

# 7 RESPONSES TO COMMENTS ON THE DRAFT EIR

## 7.1 OVERVIEW

The City of Hemet distributed a Notice of Preparation (NOP) on July 13, 2010, to government agencies, special service districts, organizations, and individuals with an interest in or jurisdiction over the project for a 30-day review period. On March 8, 2011, the City distributed the Draft Environmental Impact Report (DEIR) to public agencies and the general public and submitted the document to the State Clearinghouse for state agency review. In accordance with Section 15105 of the state CEQA Guidelines, a 45-day public review period was provided for the DEIR from March 8, 2011 through April 22, 2011.

## 7.2 PUBLIC WORKSHOP COMMENTS AND RESPONSES

The City of Hemet held a duly noticed public hearing before the Planning Commission on April 13, 2011. No member of the public addressed the Planning Commission on any matter related to the EIR.

## 7.3 LIST OF COMMENTERS

During the review period, 14 written comment letters were received and were considered in the preparation of this EIR. All comments received and responses to those comments are presented in this chapter in accordance with state CEQA Guidelines Section 15132. The City also received a comment letter from the Santa Ana Regional Water Quality Control Board sixteen days after the close of the comment period; responses to the comments in this letter are also presented in this chapter. Comment letters are labeled to correspond with an index table (see Table 7-1). Each individual comment is assigned a number (e.g., 1-1) that corresponds to the response following the comment. The comment letters and the responses to the substantive environmental issues raised in those letters are presented in the following section. Revisions made to the EIR in response to comments received are identified using ~~strikethrough~~ and underline.

Letter #	Commenter	Date
1	Native American Heritage Commission Dave Singleton, Program Analyst	October 6, 2011
2	California Department of Fish and Game Jeff Brandt, Senior Environmental Scientist	October 25, 2011
3	Riverside County Habitat Conservation Agency Carolyn Syms Luna, Executive Director	October 31, 2011
4	Riverside Transit Agency Lorelle Moe Luna, Senior Planner	October 31, 2011
5	Hemet Unified School District Jesse Bridwell, Facilities Planner	November 2, 2011
6	California Department of Toxic Substances Control Al Shami, Project Manager	November 8, 2011
7	Riverside County Airport Land Use Commission Edward C. Cooper, Director	November 14, 2011
8	Riverside/San Bernardino County Chapter CNPS Fred M. Roberts, Jr., Rare Plant Botanist	November 14, 2011

**Table 7-1  
List of Commenters**

Letter #	Commenter	Date
9	Riverside County Transportation Commission Cathy Bechtel, Project Development Director	November 14, 2011
10	Regional Conservation Authority Charles Landry, Executive Director	November 16, 2011
11	South Coast Air Quality Management District Ian MacMillan, Program Supervisor, CEQA Inter-Governmental Review	November 15, 2011
12	Southern California Edison Raymond Hicks, Region Manager	November 17, 2011
13	Riverside County Flood Control and Water Conservation District Mekbib Degaga, Engineering Project Manager	November 16, 2011
14	Governor's Office of Planning and Research State Clearinghouse and Planning Unit Scott Morgan, Director	November 15, 2011
15	California Regional Water Quality Control Board, Santa Ana Region Mark G. Adelson, Chief, Regional Planning Programs Section	November 30, 2011

## **7.4 COMMENT LETTERS AND RESPONSES TO COMMENTS**

Comments and responses are provided on the following pages.

LETTER  
1**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
Fax (916) 657-5390  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
ds\_nahc@pacbell.net



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PLANNING

October 6, 2011

Ms. Deanna Elliano, Community Development Director

**City of Hemet Community Development Department****Planning Division**

445 East Florida Avenue  
Hemet, CA 92543

Re: SCH#2010061088: CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "City of Hemet General Plan Update Project" located in the City of Hemet, Riverside County, California

Dear Ms. Elliano:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3<sup>rd</sup> 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. This project is also subject to California Government Code §§65352.3, 65352.4, 65560 and 65562.5 (SB 18). The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. However, the absence of archaeological resources does not preclude their existence.

The NAHC 'Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96.

1-1

Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254 (r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

cont.  
1-1

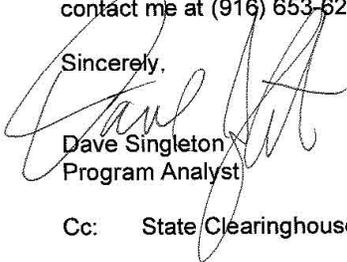
2

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

cont.  
1-1

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton  
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts**  
Riverside County  
October 6, 2011

Los Coyotes Band of Mission Indians  
Shane Chapparosa, Spokesperson  
P.O. Box 189                      Cahuilla  
Warner                      , CA 92086  
loscoyotes@earthlink.net  
(760) 782-0711  
(760) 782-2701 - FAX

Ramona Band of Cahuilla Mission Indians  
Joseph Hamilton, Chairman  
P.O. Box 391670                      Cahuilla  
Anza                      , CA 92539  
admin@ramonatribe.com  
(951) 763-4105  
(951) 763-4325 Fax

Pala Band of Mission Indians  
Tribal Historic Preservation Office/Shasta Gaugher  
35008 PalaTemecula Road, PMB      Luiseno  
Pala                      , CA 92059      Cupeno  
sgaugher@palatribe.com  
(760) 891-3515

Rincon Band of Mission Indians  
Tiffany Wolfe, Cultural & Environmental  
P.O. Box 68                      Luiseno  
Valley Center, CA 92082  
twolfe@rincontribe.org  
(760) 297-2632  
(760) 297-2639 Fax

(760) 742-3189 Fax

Pauma & Yuima Reservation  
Randall Majel, Chairperson  
P.O. Box 369                      Luiseno  
Pauma Valley CA 92061  
paumareservation@aol.com  
(760) 742-1289  
(760) 742-3422 Fax

Soboba Band of Mission Indians  
Scott Cozaet, Chairperson; Attn: Carrie Garcia  
P.O. Box 487                      Luiseno  
San Jacinto                      , CA 92581  
carrieg@soboba-nsn.gov  
(951) 654-2765  
(951) 654-4198 - Fax

Pechanga Band of Mission Indians  
Paul Macarro, Cultural Resource Center  
P.O. Box 1477                      Luiseno  
Temecula                      , CA 92593  
**(951) 770-8100**  
pmacarro@pechanga-nsn.  
gov  
(951) 506-9491 Fax

Santa Rosa Band of Mission Indians  
John Marcus, Chairwoman  
P.O. Box 391820                      Cahuilla  
Anza                      , CA 92539  
sestrada@  
(951) 659-2700  
(951) 659-2228 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2010061088; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the City of Hemet General Plan Update Project; located in the City of Hemet; Riverside County, California.

## Native American Contacts

Riverside County  
October 6, 2011

Morongo Band of Mission Indians  
Michael Contreras, Cultural Heritage Prog.  
12700 Pumarra Road Cahuilla  
Banning, CA 92220 Serrano  
**(951) 201-1866 - cell**  
mcontreras@morongo-nsn.  
gov  
(951) 922-0105 Fax

Morongo Band of Mission Indians  
Robert Martin, Chairperson  
12700 Pumarra Road Cahuilla  
Banning, CA 92220 Serrano  
(951) 849-8807  
(951) 755-5200  
(951) 922-8146 Fax

Pechanga Band of Mission Indians  
Mark Macarro, Chairperson  
P.O. Box 1477 Luiseno  
Temecula, CA 92593  
tbrown@pechanga-nsn.gov  
(951) 770-6100  
(951) 695-1778 Fax

La Jolla Band of Mission Indians  
ATTN: Rob Roy, Environmental Director  
22000 Highway 76 Luiseno  
Pauma Valley CA 92061  
rob.roy@lajolla-nsn.gov  
(760) 742-3796  
(760) 742-1704 Fax

Cahuilla Band of Indians  
Luther Salgado, Sr., Chairperson  
PO Box 391760 Cahuilla  
Anza, CA 92539  
tribalcouncil@cahuilla.net  
915-763-5549

Pechanga Cultural Resources Department  
Anna Hoover, Cultural Analyst  
P.O. Box 2183 Luiseño  
Temecula, CA 92593  
ahoover@pechanga-nsn.gov  
951-770-8100  
(951) 694-0446 - FAX

SOBOBA BAND OF LUISENO INDIANS  
Joseph Ontiveros, Cultural Resource Department  
P.O. BOX 487 Luiseno  
San Jacinto, CA 92581  
jontiveros@soboba-nsn.gov  
(951) 663-5279  
(951) 654-5544, ext 4137

This list is current only as of the date of this document.

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This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2010061088; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the City of Hemet General Plan Update Project; located in the City of Hemet; Riverside County, California.

**Letter  
1  
Response**

Native American Heritage Commission  
Dave Singleton, Program Analyst  
October 6, 2011

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1-1

The commenter describes state and federal statutes relating to Native American historic properties under state and federal law, and identifies the need for consultation with interested Native American groups, described in a list attached to the letter. The City followed the required consultation process with respect to the preparation of the General Plan and Draft EIR. The commenter further states that Native American cultural resources were not identified within the project area. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. No further response is required.

The General Plan recognizes and appreciates the importance of safeguarding culturally sensitive sites. Section 9.4.1 (Historic Resources, Indigenous Residents) outlines the indigenous history of Hemet and demonstrates the importance of cultural resource sensitivity by mapping areas (Figure 9.1) where new resources discoveries are most likely. A goal (HR-2) and three policies (HR-2.1, HR-2.2, and HR-2.3) ensure that significant resources are preserved, involve the Soboba Band and any other interested Indian tribes in the development review process, monitor development sites that have been identified in the review process, and require proper evaluation and appropriate mitigation measures of any resources found prior to or during site development.



California Natural Resources Agency  
 DEPARTMENT OF FISH AND GAME  
<http://www.dfg.ca.gov>  
 Inland Deserts Region  
 3602 Inland Empire Blvd., Suite C-200  
 Ontario, CA 91764  
 (909) 484-0167

EDMUND G. BROWN, JR., Governor  
 Charlton H. Bonham, Director

**LETTER**  
**2**

**RECEIVED**  
 OCT 31 2011  
**PLANNING**

October 25, 2011

Ms. Deanno Elliano  
 City of Hemet  
 445 E. Florida Ave.  
 Hemet, 92543

Subject: Draft Environmental Impact Report for the City of Hemet General Plan Update, City of Hemet, Riverside County -- SCH #2010061088

Dear Ms. Elliano:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the [ND, MND or DIER] for the [project name]. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 et seq.).

The Department is also responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the Natural Community Conservation Plan Program (NCCP). On June 22, 2004, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section 2800, et seq., of the California Fish and Game Code.

The project is the update of the City of Hemet's General Plan, first adopted in 1992. The project includes the update of required elements of the General Plan. The elements of interest to the Department are the Biological Resources and Hydrology sections. The City of Hemet is located in the San Jacinto Valley in western Riverside County. The General Plan covers the 28.3 square miles within the City's corporate limits, 37 square miles in the City's Sphere of Influence and an additional 32.1 square miles in the remaining portion of the City's planning area.

The proposed project occurs within the MSHCP and is subject to the provisions and policies of the MSHCP. The City of Hemet is signatory to the Implementing Agreement and is a Permittee of the MSHCP. Participants in the MSHCP are issued take authorization for covered species. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. In order to be

2-1

*Conserving California's Wildlife Since 1870*

considered a covered activity, Permittees must demonstrate that proposed actions are consistent with the MSHCP and its associated Implementing Agreement.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Section 15125(d) of the Guidelines for the Implementation of the California Environmental Quality Act requires that an environmental impact report (EIR) discuss any inconsistencies between a proposed project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans.

The major recommendation the Department has is for the City to discuss the MSHCP in general terms but also include specific information on the City of Hemet's role in the reserve assembly.

The MSHCP contains goals and objectives for distinct planning areas. The City of Hemet is included in the San Jacinto Valley Area Plan. The DEIR should include a discussion of the applicable Area Plan and its role in assembling the Reserve. The Department recommends that the DEIR include a discussion of the Area Plan and Criteria Cells, the goals and objectives, the total amount of acreage required to be acquired by the City of Hemet, and the current status of the acquisition, i.e., how much land has been acquired to comply with the Area Plan requirements of the MSHCP.

The Department recommends the following:

- |    |                                                                                                                                                                                                                   |     |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 1. | Combine the Federal Endangered Species Act (FESA) and CESA sections with the MSHCP discussion and discuss how the regulatory process works for signatories and participating special entities;                    | 2-3 |
| 2. | Include a discussion of the Area Plans and the role of the San Jacinto Area Plan with respect to the overall reserve;                                                                                             | 2-4 |
| 3. | Include a discussion of the Area Plan's goals and objectives; cores and linkages; how much property has been acquired and remains to be acquired; and the resource protection policies of the MSHCP;              | 2-5 |
| 4. | Include a reference to the MSHCP internet site;                                                                                                                                                                   | 2-6 |
| 5. | Distinguish between the Stephens' Kangaroo Plan and the MSHCP;                                                                                                                                                    | 2-7 |
| 6. | Include the Department's designation of RAFSS as "very threatened" community (S1.1) from the Department's "Sensitivity of Top Priority Rare Natural Communities in Southern California";                          | 2-8 |
| 7. | In the discussion of a Special Area Management Plan (SAMP) (page 4.4-6) include a statement that until such time as the resource agencies approve a SAMP, the existing regulatory requirements are in place; and, | 2-9 |
| 8. | Include a discussion of the Department's Fish and Game Code Lake and Streambed Agreement program in the Hydrology and Water Quality section.                                                                      |     |

cont.  
2-1

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2-9

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

cont.  
2-9

Sincerely,



Jeff Brant  
Senior Environmental Scientist

cc: State Clearinghouse

**Letter  
2  
Response**

California Department of Fish and Game  
Jeff Brandt, Senior Environmental Scientist  
October 25, 2011

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2-1

The commenter observes that the project occurs within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and notes that permittees must demonstrate consistency with the MSHCP and its Implementation Agreement. The comment does not identify any issues related to the adequacy of environmental analysis conducted in the EIR. No further response is required.

The following language has been added to General Plan Implementation Program OS-P-16 (Conservation Planning and Agency Coordination): “. . . *Notify and consult with staff of the RWQCB, Army Corps of Engineers, California Department of Fish and Game, U.S. Fish and Wildlife Service, and WRC-RCA when a proposed land development project may impact vernal pools or streambeds. Impacts to vernal pools and mitigation plans shall also be reported through the CEQA process.*”

2-2

The commenter recommends that the City should incorporate specific information on the City’s role in reserve assembly, as described in the San Jacinto Valley Area Plan. The comment does not identify any issues related to the adequacy of environmental analysis conducted in the EIR. The commenter’s proposed changes are addressed in Comments 2-3 through 2-9.

2-3

The commenter requests that the ESA and CESA sections be combined with the MSCHP discussion. In response to the comment, the following changes have been made to the EIR on page 4.4-1 (following the second paragraph under “Federal Endangered Species Act”) to reference the MSCHP discussion:

In the planning area, compliance with the Federal ESA is governed by the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP). The MSHCP and associated regulatory process for signatories and special entities are discussed below.

The following changes have been made to the FEIR on page 4.4-3 (immediately preceding “Native Plant Protection Act”) to reference the MSCHP discussion in the CESA section:

In the planning area, compliance with CESA is governed by the MSHCP. The MSHCP and associated regulatory process for signatories and special entities are discussed below.

A discussion of the regulatory process for signatories and participating special entities is provided on page 4.4-6 of the EIR. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. No further response is required.

2-4

The commenter requests that the EIR discuss the Area Plans, and include additional details concerning the goals and objectives, cores and linkages, acquisition of property, and resource protection policies of the MSHCP. In response to the comment, the EIR has been revised to include an expanded discussion of the San Jacinto Valley Area Plan, including acreage targets, cores, and linkages, on page 4.4-6, as follows:

The MSHCP establishes Criteria Areas which represent the areas within which MSHCP Criteria will be applied and from which 153,000 acres of new conservation will be achieved to contribute toward assembly of the overall MSHCP Conservation Area. Criteria have been developed for individual cells or cell groupings and are presented for

each Area Plan in the MSCHP. The Hemet planning area is within the San Jacinto Valley Area Plan and is closest to or contains portions of Criteria Area Subunits 3 and 4. Specific criteria for each Criteria Area, subunit, cell group, and cell are contained in the MSHCP.

The San Jacinto Valley Area Plan includes a target of 620– 1,000 conservation acres within the City of Hemet, which is included in a target of 11,540 – 19,465 conservation acres for the entire San Jacinto Valley Area Plan. The San Jacinto Valley Area Plan includes the following Cores and Linkages, which are described in Section 3.2.3 and MSHCP Volume II, Section A.

- ▶ A portion of Proposed Constrained Linkage 20
- ▶ All of Proposed Constrained Linkage 21
- ▶ A portion of Proposed Core 3
- ▶ A portion of Proposed Core 4
- ▶ Most of Proposed Core 5
- ▶ Most of Proposed Linkage 11
- ▶ A large portion of Proposed Linkage 14
- ▶ Eastern portion of Proposed Noncontiguous Habitat Block 5
- ▶ All of Proposed Noncontiguous Habitat Block 6
- ▶ A large portion of Proposed Noncontiguous Habitat Block 7
- ▶ A small portion of Existing Constrained Linkage C
- ▶ A small portion of Existing Core J.

The City is a participant in the MSCHP. As such, public and private development including construction of buildings, structures, infrastructure, and all alterations of the land, which are carried out by plan participants are covered for areas outside the Criteria Area. For land that is within the Criteria Area, proposals for new or altered land uses by plan participants must be evaluated to determine their effect on reserve assembly. Allowable uses must comply with plan survey and impact avoidance, minimization, and mitigation requirements.

The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. No further response is required.

2-5

The commenter requests that the EIR include a reference to the MSHCP internet site. The comment does not identify any issue related to the adequacy of environmental analysis conducted in the DEIR. In response to the comment, a reference has been added at the end of the first paragraph under “Western Riverside Habitat Conservation Plan” on page 4.4-4 of the EIR, as follows:

In June of 2003, the Riverside County Board of Supervisors adopted a comprehensive MSHCP to provide a regional conservation solution to species and habitat issues that have historically threatened to stall infrastructure and land use development. The MSHCP is a multi-jurisdictional effort that includes the entire unincorporated area of western Riverside County and fourteen cities, including the City of Hemet. The MSHCP covers 146 species and addresses biological diversity within 1.26 million acres, from just west of the San Jacinto Mountains to the Orange County border. The MSHCP is designed to protect more than 30 federally-threatened and endangered species, and to conserve 510,000 acres of native habitat, of which 347,000 acres are already in public and quasi-public ownership. The MSCHP is available on the internet at <http://www.rctlma.org/mshcp>.

2-6 The commenter requests that the EIR distinguish between the SKR HCP and the MSHCP. Separate discussions of these plans are provided on pages 4.4-4 and 4.4-8 of the EIR. The comment does not identify any issue related to the adequacy of environmental analysis conducted in the DEIR.

2-7 The commenter requests that the EIR include the designation of RAFSS as a very threatened community. The comment does not identify any issue related to the adequacy of environmental analysis conducted in the EIR. In response to the comment, the following text has been added at the end of the first paragraph following “Riversidean Alluvial Fan Sage Scrub” on page 4.4-12 of the EIR:

Riversidean alluvial fan sage scrub is a Mediterranean shrubland community that dominates washes, floodplains, and alluvial fans in southern California. This vegetation community is comprised of a number of diverse plant species, including drought-deciduous and evergreen shrubs, succulents, and desert riparian species (Sawyer and Keeler-Wolfe, 1995). Because alluvial fan sage scrub is characterized by its diversity, it can also be described as an intermediate between chaparral and sage scrub habitats, in that all three vegetation communities share similar floral components. However, the distinguishing factor is that alluvial fan sage scrub undergoes periodic scouring from frequent flooding events, creating three seral stages; pioneer, intermediate, and mature. Each seral type is distinct due to soil type, dominant floral species, vegetative cover, and elevation. In the planning area, Riversidean alluvial fan sage scrub only occurs along the San Jacinto River, totaling approximately 585 acres. DFG has designated Riversidean alluvial fan sage scrub as a “very threatened” community.

Recognition of RAFSS as a very threatened community has also been added to the General Plan under the discussion of vegetative communities in the Chapter 7 (Open Space and Conservation).

2-8 The commenter requests that the EIR clarify regulatory requirements in place until a SAMP has been approved. The comment does not identify any issue related to the adequacy of environmental analysis conducted in the EIR. In response to the comment, the following text has been added to the EIR at the end of the second paragraph on page 4.4-7:

The mapping developed as part of the USACE Special Area Management Plan (SAMP) process is used to identify aquatic resources such as riparian/riverine areas, vernal pools and other jurisdictional areas that may be acquired for inclusion in the MSHCP Conservation Area. If such areas are identified, negotiations may proceed in accordance with the HANS process. Until such time as the resource agencies approve a SAMP, the existing regulatory requirements are in place.

2-9 The commenter requests that the EIR discuss the Lake and Streambed Alteration Program in Section 4.9, “Hydrology and Water Resources.” The comment does not identify any issue related to the adequacy of environmental analysis conducted in the EIR. In response to the comment, the following text has been added to the EIR on page 4.9-8:

#### **Lake and Streambed Alteration Program**

The California Fish and Game Code (Section 1602) requires the City to notify the Department of Fish and Game (DFG) of any proposed activity that may substantially modify a river, stream, or lake, including:

- ▶ substantially diverting or obstructing the natural flow of any river, stream or lake;

- ▶ substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake; or
- ▶ depositing or disposing of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

If DFG determines that the activity may substantially adversely affect fish and wildlife resources, a Lake or Streambed Alteration Agreement must be prepared to document reasonable conditions necessary to protect those resources.



LETTER  
3

*A Joint Powers Authority*

RECEIVED  
OCT 31 2011  
PLANNING

**RCHCA**  
**Board of Directors**

October 25, 2011

**City of Corona**  
Eugene Montanez

Ms. Deanna Elliano  
Community Development Director  
City of Hemet  
445 East Florida Avenue  
Hemet, CA 92543

**City of Hemet**  
Linda Krupa

**RE: City of Hemet Draft General Plan Update and Draft Program EIR  
State Clearinghouse No. 2010061088**

**City of Lake Elsinore**  
Melissa Melendez

Dear Ms. Elliano:

**City of Menifee**  
Vacant

The Riverside County Habitat Conservation Agency (RCHCA) is the agency that implements the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan (HCP).

