, Highway 74, Lake Elsinore, Riverside County, California. The project area is shown on the United States Geologic Survey (USGS) 7.5' *Lake Elsinore, California* topographic quadrangle within Section 29 of Township 5 South, Range 4 West. The Project is being undertaken in compliance with the California Environmental Quality Act (CEQA) and the County of Riverside is overseeing the project as lead agency. The project intends to develop portions of the two parcels for a gas station complex which will include a convenience store, a fueling canopy with six multi-product dispensers, and two underground storage tanks.

A record search of the Sacred Lands File with the California Native American Heritage Commission was negative. Red Tail is conducting a record search at the Eastern Information Center and a pedestrian survey of the Project Area.

We are contacting you to request additional information regarding the Project area, if you are aware of any issues of cultural concern regarding the area shown on the enclosed map. In particular, we would like to know if you have knowledge of any Traditional Cultural Properties, Sacred Sites, Tribal Cultural Resources, resource collecting areas, or any other areas of concern of which you would wish us to be aware. If you have any questions or concerns regarding the proposed Project, please contact me at the address or phone number listed below, or via email at Shelby@redtailenvironmental.com. We appreciate any input you may have on this project.

Sincerely,

Shelby G. Castells

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Director of Archaeology
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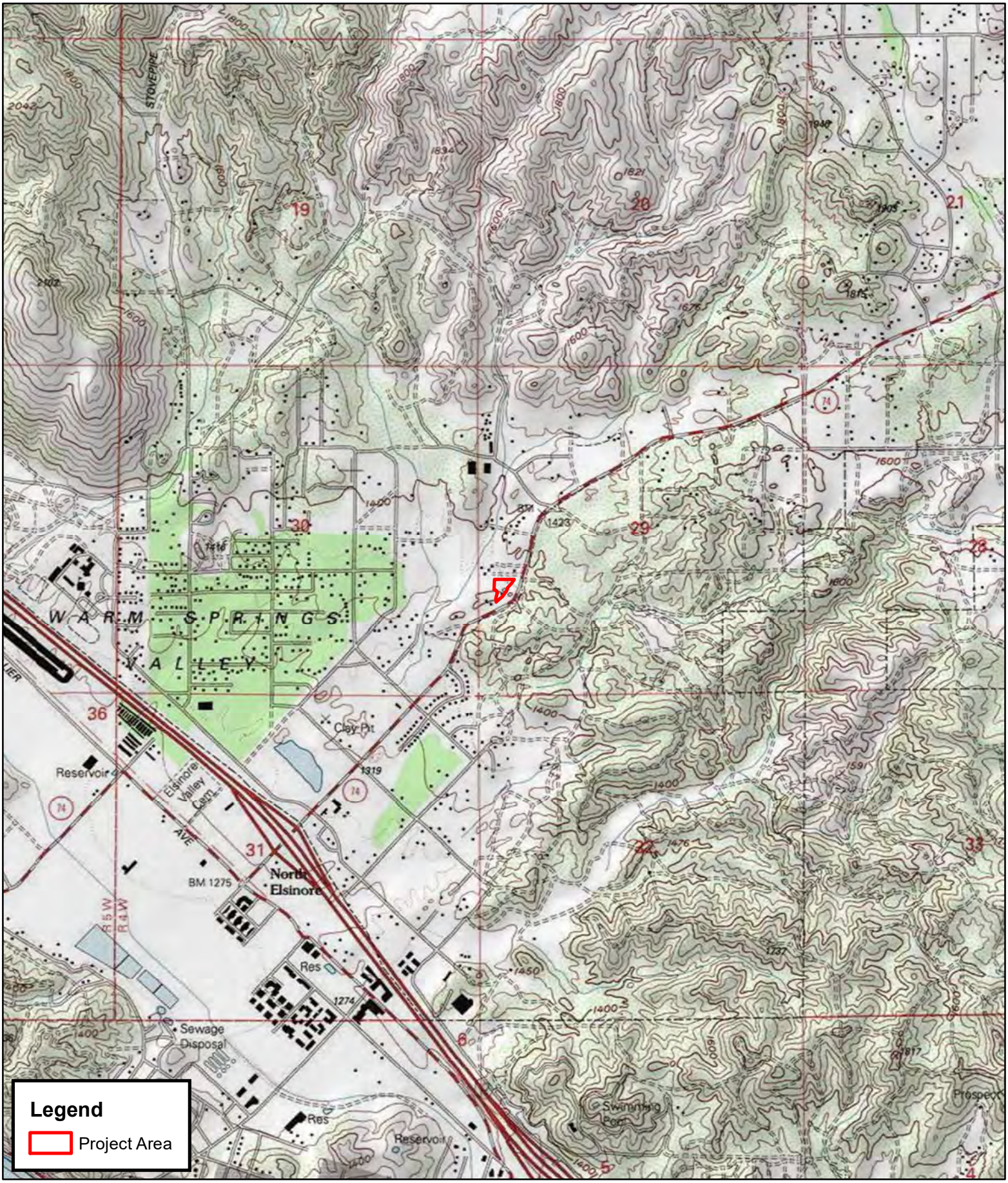

