

# **Program Environmental Impact Report Addendum**

## **Old Town Specific Plan Amendment No. 9**

### **Downtown Core District Hotel Development Standards**

**State Clearinghouse No. 2009071049**

*Prepared by:*

**City of Temecula**

**Community Development Department**

41000 Main Street

Temecula, CA 92590

(951) 694-6400



**April 2020**

## Overview

This Program Environmental Impact Report (PEIR) Addendum has been prepared for the Old Town Specific Plan (OTSP) Amendment No. 9 – Downtown Core District Hotel Development Standards project. It is an Addendum to the 2010 Program EIR that was prepared and certified for the Old Town Specific Plan Amendment No. 7, and which is now final.

An Initial Study Checklist and environmental analysis has been prepared to determine if any additional environmental impacts will result from the OTSP Specific Plan Amendment (No. 9), in comparison to the impacts identified in the certified and final 2010 PEIR. All environmental factors and checklist questions are evaluated and documented into one of the following conclusions:

- **Increased impact** as compared to the impact identified in the previously certified PEIR
- **Same impact** as compared to the impact identified in the previously certified PEIR
- **Reduced impact** as compared to the impact identified in the previously certified PEIR

As documented in the attached Initial Study checklist, the Old Town Specific Plan Amendment No. 9 does not result in any new or increased impacts as compared to the analysis in the previously certified 2010 PEIR. As such, an EIR Addendum is the appropriate California Environmental Quality Act (CEQA) document for Specific Plan Amendment No. 9.

<p style="text-align: center;"><b>City of Temecula</b></p> <p style="text-align: center;"><b>California Environmental Quality Act (CEQA)</b></p> <p style="text-align: center;"><b>Initial Study / Environmental Checklist</b></p>	
Project Title	<p>Old Town Specific Plan Amendment (SPA) No. 9 - Downtown Core District Hotel Development Standards Project</p> <p>OTSP originally adopted on February 22, 1994 (Ordinance No. 94-05)</p> <p>Previous Adopted Specific Plan Amendments (SPA):</p> <p>SPA 1 - January 23, 1996      (Ordinance No. 96-01)</p> <p>SPA 2 - May 13, 1997        (Ordinance No. 97-06)</p> <p>SPA 3 - July 13, 1999        (Ordinance No. 99-12)</p> <p>SPA 4 - October 10, 2000    (Ordinance No. 00-11)</p> <p>SPA 5 - August 24, 2004    (Ordinance No. 04-08)</p> <p>SPA 6 - June 13, 2006       (Ordinance No. 06-07)</p> <p>SPA 7 - May 25, 2010        (Ordinance No. 10-09)</p> <p>SPA 8 - September 5, 2017 (Resolution No.17-56)</p>
Previous CEQA Document State Clearinghouse Number	SCH# 2009071049 – Old Town Specific Plan Amendment (SPA) No. 7 Program EIR – Certified February 2010
Lead Agency Name and Address	<p>City of Temecula</p> <p>Community Development Department</p> <p>41000 Main Street</p> <p>Temecula CA 92590</p>
Contact Person and Phone Number	<p>Stuart Fisk, Principal Planner</p> <p>(951) 506-5159</p>
Project Location/History	<p><b>Project Location</b></p> <p>The Project area is located in the southwest portion of the City of Temecula, which is located within the County of Riverside approximately 85 miles southeast of Los Angeles, 60 miles northeast of San Diego, and 25 miles inland from the Pacific Ocean (<b>Figure 1</b>). The Project site is located within the Old Town area of the City of Temecula, west of Interstate 15 (I-15), south of Rancho California Road, east of Pujol Street and generally north of First Street/Santiago Road (<b>Figure 2</b>). The overall OTSP and the Downtown Core Zoning District and Downtown Core Hotel Overlay zone is shown in <b>Figure 3</b>.</p> <p><b>Project History</b></p> <p>Temecula was incorporated on December 1, 1989. On November 9, 1993, Temecula adopted the Land Use Element of the City's General Plan. Since then, 14 specific plans have been adopted to govern defined geographic regions of the City. The Old Town Specific Plan (OTSP) was prepared in 1992 and 1993 under the direction of a City Council-appointed steering committee. The Steering Committee members represented a wide range of local business and resident interests. The OTSP was adopted by the City Council on February 8,</p>