**City of Moreno Valley**  
William H. Batey II  
Vice-Chairperson

The RCHCA examined the City of Hemet Draft General Plan Update and Draft Program EIR and has the following comments:

**City of Murrieta**  
Alan Long

**Draft General Plan Update:**

**City of Perris**  
Mark Yarbrough

- Page 2-9 last paragraph  
The RCA is the Regional Conservation Authority
- Page 7-9 Riverside County Integrated Project (RCIP) last line  
The Community and Environmental Transportation Acceptability Process is CETAP
- Page 7-10 Southwestern Riverside County Multi-Species Reserve should include the following information:  
Multiple ownerships comprise the Reserve that extends from Diamond Valley Lake to Lake Skinner  
This is a core reserve for the Stephens' kangaroo rat under the SKR HCP  
The last sentence in the section should read, "Additionally, it offers more than 10 miles of hiking and equestrian trails with the potential for strategically expanding the trail system."
- Page 7-10 through 7-11 Western Riverside County Multi-Species Habitat Conservation Plan  
The Regional Conservation Authority (RCA) is comprised of member agency elected representatives  
The area encompassed by the MSHCP includes the city of Wildomar and also the new cities of Jurupa Valley and Eastvale

**City of Riverside**  
Mike Gardner

**County of Riverside**  
Supervisor Bob Buster

**City of Temecula**  
Maryann Edwards  
Chairperson

**City of Wildomar**  
Ben Benoit

**Executive Director**  
Carolyn Syms Luna

**General Counsel**  
Tiffany North  
Deputy County Counsel

3-1

4080 Lemon Street, 12th Floor • Riverside, California 92501 • (951) 955-6097  
P.O. Box 1605 • Riverside, California 92502-1605 • Fax (951) 955-0090

- Page 9-9 Section 9.4.2  
Should say 6,000 acres of sloping (not slopping)
- Page 12-2 final bullet  
Should say MSHCP and add SKR HCP

cont.  
3-1

**Draft Program EIR**

- Page 4.4-7 Stephens' Kangaroo Rat Habitat Conservation Plan (HCP)  
There are eight core reserves encompassing about 51,200 acres with 15,000 acres of SKR-occupied habitat  
The land acquisition requirement under the SKR HCP has been met  
Any private lands in and around the established SKR reserves are not part of a reserve

3-2

Thank you for the opportunity to comment on the referenced documents.

Sincerely,



Carolyn Syms Luna  
Executive Director, RCHCA

Cc Linda Krupa

- 3-1 The commenter proposes several edits to the General Plan document. All recommended General Plan text edits were made in the Draft General Plan errata as suggested by RCHCA, and will be incorporated into the final General Plan document upon approval by City Council. No further response is required.
- 3-2 The commenter proposes a text edit to page 4.4-7 of the EIR. The comment does not identify any issue related to the adequacy of environmental analysis conducted in the EIR. In response to the comment, the following text has been added under “Stephens’ Kangaroo Rat Habitat Conservation Plan (HCP)” on page 4.4-8 of the EIR:

**Stephens’ Kangaroo Rat Habitat Conservation Plan (HCP)**

The Riverside County Habitat Conservation Agency (RCHCA) prepared an HCP for the Stephens’ Kangaroo Rat (SKR) to replace a SKR Short-Term HCP which the RCHCA and its member agencies had been implementing since 1990. Under that plan, the USFWS and DFG authorized a limited amount of incidental take subject to conservation and mitigation actions. The new permit and agreement is valid for 30 years and authorizes incidental take of SKR on RCHCA member agency lands within the plan area mapped in the HCP. The HCP area covers 533,954 acres within RCHCA member jurisdictions, including approximately 30,000 acres of occupied SKR habitat. The RCHCA established a regional system of ~~seven~~ eight core reserves for conservation of SKR and the ecosystem upon which it depends. The core reserves encompass ~~41,221~~ about 51,200 acres, including ~~12,460~~ 15,000 acres of SKR-occupied habitat. ~~Most land included in these reserves is presently in public ownership; some privately held properties remain in the Lake Mathews Estelle Mountain, Lake Skinner Domenigoni Valley, and San Jacinto Lake Perris reserves. The land acquisition requirement under the SKR HCP has been met, and any private lands in and around the established SKR reserves are not part of a reserve.~~ Hemet’s implementing regulations for the SKR HCP are found in Sections 58-91 through 58-104 of the Hemet Municipal Code.

October 31, 2011

Deanna Elliano  
Community Development Director  
City of Hemet  
445 East Florida Ave  
Hemet, CA 92543

Riverside Transit Agency  
1825 Third Street  
P.O. Box 59968  
Riverside, CA 92517-1968  
Phone: (951) 565-5000  
Fax: (951) 565-5001

Subject: City of Hemet General Plan Update

Dear Ms. Elliano:

Thank you for the opportunity for Riverside Transit Agency (RTA) to review the Draft Environmental Impact Report for the City of Hemet. The proposed General Plan includes a comprehensive set of goals and policies that is inclusive of ways to strengthen transportation and circulation. Public transportation is an integral part to building sustainable communities and the recognition that has been given to it in the General Plan is appreciated. These include coordination efforts with land use designations, improving corridors, allowing for multiple modes of travel, and pedestrian-friendly access such as “complete streets.”

We look forward to building on this foundation further through collaborative efforts with the city. The update of your General Plan comes at an opportune time as RTA will be conducting a Comprehensive Operational Analysis (COA) Study in 2012. The COA can be considered the transit equivalent to a local jurisdiction’s general plan. As RTA progresses with the COA process, planning documents such as this will be utilized to enhance existing and future public transit services and stakeholders such as local cities will be encouraged to participate.

Upon reviewing your draft General Plan, following is a list of additional elements that may be recognized to advance public transit.

- Integrate methods that will allow buses to stop at transit stops while not disrupting vehicular traffic.
  - One strategy is to having the outer traffic lane twenty feet wide, including the bike lane. While this creates a safer condition for the bus to stop, it also provides a greater distance between pedestrians and vehicular traffic.
  - In cases where the outer lane is less than twenty feet wide, consider a turnout for the bus at the stop location. (See Exhibit A for an example of a turnout design).
- Have transit stops located at far side locations from intersections where traffic is likely to be clear -allowing buses easier mobility (See Exhibit B for illustrations).
- Similar to sidewalks, accessibility to transit stops must meet ADA requirements. A part of that requirement is having a continuous paved connection to and from the stop. Most commonly, these are sidewalks and at the stop itself, provide clearance for wheelchair movement (See Exhibit C for examples).
- Provide amenities for transit users such as lighting, shelters and benches.

4-1

For more information on design guidelines for transit bus service please see RTA's *Design Guidelines for Bus Transit* document at [www.riversidetransit.com](http://www.riversidetransit.com) under publications.

cont.  
4-1

Please do not hesitate to contact me with any questions by phone at (951)565-5166 or email at [lmoeluna@riversidetransit.com](mailto:lmoeluna@riversidetransit.com).

Sincerely,



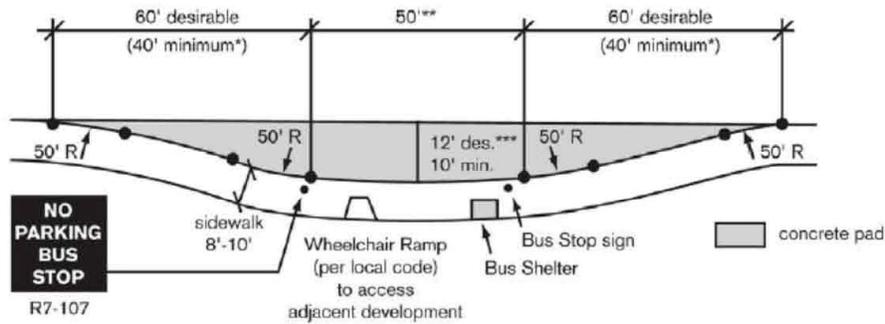
Lorelle Moe Luna  
Senior Planner

### Attachment A:

FIGURE 31

#### Design parameters for large bus turnout

Not to scale

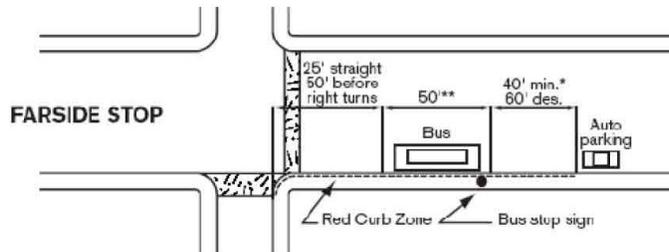


\* 40' minimum for low speed and low volume streets; 60' desirable for high speed and high volume streets.

\*\* This 50' berth is for a single 40' vehicle. For articulated vehicles, a 70' berth is necessary.

\*\*\* 10' minimum for low speed and low volume streets; 12' desirable for high speed and high volume streets

### Attachment B:



\* 40' minimum for low speed and low volume streets 60' desirable for high speed and high volume streets.

\*\* This 50' berth is for a single large 40' long vehicle. For articulated vehicles, a 70' berth is necessary. These dimensions are for one bus position only; if more positions are required at a stop, see Figure 9 on how to estimate the length needed for multiple berths.

**Attachment C:**



(Sidewalks separated from the street by grass are not ADA compliant for bus stops)



(Sidewalk designs should eliminate landscape buffering to comply with ADA law)

4-1

The commenter suggests several potential revisions to the General Plan, which are addressed as follows:

- In the Circulation Element, Section 4.6.2 (Bus and Local Transit Services), a paragraph entitled “Design Considerations for Public Transit” was modified to incorporate the concepts proposed by the RTA. The figures on design parameters included in the RTA letter were not added to the General Plan document, but have been retained in the City’s files for future reference.
- General Plan Policy 4.15 (Transit Oriented Development Design Features) was modified to incorporate the design elements proposed by the RTA.

In response to a comment received from a City resident, the following design feature has been added to both the Design Considerations for Public Transit in Section 4.6.2 and to Policy 4.15: *“Locate transit stops to minimize the impact of buses and ridership activity on nearby neighborhoods. Incorporate buffer zones as feasible.”*

The commenter does not identify any issue related to the adequacy of environmental analysis conducted in the EIR. No further response is necessary.



Dr. Steven A. Lowder  
Superintendent

Dr. LaFaye Platter  
Deputy Superintendent  
Dr. Sally Cawthon  
Assistant Superintendent  
Vincent Christakos  
Assistant Superintendent

Professional Development  
Service Center  
1791 W. Acacia Avenue  
Hemet, CA 92545  
(951) 765-5100  
Fax: (951) 765-5115

Professional Development  
Academy  
2085 W. Acacia Avenue  
Hemet, CA 92545  
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Fax: (951) 765-6421

[www.hemetusd.k12.ca.us](http://www.hemetusd.k12.ca.us)

Governing Board  
Paul Bakkom  
Dr. Lisa DeForest  
Marilyn Forst  
Charlotte Jones  
Bill Sanborn  
Ross Valenzuela  
Joe Wojcik

**LETTER  
5**

November 2, 2011

Deanna Elliano  
Community Development Director  
City of Hemet  
445 E Florida Avenue  
Hemet, CA 92543

**Re: 2030 General Plan Draft Environmental Impact Report Comments**

Dear Community Development Director Elliano,

The Hemet Unified School District (HUSD) is in receipt of the Draft Environmental Impact Report for the 2030 General Plan Update. We are aware that the City has been working on this comprehensive update to its general plan for years now. Congratulations on bringing the years of work to fruition. We would also like to thank the City for allowing HUSD to be a part of the General Plan Advisory Committee and also for allowing the District to give input to the general plan update over the last few years.

Throughout the Draft EIR is a theme of the City and HUSD working jointly on various issues, for early planning for the future to avoid negative impacts before they are on top of us.

Following are HUSD's comments to the Draft EIR for the 2030 Draft General Plan. While most are grammatical in nature, HUSD is requesting several other changes, such as existing school sites not designated with the SCH land use be changed to reflect the SCH land use. Also, while most of these comments echo those of the comments to the General Plan itself, several are unique to the Draft EIR. HUSD respectfully submits the following comments to the Draft EIR for the Draft General Plan:

5-1

Exhibit 3.3 Change the land use designation to "SCH" for the following school sites. These sites are all existing school sites owned by HUSD (Refer to attachments A-E).

Site to Add as SCH Land Use	APN
Bautista Creek (Attachment A)	551-190-003
	551-190-004
	551-190-075
	551-190-077
Cawston (Attachment B)	444-100-013
HELP (Attachment C)	443-222-014
	443-222-015

Site to Add as SCH Land Use	APN
Jacob Wiens/Santa Fe Ed. Center (Attachment D)	443-163-001
	443-213-001
	443-214-001
	445-104-001
	445-170-006
Little Lake (Attachment E)	449-090-020
	449-090-021

These changes would also affect Table 3-1, page 3-9, and other related tables and calculations.

cont.  
5-1

Exhibit 3.3 Remove the “SCH” land use designation from a portion of Hemet High. This portion is a single-family residence, not part of the school site and not owned by HUSD (refer to Attachment F).

Site to Remove as SCH Land Use	APN
Hemet High (portion of) (Attachment F)	449-270-001

These changes would also affect Table 3-1, page 3-9, and other related tables and calculations.

Page 4.10-4 In the third paragraph it states “In Area III, the moderate risk area, a wide range of uses are permitted with the exception of schools, structures containing hazardous materials, places of assembly, and structures over 35-feet tall.” However, these uses can be permitted under a discretionary review. Please add a clarifying statement.

5-2

Page 4.12-1 First paragraph under “State School Funding”: “Facility Needs Analysis” should read “**School** Facility Needs Analysis”.

Page 4.12-4 Second paragraph under “Schools”: “*School Facility Needs Assessment*” should read “*School Facility Needs Analysis*”.

Page 4.12-4 Second paragraph under “Schools”: “Within the planning area, HUSD has 11 elementary schools, six middle schools, three high schools, and one alternative high school (HUSD 2011).” should read “Within the planning area, HUSD **operates 10 elementary schools, four middle schools, three high schools, two charter schools, and an alternative education site which houses a continuation high school, adult education, independent study, and other alternative education programs.**”

5-3

Page 4.12-4 Delete the third paragraph under “Schools” (beginning with “In response to recent growth...”). The projections the Master Plan references are outdated and did not come to fruition.

Page 4.12-4 Remove the fourth paragraph under “Schools” (beginning with “Based on anticipated...”). Since the projections the Master Plan referenced were not realized, the new school projects are currently on hold and will not be built in the referenced timeframe.

Exhibit 4.12-1 Change the symbol for Western Center Academy from “Middle School” (blue) to “Alternative School” (purple).

Exhibit 4.12-1 Change the label for “Alessandro HS” to “Alessandro”.

Exhibit 4.12-1 Add an Alternative School at 136 N Ramona Street labeled “HELP”.

Exhibit 4.12-1 Add an Alternative School at 26400 Dartmouth Street labeled “HAAAT” (adjacent to and south of Dartmouth MS).

cont.  
5-3

Exhibit 4.12-1 Change the label of “FTLC/HHJ/HAAAT/APA” to “Santa Fe Education Center”.

Page 4.12-9 Table 4.12-4 lists the “Exchange Club Park, Community Park”. This park has not been funded and therefore it has yet to be determined when this park will be built.

Page 9-10 The second and third references under “Public Services and Facilities” are preceded by an underscore. Is more information needed for these items?

5-4

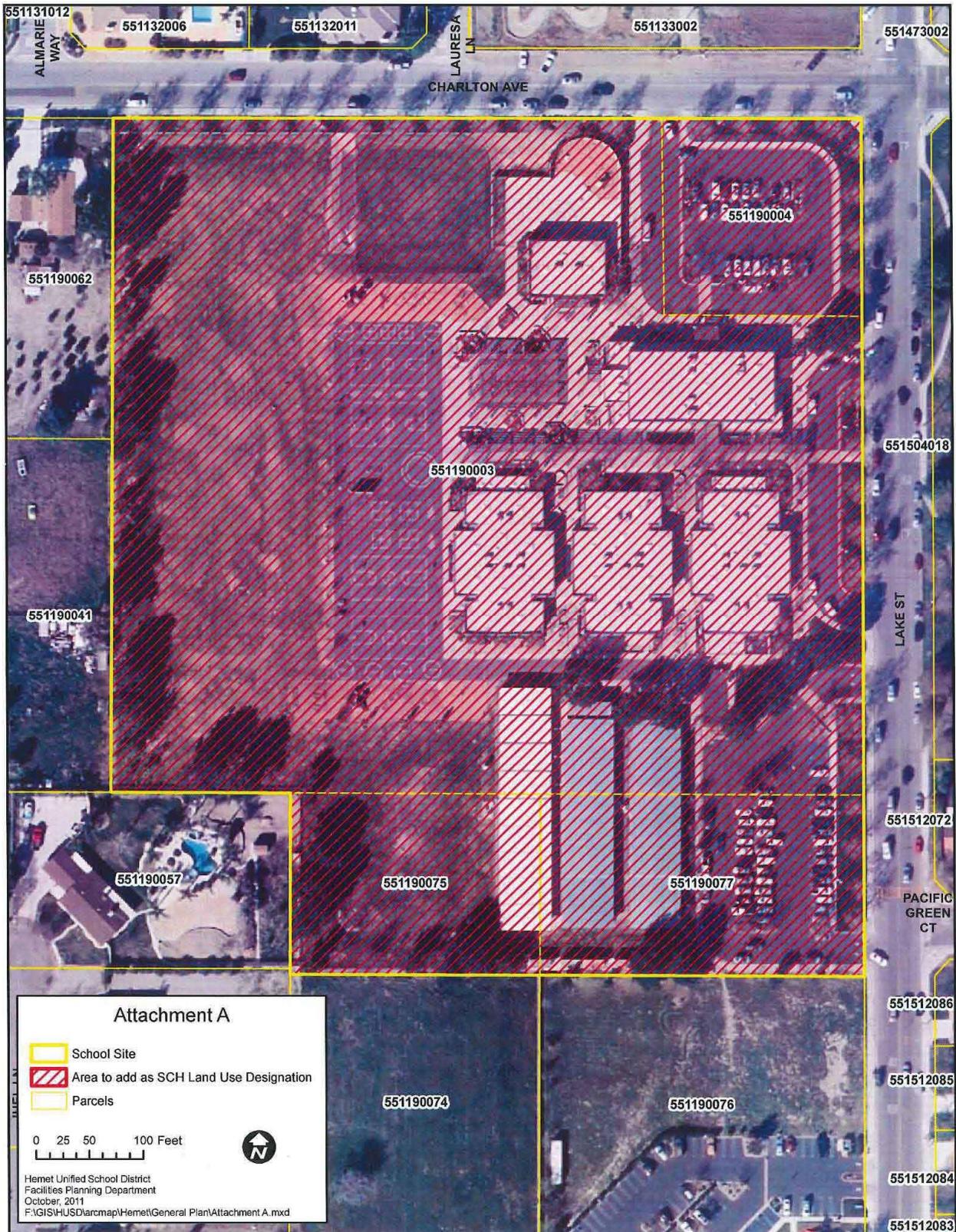
Thank you again for the opportunity to provide input to the Draft EIR for the comprehensive update to the City’s General Plan. HUSD applauds the content as well as the effort the City has put into this document. Should you have any questions or comments do not hesitate to contact me at (951) 765-5100 ext. 5465 or [jbridwell@hemetusd.k12.ca.us](mailto:jbridwell@hemetusd.k12.ca.us).