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RED TAIL ENVIRONMENTAL

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February 8, 2021

Mr. Joeseph Hamilton
Chairperson
Ramona Band of Cahuilla
PO Box 391670, Anza, CA, 92539
951-763-4105
admin@ramona-nsn.gov

Re: 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Riverside County, California

Dear Mr. Hamilton,

Red Tail Environmental (Red Tail) is conducting an archaeological study of the 28771 Highway 74 Project (project), located on Assessor Parcel Number (APNs) 347-130-028 and 347-130-029, Highway 74, Lake Elsinore, Riverside County, California. The project area is shown on the United States Geologic Survey (USGS) 7.5' *Lake Elsinore, California* topographic quadrangle within Section 29 of Township 5 South, Range 4 West. The Project is being undertaken in compliance with the California Environmental Quality Act (CEQA) and the County of Riverside is overseeing the project as lead agency. The project intends to develop portions of the two parcels for a gas station complex which will include a convenience store, a fueling canopy with six multi-product dispensers, and two underground storage tanks.

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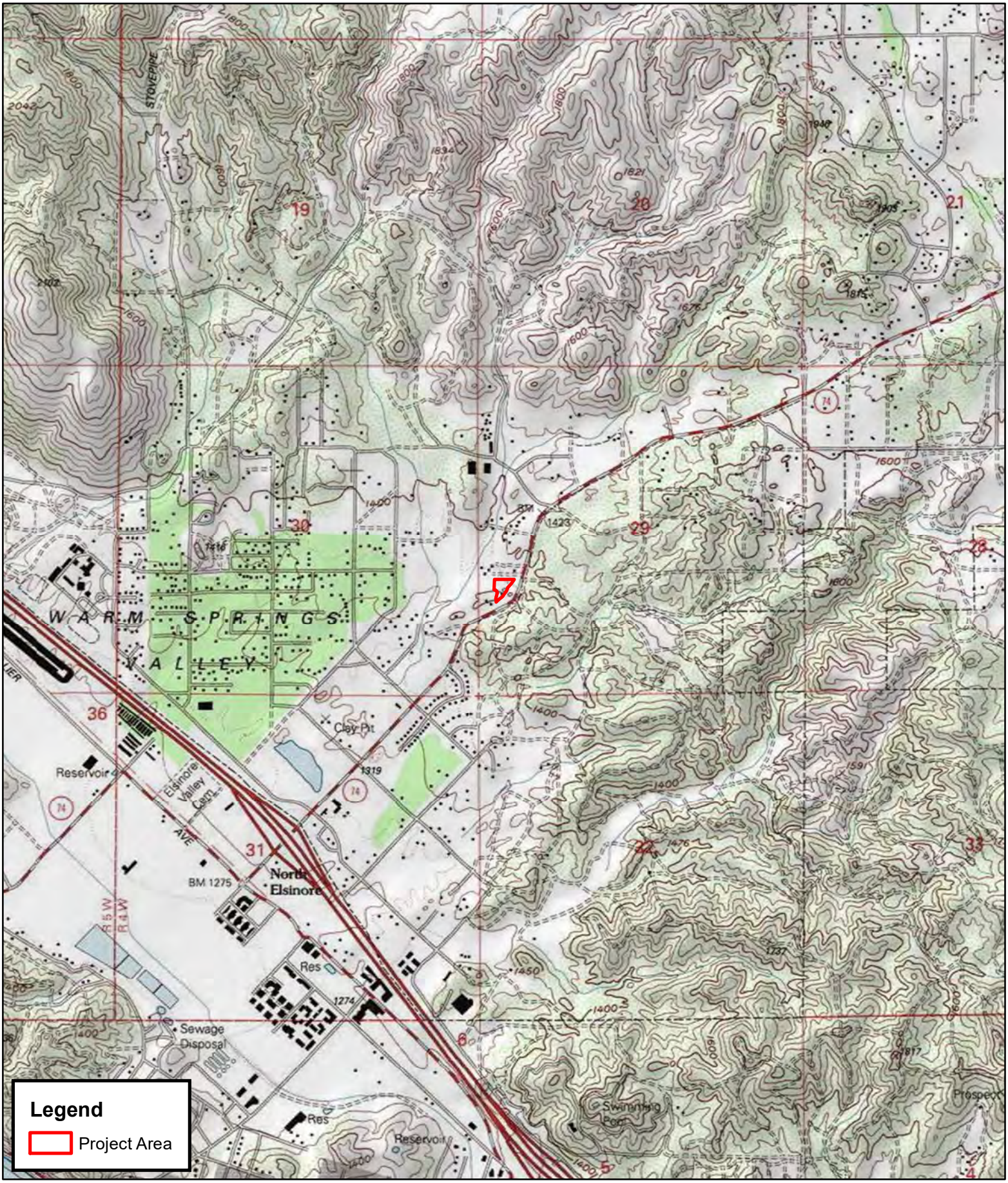

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RED TAIL ENVIRONMENTAL

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February 8, 2021

Ms. Jill McCormick
Historic Preservation Officer
Quechan Tribe of the Fort Yuma Reservation
PO Box 1899, Yuma, AZ, 85366
760-572-2423
historicpreservation@quechantribe.com

Re: 28771 Highway 74 Project, APNs 347-130-028 and 347-130-029, Riverside County, California

Dear Ms. McCormick,

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