	<p>1994. The original purpose of the document was to provide a comprehensive plan for land use, development regulations, design guidelines, vehicular circulation, parking, development incentives and other related actions aimed at implementing the goals and objectives set forth in the document itself.</p> <p>The Specific Plan for Old Town was adopted on February 22, 1994. Between 1994 and 2006, six amendments were made to the Specific Plan, primarily with regard to building height standards, requirements for outdoor vendors, sign regulations, land uses, parking standards, historic preservation zoning and standards, and setback and landscape standards. On May 25, 2010, the City Council adopted the seventh amendment to the OTSP, which was a comprehensive revision to the entire Old Town Specific Plan, and a Program Environmental Impact Report (EIR) was prepared and certified. The eighth amendment to the OTSP relocated a portion of the Downtown Core Hotel Overlay zone.</p> <p>The OTSP Specific Plan Amendment (SPA) No. 7 was adopted May 25, 2010 and a Program Environmental Impact Report (EIR) was prepared and certified (May 11, 2010).</p> <p>The primary purpose of the OTSP SPA No. 7 was to incorporate form-based code principles into the Specific Plan to more clearly define development regulations, to better facilitate pedestrian friendly development through building placement and streetscapes, and to encourage mixed-use development within Old Town. The Specific Plan Amendment was intended to achieve these goals through changes to site planning standards and guidelines, streetscape standards and guidelines, land use district locations and titles, architectural standards and guidelines, parking lot guidelines, public art guidelines, paving material guidelines, outdoor dining/sidewalk furniture guidelines, sign regulations and guidelines, alley guidelines, and landscape guidelines within the Specific Plan. SPA No. 7 also resulted in the annexation of approximately 2.4 acres into the Specific Plan at a location south of First Street, along the west side of Old Town Front Street, and the removal of approximately 2.3 acres from the Specific Plan at a location west of the intersection of 6th Street and Pujol Street.</p> <p>The proposed project site has also been evaluated in previous planning documents including:</p> <ul style="list-style-type: none"> <li>• Old Town Specific Plan, Originally Adopted February 22, 1994 (Revised January 23, 1996, May 13, 1997, July 13, 1999, October 10, 2000, August 24, 2004, June 13, 2006, May 25, 2010, and September 5, 2017).</li> <li>• City of Temecula General Plan EIR, prepared by The Planning Center, updated 2005.</li> <li>• Program Environmental Impact Report (SCH 2009072049) – Old Town Specific Plan Specific Plan Amendment 7 (Certified May 11, 2010)</li> <li>• Old Town Specific Plan Specific Plan Amendment 7 – Adopted May 25, 2010</li> </ul>
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- Truax Hotel/Hotel Overlay Zone Boundary Modification EIR (SCH 2017011029), adopted September 2017

### **2010 Program EIR Summary**

The Program EIR evaluated the effect of SPA No. 7 on the following environmental factors: Aesthetics, Air Quality, Global Warming/Climate Change, Cultural Resources, Hydrology, Land Use & Planning, Noise, Utilities and Public Services and Traffic and Transportation. Project related temporary impacts to air quality, global warming/climate change and noise were determined to be significant and unavoidable, with the remaining issue areas (Aesthetics, Cultural Resources, Land Use and Planning, Utilities and Public Services and Traffic and Transportation) determined to be less than significant.

A Statement of Overriding Considerations was adopted for the significant and unavoidable impacts. The Program EIR and findings are available for review at the City of Temecula.

The Program EIR evaluated impacts associated with the following OTSP SPA 7 project description:

- Commercial: 1,043,928 Square Feet
- Hotel: 499 Rooms
- Residential (MF): 2,377 Units
- Residential (SF): 31 Units
- Civic: 159,809 Square Feet
- Office: 835,494 Square Feet

The Program EIR project description included the following discussion of the Downtown Core District:

#### ***Downtown Core District***

*The Downtown Core District located along the east edge of the Open Space corridor, which contains Murrieta Creek, is intended to provide for uses that will support pedestrian-oriented and mixed-use development. This district is defined by multi-story urban buildings of up to four stories that are intended to accommodate art galleries, museums, restaurants and small-scale boutique retailers such as gift, specialty food, and antique shops, or similar retail uses, offices and service-oriented uses. Residential uses are permitted in the Downtown Core, but residential and office uses are restricted to the second floor and higher for parcels along Old Town Front Street and Main Street. All four-story buildings in the Downtown Core must contain at least one floor restricted to residential use or office use (with parking).*