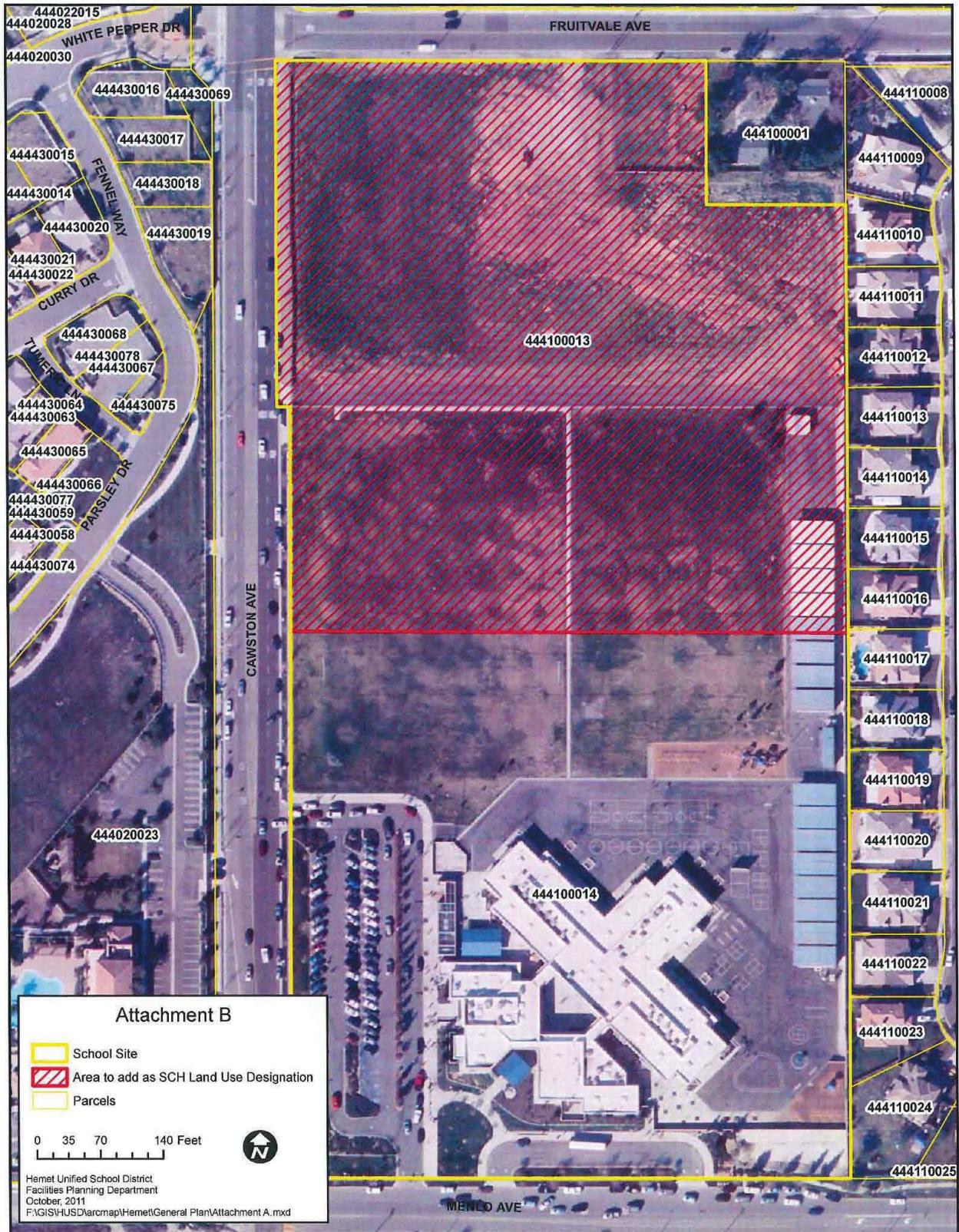
Sincerely,

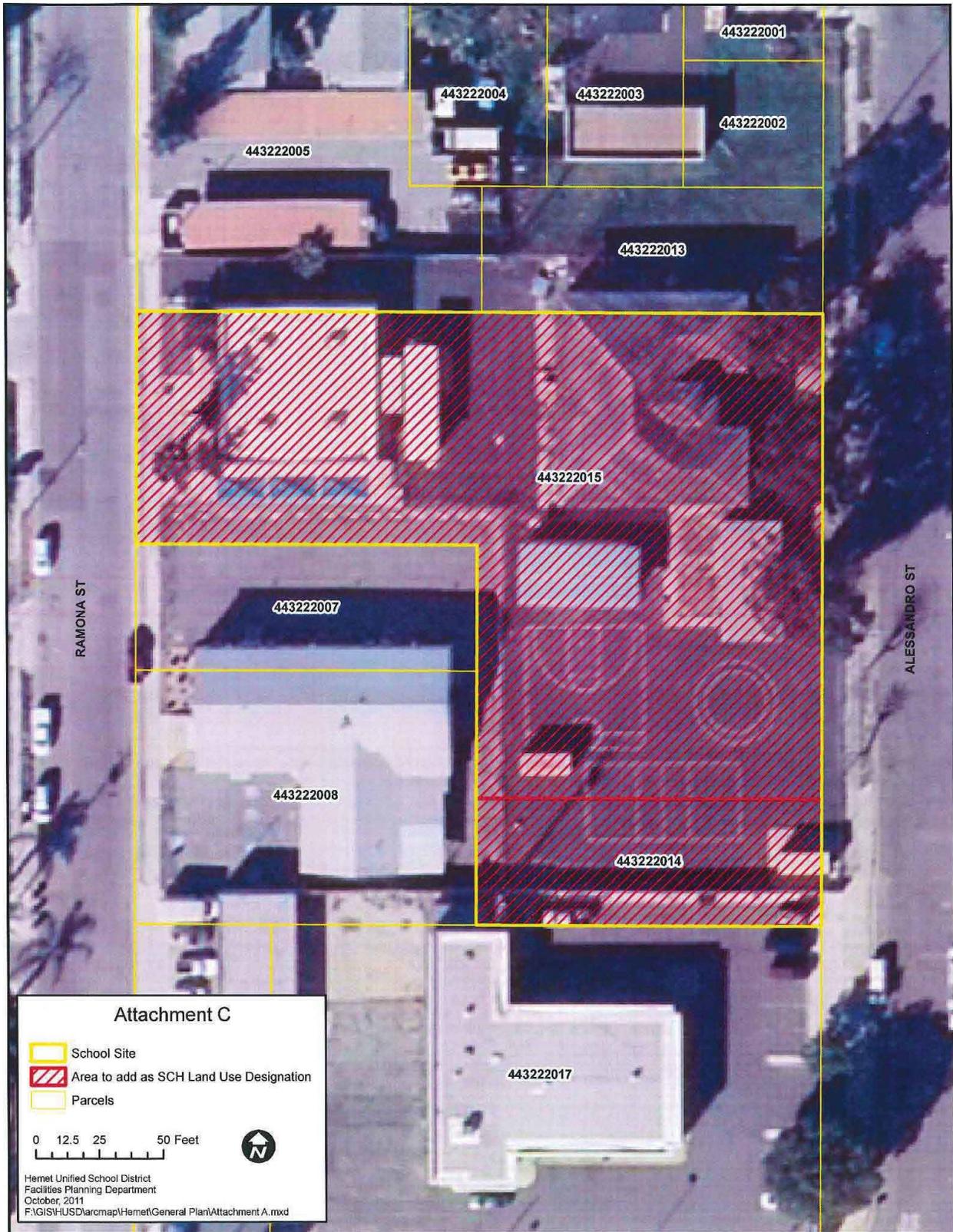


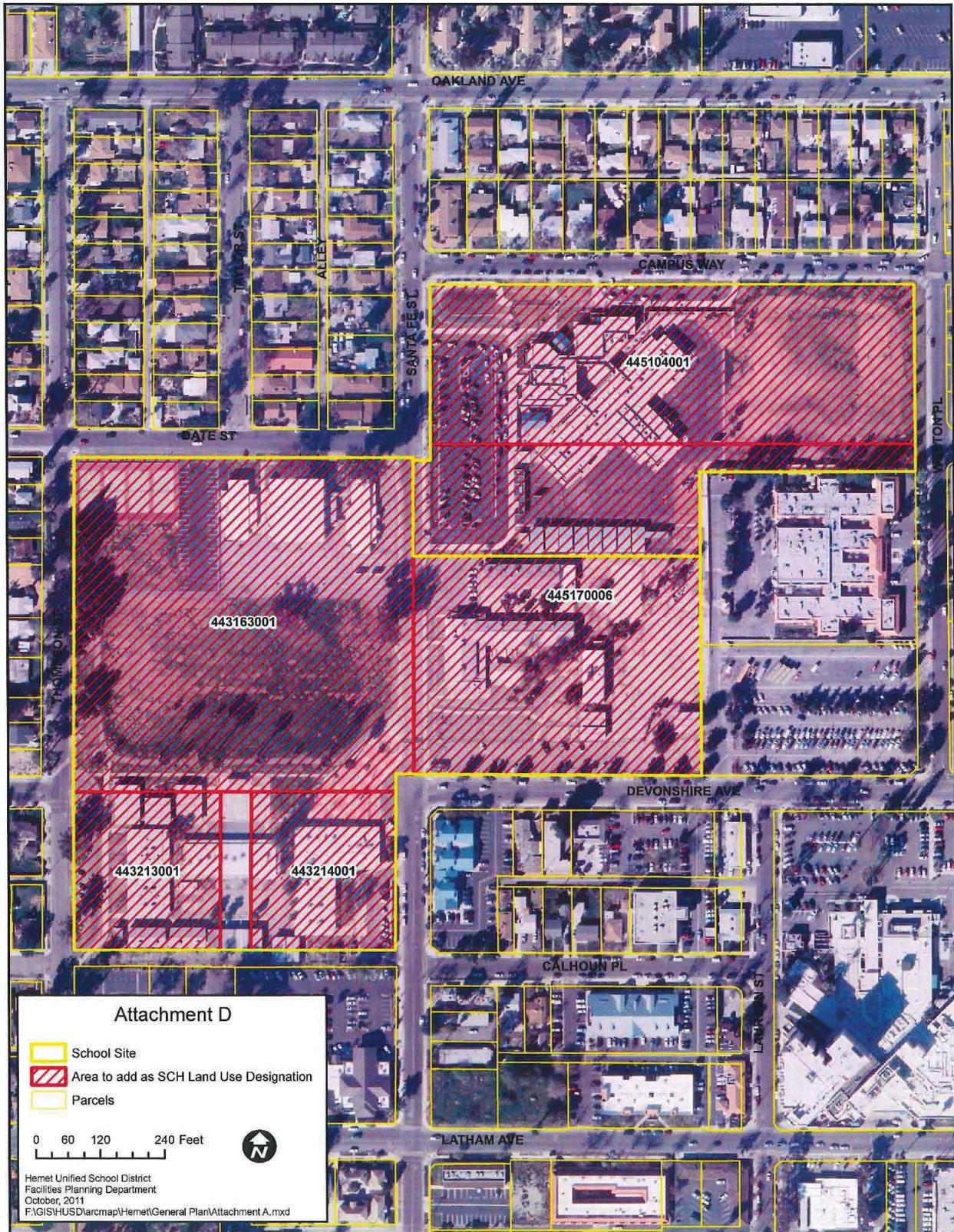
FOR SESSE BRIDWELL

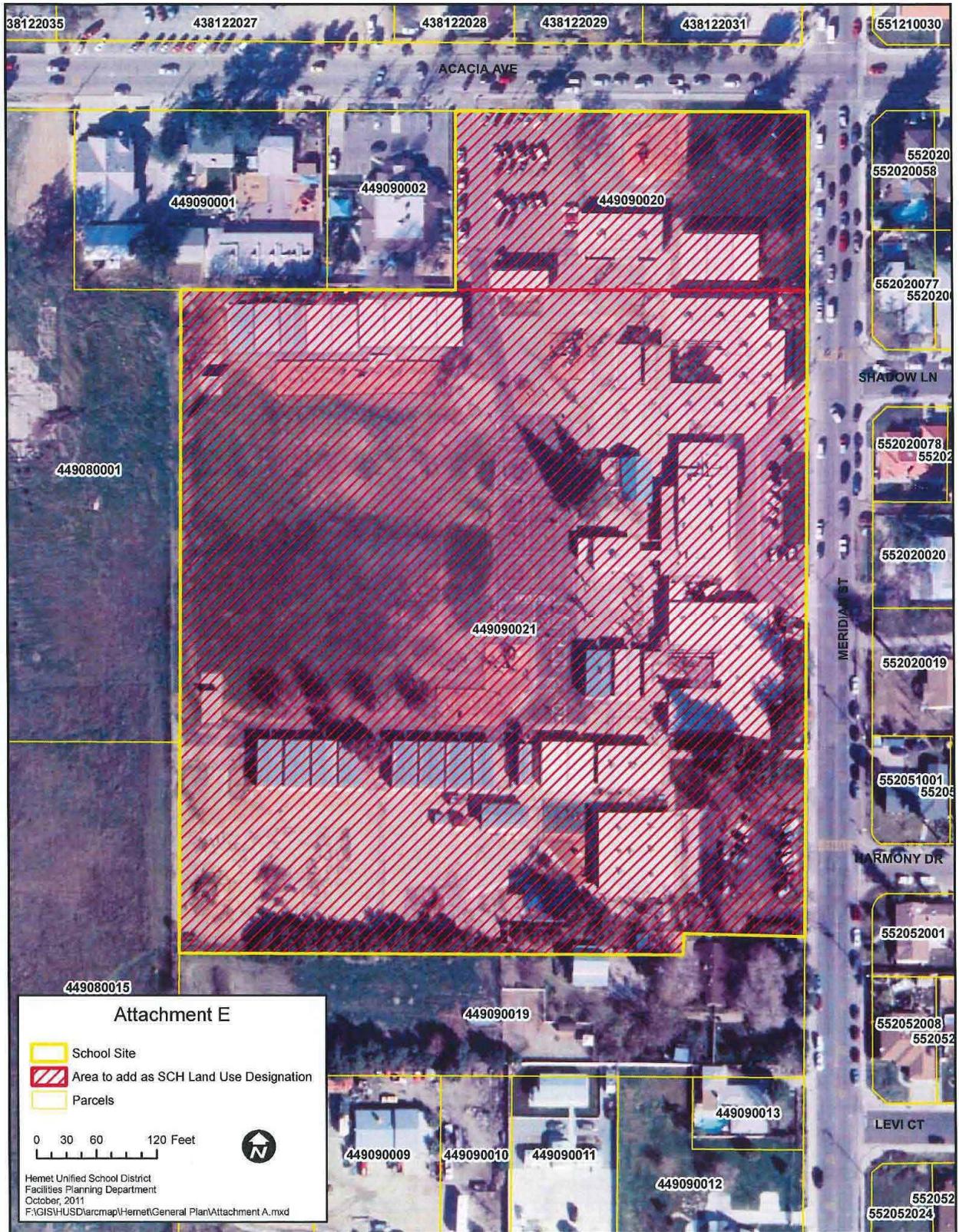
Jesse Bridwell  
Facilities Planner

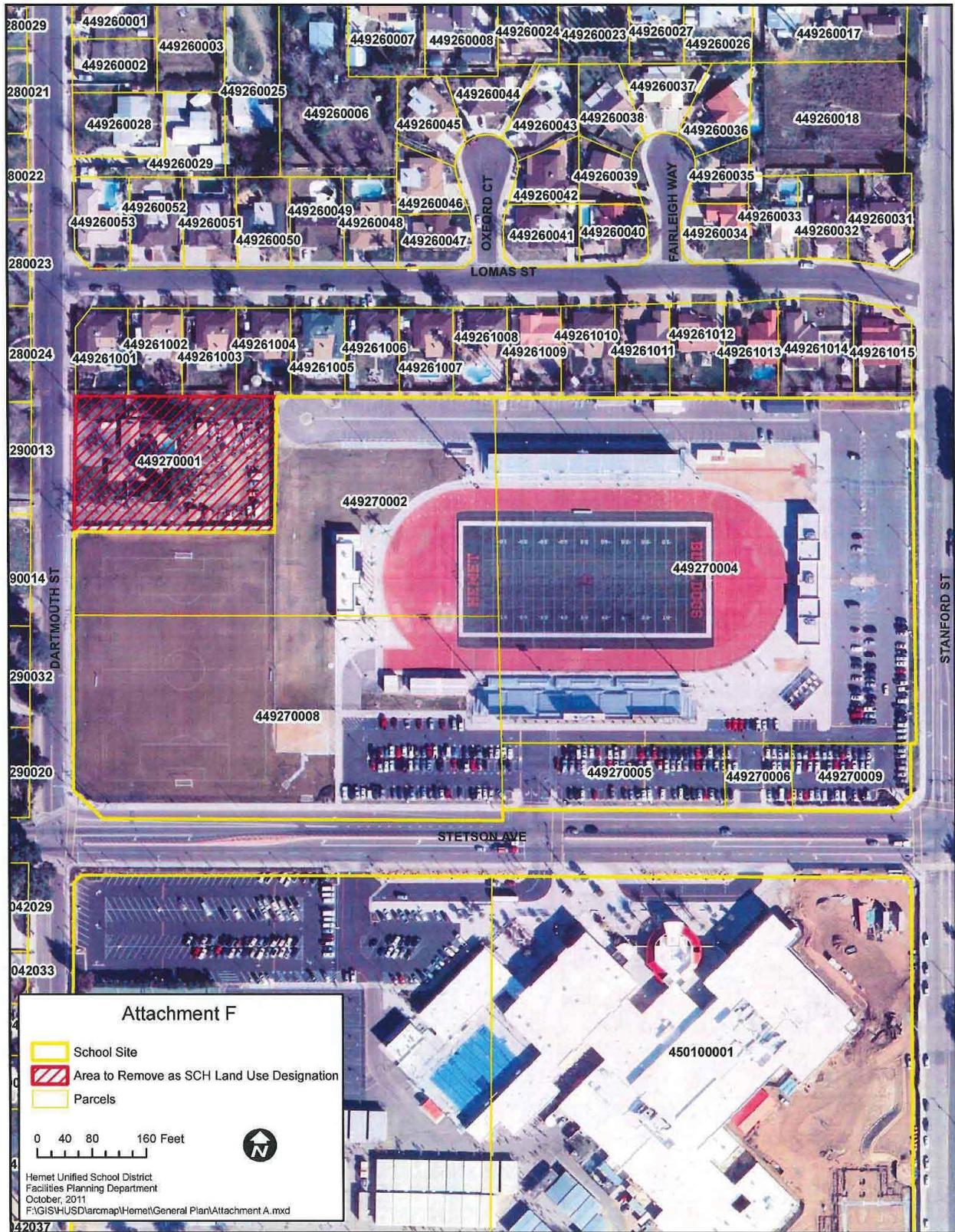












5-1 The commenter suggests several revisions to the General Plan, which were incorporated into the General Plan as follows:

Per the letter from the HUSD dated November 2, 2011 regarding the Draft 2030 General Plan Comments, all proposed changes were made with the exception of the recommendation to change the land use designation of the parcels shown in Attachment D from Office Professional to School. Per an e-mail from Vincent J. Christakos, Assistant Superintendent, Business Services, dated December 13, 2011, the HUSD requested that the parcels with APNs 443-163-001, 443-213-001, 443-214-001, 445-104-001, and 445-170-006 (Attachment D in the November 2, 2011 letter) retain the Office Professional land use designation. The General Plan land use map designates the parcels as Office Professional.

The commenter does not identify any issue related to the adequacy of environmental analysis conducted in the EIR.. No further response is necessary.

5-2 The commenter requests a text change to Section 4.10, "Land Use, Population, and Housing." The comment does not identify any issue related to the adequacy of environmental analysis conducted in the EIR. In response to the comment, the following text has been added to the last paragraph on page 4.10-4 of the EIR:

Land use policies in the ALUP are structured around four distinct land use compatibility areas within and surrounding the airport. In Area I, an area of extreme risks (where flight paths converge and a high number of lower-altitude aircraft overflights occur), only agricultural and open space uses are permitted. Industrial and agricultural uses are permitted in Area II, an area of high risk (same risks as extreme area, but to a lesser severity), along with residential uses requiring a minimum lot size of 2.5 acres. In Area III, the moderate risk area, a wide range of uses are permitted with the exception of schools, structures containing hazardous materials, places of assembly, and structures over 35-feet tall, which may only be permitted following discretionary review.

5-3 The commenter recommends several text changes to Section 4.12, "Public Services and Facilities." The comment does not identify any issue related to the adequacy of environmental analysis conducted in the EIR. In response to the comment, the following edits have been made to the EIR under "State School Funding" on page 4.12-1:

Education Code Section 17620 authorizes school districts to levy a fee, charge, dedication, or other requirement against any development project for the construction or reconstruction of school facilities, provided that the district can show justification for levying of fees. Government Code 65995 limits the fee to be collected to the statutory fee (Level I) unless a school district conducts a School Facility Needs Analysis Assessment (Government Code Section 65995.6) and meets certain conditions. These fees are adjusted every two years, in accordance with statewide cost indices determined by the State Allocation Board.

In response to the comment, the following edits have been made to the EIR following the second paragraph under "Schools" on 4.12-4:

According to the HUSD 2010 *School Facilities Needs Analysis Assessment*, approximately 22,000 students from kindergarten to 12th grade were enrolled within the HUSD in 2009 (HUSD 2011a). Within the planning area, HUSD operates 10 ~~has 14~~ elementary schools, ~~four six~~ middle schools, three high schools, two charter schools, and an alternative education site which houses a continuation high school, adult education, independent study, and other alternative education programs ~~and one alternative high school~~ (HUSD 2011b).

~~In response to recent growth, HUSD has been actively seeking new sites for schools. In 2007, HUSD released its 2007-2013 Facilities Master Plan outlining and guiding school construction plans in the near future. This plan presents a conservative estimate projecting an enrollment of 30,000 by 2013, and a more aggressive estimate projecting an enrollment of 35,000 under a higher growth scenario (HUSD 2007: 20).~~

~~Based on anticipated residential development projects and projected numbers of new students, HUSD expects to construct five new elementary schools and one new middle school, to expand Hemet High School, and to secure sites for two additional middle schools and two high schools by 2012 (HUSD 2007: 3).~~

In response to the comment, several edits have also been made to Exhibit 4.12-1, as shown in the EIR. The commenter recommends a clarification to text on page 4.12-9 of the EIR, but does not recommend specific revisions, thus no change to the EIR is proposed.

5-4

The commenter observes that an underscore precedes several references on page 9-10 of the EIR. This line indicates that the reference source is the same as the previous source to avoid repetition. The comment does not identify any issue related to the adequacy of environmental analysis conducted in the EIR. The City acknowledges the comment. No further response is necessary.



*Matthew Rodriguez*  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Deborah O. Raphael, Director  
5796 Corporate Avenue  
Cypress, California 90630



*Edmund G. Brown Jr.*  
Governor

**LETTER  
6**

November 8, 2011

Ms. Deanna Elliano  
City of Hemet, Department of Planning and Building  
445 E. Florida Avenue  
Hemet, California 92543

**RECEIVED  
NOV 10 2011  
PLANNING**

DRAFT ENVIRONMENTAL IMPACT STATEMENT /ENVIRONMENTAL IMPACT  
REPORT FOR CITY OF HEMET GENERAL PLAN UPDATE (SCH# 2010061088).

Dear Ms. Elliano:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of the Environmental Impact Report for the above-mentioned project. The following project description is stated in your document: "The General Plan is the City's overarching policy and planning document. The General Plan indicates Hemet's long-range objectives for physical development and conservation within the City. The General Plan provides decision makers, City staff, property owners, interested property developers and builders, and the public-at-large with the City's policy direction for managing land use change. The General Plan is comprehensive in scope, addressing land use, transportation, housing, conservation of resources, economic development, public facilities and infrastructure, public safety, and open space, among many other subjects".

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should evaluate whether conditions within the project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
  - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
  - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
  - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.

6-1

- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
  - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
  - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
  - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
  - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.
- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed
- cont.  
6-1  
  
  
  
  
  
  
  
  
  
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- and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination. | cont.  
6-5
- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment. | 6-6
- 7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA. | 6-7
- 8) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see [www.dtsc.ca.gov/SiteCleanup/Brownfields](http://www.dtsc.ca.gov/SiteCleanup/Brownfields), or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489. | 6-8

If you have any questions regarding this letter, please contact me at [ashami@dtsc.ca.gov](mailto:ashami@dtsc.ca.gov), or by phone at (714) 484-5472.

Sincerely,



Al Shami  
Project Manager  
Brownfields and Environmental Restoration Program

Ms. Deanna Elliano  
November 8, 2011  
Page 4

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

CEQA Tracking Center  
Department of Toxic Substances Control  
Office of Environmental Planning and Analysis  
P.O. Box 806  
Sacramento, California 95812  
[nritter@dtsc.ca.gov](mailto:nritter@dtsc.ca.gov)

CEQA # 3376

- 6-1 The commenter states that the EIR should evaluate whether conditions in the project area pose a threat to human health or the environment, and identifies regulatory agency databases. This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. The EIR describes the results of database searches on pages 4.8-7 and 4.8-8, and evaluates the potential for listed sites to affect human health or the environment in Impacts 4.8-1 (on page 4.8-16) and 4.8-3 (on page 4.8.17). No further response is necessary.
- 6-2 The commenter states that the EIR should identify the mechanism to initiate any required investigation and/or remediation. This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. This EIR is a program-level document, and describes regulatory requirements for hazardous materials site investigation and remediation in Section 4.8.1, "Regulatory Setting." Draft General Plan policies requiring implementation of these regulations are identified on page 4.8-14 of the EIR (policies PS-5.1 and PS-5.2). No further response is necessary.
- 6-3 The commenter states that any required environmental investigations should be conducted under an approved Workplan, and that the findings of any environmental investigations should be summarized in the document. This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. The EIR is a program-level document. Because the comment describes a level of analysis better suited to a project- rather than program-level analysis, no further response is necessary.
- 6-4 The commenter identifies requirements for demolition of structures or paved surface areas. This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. The EIR is a program-level document. Because the describes a level of analysis better suited to a project- rather than program-level analysis, no further response is necessary.
- 6-5 The commenter identifies requirements for soil sampling and disclosure of environmental contamination. This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. The EIR is a program-level document. Because the comment describes a level of analysis better suited to a project- rather than program-level analysis, no further response is necessary.
- 6-6 The commenter identifies health risk assessments where necessary to protect sensitive receptors during construction or demolition activities. This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. The EIR is a program-level document. Because the comment describes a level of analysis better suited to a project- rather than program-level analysis, no further response is necessary.
- 6-7 The commenter identifies regulations and registration applicable to hazardous waste generators. This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. The EIR is a program-level document. Because the comment describes a level of analysis better suited to a project- rather than program-level analysis, no further response is necessary.

6-8

The commenter identifies oversight mechanisms for environmental cleanups. This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. Because the comment describes a level of analysis better suited to a project- rather than program-level analysis, no further response is necessary.

To ensure that all the issues identified by the commenter are addressed, the City added language to General Plan Implementation Program PS-P-22 (Hazardous Material Regulations) requiring compliance with California Department of Toxic Substances regulations and consultation with the databases of regulatory agencies to determine if sites may have toxic substances.



**AIRPORT LAND USE COMMISSION  
RIVERSIDE COUNTY**

**LETTER  
7**

**CHAIR**  
Simon Housman  
Rancho Mirage

**VICE CHAIRMAN**  
Rod Ballance  
Riverside

November 14, 2011

Deanna Elliano, Director of Community Development  
City of Hemet  
445 East Florida Avenue  
Hemet CA 92543

**COMMISSIONERS**  
Arthur Butler  
Riverside

RE: City of Hemet General Plan Update and Draft Program Environmental Impact Report  
State Clearinghouse No. 20100061088

John Lyon  
Riverside

Dear Ms. Elliano:

Glen Holmes  
Hemet

Thank you for providing the Riverside County Airport Land Use Commission (ALUC) with a copy of the Notice of Availability of the City of Hemet General Plan Update and the Draft Program Environmental Impact Report (PEIR) addressing the potential impacts of this Plan, and a CD copy of those documents.

Greg Pettis  
Cathedral City

Richard Stewart  
Moreno Valley

Over the course of the past five years, we have tried to work closely with Richard Masyczek, Ron Running, and other members of the City of Hemet Planning and Community Development staff in regard to airport land use compatibility concerns, and we hope that the City will elect to continue that partnership as the City General Plan process enters its final phase.

**STAFF**  
Director  
Ed Cooper

John Guerin  
Russell Brady  
Barbara Santos

For your information, the Riverside County Economic Development Agency (EDA) – Aviation Division and its consultants (in consultation with the City of Hemet and various local, state, and federal agencies) have completed a new Draft Master Plan for Hemet-Ryan Airport. Once the new Master Plan is adopted, this action “triggers” the need for adoption of a new Airport Land Use Compatibility Plan (ALUCP) for Hemet-Ryan Airport.

County Administrative Center  
4080 Lemon St., 14<sup>th</sup> Floor.  
Riverside, CA 92501  
(951) 955-5132

[www.rcaluc.org](http://www.rcaluc.org)

As you know, California Government Code Section 65302.3 requires a jurisdiction’s general plan (and any applicable specific plan) to be consistent with the ALUCP (subsection (a)) and further states that that these land use plans must be amended within 180 days of adoption of a new or amended ALUCP (subsection (b)). In our letter responding to the Notice of Preparation for this PEIR, we encouraged coordination of our efforts, in order to minimize the need for after-the-fact amendments to your updated General Plan to comply with the compatibility criteria of a 2012 or 2013 ALUC Plan based on the new Hemet-Ryan Master Plan prepared by EDA. The provisions of a new Compatibility Plan may be substantially different from the provisions of the 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan (1992 HRACALUP).

ALUC staff is in the initial stages of developing a work program for the preparation of the new Compatibility Plan. We are hopeful that City staff will be able to provide data (such as locations and status of development projects) that will assist ALUC staff in preparing the environmental analysis. City staff are welcome to take an active role in providing input in the preparation of Plan policies.

7-1

We are pleased to note that the PEIR (most prominently in the sections addressing Hazards and Hazardous Materials and Land Use, Population, and Housing) includes analyses of the consistency of proposed General Plan land uses with both the criteria of the 1992 HRACALUP and the recommended safety zones from the 2002 California Airport Land Use Planning Handbook (CALUPH), as we had recommended in our response to the Notice of Preparation (letter dated July 20, 2010).

However, based on the information in the PEIR, it would appear that the proposed General Plan assigns residential designations in Airport Areas I and II that are inconsistent with the limits mandated by the 1992 HRACALUP (2½ acre minimum lot size). This would be considered to be a direct conflict between General Plan designations and the limitations of the existing Compatibility Plan. At this time, it is too early to know whether the future Compatibility Plan would ease or magnify such conflicts. The PEIR states (on page 4.8-21) that the proposed residential land use designations within Area II that provide for densities greater than Rural Residential densities “reflect baseline conditions of existing development on the ground, and land uses consistent with these designations are currently built out.” However, there is insufficient data to enable independent verification that these designations simply recognize existing or approved developments in these areas. Before the General Plan may be recommended for a finding of consistency, further documentation will be needed in order to demonstrate that these designations have only been applied to reflect existing uses and developments that have already received their final discretionary approvals.

7-2

In addition to the concern regarding residential designations, the Community Commercial designation is of concern in Areas I and II. Uses more intense than retail trade (in terms of occupancy per square foot) occupying significant square footage constitute “places of assembly,” which are prohibited in Areas I and II.

7-3

We very much appreciate the proposed policies in the Public Safety Element of the General Plan addressing airport land use compatibility. The City’s commitment to refer “legislative land use changes and ordinances” to ALUC for review is stated in Policy PS-4.1 of the Public Safety Element. However, we would note that we have not received any cases (either privately-initiated or City-sponsored) within your jurisdiction for official ALUC consistency review for over two years. (The last case submitted for official review was the proposed hospital in Area III, which was subsequently withdrawn from ALUC consideration by the applicant.)

7-4

As the Hemet-Ryan Airport Influence Area is included in the City and its Planning Area, this General Plan Update should be submitted to ALUC for official review, as the Cities of Blythe, Murrieta, Perris, Riverside, and Temecula have done in the past seven years. Application forms and fee schedules are available online at [www.rcaluc.org](http://www.rcaluc.org) (click Forms).

In submitting the application for ALUC review, please note that a requirement for site-specific projects is the submittal of labels of all property owners within a 300 foot radius of the involved properties, including the owners of said properties. However, for the General Plan review, since the number of property owners within the Airport Influence Area exceeds 1,000, the legal requirement may be met through publication of a one-eighth page display advertisement in a newspaper of general circulation.

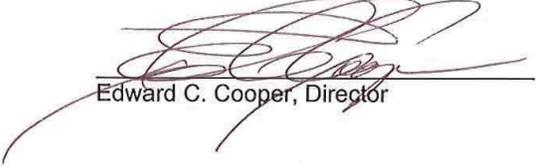
7-5

Thank you for the opportunity to provide comments. If you have any questions, please contact me at (951) 955-5132.

**AIRPORT LAND USE COMMISSION**

**November 14, 2011**

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Edward C. Cooper, Director

.Cc: Economic Development Agency – Aviation Division (Attn.: Chad Davies)  
CALTRANS Division of Aeronautics – Attn.: Philip Crimmins  
ALUC Staff

- 7-1 The commenter provides background information on the ALUC's involvement in land use policy in Hemet, and the requirements of the Government Code concerning ALUCP consistency. This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. The City is pleased to assist the ALUC staff in providing existing land use and project entitlement data to assist in their preparation of the new ALUP, and desires to take an active and cooperative role. The City has submitted land use data on existing, and entitled developments within the Airport Influence Area to the ALUC in response to the comment letter. No further response to this comment is necessary.
- 7-2 The commenter infers based on information in the EIR that the Draft General Plan assigns inconsistent residential designations in Airport Areas I and II. The commenter further states that the EIR provides insufficient data to enable independent verification that these designations simply recognize existing or approved developments in these areas. In response to the comment letter, City staff has been working with ALUC staff to provide the necessary background data on existing and entitled properties within the Airport Influence Area that may initially appear to be inconsistent. ALUC staff has reviewed the data in detail and has responded back to the City regarding certain undeveloped properties in the western and southern portions of the Airport Influence Area, that are potentially inconsistent with the 1992 Airport Land Use Plan (ALUP). As a result of this further analysis, the City has added and amended various policies in the General Plan Land Use Element and the Public Safety Element to insure that future development is consistent with the ALUP. At the request of ALUC staff, the City has also included an Interim Airport Overlay on certain properties, such as areas designated as Mixed-Use and Low Density Residential within the Airport Influence Area, that require additional review by the ALUC for compliance with the 1992 ALUP while the ALUP is being updated. The amended General Plan text and Figures that address the concerns raised by the ALUC are contained within the Draft General Plan "Errata" file available on the City's website at <http://www.cityofhemet.org/planning/gp2030.htm>. The amended General Plan text and figures have also been provided directly to the ALUC staff and Commission for review and comment.

The following edits have been made to page 4.8-19 and 4.8-20 in Section 4.8, "Hazards and Hazardous Materials" in response to this comment:

Program PS-P-13 would require the City to evaluate land use restrictions outlined in the most recent adopted Hemet-Ryan ALUP, CALUPH, and Federal Aviation Administration notice responses for applicability to proposed development projects. This review would be conducted for all development projects by the Community Development Department during review of Site Development Plans. Several policies in the Land Use Element (LU-10.1, LU-10.2, LU-10.3, LU-10.4, and LU-10.5) would require consistency review by the ALUC for all legislative projects and projects subject to CEQA review. Policy LU-10.4 specifically restricts land uses identified as incompatible within the Interim Airport Overlay. Policy LU-10.5 reduces maximum residential densities in the Transition Area unless otherwise found consistent by the ALUC. Program LU-P-35 requires projects to comply with the Interim Airport Overlay, and states that the City will bring its General Plan into conformity with the updated ALUP within 180 days of the adoption of the ALUP update.

Prohibited uses in Area II of the ALUP include school and other institutional uses, places of assembly, and hazardous materials facilities. Permitted uses in Area II include industrial, agricultural, and residential uses with a minimum lot size of 2.5 acres per dwelling unit. The ALUP allows Commercial uses after discretionary review.

The Draft General Plan designates Industrial, Park, Open Space, Business Park, Community Commercial, and Mixed Use areas within Area II. These uses would be consistent with the ALUP as either permitted or discretionary review uses. Residential uses with a density greater than one unit per 2.5 acres are prohibited in Area II. Although development consistent with the Rural Residential and Hillside Residential designations could be possible, higher density residential uses would not be compatible within Area II. The same policies of the Draft General Plan described above (PS-4.1, PS-4.2, PS-4.4, PS-4.5, PS-4.7, and PS-4.8, LU-10.1, LU-10.2, LU-10.3, LU-10.4, LU-10.4, and LU-P-35) govern the City's review of proposed actions within Area II.

Although Low Density, Low Medium Density, and High Density Residential land use designations are proposed within Area II, these designations reflect baseline conditions of existing development on the ground, and land uses consistent with these designations are currently built out. When the ALUP was adopted in 1982, these areas were generally identified as legally non-conforming approved development. The CALUPH (Caltrans 2002) states that, "if a local plan merely reflects uses which already exist, the plan does not become inconsistent with the compatibility plan even if the indicated uses are not compatible activities." New residential uses in Area II which could occur through implementation of the Draft General Plan would require discretionary review and would be reviewed for consistency through implementation of the policies and programs of the Draft General Plan described above (PS-4.1, PS-4.2, PS-4.4, PS-4.5, PS-4.7, and PS-4.8, LU-10.1, LU-10.2, LU-10.3, LU-10.4, LU-10.4, and LU-P-35).

The Transition Area between Area II and Area III is an area that is 330 feet inside the Area II border and 660 feet outside of the Area III border. Permitted uses in the Transition Area include commercial, industrial, manufacturing, and agriculture. Discretionary uses in the Transition Area include residential (up to 20 units per acre), institutional, places of assembly, schools, and hazardous materials facilities. With the exception of Very High Density Residential, all Draft General Plan land use designations in the Transition Area would be consistent with the permitted and discretionary review uses identified in the ALUP. Although Very High Density Residential land uses are proposed within this area, this designation reflects baseline conditions of existing development on the ground, and land uses consistent with this designation are currently built out. With implementation of LU-10-5, Implementation of the Draft General Plan would not result in additional residential uses at a density greater than 20 units per acre within Area II.

7-3

The commenter states that the Community Commercial designation is of concern where applied in Areas I and II. Uses more intense than retail trade constitute places of assembly which are not permitted in these zones. There are no new Community Commercial properties designated under this GP; the areas designated Community Commercial within the Airport Influence Area are to the east and northeast of the airport, and are either existing, or have entitlements and existing overrides. As described in the response to Comment 7-2, the City has amended Table 2.5 in the General Plan as well as companion Land Use Policy Nos. LU-10.1 and LU-10.4, and Implementation Program No. LU-P-35; to insure that no critical facilities or incompatible uses will be established within the Community Commercial or Mixed-Use designations.

- 7-4 The commenter observes that no cases (either privately-initiated or City-sponsored) have been submitted to ALUC for review for over two years. The City continues to submit cases for ALUC review for legislative actions; however, because of poor current economic conditions, there have been no new applications that are within the Airport Influence Area and require review by the ALUC during the time period mentioned by the commenter. The City has amended Policy LU-10.1 and Implementation Program LU-P-35 of the Draft General Plan to further insure that the ALUC staff is receiving transmittals of legislative and discretionary projects, and projects subject to CEQA that are located within the Airport Influence Area.
- 7-5 The commenter states that the City must submit the General Plan to the ALUC for official review, and provides requirements for applications. The City was unaware that a separate application to the ALUC was required for consistency review, and thought that its submittal of the Draft EIR and Draft General Plan and NOA to the ALUC on Sept. 30, 2011 satisfied this requirement. Upon receiving this comment letter, the City immediately submitted an application and the required fees, electronic copies of the Draft General Plan and EIR, and background data to the ALUC. The ALUC has scheduled the General Plan Consistency Review for its meeting of January 12, 2012 to satisfy this requirement prior to the anticipated certification of the Final EIR and adoption of the General Plan by the Hemet City Council.

Rare Plant Coordinator  
Riverside/San Bernardino County Chapter CNPS  
P.O. Box 517  
San Luis Rey CA, 92068

Deanna Elliano  
Community Development Director  
City of Hemet  
445 East Florida Avenue  
Hemet, CA 92543

November 14, 2011

RE: City of Hemet Draft General Plan Update

Dear Ms. Elliano,

The California Native Plant Society (CNPS) is a non-profit volunteer organization dedicated to the conservation and preservation of California's native flora. The Riverside/San Bernardino Counties Chapter of CNPS works to increase the public awareness of the significance of native plants and to preserve the native vegetation of Riverside and southwestern San Bernardino Counties. We have reviewed the City of Hemet Draft General Plan Update Draft Program Environmental Impact Report (State Clearinghouse No. 2010061088) and are providing the following comments.

Our primary concern in regards to the City of Hemet is adequate preservation of the seasonally flooded alkali vernal plains habitat, often referred to as "alkali playa" in the West Riverside Multiple Species Habitat Conservation Plan (MSHCP), on the western edge of Hemet. These plains occur only in areas where a unique combination of alkaline soils and flooding are found. It consists of a matrix of alkali scrub, alkali playa, alkali annual grassland, and vernal pools. At Hemet, historically these lands have supported hundreds of vernal pools, extensive enough flooding to support perennial obligate perennials such as spike rush (*Eleocharis macrostachys*), and several federally listed endangered and threatened species including San Jacinto Valley crownscale (*Atriplex coronata* var. *notatior*), spreading navarretia (*Navarretia fossalis*), Orcutt's grass (*Orcuttia californica*), and thread-leaved brodiaea (*Brodiaea filifolia*). An assortment of other rare and sensitive plants is nearly as diverse as those found on the Santa Rosa Plateau.

8-1

Members of CNPS have monitored this habitat for over 20 years. These water dependent habitats are unique in southern California where they are found only in western Riverside County and are habitat to a diversity of rare and sensitive plant species. The Hemet site represents one of three major locations for this habitat that is essentially endemic to Riverside County in southern California. The other two sites are at the San Jacinto Wildlife Area and the adjacent San Jacinto River flood plain between Ramona Expressway and the Kaiban Hills just south of Perris.

The Seasonally flooded alkali vernal plains at Hemet are the wettest of the three major locations, and as a result, supports rare and sensitive species not seen along the San Jacinto River. While this sensitive habitat is partially protected on the San Jacinto Wildlife Area, the major San Jacinto River

1

flood plain portion has been significantly degraded by manure dumping, especially following the implementation of the MSHCP. By comparison, while drier then it was in the 1980s and 1990s due to artificial changes in hydrology, and further impacted by discing and sheep grazing, the Hemet habitat is remains of generally good quality and it is critical that an adequate portion of the habitat is preserved.

cont.  
8-1

#### GENERAL COMMENTS

We are especially concerned that proposed zoning will increase pressure on sensitive plants and seasonally flooded alkali plain within the West Hemet Planning Area. In regards to the area identified by the MSHCP as significant biological areas between Devonshire Road and the BNSF Railroad Tracks west of Warren Road, a comparison of the current official zoning map for the City of Hemet to the proposed land use map (Figure 2.1), the new map shows considerable zone upgrading. For example, it appears that about 285 acres of land zoned for agricultural use and 260 acres zoned for manufacturing or under specific plans in the current City Zoning map. An additional 320 acres of flats west of the Metropolitan Water District (MWD) canal is currently under County of Riverside jurisdiction but is either planned for Hemet annexation or within the City's sphere of influence and considered within the proposed plant. The land is currently zoned for agricultural use.

In the proposed land use map, taking in account both lands currently within Hemet or those currently under the County but addressed in the General Plan update, 46 acres are zoned as conservation open space (MWD), 55 acres as Rural Residential, and 445 acres as Industrial or Mixed Use lands. Only five percent of the land is zoned for conservation, agriculture has changed from 605 acres to none, and land zoned for residential, industrial, and mixed use has risen from 285 acres to 764 acres.

8-2

While agricultural zoning is certainly not ideal for habitat preservation, rare and sensitive plants have persisted on lands zoned for such use. The plan acknowledges that not all these lands will likely build out and that some will likely be preserved because of sensitive plants and habitats, but the upgraded zoning will increase the potential for environmental conflicts, make acquisition of sensitive lands more expensive, and encourage land owners to build on sensitive habitats.

While the MSCP criteria overlay clearly indicates which parcels will require special environmental oversight, we believe that proposing these lands at more intense land use designations will significantly complicate conservation efforts and violate the spirit of the MSHCP effort.

Our specific comments pertain primarily to section 4.4 of the EIR: Biological Resources.

#### **4.4.1 Regional and Local Plans, MSHCP, pages 4.4-4 to 4.4-7:**

The General Plan should include a summary of Area Plans approved or proposed within and adjacent to the MSHCP criteria lands.

8-3

#### 4.4.2 Environmental Setting

##### Page 4.4-8, Table 4.4-1 habitat Types and Acreages

The table is incomplete and needs to be revised. See comments under vegetation communities. Especially sensitive plant communities have not been adequately addressed. For example, southern interior basalt vernal pools are known only to occur on the Santa Rosa Plateau and not in Hemet General Plan area. Vernal pools within the planning area are described as alkali vernal pools, San Jacinto Valley vernal pool, or southern interior claypan vernal pools. A brief description of these communities should be included within the document. For example, what is meant by “coastal scrub” and how is that different than coastal sage scrub? If it is coastal sage scrub, then Riversidian coastal sage is a form of coastal sage scrub. Riparian scrub and southern willow scrub are included as separate units but their descriptions suggests they are one and the same and should be combined. The non-native annual grassland category appears to include native alkali grasslands (native alkali grasslands should be included within the “alkali playa” category).

8-4

##### Exhibit 4.4-1.

The alkali playa/vernal pool habitat extends north of Florida Ave. and includes habitats mapped as residential urban/exotic between Florida Ave. and Devonshire. The Stoney Mtn. Preserve by the southeast of the junction of Esplanade and Warren, which by MSHCP descriptions would be termed “alkali playa” is mapped as Cropland. A casual review of the map suggests that natural habitats farther north are also incorrectly mapped. The patches of chaparral in the hills west of Hemet and south of Florida are likely incorrect and probably represent north-facing slope variations of Riversidian sage scrub. For example, the map shows the north-facing slope just west of the MWD Vernal Pool Preserve as chaparral. However, photographs of this hill show that it is predominately covered with species characteristic of Riversidian coastal sage scrub.

8-5

##### Sensitive Habitats, pages 4.4-11 to 4.4-13

While the description focuses on sensitive habitats, a brief description of other habitats relayed on Table 4.4-1 should have been included. For example, the reader has no idea what “Coastal Scrub” is and whether it has any relationship to Riversidian sage scrub or if it is another form of coastal sage scrub. We recommend some revisions and updating of the habitat descriptions.

8-6

##### Alkali Playa, page 4.4-11

The text should provide a description of the habitat community. Essentially, “alkali playa” as defined in the MSHCP is more appropriately called seasonally flooded alkali vernal plain and includes four subcommunities including true alkali playa, alkali scrub, alkali annual grassland, and vernal pool communities. Alkali playa is largely made up of open pans with little vegetation. Alkali scrub is a low shrub community largely dominated by bush seepweed (*Suaeda nigra*), alkali heath (*Frankenia salina*), and Mojave silver scale (*Atriplex argentea*). Alkali annual grassland is a native annual grassland dominated by vernal barely (*Hordeum intercedens*), low barely (*Hordeum depressum*), and a diversity of other annuals. For vernal pools, see comments under southern interior basalt vernal pools.

8-7

The phrase:

Due to this unique geology and topography, this habitat is only suitable for select plants such as various native saltbush species (*Atriplex* spp.) and rare annual herbs including thread-leaved brodiaea (*Brodiaea filifolia*), smooth tarplant (*Centromadia pungens* ssp. *laevis*), and Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*).

is incorrect and should be changed to:

“Due to this unique geology, topography, and hydrology, this habitat is dominated by plants adapted for wet alkaline soils and tends to exclude species that can not tolerate either flooding or high alkalinity. Species that are found within the alkali playa include native saltbushes (*Atriplex* spp.), seepweed (*Suaeda nigra*), alkali heath (*Frankenia salina*), native barleys (*Hordeum* spp.) and species typically associated with vernal pools like hair grass (*Deschampsia danthinoides*) and little mousetail (*Myosurus minumus* var. *apus*). Rare annuals and perennials include thread-leaved brodiaea (*Brodiaea filifolia*), smooth tarplant (*Centromadia pungens* ssp. *laevis*), and Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*).”

8-8

As currently written, it sounds like only a select few plants grow in this habitat. The diversity is actually quite high. At least until recent changes in hydrology and increased discing activities became important elements, the wet conditions and alkaline soils prevented wide scale invasion by non-native species.

Coast Live Oak Woodland/Riparian Forests, pages 4.4-11 and 12

The descriptions do not appear to be typical of these habitats within the planning area. For example, Engelmann's oak (*Quercus engelmannii*) is largely absent from the area. Big-leaved maple is a typical element of montane riparian forest but while included in the overall list of trees, it is not included in the montane riparian forest (the only place you would find it). We recommend that these sections are redone and written to be more appropriate for the area discussed.

8-9

**Riparian Scrub and Southern Willow Scrub, page 4.4-12.**

The difference between these two community categories is unclear. Either a more detailed composition for riparian scrub should be developed or the two communities combined.

8-10

**Southern Interior Basalt Vernal Pool, page 4.4-13.**

Southern Interior Basalt This type of vernal pool habitat is found only on the Santa Rosa Plateau. We recommend one of the following names are applied to the vernal pools within the Hemet General Plan Area: alkali vernal pools, San Jacinto Valley vernal pool, or southern interior claypan vernal pools.

8-11

The indicator list is more appropriate for the broader seasonally flood alkali vernal plain (aka “alkali playa” in the MSHCP). San Jacinto Valley crownscale and thread-leaved brodiaea, for example are not found in vernal pools and generally prefer a somewhat drier habitat.

**Exhibit 4.4-2**

The information presented in this figure is so general, that it provides very little useful information on the distribution of special status plant species within the area of the General Plan. It is recommended that it be replaced with map that accurately presents the distribution of, at least, the listed and California Rare Plant Rank (CRPR) 1B plant species.

8-12

**Table 4.4-2 Special Status Plant Species, Page 4.4-17**

The table should be revised to provide some general information on the distribution of these species within the area of the General Plan.

The table fails to include a number of special status plant species documented from the General Plan area and should be included on the table, including Plummer’s mariposa lily (*Calochortus plummerae*), Parry’s spineflower (*Chorizanthe parryi* var. *parryi*), small-flowered morning glory (*Convolvulus simulans*), Palmer’s grappling Hook (*Harpagonella palmeri*), vernal barley (*Hordeum intercedens*), small-flowered microseris (*Microseris douglasii* subsp. *platycarpha*), and paniculate tarplant (*Deinandra paniculata*).

8-13

Parish’s brittlescale. The description, meager as it is, requires updating. The species has been collected at three locations since 1974: Hemet, Winchester (were presumably extirpated), and at Ramona.

8-14

Reports of Davidson’s saltscale and south coast saltscale all are referable to the same plant and should be considered Davidson’s saltscale for purposes of this document. Likely the plants at Hemet represent an undescribed narrowly endemic species as briefly noted under *Atriplex coulteri* in the 2<sup>nd</sup> edition of the Jepson Manual (2012; currently reviewable online).

8-15

**Species Accounts, Pages 4.4-18-4.4-19**

Overall the accounts of the special status plant species are too general, poorly written, and should be revised. The current information presented on the distribution of these species within the area of the General Plan is inadequate and more details on the localities of these species should be provided. For example, San Jacinto Valley crownscale is known from at least three fragmented population complexes (San Jacinto River, Hemet, and Nichols Wetlands near Lake Elsinore) and it occurs in the west and northwest areas of the Planning Area, not just the northwest. Thread-leaved brodiaea is typically associated with vernal pools in the southwest, not northwest portion of the Planning Area. The EIR states that no sites for Orcutt’s grass have been found in the Planning Area but one of Riverside County’s better known and important sites is at Stowe Vernal pool, definitely within the West Hemet Planning area.

8-16

8-17

The descriptions also leave out the bulk of Hemet’s sensitive plant species. We recommend that the species are discussed separately and that some one actually reviews the available information and the California Consortium to assemble accounts that actually describe the habitat and number of sites known within the Planning Area.

8-18

**Invertebrates, Page 4.4-23**

This section should note that the vernal pool fairy shrimp has been documented from a vernal pool in the west Hemet area, and the potential for this species to occur in other pools found in the general vicinity of the recorded site.

8-19

**Wetlands, Page 4.4-23**

This section should address the vernal pools, alkali playa and grassland habitats as potentially regulated wetlands or Waters of the US.

8-20

**Section 4.4.3 Impacts and Mitigation Measures, Page 4.4-25**

**OS 1.1 Development Procedures:** This policy should be amended, to note the procedures within areas already identified as containing significant biological resources.

**OS 1.2 Vernal pools:** The policy statement should be modified to note that the watershed around the pools would be conserved, to maintain the hydrology of these wetlands. The policy should also be amended to note that adequate buffers around these pools would be required.

8-21

**OS 1.3 Wetlands, Page 4.4-26:** A statement should be added to this policy, to note that wetlands would also be conserved in the Salt Creek drainage, especially the upper Salt Creek watershed.

**Figure 2-1 Land Use Plan**

The figure needs to be updated to include the current open space areas found within the area of the General Plan. Some examples of areas not mapped include the Wilhem parcel, and the Stoney Mountain Ranch reserve site. It is highly recommended that currently owned City and County properties found west of Warren and north of Stetson also be mapped as open space. Finally, it would seem likely that the hazard zone areas of the Hemet Ryan airport found west of Warren, should also be zoned as open space for the General Plan.

8-22

In the MSHCP criteria areas, it would appear that the proposed zoning of Mixed Use and Neighborhood Commercial could reduce the potential conservation of these lands in the future. It is recommended that the localities within the MSHCP criteria areas be zoned as agricultural lands, until projects are proposed for the individual parcels found within the criteria cells.

**Figure 2-5 West Hemet Plan**

This figure fails to note the MSHCP criteria areas located in the area of the west Hemet plan and the figure should be revised.

8-23

The map also fails to note some of the current open space parcels found within the limits of this planning area. Some examples of areas not mapped include the Wilhem parcel, and the Stoney Mountain Ranch reserve site. It is highly recommended that currently owned City and County properties found west of Warren and north of Stetson also be mapped as open space. Finally, it would seem likely that the hazard zone areas of the Hemet Ryan airport found west of Warren Rd.,

8-24

should also be zoned as open space for the General Plan.

cont.  
8-24

**Section 7.4 Open Space, Page 7-11**

Undeveloped lands, Page 7-11

8-25

This description should also include a section on undeveloped valley areas that should maintained as open space within the City. These contain intact alkali playa, grassland and vernal pool habitats.

If you have any questions, I can be reached at the address above or at antshrike@cox.net

Sincerely,

*Fred M. Roberts, Jr.*

Fred M. Roberts,  
Rare Plant Botanist, Riverside/San Bernardino Chapter CNPS.

- 8-1 The commenter states that its primary concern is adequate preservation of the seasonally flooded alkali vernal plains habitat. This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the DEIR. No further response is necessary.
- 8-2 The commenter states that the proposed project would include higher intensity zoning in the West Hemet Planning area, which the commenter asserts will increase pressure on sensitive plants and seasonally flooded alkali plain, complicating conservation efforts and violating the spirit of the MSHCP.
- As described in Impact 4.4.-2 on page 4.4-28 of the EIR, all development within the MSHCP criteria overlay is subject to compliance with MSCHP requirements. Allowable uses must comply with plan survey and impact avoidance, minimization, and mitigation requirements. The commenter does not identify any specific evidence in support of the assertion that Draft General Plan land uses would complicate conservation efforts or violate the spirit of the MSHCP. No further response is necessary.
- 8-3 The commenter states that the General Plan should include a summary of Area Plans approved or proposed within and adjacent to the MSHCP criteria lands. The commenter does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. No further response is necessary.
- 8-4 The commenter states that the habitat types and acreages presented in Table 4.4-1 are incomplete and need to be revised. The commenter offers several specific critiques of the categories presented in the table. This table summarizes publicly-available WRCOG GIS data which was used for this program-level environmental analysis, and the categories that are presented are intrinsic to this data source. This comment does not specify and the City as CEQA lead agency does not believe that revisions are needed to support the adequacy of environmental analysis conducted in the EIR. Therefore, no edits are proposed in response to this comment.
- 8-5 The commenter states that habitats illustrated on Exhibit 4.4-1 do not match ground-level conditions at specific locations. The data illustrated in Exhibit 4.4-1 are general habitat descriptions from WRCOG GIS data, suitable for the program level of analysis presented in the EIR. Because of the generalized nature of this data source, specific sites may be mapped as part of a block of a larger community, obscuring site-level differences. The data presented in the EIR are adequate to illustrate broad conditions across the planning area suitable for a program-level environmental analysis. Impacts 4.4-1 and 4.4-2 describe the potential effects on sensitive species and natural communities at a program level. Because the suggested edits do not provide additional information relevant to the evaluation of impacts to sensitive habitats, the City has made no edits to the EIR in response to this comment.
- 8-6 The commenter suggests that descriptions of all habitats, not just sensitive habitats, should be included in the EIR. The environmental setting information presented in the EIR has been simplified and consolidated to focus on data needed to evaluate the significance of specific environmental impacts based on the criteria in Appendix G of the CEQA Guidelines, while avoiding unnecessary length. Because the suggested edits do not provide additional information

relevant to the evaluation of impacts to sensitive habitats, the City has made no edits to the EIR in response to this comment.

8-7 The commenter suggests that the EIR should include a description of the alkali playa community. Please Refer to Response to Comment 8-8.

8-8 The commenter proposes a text edit to the description of the Alkali playa habitat. In response to the comment, the following edits have been made to the discussion under “Alkali Playa” on page 4.4-11 of the EIR:

Alkali playa is typically described as high, flat areas with poorly drained soils, particularly high in salinity and/or alkalinity due to the evaporation of water that accumulates in closed underground drainages. These playas generally have a high water table with a surface soil layer made up of salt crust. ~~Due to this unique geology and topography, this habitat is only suitable for select plants such as various native saltbush species (*Atriplex* spp.) and rare annual herbs including thread-leaved brodiaea (*Brodiaea filifolia*), smooth tarplant (*Centromadia pungens* ssp. *laevis*), and Coulter’s goldfields (*Lasthenia glabrata* ssp. *coulteri*).~~ Due to this unique geology, topography, and hydrology, this habitat is dominated by plants adapted for wet alkaline soils and tends to exclude species that can not tolerate either flooding or high alkalinity. Species that are found within the alkali playa include native saltbrushes (*Atriplex* spp.), seepweed (*Suaeda nigra*), alkali heath (*Frankenia salina*), native barleys (*Hordeum* spp.) and species typically associated with vernal pools like hair grass (*Deschampsia danthinoides*) and little mousetail (*Myosurus minimus* var. *apus*). Rare annuals and perennials include thread-leaved brodiaea (*Brodiaea filifolia*), smooth tarplant (*Centromadia pungens* ssp. *laevis*), and Coulter’s goldfields (*Lasthenia glabrata* ssp. *coulteri*). (CNPS 2011) In the planning area, approximately 966 acres of alkali playa habitat are located along the western boundary.

8-9 The commenter states that the descriptions of the Coast Live Oak Woodland/Riparian Forests is not typical of these habitats within the planning area. The environmental setting information presented in the EIR has been simplified and is based on publicly-available WRCOG GIS data suitable for a program-level environmental analysis, rather than site-specific survey data. Because the suggested edits do not provide additional information relevant to the evaluation of impacts to sensitive habitats, the City has made no edits to the EIR in response to this comment.

8-10 The commenter states that the differences between the riparian scrub and southern willow scrub community descriptions are unclear, and proposes that more detail be provided, or the categories be combined. The environmental setting information presented in the EIR is based on publicly-available WRCOG GIS data suitable for a program-level environmental analysis, rather than site-specific survey data. Because the suggested edits do not provide additional information relevant to the evaluation of impacts to sensitive habitats, the City has made no edits to the EIR in response to this comment.

8-11 The commenter states that southern interior basalt vernal pool community is found only on the Santa Rosa Plateau, and proposes other category names to be applied. The environmental setting information presented in the EIR is based on publicly-available WRCOG GIS data suitable for a program-level environmental analysis, rather than site-specific survey data. Because the suggested edits do not provide additional information relevant to the evaluation of impacts to sensitive habitats, the City has made no edits to the EIR in response to this comment.

8-12 The commenter states that the information on Exhibit 4.4-2 is so general that it provides little useful information, and recommends that the exhibit be replaced with a map that accurately presents the distribution of List 1B plant species. The data presented in Exhibit 4.4-2 were obtained from the California Natural Diversity Database maintained by the California Department of Fish and Game. The CNDDDB data were obtained in 2011, and offer a comprehensive data source covering the entire planning area that is suitable for a program-level environmental analysis. The City has made no edits to the EIR in response to this comment.

8-13 The commenter states that Table 4.4-2 should be revised to provide general information on distribution, and to add several specific species. The data presented in Table 4.4-2 were obtained from the California Natural Diversity Database maintained by the California Department of Fish and Game, as well as the MSHCP. The CNDDDB data were obtained in 2011, and offer a comprehensive data source covering the entire planning area that is suitable for a program-level environmental analysis. The City does has made no edits to the EIR in response to this comment.

8-14 The commenter proposes a text change to the description of Parish’s brittlescale in Table 4.4-2. In response to the comment, this description has been edited on page 4.4-17 of the EIR as follows:

Parish’s brittlescale	<i>Atriplex parishii</i>	Federal: None State: None CRPR: 1B	Alkali meadows, vernal pools, chenopod scrub, playas. Usually on drying alkali flats with fine soils. 4-140 m elevation. Plant <del>collected only once in California since 1974 (in 1993);</del> <u>has been collected at three locations since 1974; Hemet, Winchester, and Ramona.</u>
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8-15 The commenter states that Davidson’s saltscale and south coast saltscale are all referable to the same plant and should be considered Davidson’s saltscale for the purpose of this document. In response to the comment, this description has been edited in Table 4.4-18 of the EIR as follows:

South Coast saltscale	<i>Atriplex pacifica</i>	Federal: None State: None CRPR: 1B	Coastal scrub, coastal bluff scrub, playas, chenopod scrub. Alkali soils. 1-500 m elevation.
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8-16 The commenter proposes several edits to the accounts of special status plant species. In response to the comment, text on page 4.4-19 of the EIR has been modified as follows:

The San Jacinto Valley crownscale is endemic to western Riverside County in dry, alkaline flats in the San Jacinto River Valley. It has also been detected in alkali playas, chenopod scrub, valley and foothill grasslands, and vernal pools within the county. It is only known from ~~one~~ three fragmented populations in the San Jacinto Valley ~~at this time~~ (San Jacinto River, Hemet, and Nichols Wetlands near Lake Elsinore) and is threatened by flood control and agricultural activities. In the planning area, populations of San Jacinto Valley crownscale are known to occur in the vernal pool and alkali playa communities located in the northwestern and western portions of the planning area.

The Thread-leaved brodiaea is endemic to southern California in clay soils often associated with vernal pools and annual grasslands. It has also been detected on clay soils within cismontane woodlands, coastal scrub, playas, and valley and foothill grasslands. It is known from isolated populations in southern California and is threatened by residential development and agricultural activities. In the planning area, populations of thread-leaved brodiaea are known to occur in the vernal pool and alkali playa communities located in the ~~north~~southwest.

8-17 The commenter proposes an edit to the description of Orcutt grass. In response to the comment, text describing Orcutt grass on page 4.4-19 of the EIR has been modified as follows:

California Orcutt grass is endemic to southern California and Baja California in vernal pools. It is known from isolated populations in southern California and is threatened by urban development and agricultural activities. In the planning area, no populations of California Orcutt grass are known to occur at Stowe Vernal Pool in the western portion of the planning area, but potential habitat occurs in the vernal pool complexes located in the northwest.

8-18 The commenter states that the species accounts leave out the bulk of Hemet’s sensitive plant species, and recommends that species be discussed separately, including available information from the California Consortium. The environmental setting information presented in the EIR has been simplified and consolidated to focus on data needed to evaluate the significance of specific environmental impacts based on the criteria in Appendix G of the CEQA Guidelines, while avoiding unnecessary length. Because the suggested edits do not provide additional information relevant to the evaluation of impacts to special status species, the City does not propose to edit the EIR in response to this comment.

8-19 The commenter proposes an edit to the description of the vernal pool fairy shrimp. In response to the comment, text on page 4.4-22 of the EIR has been modified as follows:

The vernal pool fairy shrimp is a rare invertebrate species that inhabits vernal pools and ephemeral swales throughout the Central Valley south to Santa Barbara. Studies have revealed that a disjunct population occurs in Riverside County on the Santa Rosa Plateau (Helm 1998). Habitat loss through grazing and housing development projects has resulted in low species populations throughout its current range. In the planning area, the vernal pool fairy shrimp has been documented from a vernal pool in the West Hemet area (CNPS 2011) and may have potential to occur in the vernal pool complexes in the northwest.

8-20 The commenter proposes an edit to the description of wetlands on page 4.4-25. In response to the comment, text on page 4.4-23 of the FEIR has been modified as follows:

Waters, wetlands (potentially including vernal pools, alkali playa, and grassland habitats), and riparian communities may also be regulated by USACE, DFG, and the RWQCB as described in Section 4.4.1, “Regulatory Framework.” Major waterways within the planning area include Diamond Valley Lake, San Jacinto River, San Diego Aqueduct, Hemet Channel, Lake Hemet Main Canal, Salt Creek Flood Control Canal, Bautista Wash, and the Casa Loma Canal Aqueduct. Exhibit 4.9-1 in Section 4.9, “Hydrology and Water Quality,” identifies these water resources in the planning area.

8-21 The commenter proposes several edits to the Draft General Plan, but does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. Proposed revisions to the Draft General Plan may be found in an “Errata” file available on the City’s website at <http://www.cityofhemet.org/planning/gp2030.htm>. The City has made several changes to General Plan policies in response to this comment. These changes are summarized in the EIR under “Policies” on pages 4.4-25 and 4.4-26, as follows:

### **Policies**

- ▶ **OS-1.1: Development Proposals.** Require development proposals to identify significant biological resources and to provide mitigation, including the use of

adequate buffering and sensitive site planning techniques, selective preservation, provision of replacement habitats, and other appropriate measures as may be identified in habitat conservation plans or best practices related to particular resources.

- ▶ **OS-1.2: Vernal Pools.** Preserve the integrity of the vernal pool complex by ensuring adequate hydration, providing appropriate conservation buffers, and the preservation of native plants, in accordance with the requirements of the Multi-Species Habitat Conservation Plan.
- ▶ **OS-1.3: Wetland Habitats.** Require project applicants to conserve wetland habitats along the San Jacinto River, the Upper Salt Creek watershed, and elsewhere as identified where conservation serves to maintain watershed processes that enhance water quality and contribute to the hydrologic regime, and comply with Clean Water Act Section 404. Identify and, to the maximum extent possible, conserve remaining upland habitat areas adjacent to wetland and riparian areas that are critical to the feeding, hibernation, or nesting of wildlife species associated with these wetland and riparian areas.

8-22 The commenter proposes several edits to the Draft General Plan. The City proposes to modify the Land Use Plan (Figure 2.1 in the General Plan and Exhibit 3-3 in the EIR) to show the Stoney Mountain parcel within the OS designation. The County-owned parcels on the airport property will continue to be shown as Airport, as they are regulated by the Airport Master Plan. Proposed revisions to the Draft General Plan may be found in an “Errata” file available on the City’s website at <http://www.cityofhemet.org/planning/gp2030.htm>. The Mixed Use designations require a specific percentage of the land area to remain in open space when the area is developed. Parcels in these areas that are currently in public ownership for conservation would remain so, and would be included in the percentage of the overall Mixed Use area remaining in open space. Airport hazard areas will continue to be designated for uses which are appropriate in these zones pursuant to the ALUP and the Caltrans Handbook.

The comment also suggests that the proposed Mixed Use and Neighborhood Commercial designation in MSHCP criteria areas could reduce the potential conservation of these areas in the future. The commenter recommends that MSHCP criteria areas be zoned for agricultural use until individual projects are proposed. In Comment 8-2, the commenter acknowledges that agricultural zoning is “certainly not ideal for habitat preservation,” and furthermore, the commenter does not provide evidence that maintaining these lands in an agricultural designation would increase the potential for future conservation, or evidence that the proposed Mixed Use and Neighborhood Commercial designations would reduce conservation potential. No further response is required.

8-23 The commenter proposes several edits to the Draft General Plan. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. The City has added MSHCP and the Interim Airport Overlay designations to Figure 2-5 in the General Plan, as proposed by the commenter. Proposed revisions to the Draft General Plan may be found in an “Errata” file available on the City’s website at <http://www.cityofhemet.org/planning/gp2030.htm>. No further response is required.

8-24 The commenter proposes that several properties located in the West Hemet Plan Area be mapped as open space. The Stoney Mountain Ranch reserve site has been designated as Open Space. The land use designations for the West Hemet area are primarily established by General Plan Section 2.6.4 (West Florida Mixed-Use Area #1), which allocates 45 – 55 percent of the area for Open Space and Right-of-Way uses such as a public plaza, paseos, landscaped setbacks, and trails, but

excluding private open space. Additionally, the following text modification was made to this section regarding the vernal pool conservation area: *Portions of the MSHCP cell groups are currently under public agency ownership and should serve as the core of the conservation area.*

The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR.. No further response is required.

8-25

The commenter proposes adding a section on undeveloped valley areas that should be maintained as open space to the Draft General Plan. In response the following paragraph has been added to Section 7.4.1 (Open Space for the Preservation of Natural Resources):

*West Valley*

*A section of the City and Planning Area is located in a valley that has been identified through the MSHCP as a conservation area due to its vernal pools and associated plants and wildlife. Generally located west of California Avenue, east of Warren Road, south of Florida Avenue, and north of Stetson Avenue, a portion of this land will be preserved as permanent open space.*

The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. Proposed revisions to the Draft General Plan may be found in an “Errata” file available on the City’s website at <http://www.cityofhemet.org/planning/gp2030.htm>. No further response is required.



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**LETTER**  
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November 14, 2011

Deanna Elliano  
Community Development Director  
City of Hemet  
445 East Florida Avenue  
Hemet, CA 92543

Subject: City of Hemet Draft General Plan Update and Draft Program  
Environmental Impact Report – September 30, 2011  
(State Clearinghouse No. 2010061088)

Dear Ms. Elliano:

The Riverside County Transportation Commission (RCTC) has reviewed the City of Hemet Draft General Plan Update and the Draft Program Environmental Impact Report (EIR). The Draft General Plan Update is important to RCTC because a Measure A Project, the State Route 79 Realignment Project (SR-79 Project), occurs within the City of Hemet (City), as well as within the City of San Jacinto and the County of Riverside. RCTC is currently preparing a Draft EIR/Environmental Impact Statement (EIS) for the SR-79 Project and plans to circulate it for review in early 2012.

Below are RCTC’s comments on the City’s Draft General Plan Update and the Draft Program EIR.

9-1

1. The Draft General Plan Update, Circulation Element, page 4-4 and 4-16 documents that the City has selected a Locally Preferred Alternative for the Project. RCTC and the California Department of Transportation (Department) have not chosen a preferred alternative. Should RCTC’s and the Department’s Selected Alternative differ from the City’s Locally Preferred Alternative, RCTC would request that the City amend the Circulation Element of its General Plan to reflect the Selected Alternative.
2. Draft General Plan Update, Chapter 2 Land Use, page 2-65: Last paragraph references an interchange at Menlo Avenue along the realigned SR-79. The reference is incorrect. The SR-79 Realignment Project is not proposing an interchange at Menlo Avenue. The reference should be changed to Tres Cerritos Avenue.
3. The Draft General Plan Update, Chapter 4, Circulation Element, page 4-4 and the Draft Program EIR, page 3-1, states that the Project proposes to widen SR-79. However, the Project is not associated with any widening activities but proposes to

9-2

9-3

realign SR-79. It is suggested that the discussion is clarified to state that the Project proposes to realign SR-79.

cont.  
9-3

4. The Draft General Plan Update, Chapter 3 Community Design, page 3-15, Figure 3.6 SR-79 Cross Section shows a cross section of the Project, with a median width of 41' and with 3 lanes in each direction. However, the Project proposes a median with a width of 84' and 2 lanes in each direction. In addition, Figure 3.6 notes a right of way width of 213'; our Project right of way would vary along the alignment.

9-4

5. RCTC requests a coordination meeting to review the design of the SR 79 Realignment Project and the compatibility with Land Use, and Circulation Elements, including the San Jacinto Rail line. While the City has identified a Locally Preferred Alternative for SR-79, RCTC is concerned that the Circulation Element is not currently shown to be compatible with a future realigned SR-79. For example, the severance of Olive Avenue is not shown.

9-5

RCTC would greatly appreciate receiving a hard copy of the City of Hemet Draft General Plan Update and Draft Program EIR. Please ensure that we are on your distribution list for future notices and distribution. In addition, please communicate the schedule/timeline to address comments received on the City of Hemet Draft General Plan Update and Draft Program EIR and when the Final is anticipated to be completed.

9-6

Thank you for the opportunity to submit our comments on the City of Hemet Draft General Plan Update and Draft Program EIR.

Sincerely,



Cathy Bechtel  
Project Development Director  
Riverside County Transportation Commission

- 9-1 The commenter proposes several edits to Draft General Plan. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. The City understands and agrees that if the adopted alignment differs from the locally preferred alignment shown in the General Plan, that the City will amend the Circulation element and Land Use Plan to reflect the adopted alternative. The City has included language to acknowledge the status of the alignment in the Circulation Element, and included as a note on Figure 4.1 (Roadway Circulation Master Plan). Proposed revisions to the Draft General Plan may be found in an “Errata” file available on the City’s website at <http://www.cityofhemet.org/planning/gp2030.htm>. No further response is required.
- 9-2 The commenter proposes an edit to the Draft General Plan. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. The City has included the recommended text revisions to the City Council for adoption as part of the General Plan. Proposed revisions to the Draft General Plan may be found in an “Errata” file available on the City’s website at <http://www.cityofhemet.org/planning/gp2030.htm>. No further response is required.
- 9-3 The commenter proposes an edit to the Draft General Plan. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. The City will recommend the requested text revisions to the City Council for consideration. Proposed revisions to the General Plan may be found in an “Errata” file available on the City’s website at <http://www.cityofhemet.org/planning/gp2030.htm>. No further response is required.
- 9-4 The commenter proposes an edit to the Draft General Plan. The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. The cross-section shown in the Draft General Plan was based on earlier information available to the City at the time the plan was prepared, since the draft SR-79 Realignment project and EIR have not yet been released for public review. It is the City’s understanding that SR-79 is planned for an ultimate configuration of six lanes, with an interim condition of four lanes. However, the City has amended Figure 3.6 in the General Plan to show RCTC’s cross-section for SR-79. Proposed revisions to the Draft General Plan may be found in an “Errata” file available on the City’s website at <http://www.cityofhemet.org/planning/gp2030.htm>. No further response is required.
- 9-5 The commenter requests coordination with the City to review the design of the SR-79 realignment and compatibility with the General Plan. Deanna Elliano, the City of Hemet’s Community Development Director, met with Cathy Bechtel of RCTC on Monday, November 21 to discuss concerns as expressed in this comment. Essentially, these concerns emanate from the fact that the SR-79 Realignment project and DEIR is due to be released in early 2012 and therefore, the final alignment and design option is not yet adopted. The City’s proposed Circulation Element street network is based upon the original design profile and the City’s Locally Preferred Alternative alignment for SR-79.

Based on the alignment and design option or profile ultimately selected, the City acknowledges that local roadway circulation may be affected, and certain east-west streets in the southwestern portion of the planning area (such as Olive Avenue) may no longer connect or will need to provide overpass structures. However, with the exception of Simpson Avenue, the master planned street network shown on the Circulation Element could still be provided as shown under either

design option. If the lowered profile design option is selected, Simpson Avenue would need to re-evaluated or constructed with an overpass bridge in order to continue as an east-west route in the vicinity of SR-79. A lowered profile design option for SR-79 may also affect the ultimate location of a future West Hemet Metrolink station, and would necessitate the provision of an elevated bridge to continue the Metrolink rail to the planned Downtown Hemet Station location. These are all issues that the City anticipates will be examined in the Draft EIR/EIS for the SR-79 Realignment project and will be actively discussed during the public hearing and comment period for that project.

Until the actual alignment and design profile option for SR-79 is adopted, the City will continue to show the circulation network identified in the Circulation Element, as it is consistent with the original SR-79 design and alignment proposed by RCTC. However, as noted in Comment 9-1, the City recognizes that the Circulation Element may need to be revised in the future, depending upon the design option ultimately adopted by Caltrans and RCTC for SR-79. In this regard, the City will recommend placing the following note on the Land Use Plan (Figure 2.1) and the Circulation Master Plan (Figure 4.1) within the General Plan:

*Note: The ultimate design and alignment of the proposed State Route 79 has not yet been adopted and will be determined upon approval of the project by Caltrans and the Riverside County Transportation Commission. The adopted design alternative may result in changes to the circulation network shown on this Figure, including existing and proposed roadway connections in the vicinity of the proposed State Route 79.*

Proposed revisions to the Draft General Plan may be found in an “Errata” file available on the City’s website at <http://www.cityofhemet.org/planning/gp2030.htm>.

9-6

The commenter requests a hard copy of the General Plan and EIR, requests to be included in distribution of future notices and documents, and asks for the timeline for the City to address comments and issue the Final EIR. A CD containing a complete copy of the General Plan and EIR documents was provided to RCTC, and the City agreed to provide a copy of the final General Plan and EIR. The City addressed these questions while meeting RCTC on November 21; the Final EIR (including responses to comments) is scheduled to be issued on January 12, 2012.. The City Council will hold a public hearing to consider the Draft General Plan and Final EIR on December 13, 2011, and final adoption by City Council is anticipated to occur on January 24, 2012.



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November 16, 2011

Deanna Elliano, Community Development Director  
City of Hemet  
445 E. Florida Avenue  
Hemet, CA 92543

**RE: CITY OF HEMET GENERAL PLAN UPDATE AND DRAFT EIR**

Dear Ms. Elliano:

The Regional Conservation Authority appreciates being provided with Notice of the City's General Plan Update and Draft EIR. We note that the public review period posted on the notice indicated that the public review period ended on 11/14/11, however the RCA did not receive the Notice of Availability until October 3, 2011, therefore we respectfully request you honor this comment as it is within 45 days of our receipt of your Notice.

We have reviewed the City's proposed General Plan and associated EIR in relation to the MSHCP and the City's obligations under the MSHCP. As the City is aware, a portion of the City of Hemet and its western sphere of influence includes a very unique complex of vernal pools and associated soil and plant communities that do not occur anywhere else in the County of Riverside. This area has been subject of meetings between the City and the RCA for several years. The City's General Plan and EIR refers in various locations to the possibility of a Criteria Refinement being used in this area to reduce the conservation obligation in order to allow additional development. We offer the following to guide the City's decisions about this area.

All Criteria Refinements need to follow the equivalency analysis set forth in Section 6.5 of the MSHCP. If the City proposed a Criteria Refinement for the Hemet Vernal Pool Complex the Criteria Refinement would need to be a modification of the Criteria; i.e intended Conservation area, so that there would be the same or superior conservation conditions on the lands conserved through the Criteria Refinement. For the Hemet Vernal Pool complex area, a proposed Criteria Refinement would need to demonstrate that surface water movement at the appropriate flow rate and quality would be restored to vernal pools south of State Route 74 to ensure the long term viability of vernal pools and sensitive plant populations in this area.

10-1

Ms. Deanna Elliano  
Page 2  
November 16, 2011

The Criteria Refinement analysis should at the very least include scientific documentation that the unique local hydrology of the vernal pool complex area is restored and improved in a manner that has a positive effect on the biological resources of the vernal pool complex.

The Vernal Pool complex area has numerous property owners and any proposed Criteria Refinement would need to include the consensus and approval of all affected land owners to be included in the Refinement process. It should also be noted that the preparation of any Criteria Refinement does not necessarily mean the City will be able to "reclaim" any land that may be needed for Conservation in this area.

We appreciate the City of Hemet's continuing participation in and commitment to the Western Riverside County MSHCP.

If you should have any questions, please feel free to contact our office at (951) 955-9700.

Sincerely,

  
Charles Landry  
Executive Director

cont.  
10-1

- 10.1 The commenter provides guidance for the City’s decision on criteria refinements, including equivalency analysis per Section 6.5 of the MSHCP. The City acknowledges the unique complex of vernal pools and associated soil and plant communities that are located within the City and Planning Area. Descriptions, policies, and implementation programs regarding the complex and the City’s obligations under the MSHCP are included throughout the General Plan with special focus in Chapter 2 (Land Use), Chapter 5 (Community Services and Infrastructure), and Chapter 7 (Open Space and Conservation).

The following language was added to General Plan Section 5.5.3 (Stormwater Management) and to Implementation Program OS-P-16 (Conservation Planning and Agency Coordination): *The City will notify and consult with staff of the RWOCB, the Army Corps, the California Department of Fish and Game, the U.S. Fish and Wildlife Service, and Western Riverside County Regional Conservation Authority when a proposed land development project may impact vernal pools or streambeds. Impacts to vernal pools and mitigation plans shall also be reported through the CEQA process*

This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. No further response is necessary.



**South Coast  
Air Quality Management District**

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • www.aqmd.gov

RECEIVED LETTER  
NOV 2 11

PLANNING DEPT

E-Mailed: November 15, 2011  
ngutierrez@cityofhemet.org

November 15, 2011

Nancy Gutierrez  
Community Development Department  
445 East Florida Avenue  
Hemet, CA 92543

**Review of the Draft Program Environmental Impact Report (Draft PEIR)  
for the Proposed Hemet Draft General Plan Update Project**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the final Program Environmental Impact Report (final PEIR) as appropriate.

The AQMD staff is concerned about the potential cumulative health risk impacts to sensitive land uses (e.g., residential, hospital, school and park uses) from new industrial land uses identified in the proposed project. Therefore, the lead agency should revise the draft PEIR to address the project's potential cumulative health risk impacts and, if applicable, include mitigation measures that maintain the buffers specified by the CARB Air Quality and Land Use Handbook<sup>1</sup> for any new project. Further, the AQMD staff recommends that additional mitigation measures be considered to minimize the project's significant air quality and climate change impacts pursuant to Section 15126.4 of the California Environmental Quality Act (CEQA) Guidelines. Details regarding these comments are attached to this letter.

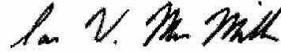
11-1

Pursuant to Public Resources Code Section 21092.5, AQMD staff requests that the lead agency provide the AQMD with written responses to all comments contained herein prior to the adoption of the final EIR. Further, staff is available to work with the lead agency

<sup>1</sup> California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective." Accessed at:<http://www.arb.ca.gov/ch/landuse.htm>

to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,



Ian MacMillan

Program Supervisor, CEQA Inter-Governmental Review  
Planning, Rule Development & Area Sources

Attachment

IM:DG

RVC110930-04  
Control Number

Potential Health Risk Impacts to Sensitive Land Uses

1. The AQMD staff is concerned about the potential health risk impacts to sensitive land uses from industrial sources in the proposed project. Specifically, the AQMD staff is concerned about the proposed land use plan (Exhibit 3-3) that depicts a variety of new industrial uses placed adjacent to residential uses between the SR-79 alignment corridor and Stetson Avenue. The lead agency provides a limited discussion on the potential impacts to sensitive land uses from industrial emissions sources on page 4.3-21 of the draft PEIR, but does not adequately address the potential cumulative impacts from future industrial emissions sources.

Based on the lead agency’s discussion for Impacts on Sensitive Receptors (page 4.3-20 in the draft PEIR), new stationary sources would present less than significant impacts as they will be subject to AQMD’s permitting rules. However, this determination does not account for cumulative impacts from facility and area-wide emissions that will likely result from the proposed new industrial uses. As a result, the AQMD staff is concerned about the potential cumulative health risk impacts from toxic air pollutants emitted by the significant volume of industrial uses identified by the proposed project. Therefore, the lead agency should revise the draft PEIR to address the project’s potential cumulative health risk impacts and, if applicable, include mitigation measures that maintain the buffers specified by the CARB Air Quality and Land Use Handbook for any new project.

11-2

Mitigation Measures for Construction Air Quality Impacts

2. Given that the lead agency concluded that the proposed project will have significant Construction related air quality impacts, the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15126.4. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,
- Reroute construction trucks away from congested streets or sensitive receptor areas,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers’ specifications,
- Use coatings and solvents with a VOC content lower than that required under AQMD Rule 1113,

11-3

- Construct or build with materials that do not require painting,
- Require the use of pre-painted construction materials,
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). If the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx and PM emissions requirements,
- During project construction, all internal combustion engines/construction equipment operating on the project site shall meet EPA-Certified Tier 2 emissions standards, or higher according to the following:
  - ✓ Project Start, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
  - ✓ January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
  - ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
  - ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
  - ✓ Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>

cont.  
11-3

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:  
[www.aqmd.gov/ceqa/handbook/mitigation/MM\\_intro.html](http://www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html).

cont.  
11-3

Mitigation Measures for Operational Air Quality and Climate Change Impacts

3. The lead agency's operational air quality analysis demonstrates significant air quality and climate changes impacts from all criteria pollutant emissions (i.e., NOx, SOx, CO, VOC, PM10 and PM2.5) and greenhouse gas emissions. These impacts are primarily from mobile source emissions related to vehicle trips associated with the proposed project. However, the lead agency does not adequately address this large source of emissions. Specifically, the lead agency only requires a list of nominal non-quantifiable mitigation measures that are deferred to project level analyses. Therefore, the lead agency should reduce the project's significant air quality and climate change impacts by reviewing and incorporating additional transportation mitigation measures, such as those from the greenhouse gas quantification report published by the California Air Pollution Control Officer's Association in the final EIR<sup>2</sup>.

11-4

<sup>2</sup> California Air Pollution Control Officer's Association. August 2010. Quantifying Greenhouse Gas Mitigation Measures. Accessed at: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

- 11-1 The commenter provides a general overview of subsequent comments concerning potential cumulative health risk impacts to sensitive land uses, and recommending additional mitigation measures for air quality and greenhouse gas impacts. Please Refer to Response to Comments 11-2, 11-3, and 11-4.
- 11-2 The commenter states that the EIR does not account for potential cumulative impacts from facility and area-wide emissions that will likely result from proposed new industrial uses between the SR-79 corridor and Stetson Avenue. The commenter further states that the City should revise the EIR to address the potential cumulative health risk impacts and, if applicable, apply mitigation measures that maintain the buffers specified by the ARB *Air Quality and Land Use Handbook* for new projects.
- Individual health risk impacts and cumulative impacts will be determined at the project level, as necessary and applicable. There is no available methodology to reliably estimate these emissions and impacts at the General Plan level. Stationary sources of TAC emissions in the planning area would require permits, preventing new land use compatibility conflicts.
- In response to the comment, Mitigation Measure 4.3-4b on page 4.3-24 of the EIR has been modified as follows to provide adequate buffers for sensitive receptors:
- Mitigation Measure 4.3-4b: Avoid siting new sensitive receptors within buffers recommended by ARB~~500 feet of the SR 79 Expressway~~.
- The City shall require disclosure of health risks for all other new sensitive uses proposed within distances recommended within the *Air Quality and Land Use Handbook (ARB 2005)*~~500 feet of the SR 79 Expressway~~. To the extent feasible, the City shall prohibit the placement of new schools, parks, day care centers, adult day care facilities, community centers, and libraries within buffers recommended within the *Air Quality and Land Use Handbook (ARB 2005)*~~500 feet of the SR 79 Expressway~~.
- 11-3 The commenter proposes several additional mitigation measures for construction air quality impacts.
- In response to the comment, Mitigation Measure 4.3-1b on pages 4.3-17 and 4.3-18 of the EIR has been modified as follows:
- Mitigation Measure 4.3-1b: Reduce ~~Exhaust~~ Emissions from Construction ~~Equipment~~.
- The City shall require each project applicant, as a condition of project approval, to implement the following measures to reduce ~~exhaust emissions from construction equipment~~ emissions:
- ▶ Commercial electric power shall be provided to the project site in adequate capacity to avoid or minimize the use of portable gas-powered electric generators and equipment.

- ▶ Where feasible, equipment requiring the use of fossil fuels (e.g., diesel) shall be replaced or substituted with electrically driven equivalents (provided that they are not run via a portable generator set).
- ▶ To the extent feasible, alternative fuels and emission controls shall be used to further reduce exhaust emissions.
- ▶ On-site equipment shall not be left idling when not in use.
- ▶ The hours of operation of heavy-duty equipment and/or the amount of equipment in use at any one time shall be limited.
- ▶ Staging areas for heavy-duty construction equipment shall be located as far as possible from sensitive receptors.
- ▶ Before construction contracts are issued, the project applicants shall perform a review of new technology, in consultation with SCAQMD, as it relates to heavy-duty equipment, to determine what (if any) advances in emissions reductions are available for use and are economically feasible. Construction contract and bid specifications shall require contractors to utilize the available and economically feasible technology on an established percentage of the equipment fleet. It is anticipated that in the near future, both NO<sub>x</sub> and PM<sub>10</sub> control equipment will be available.
- ▶ Provide temporary traffic controls such as a flag person during all phases of construction to maintain smooth traffic flow.
- ▶ Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
- ▶ Reroute construction trucks away from congested streets or sensitive receptor areas.
- ▶ Appoint a construction relations officer to act as a community liaison concerning on-site construction activity, including resolution of issues related to PM<sub>10</sub> generation.
- ▶ Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufactures' specifications.
- ▶ Use coatings and solvents with a VOC content lower than that required under AQMD Rule 1113.
- ▶ Construct or build with materials that do not require painting, or require the use of pre-painted construction materials where feasible.
- ▶ Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). If the City determines that 2010 model year or newer diesel trucks cannot be obtained, the lead agency shall use trucks that meet EPA 2007 model year NO<sub>x</sub> and PM emissions requirements.
- ▶ During project construction, all internal combustion engines or construction equipment operating on the project site shall meet EPA-Certified Tier 2 emissions standards or higher. A copy of each unit's certified tier specification, BACT

documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization for each applicable unit of equipment.

- ▶ Encourage construction contractors to apply for AQMD “SOON” funds.

11-4

The commenter states that the City’s operational air quality analysis does not adequately address emissions from all criteria pollutants and GHGs; specifically, the commenter states that the City only requires a list of nominal, non-quantifiable mitigation measures that are deferred to project level analyses. The commenter further states that the City should reduce impacts by reviewing and incorporating additional transportation mitigation measures, and cites the California Air Pollution Control Officer’s Association (CAPCOA) as a source of such measures.

The City has proposed a variety of mitigation measures to address air pollutant and GHG emissions. The City considered the list of mitigation measures suggested by CAPCOA, and incorporated some proposed measures (e.g., use of reclaimed water) either within the Draft General Plan as policies, or within the EIR as mitigation measures. Other mitigation measures were considered to be infeasible by the City.

The commenter does not identify specific mitigation measures which should be applied by the City to reduce significant and unavoidable operational air quality and GHG impacts, but instead cites a potential source of mitigation measure ideas. A lead agency is not required to offer specific findings or justifications for rejecting mitigation measures that are not specifically proposed for a project. If a list of common mitigation measures is simply attached or referenced with no context relating them to the proposed project, many or all of the proposed mitigation measures may be considered infeasible or inappropriate for the project (see *Santa Clarita Organization for Planning the Environment v. City of Santa Clarita*, (California Court of Appeal, 2nd Dist./Div. 2, Case No. B224242). Therefore, no text edits or changes to the EIR are proposed in response to this comment.

However, the City of Hemet is committed to participating in the reduction of air pollution in the City and the region. The General Plan contains a goal (OS-7), 15 policies (OS-7.1 – OS-7.15), and 8 Implementation Programs (OS-P-31 – OS-P-38) that directly address the reduction of air pollution and greenhouse gases, and the preparation of a Climate Action Plan. Additionally, policies and implementation programs are included throughout the General Plan that indirectly address air pollution such as walkable and green street design requirements. Policies related to sustainability and healthy communities are compiled in Appendix A and Appendix F, respectively.



Raymond Hicks  
Region Manager

**LETTER**  
**12**

November 17, 2011

Deanna Elliano  
Community Development Director  
City of Hemet  
445 East Florida Avenue  
Hemet CA 92543  
Re: City of Hemet General Plan Update (GPU)

Dear Ms. Elliano:

The Southern California Edison Company (SCE) appreciates the opportunity to join the community in commenting on the City of Hemet's GPU. As the provider of electricity for the City, we look forward to planning to serve the growth envisioned by the GPU and assisting the City with its efforts to conserve energy and build a more sustainable community.

SCE will be investing approximately \$21.5 billion over the next five years to expand and strengthen its essential electric distribution and transmission grids. Improvements will include repairing or replacing transmission and distribution poles, wires, and circuits, building new transmission lines and substations, and installing new technologically advanced meters. These investments are necessary to make the power grid more reliable, greener, and smarter within our 50,000-square-mile service territory.

This letter provides the City of Hemet information on SCE's efforts to deliver renewable energy to the community, SCE's energy efficiency and sustainability programs for developers, and SCE's programs to assist communities to become electric vehicle plug-in ready. It also offers general plan policy suggestions that can assist the City and developers to plan with electricity service in mind.

#### **Renewable Energy**

In November of 2008, the Governor signed Executive Order #S-14-08 requiring retail sellers of electricity to deliver 33% of its energy from renewable energy sources by the year 2020. SCE currently leads the nation in renewable energy delivery. In 2010, SCE delivered approximately 14.5 billion kilowatt-hours (kWh) of renewable energy to its customers, which constituted 19.4 percent of the total energy delivered that year. In addition, SCE has contracts in place that, when delivered, will bring the total renewable energy delivered up to 20 percent. If the City would like to know more about SCE's commitment to renewable energy and the environment, please view our website at <http://www.sce.com/PowerandEnvironment/>.

12-1

#### **Energy Efficiency**

SCE also has a highly successful energy efficiency program. During the past five years, SCE customers have saved more than five billion kWh of energy – enough energy to power 725,000 homes for an entire year. This translated into reducing greenhouse gas (GHG) emissions by more than 2 million metric tons – the equivalent of removing 350,000 cars from the road. During the next two years, SCE will help customers save an additional 2 billion kWh of energy, which will decrease greenhouse gases by another 1 million tons. SCE residential, commercial, and institutional programs promoting energy efficiency and conservation can be found on SCE's website at <http://www.sce.com/residential/residential.htm>, and <http://www.sce.com/business/ems/default.htm>, respectfully.

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## Green Building & Sustainable Communities

SCE offers developers green building and energy efficiency programs that can assist the City with its efforts to build a more sustainable community.

- The California Advance Homes Program (CAHP)

California's investor-owned utilities, Southern California Edison, Southern California Gas Company, Pacific Gas and Electric Company, and San Diego Gas and Electric Company, are working together to help the building industry design and develop more environmentally friendly communities. The CAHP highlights best practices in energy efficiency, green building and sustainability, and offers generous financial incentives to help builders and architects create more sustainable communities for potential homebuyers. Through a combination of education, design assistance, and financial support, the CAHP works with building and related industries to exceed compliance with the California Code of Regulations, Title 24, Part 6, 2008 Building Energy Efficiency Standards for Residential and Nonresidential Buildings and to prepare builders for changes to the Standards. Participation is open to single-family, low, and high-rise multi-family residential new construction built within SCE's service territory.

- Sustainable Communities Program (SCP)

In addition, SCE offers the SCP an innovative pilot program targeting developers of large mixed-use, multi-family, or multiple building construction projects that are willing to commit to aggressive energy efficiency and sustainable design goals. SCE's team of green building and sustainability experts work with the developer to enhance a project's sustainability beginning at the conceptual phase of a project's development. Financial incentives are available to offset the cost of energy efficiency measures.

- Savings By Design

Nonresidential developers can participate in the Savings By Design Program, a program sponsored by four of California's largest utilities, including SCE, under the auspices of the California Public Utilities Commission (CPUC). The program offers builders and their design team a wide range of services, including design assistance to maximize energy efficiency, incentives to offset the cost of energy efficient buildings, and design rewards for design teams that meet ambitious energy efficiency targets.

### Plug-in Electric Vehicles (PEV)

Southern California communities have been selected by major automotive manufacturers to be among the first regions in the country to serve as the initial market launch sites. While no one knows yet how large the market for these vehicles will be, SCE's service territory could see as many as 200,000 plug-ins by 2015 and 1 million by 2020. Customer expectations will be high, and they will be looking for guidance from their local governments, communities, and electric utilities.

The shift in automobile technology to electric drive will impact both cities and electric utilities. A critical component of the shift to electric drive will be the ease of installation of home infrastructure, placing an emphasis on issues such as city permits, third-party electricians, certified systems and city inspections. Cities will also need to respond to requests for public charging systems. SCE will support cities in their analysis of public charge port locations and quantities, and will assist the cities with becoming PEV ready as the demand for these vehicles increases. For more information on how to prepare for PEVs, please see SCE's website at <http://www.sce.com/PowerandEnvironment/PEV/information-for-cities.htm>.

### Planning for Electricity

- SCE Fee-owned Properties

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cont.  
12-1

SCE purchases its property rights at fair market value with ratepayer funds, including both fee-owned property and easements. Because SCE is a state-regulated utility company, California Public Utilities Code Section 851 prohibits any additional encumbrances that would reduce the value of any land asset, reduce the integrity (terms and conditions) of the asset, or could result in negatively impacting service and operational reliability that are not approved by the CPUC. Therefore, we request to be notified if the proposed GPU includes proposals to change land use designations for any SCE facilities, lands, or easements. We appreciate your understanding in this matter.

Long-range and current planning activities impact SCE's services and operations. Such activities may require SCE to plan for new electric facilities to serve projected load growth, for distribution facilities for individual development projects, or to address developer encroachments onto SCE lands or easements. Below is information the City and developers can use when planning with electricity in mind.

- SCE Transmission Corridors & Secondary Land Uses

SCE transmission corridors may not always be compatible land uses for active trails and parks due to SCE's Operations and Maintenance (O&M) requirements for its facilities, and because once these uses are established in corridors, they may become unavailable to the public for extended periods during SCE system construction and/or maintenance. In addition, any proposed use cannot be in conflict with the rights owned by SCE and its operational requirements.

- Large-scale Developments

SCE respectfully requests the City consider General Plan policies encouraging developers to contact SCE early in the planning process, especially for large-scale residential and non-residential development or specific plans to ensure the projected electric loads for these projects are factored into SCE's load forecasts for the community and region, and for developers to work closely with SCE to determine electrical service and infrastructure needs for individual projects. In addition, SCE suggest specific plans including a general discussion of electricity service within their infrastructure/utility or circulation plans. Also suggested are General Plan policies encouraging developers of large-scale projects to incorporate energy efficient design measures into their projects and to consult utilities regarding any available energy efficiency, developer assistance programs.

- California Public Utilities Commission (CPUC) as a CEQA Lead Agency

When development plans result in the need to build new or relocate existing SCE electrical facilities that operate at or above 50 kV, the SCE construction may have environmental consequences subject to CEQA review as required by the CPUC. If those environmental consequences are identified and addressed by the local agency in the CEQA process for the larger project, SCE may not be required to pursue a later, separate, mandatory CEQA review through the CPUC's General Order 131-D (GO 131-D) process. If the SCE facilities are not adequately addressed in the CEQA review for the larger project, and the new facilities could result in significant environmental impacts, the required additional CEQA review at the CPUC could delay approval of the SCE power line portion of the project for up to two years or longer.

- Encroachments/Infringements upon SCE Facilities, Rights-of-Way, and Land Rights

It is important for the City and developers to contact SCE early when project sites include SCE utility lands or infrastructure, or when the project has the potential to impact existing or planned SCE facilities. Developers should be directed to provide SCE with detailed project development plans and depict on the plans SCE facilities, rights-of-way, and land rights in relationship to the proposed projects. Any impacts to SCE utility lands and/or infrastructure must be satisfactorily addressed between the developer, the City, and SCE, and consented to by SCE prior to finalizing the plan of development.

Conducting this process early with SCE ensures that a proposed project can be designed to meet the developer's and City's needs while being compatible with SCE's operating requirements. Early consultation minimizes the risk of the developer or the City experiencing costly delays attributed to potential conflicts with SCE facilities. Early dialogue also ensures SCE has the time to respond and plan for any changes necessary to maintain a safe and reliable operating system to meet the City's electrical needs. General Plan policies supporting these concerns can greatly aid the City and developers to meet

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cont.  
12-1

their development goals and allow SCE the opportunity to serve the City and the development community as timely as possible.

- Environmental Mitigation Adjacent to SCE Lands

SCE recognizes that new development may require environmental mitigation, including the creation of new habitat or restoration of degraded habitat. When environmental mitigation is proposed adjacent to or includes SCE operating property, such as transmission, telecommunication, or distribution line corridors, substation land, and other utility lands, SCE's ability to continue to provide safe and reliable electricity service through the operation, maintenance, modification or upgrading of facilities may be seriously compromised. For example, legally protected habitat that grows on an SCE transmission corridor could inhibit SCE from performing necessary repairs to existing facilities or upgrading existing facilities to serve increased customer demand for electricity.

SCE respectfully request the General Plan include language clearly indicating utility lands, including rights-of-way, are not compatible as locations for environmental mitigation, unless there are specific unique circumstances that have been addressed between the City, SCE, and the project proponent. Where environmental mitigation in proximity to SCE's utility land is unavoidable, we further request any proposed mitigation be subject to early joint review between the City and SCE, so that SCE can ensure its ability to conduct O&M on its facilities is maintained, and any approved mitigation is compatible with SCE's operating requirements.

In closing, SCE would like to reiterate that as your hometown electricity provider we are here to assist the City with its efforts to build a greener and more energy efficient community. We encourage the City and the community to avail themselves of the many SCE sponsored programs for this purpose. Please keep SCE on your routing list for all announcements pertaining to the development of the City's GPU. If you have any questions regarding this letter, do not hesitate to contact me at (951) 928-8238.

Sincerely,



Ray Hicks  
Local Public Affairs Region Manager  
Southern California Edison Company

cont.  
12-1

26100 Menifec Rd.  
Menifec, CA 92585

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12-1

The commenter provides information on Southern California Edison operations, provides data sources, and suggests several revisions to the Draft General Plan.

To address concerns raised by SCE, General Plan Policy CSI-5.8 was modified to add the following language: . . . *and encourage developers of large scale or complex developments to contact local utilities early in the process to insure that projected energy and utility demands will be able to be accommodated.*

General Plan Implementation Program CSI-P-7 was modified to add the following language: *Provide early consultation with utility companies for any proposed multi-use or conservation proposals on utility-owned lands to insure that the proposed uses or conservation activities are compatible with the primary purpose of the easement.*

The comment does not raise any issue related to the adequacy of environmental analysis conducted in the EIR. No further response is required.

WARREN D. WILLIAMS  
General Manager-Chief Engineer



1995 M  
RIVE

**LETTER**  
**13**  
FAX 951.788.9965  
www.rcflood.org  
137681

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT *Filed as: GP-HEM UPDATE*

City of Hemet  
Planning Department  
445 E. Florida Avenue  
Hemet, California 92543

Attention: Deanna Elliano

Ladies and Gentlemen:

Re: General Plan Update

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

- No comment.
- This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.
- This project <sup>may</sup> involves District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.
- This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension of the adopted Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.
- This project is located within the limits of the District's San Jacinto & Salt Creek Area Drainage Plans for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266.

13-1

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation, or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

MEKBIB DEGAGA  
Engineering Project Manager

Date: 11/16/2011

*EWB*

13-1

The commenter states that the project may involve District Master Plan facilities, notes that the project is located in the District's San Jacinto Regional and Salt Creek Area Drainage Plans, and states that an encroachment permit will be needed for any construction related activities occurring in the District's right-of-way.

In ensure appropriate coordination with RCFCD, the following modifications were made to the General Plan:

General Plan Policy CSI-4.2 (100-Year Storm Flows) was amended to require coordination with the Riverside County Flood Control District regarding the preference and requirements for District maintenance of regional and master planned drainage facilities.

General Plan Implementation Program CSI-P-5 (Master Flood Control and Drainage Plan) was amended to require coordination with the Riverside County Flood Control District on design standards and maintenance agreements

This comment does not identify any specific issue or deficiency related to the adequacy of environmental analysis conducted in the EIR. No further response is necessary.



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

November 15, 2011

RECEIVED  
NOV 17 2011  
PLANNING

Deanna Elliano  
City of Hemet  
445 E. Florida Avenue  
Hemet, CA 92543

Subject: General Plan Update  
SCH#: 2010061088

Dear Deanna Elliano:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 14, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

14-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044  
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2010061088  
**Project Title** General Plan Update  
**Lead Agency** Hemet, City of

**Type** EIR Draft EIR  
**Description** Comprehensive update of the City's General Plan.

**Lead Agency Contact**

**Name** Deanna Elliano  
**Agency** City of Hemet  
**Phone** 951 765 2375 **Fax**  
**email**  
**Address** 445 E. Florida Avenue  
**City** Hemet **State** CA **Zip** 92543

**Project Location**

**County** Riverside  
**City** Hemet  
**Region**  
**Lat / Long**

**Cross Streets**

**Parcel No.**

**Township**

**Range**

**Section**

**Base**

**Proximity to:**

**Highways** Hwy 74, 79  
**Airports** Hemet-Ryan  
**Railways** former AT&SF  
**Waterways** Diamond Vly Lk, San Jacinto R., Bautista Wash, Others  
**Schools** Multiple  
**Land Use** Multiple land use designations and zoning districts

**Project Issues** Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual

**Reviewing Agencies** Resources Agency; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Management Agency, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Department of Housing and Community Development; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

**Date Received** 09/30/2011 **Start of Review** 09/30/2011 **End of Review** 11/14/2011

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Letter  
14  
Response**

California State Clearinghouse  
Scott Morgan, Director  
November 15, 2011

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14-1

The commenter provides information about requirements for review of CEQA documents and responding to comments, and forwards comments received from the California Native American Heritage Center and the California Department of Fish and Game. These comment letters and responses are included in this document as Letter 1 and Letter 2. This comment does not identify any specific issues or deficiencies related to the adequacy of environmental analysis conducted in the DEIR. No further response is necessary.



California Regional Water Quality Control Board  
Santa Ana Region

LETTER  
15

Matthew Rodriguez  
Secretary for  
Environmental Protection

3737 Main Street, Suite 500, Riverside, California 92501-3348  
Phone (951) 782-4130 • FAX (951) 781-6288  
www.waterboards.ca.gov/santaana

Edmund G. Brown Jr.  
Governor

November 29, 2011

Deanna Elliano, Director  
Community Development Dept., City of Hemet  
445 E. Florida Avenue  
Hemet, CA 92543

**DRAFT ENVIRONMENTAL IMPACT REPORT, CITY OF HEMET 2030 GENERAL PLAN  
UPDATE, RIVERSIDE COUNTY, SCH #2010061088**

Dear Ms. Elliano:

Staff of the Regional Water Quality Control Board, Santa Ana Region (RWQCB-8), has reviewed the City of Hemet (City) Draft Environmental Impact Report (DEIR) for the City's General Plan Update (Project). The Project anticipates a continual increase in population, with residential/ commercial construction extending beyond current City limits toward final buildout (Executive Summary p. 2-3). Therefore, the Project would update ten General Plan elements for implementing projects through 2030, while considering:

- 28.3 square miles of already incorporated area,
- 37 square miles of the City's existing Sphere of Influence (SOI), and
- Outside of the existing SOI, an additional 32.1 square miles of Planning Area. The southwestern Planning Area surrounding Diamond Lake is within RWQCB Region 9.

Regional Board staff finds that the DEIR adequately discusses many of the water-quality concerns and topics that we normally raise. We believe that the final EIR should incorporate the following additional comments, in order for the Project to best protect water quality standards (water quality objectives and beneficial uses) contained in the Water Quality Control Plan for the Santa Ana River Basin, 1995, as amended (Basin Plan):

Protection of Beneficial Uses and Agricultural Conversion

1. Apart from the canals, aqueducts, and agricultural drainage ditches in the Hemet Planning Area, final EIR Section 4.9 (Hydrology and Water Resources) should include the beneficial uses (BUs) of these local water bodies:
  - San Jacinto River, Reaches 5 and 6: Intermittent BUs are Agricultural Supply (AGR), Groundwater Recharge (GWR), Water Contact Recreation (REC1), Non-Contact Water Recreation (REC2), Warm Freshwater Habitat (WARM), and Wildlife Habitat (WILD);
  - Bautista Creek: Non-Intermittent BUs are Municipal Supply (MUN), Cold Freshwater Habitat (COLD), and AGR, GWR, REC1, REC2, and WILD; and
  - Salt Creek: Intermittent BUs are REC1, REC2, WARM, and WILD.

California Environmental Protection Agency

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1

According to the "tributary rule," other tributaries to these waters not specifically listed in the Basin Plan (such as the drainage in Avery Canyon), or otherwise mentioned here, have the same water quality standards as the waters to which they are tributary.

cont.  
1

2. The expansion of a city carries incremental effects that are "cumulatively considerable" and pose a "potentially significant impact" on the environment. There is widespread experience that an increase of disturbed, developed, and paved areas will substantially impact and impair the water quality standards of waters of the United States and the state, largely from increased urban stormwater runoff, loss of infiltration to groundwater (Impact 4.9-2), and hydromodification. The DEIR (Section 3.8) considers two Project alternatives aside from the required "no project" alternative. We concur that Alternative 2 (Reduced Mixed Use Intensity, reducing new construction density in west Hemet and improving certain downtown intersections) would constitute the "environmentally superior project" under CEQA. Alternative 2 appears to have the least overall impact to water quality standards, providing an opportunity for agricultural preservation and the incorporation of Low Impact Development (LID) design for capturing, reusing, and/or infiltrating stormwater (see Comment No. 7).

2

3. The diminishment of an existing beneficial use such as loss of agricultural supply (AGR) and groundwater recharge capacity (GWR), through the widespread conversion of agricultural land surface to housing and commercial structures, will constitute a "significant and unavoidable impact" that should be mitigated. Further, grading and excavations on land with historical farms and dairies may result in the mobilization of salts, total nitrogen, phosphorus, pesticides, and other wastes that could affect water quality. We note that previous farmland conversion has proposed or involved the filling of agricultural ditches, retention basins, and seasonal depressions/ponds that support the WILD, even WARM, beneficial uses despite poor or absent connectivity of these state waters to federal waters. Therefore, the final EIR should address basic procedures for the management of all non-point source (NPS) pollutants associated with agricultural conversion.

3

4. Table 4.2-1 categorizes many of 17,503 acres of farmland in the Hemet Planning Area as "important farmland." Although the General Plan would adopt commendable policies and programs to conserve agricultural lands, Impact 4.2-1 states that 2,166 acres of farmland would likely be unavoidably converted, with mitigation infeasible (DEIR p.4.2-7-9). We request that the final EIR not adopt a Statement of Overriding Consideration that such significant impacts as mentioned in 3. above, resulting from the City's growth, cannot be fully mitigated. Instead, cumulative impacts to AGR and related beneficial uses could potentially be mitigated for through the preservation of agricultural lands, soft-bottomed channels, unobstructed riparian wildlife corridors, vernal pool habitats, groundwater recharge areas, etc.

4

Stormwater Runoff Permitting and TMDLs

5. The final EIR should clarify that Hemet is a co-permittee in, and is required to comply with, the most recent Riverside County municipal separate storm sewer system, or "Riverside County MS4 permit." DEIR p.4.9-20 refers to the Riverside County MS4 permit adopted in 2002 MS4. On January 29, 2010, the Regional Board adopted

5



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Waste Discharge Requirements for Riverside County (NPDES Permit No. CAS618033, Order No. R8-2010-0033), stated as the "Riverside County Flood Control and Water Conservation District, the County of Riverside, and the Incorporated Cities of Riverside County within the Santa Ana Region, Areawide Urban Runoff Management Program."

cont.

In conformance with the Riverside County MS4 permit, and the Water Quality Management Plan (WQMP) that it requires, all development involving the City of Hemet must consider and implement structural and non-structural Best Management Practices (BMPs) to retain and treat all pollutants of concern (in dry-weather runoff and first-flush stormwater runoff) and to minimize hydrologic conditions of concern (HCOCs), both during and post-construction. Mitigation for identified hydromodification impacts must be considered in the project's CEQA document.

5

- 6. DEIR p.4.9-2,3 introduces Total Maximum Daily Loads (TMDLs) but the final EIR should specify them. The Regional Board has adopted TMDLs for pathogens (bacteria) entering Canyon Lake, and for nutrients (phosphorus, nitrogen, and their impairment of dissolved oxygen) entering Canyon Lake and Lake Elsinore.

6

In accordance with Clean Water Act (CWA) Section 303(d), Canyon Lake is listed as impaired by organic enrichment (nutrients) and pathogens. Lake Elsinore, which receives flow from Canyon Lake and in turn, discharges to Temescal Creek, is 303(d) listed for nutrients, organic enrichment, and low dissolved oxygen. The final EIR should reflect that the City's participation in the Riverside County MS4 permit, including, WQMP implementation, urban runoff pollutant controls, and other BMPs, is necessary for the City to comply with TMDLs.

- 7. The final EIR should emphasize BMPs that utilize the principles of low impact development (LID) as part of a comprehensive, community-wide system for protecting water quality standards. The Riverside County MS4 permit places a strong emphasis on implementation of LID site design principles. LID is among the Ahwahnee Water Principles for Resource Efficient Land Use (enclosed), which are principles intended to reverse the trend of increasingly paved and constructed areas that alter the rate and volumes of surface water runoff and groundwater recharge. In 2005, the Local Government Commission (LGC, [www.lgc.org](http://www.lgc.org)) adopted these principles and has encouraged communities to incorporate them into General Plans. The State Water Resources Control Board (SWRCB) management has expressed support of the Ahwahnee principles and LID as useful to address major objectives.

7

Groundwater Management Zones

- 8. On January 22, 2004, the Regional Board adopted Resolution No. R8-2004-0001, amending the Basin Plan to set appropriate water quality objectives for certain surface and ground waters, and establish groundwater management zones (GMZs). For information, the final EIR should include Total Dissolved Solids (TDS) and Nitrate-Nitrogen water quality objectives for the GMZs underlying and downgradient of the Hemet area. These GMZs, and their respective TDS and Nitrate –Nitrogen objectives, in milligrams per liter, are:

8



Recycled Paper

**Hemet Area Groundwater Quality Objectives, in milligrams per liter (mg/l)**

Groundwater Management Zone (GMZ)*	Total Dissolved Solids (TDS) in mg/l	Nitrate-Nitrogen (N-NO <sub>3</sub> ) in mg/l
Hemet-South	730	4.1
Lakeview/Hemet-North	520	1.8
San Jacinto Upper Pressure	320	1.4
<i>Downgradient of GMZs above:</i>		
San Jacinto Lower Pressure	520	1.0
Perris South	1260	2.5
Meniffee	1020	2.8
*For all of these GMZs, there is no assimilative capacity for additional TDS or N-NO <sub>3</sub> , therefore, waste discharges must meet the objectives.		

cont.  
8

9. Beneficial uses of these GMZs include AGR, MUN, Industrial Service Supply (IND), and/or Industrial Process Supply (PROC). The final EIR should recommend development project guidelines designed to protect, and improve if possible, the quality of groundwater in these GMZs. Implementation of appropriate LID site design principles can be part of a program to protect and enhance groundwater quality.

9

10. In order to protect these GMZs, we believe that the final EIR should lead to a restrictive General Plan policy for the use of on-site subsurface disposal systems, i.e., septic system installations. Existing discharges to septic tanks should be connected to new sewer lines whenever sewers are extended to serve new development. Where sewers are infeasible, septic system installation within the project area must observe the Regional Board's minimum lot size requirement of one-half acre per subsurface disposal system.

10

Dredge and Fill Impacts to Waters of the U.S. and State

11. The discussion of Clean Water Act Section 401 Water Quality Standards Certifications (Certifications) (DEIR p.4.9-2) should add that proposed dredge and fill discharges to waters of the state that are not subject to federal jurisdiction may be regulated by waste discharge requirements (WDRs) issued by the Regional Board under authority of the California Water Code.

11

Information concerning Certifications can be found at the Regional Board's website, [http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml)

12. First and foremost, impacts to water quality standards of surface waters of the State, including ephemeral drainages, must be avoided by land development and associated infrastructure construction wherever possible. Where avoidance is not practicable, impacts to beneficial uses of these waters must be minimized.

12

Mitigation for a project's impacts to water quality standards must replace the full water quality function and service of the impacted water. That mitigation must be agreed to between the project proponent and all Responsible Agencies (DEIR Section 4.9) and incorporated into the Project's final CEQA document.

To avoid impacts to the WILD and other habitat beneficial uses (impediments to wildlife movement) roadways should be carried over ravines, arroyos, and drainages using arched bridges over the width of the drainage. A policy of considering riparian wildlife movement corridors should be supported by measures that require generous mitigation for project impacts to natural drainages and other surface waters of the United States and state.

cont.  
12

Vernal Pools and Other Wetlands

13. The DEIR's discussion of vernal pools (p. 4.4-26, 29, Exhibit 4.4-1) should add that when a proposed land development project may impact vernal pools, staff of the Regional Board, the Corps, the California Department of Fish and Game, and the U.S. Fish and Wildlife Service should be consulted notified, in addition to notifying the Western Riverside County Regional Conservation Authority and reporting through the CEQA process. Depending on the presence of endangered vs. common fairy shrimp, the vernal pools may come under federal as well as state regulation.

13

14. State policy directs that there shall be no net loss of wetlands. Vernal pools are a type of wetland. Impacts to wetlands must be mitigated such that there is no net loss of wetland acreage, function or service. The final EIR should present studies that assess the current condition and function of known wetlands, including the hydrology needed to sustain the area's vernal pools (DEIR p.4.9-19). For example, the planned extension of Hemet-Ryan Airport runway to the southwest (DEIR p.4.8-6) may conflict with the vernal pool complex known to exist west of the Airport. The findings of these studies should be used as a benchmark for wetlands mitigation. Where the Corps rules that an isolated wetland does not fall under their jurisdiction, the Regional Board may still determine that WDRs are necessary to protect these waters of the State.

14

15. The final EIR should go beyond Exhibit 4.4-1 and include large-scale maps showing exact locations of known drainages, vernal pools, and sensitive floodplain vegetation species that are subject to preservation under the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) agreements or other such plans. Regional Board staff has met with City staff to discuss concepts for mitigating impacts to vernal pools within the City, and we are available for continued discussions.

15

Dewatering Discharges

16. The final EIR must include provisions to advise the City's development, construction, and business communities of the need to comply with a National Pollutant Discharge Elimination System (NPDES) permit (general WDRs) for projects that will have dewatering or other wastewater discharges to surface waters of the state. RWQCB Order No. R9-2009-0003, NPDES No. CAG998001, a regional general *de minimus* permit, is available for most such discharges. Order R9-2009-0003 may be reviewed under the Adopted Orders link for 2009 Board Decisions at the RWQCB-8 website.

16

Waste discharge requirements may also be required for discharge of wastes to land. Further information can be obtained from the Regional Board's website or by contacting our Regulations Section staff at (951) 782-4130.

cont.  
16

If you have any questions, please contact Glenn Robertson of my staff at (951) 782-3259 or [grobertson@waterboards.ca.gov](mailto:grobertson@waterboards.ca.gov), or me at (951) 782-3234 or [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)

Sincerely,



Mark G. Adelson, Chief  
Regional Planning Programs Section

Enclosure – Ahwahnee Principles

Cc w/encl: State Clearinghouse  
US Fish and Wildlife Service, Carlsbad – Jenness McBride  
CA Dept of Fish and Game, Ontario – Joanna Gibson

Q: Planning/Groberts/Letters/CEQA/DEIR- City of Hemet - General Plan.doc

  
**California Environmental Protection Agency**

*Recycled Paper*

## **The Ahwahnee Water Principles For Resource Efficient Land Use**

### **Preamble**

Cities and counties are facing major challenges with water contamination, storm water runoff, flood damage liability, and concerns about whether there will be enough reliable water for current residents as well as for new development. These issues impact city and county budgets and taxpayers. Fortunately there are a number of stewardship actions that cities and counties can take that reduce costs and improve the reliability and quality of our water resources.

The Water Principles below complement the Ahwahnee Principles for Resource-Efficient Communities that were developed in 1991. Many cities and counties are already using them to improve the vitality and prosperity of their communities.

### **Community Principles**

1. Community design should be compact, mixed use, walkable and transit-oriented so that automobile-generated urban runoff pollutants are minimized and the open lands that absorb water are preserved to the maximum extent possible. (see the Ahwahnee Principles for Resource-Efficient Communities)
2. Natural resources such as wetlands, flood plains, recharge zones, riparian areas, open space, and native habitats should be identified, preserved and restored as valued assets for flood protection, water quality improvement, groundwater recharge, habitat, and overall long-term water resources sustainability.
3. Water holding areas such as creek beds, recessed athletic fields, ponds, cisterns, and other features that serve to recharge groundwater, reduce runoff, improve water quality and decrease flooding should be incorporated into the urban landscape.
4. All aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems should be designed to reduce water demand, retain runoff, decrease flooding, and recharge groundwater.
5. Permeable surfaces should be used for hardscape. Impervious surfaces such as driveways, streets, and parking lots should be minimized so that land is available to absorb storm water, reduce polluted urban runoff, recharge groundwater and reduce flooding.
6. Dual plumbing that allows grey water from showers, sinks and washers to be reused for landscape irrigation should be included in the infrastructure of new development.

## Ahwahnee Principles Attachment

7. Community design should maximize the use of recycled water for appropriate applications including outdoor irrigation, toilet flushing, and commercial and industrial processes. Purple pipe should be installed in all new construction and remodeled buildings in anticipation of the future availability of recycled water.
8. Urban water conservation technologies such as low-flow toilets, efficient clothes washers, and more efficient water-using industrial equipment should be incorporated in all new construction and retrofitted in remodeled buildings.
9. Ground water treatment and brackish water desalination should be pursued when necessary to maximize locally available, drought-proof water supplies.

### **Implementation Principles**

1. Water supply agencies should be consulted early in the land use decision-making process regarding technology, demographics and growth projections.
2. City and county officials, the watershed council, LAFCO, special districts and other stakeholders sharing watersheds should collaborate to take advantage of the benefits and synergies of water resource planning at a watershed level.
3. The best, multi-benefit and integrated strategies and projects should be identified and implemented before less integrated proposals, unless urgency demands otherwise.
4. From start to finish, projects and programs should involve the public, build relationships, and increase the sharing of and access to information. The participatory process should focus on ensuring that all residents have access to clean, reliable and affordable water for drinking and recreation.
5. Plans, programs, projects and policies should be monitored and evaluated to determine if the expected results are achieved and to improve future practices.

Authors:      Celeste Cantu              Martha Davis              Jennifer Hosterman  
                 Susan Lien Longville      Jonas Minton              Mary Nichols  
                 Virginia Porter              Al Wanger                  Kevin Wolfe

Editor:        Judy Corbett

For more information, contact the LGC Center for  
Livable Communities: 916-448-1198, ext 321

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15-1 The commenter recommends that the EIR include beneficial uses of local water bodies in the final EIR Section and cite the “tributary rule.” In response to the comment, the following text has been added to Section 4.9, “Hydrology and Water Quality,” on page 4.9-10:

Local water bodies which have been assigned beneficial uses in the Water Quality Control Plan for the Santa Ana River Basin, 1995, as amended (Basin Plan) include:

- ▶ San Jacinto River, Reaches 5 & 6: Intermittent Beneficial Uses are Agricultural Supply (AGR), Groundwater Recharge (GWR), Water Contact Recreation (REC1), Non-Contact Water Recreation (REC2), Warm Freshwater Habitat (WARM), and Wildlife Habitat (WILD).
- ▶ Bautista Creek: Non-Intermittent Beneficial Uses are Municipal Supply (MUN), Cold Freshwater Habitat (COLD), and AGR, GWR, REC1, REC2, and WILD.
- ▶ Salt Creek: Intermittent Beneficial Uses are REC1, REC2, WARM, and WILD.

Specific waters which are not listed have the same beneficial uses as the streams, lakes or reservoirs to which they are tributary or the groundwater basins or subbasin to which they are tributary or overlie.

15-2 The commenter states that Alternative 2 is the “environmentally superior” alternative under CEQA. The City concurs that Alternative 2 would have lesser hydrology and water quality impacts than the proposed project. However, as described in Section 7.2.2 of the “Findings of Fact,” Alternative 2 would not achieve key project objectives. Encouraging lower densities in the mixed-use focus areas would not be conducive to transit or pedestrian travel, and this alternative would not meet Objective 2, which requires accommodating economic development and job-generating uses in walkable areas. Because the mixed-use focus areas disproportionately accommodate job-generating uses that the City seeks to balance its current abundance of residential housing, this alternative would not meet Objective 5, which requires providing a balanced land-use mix. Because this alternative would reduce the densities and intensities in areas along the proposed SR 79 expansion and near proposed Metrolink stations, this alternative would not plan land uses to leverage outside transportation investments in Metrolink and SR 79 expansion as required by Objective 11. In addition, the opportunities for incorporating Low Impact Development solutions will still be as applicable for the proposed project as for Alternative 2.

Although Alternative 2 would have lesser hydrology and water quality impacts than the proposed project, the alternative is considered infeasible, as it would not meet the City’s goals to improve overall economic conditions and the economic future of the community. Because this alternative would apply lower intensities in the mixed-use focus areas that are the primary locations for job-generating uses in the planning area, Alternative 2 would not accommodate an adequate amount of these job-generating land uses.

15-3 The City concurs with the comment that “grading and excavations on land with historical farms and dairies may result in the mobilization of salts, total nitrogen, phosphorus, pesticides, and

other wastes that could affect water quality.” In response to the comment, the following information will be added to Section 4.9, “Hydrology and Water Quality” on page 4.9-9:

**Riverside County Drainage Area Management Plan-Santa Ana and Santa Margarita Regions**

Basic procedures for the management of all non-point source (NPS) pollutants associated with land development, including agricultural conversion, are currently in place through the City’s implementation of the Riverside County Drainage Area Management Plan-Santa Ana and Santa Margarita Regions-April 2007 (DAMP), as required by the 2005 Riverside County municipal separate storm sewer system (MS4) permit. The DAMP includes requirements related to the planning and permitting of development projects, including projects that convert agricultural lands to residential and commercial uses, to ensure that pollutant loads from these projects have been reduced to the Maximum Extent Practicable (MEP). In addition, the City is preparing to implement provisions of the 2010 MS4 Permit for the Santa Ana Region, which will implement many new requirements related to land development, including implementation of Low Impact Development principles through project-specific Water Quality Management Plans.

15-4 The commenter requests that the City not adopt a statement of overriding consideration for agricultural conversion impacts, but instead mitigate for these impacts through the preservation of agricultural lands, soft-bottomed channels, unobstructed riparian wildlife corridors, vernal pool habitats, and groundwater recharge areas. Draft General Plan policies and programs support agricultural preservation (e.g., OS-3.1), soft-bottomed channels (e.g., CSI-4.7), vernal pool protection (e.g., CSI-2.7), preserving corridors along streams (e.g., PS-P-12), and groundwater recharge (e.g., CSI-2.7).

The City agrees with the commenter that all of these strategies can help to preserve agricultural land. However, even with implementation of these policies and programs, implementation of the Draft General Plan would result in conversion of approximately 2,166 acres of agricultural lands to other uses. Even if the agricultural (and water quality protection) value of remaining agricultural land is high, there is no mechanism to replace the agricultural value of land that is converted. Therefore, although the Draft General Plan includes policies and programs as suggested by the commenter, the City believes that even after implementing these policies and programs, the impact related to agricultural land conversion would remain significant and unavoidable.

15-5 In response to the comment, the following information has been added to EIR on Page 4.9-24:

The City of Hemet is a Co-Permittee in, and 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) it requires, applicable new development and significant re-development projects must consider and 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. Mitigation for identified hydromodification impacts must be considered in the project’s CEQA document.

15-6

In response to the comment, the “Section 303(d) Impaired Waters List” on EIR pages 4.9-3 has been updated to include specific information on TMDLs in the San Jacinto River Watershed as follows:

~~Under Section 303(d) of the CWA, states are required to develop lists of water bodies that would not attain water quality objectives after implementation of required levels of treatment by point source dischargers (municipalities and industries). Section 303(d) requires that the state develop a Total Maximum Daily Load (TMDL) for each of the listed pollutants. The TMDL is the amount of loading that the water body can receive and still comply with water quality objectives. The TMDL can also act as a plan to reduce loading of a specific pollutant from various sources to achieve compliance with water quality objectives. The TMDL must include an allocation of allowable loadings to point and nonpoint sources, considering background loadings and a safety margin. The TMDL must also include an analysis links load reductions to attainment of water quality objectives. The EPA must either approve a TMDL prepared by the state or, if it disapproves the state’s TMDL, issue its own. NPDES permit limits for listed pollutants must be consistent with the waste load allocation prescribed in the TMDL. After implementation of a TMDL, the problems that led to placement of a given pollutant on the Section 303(d) list should be remediated.~~

Pursuant to Section 303(d) of the Clean Water Act, Regional Water Quality Control Boards must identify and list impaired water bodies. These are water bodies where the limits or levels of water quality constituents or characteristics are being violated and it is presumed designated Beneficial Uses (uses of water necessary for the survival of man, plants and wildlife) are not met.

Federal regulations require that a Total Maximum Daily Load (TMDL) be established for each 303(d) listed water body for each pollutant causing impairment. A TMDL is the maximum load of a pollutant(s) that can be discharged from point and nonpoint sources without exceeding water quality standards in the water body. Each state is required every two years to review its existing 303(d) List, make changes as necessary, and submit its 303(d) List and TMDL priorities to the U.S. EPA.

On December 20, 2004, the Santa Ana Region Water Quality Control Board amended the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) to incorporate the Lake Elsinore and Canyon Lake Nutrient TMDLs. These TMDLs include urban waste load allocations and specify numeric targets and response numeric targets to reduce nitrogen and phosphorus in Urban Runoff. The planning area is subject to these requirements and participates on a TMDL Task Force to jointly implement and coordinate tasks assigned to specific dischargers/stakeholders, and to monitor, evaluate, and revise BMPs based on monitoring results.

15-7

The City concurs that the final EIR should emphasize implementation of LID site design principles. In response to the comment, the following information has been added to Section 4.9, “Hydrology and Water Quality” on page 4.9-9:

#### **2010 Riverside County MS4 permit**

The 2010 Riverside County MS4 permit requires the Co-permittees to incorporate Low Impact Development (LID) site design principals in the revised WQMP. Low Impact Development (LID) is a stormwater management approach with a basic principle that is modeled after nature: manage rainfall at the source using uniformly distributed

decentralized micro-scale controls. LID's goal is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to its source. Instead of conveying and managing/treating storm water in large, costly end-of-pipe facilities located at the bottom of drainage areas, LID addresses storm water through small, cost-effective landscape features located at the lot level.

The design goal is to maintain or replicate the pre-development hydrologic regime through the use of design techniques that create a functionally equivalent post-development hydrologic regime through site preservation techniques and the use of integrated and distributed infiltration, retention, detention, evapotranspiration, filtration and treatment system. The revised WQMP incorporating LID principles was submitted to the Regional Board for approval on July 29, 2011.

In response to the comment, the City also amended General Plan Implementation Program CSI-P-4 (Project Review for Storm Drainage) to add the following language:

*Update codes, standards and design review to promote the incorporation of Low Impact Development techniques, green infrastructure and technology, and Best Practices in compliance with the 2010 Riverside County MS-4 Permit*

15-8 The City concurs with the RWQCB staff recommendation to add to the final EIR information concerning groundwater management zones (GMZs) underlying and downgradient of the Hemet area and to include TDS and Nitrate-Nitrogen objectives per Resolution No. R8-2004-0001 amending the Basin Plan. In response to the comment, the following language has been added to Section 4.9, "Hydrology and Water Quality" on page 4.9-9:

**Groundwater Quality Objectives**

On January 22, 2004, the Santa Ana RWQCB adopted Resolution No. R8-2004-0001, amending the Basin Plan to set appropriate water quality objectives for certain surface and ground waters, and to establish groundwater management zones (GMZs). The table below provides information related to the GMZs underlying and downgradient of the Hemet area:

<b>Table 4.9-1 Groundwater Quality Objectives</b>		
Groundwater Management Zone (GMZ)*	Total Dissolved Solids (TDS) in mg/l	Nitrate-Nitrogen (N-NO3) in mg/l
Hemet-South	730	4.1
Lakeview/Hemet-North	520	1.8
San Jacinto Upper Pressure	320	1.4
Downgradient of GMZs above:		
San Jacinto Lower Pressure	520	1.0
Perris South	1260	2.5
Menifee	1020	2.8
* For all of these GMZs, there is no assimilative capacity for additional TDS or N-NO <sub>3</sub> , therefore, waste discharge must meet the objectives.		

15-9 In response to the comment, the following statement has been added to Section 4.9, "Hydrology and Water Quality" related to protecting and improving ground water quality in the above GMZs on page 4.9-10:

Beneficial uses of the above GMZs include: Agricultural supply (AGR); Municipal Supply (MUN), Industrial Service Supply (IND) and/or Industrial Process Supply (PROC). Implementation of the WQMP requirements consistent with the 2010 Riverside County MS4 Permit will include development guidelines designed to protect, and improve if possible, the quality of groundwater in local GMZs. Treatment control BMPs utilizing infiltration must comply with a number of minimum requirements to protect groundwater, including restricting use in locations with known soil or groundwater contamination, locating BMPs at least 100 feet horizontally from any water supply well, provision of adequate pretreatment of runoff prior to infiltration on sites with gas stations, large commercial parking lots and industrial activity, and prohibiting placement of infiltration BMPs at any facility involved in vehicular repair work. In addition, the revised WQMP will require implementation of LID site design strategies which employ a variety of natural and built features to reduce the rate of surface water runoff, filter pollutants out of runoff, and facilitate infiltration of water into the ground.

- 15-10 Related to inclusion of a restrictive General Plan policy for the use of on-site subsurface disposal systems, i.e., septic systems installations, the City has added the following policy was added to the General Plan, Chapter 5 (Community Services and Infrastructure):

*CSI-3.4 Sanitary Sewers Promote the extension of sanitary sewers to serve all new and existing land uses and densities, as feasible, to protect groundwater quality. Require new development, and existing development where feasible, to connect to the sanitary sewer system. Exceptions may be considered for properties with a minimum lot size of 1/2 acre and that are located more than 660 feet from a sewer line.*

- 15-11 In response to the comment, the following statement has been added to Section 4.9. “Hydrology and Water Quality” of the EIR, under “Section 401 Water Quality Certification or Waiver” on page 4.9-2:

Proposed dredge and fill discharges to waters of the state that are not subject to federal jurisdiction may be regulated by waste discharge requirements (WDRs) issued by the Regional Board under authority of the California Water Code.

- 15-12 In response to the comment, the following language has been added to Section 4.9 Hydrology and Water Quality of the EIR, under “Section 401 Water Quality Certification or Waiver” on page 4.9-2:

The value of wetlands and riparian areas has been recognized in California through the enactment of the California Wetlands Conservation Policy that sets a goal to “ensure no overall net loss and achieve a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California in a manner that fosters creativity, stewardship, and respect for private property” (Executive Order W-59-93). Impacts to water quality standards of surface waters of the State, including ephemeral drainages, must be avoided by land development and associated infrastructure construction wherever possible. Where avoidance is not practicable, impacts to beneficial uses of these waters must be minimized.

The City’s policy on wetland habitats is summarized in Policy OS-1.3, and memorialized in Section 4.4, “Biological Resources” on page 4.4-25.

Section 4.4, “Biological Resources” of the EIR addresses wildlife movement on pages 4.4-23 and 4.4-24. In response to the comment, the City has modified Draft General Plan Policy OS-1.7 as follows (and as documented in the EIR on Page 4.4-26):

**OS-1.7: Wildlife Movement Corridor.** Continue efforts to establish a wildlife movement corridor in areas such as the San Jacinto Riverside corridor, Santa Rosa Hills, Lakeview Mountains, and the open space areas surrounding Diamond Valley Lake. As applicable, new development in these areas shall incorporate such corridors. To minimize impediments to riparian wildlife movement, new roadways over ravines, arroyos, and drainages shall maintain wildlife corridors by incorporating bridges or culverts, where practical.

15-13 In response to the comment, the City amended General Plan Implementation Program OS-P-16 (Conservation Planning and Agency Coordination) to add the following language (and as documented in the EIR on Page 4.4-26):

**OS-P-16 Conservation Planning and Agency Coordination.** Continue to participate and represent the City of Hemet in multi-species habitat conservation planning, watershed management planning, and water resource management planning efforts. Notify and consult with staff of the RWQCB, the Army Corps, the California Department of fish and Game, the U.S. Fish and Wildlife Service, and Western Riverside County Regional Conservation Authority when a proposed land development project may impact vernal pools and streambeds. Impacts to vernal pools and mitigation plans shall also be reported through the CEQA process.

15-14 The commenter recommends that the City present “studies that assess the current condition and function of known wetlands, including the hydrology needed to sustain the area’s vernal pools.” The General Plan EIR is a program-level document for a large-scale plan describing the development of the City and its planning area over a 20-year period. Detailed wetland studies for the planning area are beyond the scope of a program-level EIR. No changes to the EIR are proposed in response to this comment.

15-15 The commenter recommends that the City include “large-scale maps showing exact locations of know drainages, vernal pools, and sensitive floodplain vegetation species that are subject to preservation under the MSHCP and other such plans.” Please refer to Response to Comment 15-14. This level of detail is beyond the scope of a program-level EIR.

15-16 In response to the comment, Section 4.9, “Hydrology and Water Quality” has been revised as follows, beginning on page 4.9-6:

### **NPDES Permit System and Waste Discharge Requirements for Construction**

The SWRCB and Santa Ana and San Diego RWQCBs have adopted general NPDES permits for a variety of activities that have potential to discharge wastes to waters of the state. Per the requirements of the 2010 Riverside County MS4 permit, the City is obligated to advise the development, construction, and business communities of the need to comply with the following general waste discharge requirement permits:

#### **Construction General Permit**

Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but

does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment.

### **General Industrial Permit**

The Industrial Storm Water General Permit Order 97-03-DWQ (General Industrial Permit) is an NPDES permit that regulates discharges associated with 10 broad categories of industrial activities. The General Industrial Permit requires the implementation of management measures that will achieve the performance standard of best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT). The General Industrial Permit also requires the development of a Storm Water Pollution Prevention Plan (SWPPP) and a monitoring plan. Through the SWPPP, sources of pollutants are to be identified and the means to manage the sources to reduce storm water pollution are described.

### **General DeMinimus Permit**

Order No. R8-2009-0003, General Waste Discharge Requirements for Dischargers to Surface Waters that Pose an Insignificant (*De Minimus*) Threat to Water Quality (General De Minimus Permit) regulates *de minimus* discharge projects within the Santa Ana Region.

Wastewater discharges regulated under this Order include the following discharges:

Construction dewatering wastes; wastes associated with well installation, development, test pumping and purging; aquifer testing wastes; dewatering wastes from subterranean seepage, except for discharges from utility vaults; discharges resulting from hydrostatic testing of vessels, pipelines, tanks, etc.; discharges resulting from the maintenance of potable water supply pipelines, tanks, reservoirs, etc.; discharges resulting from the disinfection of potable water supply pipelines, tanks, reservoirs, etc.; discharges from potable water supply systems resulting from initial system startup, routine startup, sampling of influent flow, system failures, pressure releases, etc.; discharges from fire hydrant testing or flushing; air conditioning condensate; swimming pool discharge; discharges resulting from diverted stream flows; decanted filter backwash wastewater and/or sludge dewatering filtrate water from water treatment facilities; and other similar types of wastes as determined by the Regional Water Board Executive Officer, which pose a de minimus threat to water quality yet must be regulated under waste discharge requirements. The General De Minimus Permit prohibits discharge of pollutants, establishes effluent limitations for various constituents, and requires monitoring and reporting.

The NPDES permits involve similar processes, including submittal to the RWQCB of notices of intent (NOI) to discharge, and implementation of stormwater pollution prevention plans (SWPPPs) that include best management practices (BMPs) to minimize those discharges.

~~Activities subject to the general construction activity permit include clearing, grading, stockpiling, and excavation. Dischargers are required to eliminate or reduce non-stormwater discharges to storm sewer systems and other waters. The permit also requires dischargers to consider the use of permanent post construction BMPs that would remain in service to protect water quality throughout the life of the project. NPDES permits also require inspection, monitoring, and reporting. Water quality sampling is required if the activity could result in the discharge of turbidity or sediment to a water body that is listed as impaired under Section 303(d) because of sediment or siltation, or if a release of a non-visible contaminant occurs. Where such pollutants are known or should be known to be present and have the potential to contact runoff, sampling and analysis is required. NPDES permit requirements include incorporating BMPs to reduce runoff from construction and operation, reporting violations to the RWQCB, and education regarding the negative water quality impacts from urban runoff.~~

The following text additions were made in the Draft General Plan errata, and will be incorporated into the final General Plan document upon approval by City Council:

1. General Plan Section 5.5.3 (Stormwater Management):
  - a. A statement that the City will notify and consult with staff of the RWQCP, the Army Corps, the California Department of Fish and Game, the U.S. Fish and Wildlife Service, and Western Riverside County Regional Conservation Authority when a proposed land development project may impact vernal pools.
  - b. A description of the 2010 Riverside County MS4 Permit and Hemet's role as a co-permittee;
  - c. A description of the Riverside County Drainage Area Management Plan-Santa Ana and Santa Margarita Regions-April 2007 (DAMP),
  - d. An explanation of the following general waste discharge requirement permits: Construction General Permit, General Industrial Permit, and General DeMinimus Permit;
  - e. A discussion of Hemet's role in remedying the Nutrient Total Maximum Loads (NTML) draining into Canyon Lake and Lake Elsinore in compliance with the Clean Water Act Section 303;
  - f. The concept of Low Impact Development and the Ahwahnee Water Principles for Resource Efficient Land Use.
2. New or amended policy and implementation program amendments not previously already stated:
  - a. CSI-3.4 (Sanitary Sewers) Promote the extension of sanitary sewers to serve all new and existing land uses and densities, as feasible, to protect groundwater quality. Require new development, and existing development where feasible, to connect to the sanitary sewer system. Exceptions may be considered for properties with a minimum lot size of 1/2 acre and that are located more than 660 feet from a sewer line.

- b. CSI-4.3 (Pollutant Discharge) Prevent pollutant discharge into storm drain systems and natural drainages and aquifers by cooperating in regional programs with stakeholders and the Regional Water Quality Control Board to implement the National Pollutant Discharge Elimination System program, Storm Water Pollution Prevention Plans, Water Quality Master Plans, , comply with the requirements of the Lake Elsinore Canyon Lake TMDL to reduce nitrogen and phosphorous in the San Jacinto River Watershed, and provide education on best management practices for the public and the development community (Pollutant Discharge) was amended to expand the number of stated agencies, plans, and practices with which the City will cooperate and comply.
- c. CSI-4.10 (Low Impact Development) Limit disruption of natural hydrology by reducing impervious cover, increasing on-site infiltration, and managing stormwater runoff at the source. Use the following principles in development design:
  - 1. On undeveloped sites proposed for development, promote on-site stormwater infiltration through design techniques such as pervious paving, draining runoff into bioswales or properly designed landscaped areas, preservation of natural soils and vegetation, and limiting impervious surfaces;
  - 2. On previously developed sites proposed for major alteration, provide stormwater management improvements to restore natural infiltration to the extent practicable;
  - 3. Provide flexibility for design standards on impervious surfaces when it can be shown that such reductions will not have a negative impact and will provide the benefits of stormwater retention, groundwater infiltration, reduction of heat islands, enhancement of habitat and biodiversity, and other environmental benefits.
  - 4. Encourage and promote the use of new materials, Best Management Practices, and technology for improved stormwater management, such as pervious paving, green roofs, rain gardens, and vegetated swales.
  - 5. Integrate detention and retention basins into the landscape design of development sites using methods such as a network of small ephemeral swales treated with attractive planting.
  - 6. Discourage the use of mounded turf and lawn areas that drain onto adjacent sidewalks and parking lots; replace these areas with landscape designs that retain runoff and allow infiltration.
- d. Policy CSI-4.11 (Ahwahnee Water Principles) Incorporate the Ahwahnee Water Principles for Resource Efficient Land Use into development design, as appropriate, to reduce costs and improve the reliability and quality of the City's water resources.

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