Cumulative projects included in the Program EIR impact evaluation included the Springhill Suites and Crown Plaza hotel projects

Project Sponsor's Name and Address	City of Temecula Community Development Department 41000 Main Street Temecula, CA 92590
General Plan Designation	Specific Plan Implementation - Old Town Specific Plan (SP 5) – Downtown Core District
Zoning	SP-5
Description of Project	<p>Old Town Specific Plan (OTSP) Specific Plan Amendment (SPA) No. 9 is proposed to modify the requirements in the Specific Plan for multi-story buildings within the Downtown Core Zoning District to allow four story hotels. Currently, the existing Specific Plan (Section IV.B.2.a) requires four story buildings to provide at least one floor of residential or one floor of office use with parking. The Downtown Core Hotel Overlay Zone, located within the Downtown Core zoning designation, does not require residential or office to be included in hotels. The existing OTSP allows for up to 499 Hotel Rooms within the Downtown Core and Residential/Limited Mixed-Use Districts, based on a market study that supported the 2010 Specific Plan Amendment and Program EIR. Of those 499 allowable hotel rooms, 343 hotel rooms have already either been constructed or approved, leaving a balance of 156 hotel rooms analyzed in the 2010 Program EIR. Projects that exceed 499 total hotel rooms will be required to prepare additional CEQA documentation.</p> <p>SPA No. 9 also proposes to add footnotes to Table IV-8 (Allowable Building Types and Height in the Downtown Core and Downtown Core/Hotel Overlay District), Table IV-17 (Allowable Building Types and Building Height in the Residential/Limited Mixed-Use District), and Table IV-28 (Allowable Building Types and Building Heights in the Neighborhood Residential District) of the Specific Plan to state that “Section 17.03.060 of the Temecula Municipal Code, which provides criteria for Minor Exceptions to development regulations, may be utilized for building height in Old Town for the purpose of providing architectural elements to a portion (or portions) of a building to add roofline variation or to otherwise enhance the aesthetics of the building consistent with its architectural style analysis. A Minor Exception is not intended to be utilized to add overall height to the base roof line of the building or to add extra floor to ceiling height of any one or more stories.” Because the Minor Exception is already available for development in Old Town and the footnote proposed above is intended to clarify the intended use of the Minor Exception and will not allow for anything different or greater than what is currently allowed, no further discussion of this proposed addition to the Specific Plan will occur in this Addendum.</p> <p>Section IV.B.2.a in the Specific Plan (Land Use and Urban Development Standards/Old Town Zoning Districts/Downtown Core (DTC) currently reads as follows:</p>

“The Downtown Core district is intended to provide for uses that support pedestrian oriented and mixed-use development. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). The Downtown Core is intended to accommodate a variety of land uses that will create a vibrant public realm. Uses include, but are not limited to art galleries, museums, restaurants, entertainment-oriented uses, small scale boutique retailers such as gift, specialty food, and antique shops and similar retail uses, offices and service-oriented uses. Residential development at 40 to 70 dwelling units per acre and mixed-use developments are also anticipated within this district. Service and office uses are restricted to the second floor and higher for parcels along Old Town Front Street and Main Street. Residential uses are permitted in the Downtown Core Zoning district, but are also restricted to the second floor and higher for parcels along Old Town Front Street and Main Street. All four-story buildings in the Downtown Core district must contain at least one floor restricted to residential use or one floor of office with on-site parking.”

The proposed language for Specific Plan Amendment No. 9 would revise Section IV.B. 2.a (Old Town Zoning Districts / Downtown Core (DTC) to read as follows:

The Downtown Core district is intended to provide for uses that support pedestrian oriented and mixed-use development. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided; when at least one floor of office (with parking) is provided, or when four floors of hotel are provided). The Downtown Core is intended to accommodate a variety of land uses that will create a vibrant public realm. Uses include, but are not limited to art galleries, museums, restaurants, entertainment-oriented uses, small scale boutique retailers such as gift, specialty food, and antique shops and similar retail uses, offices and service-oriented uses. Residential development at 40 to 70 dwelling units per acre and mixed-use developments are also anticipated within this district. Service uses identified in Table IV-1 and office uses are restricted to the second floor and higher for parcels along Old Town Front Street and Main Street. Residential uses are permitted in the Downtown Core Zoning district, but are also restricted to the second floor and higher for parcels along Old Town Front Street and Main Street. All four-story buildings in the Downtown Core district must contain at least one floor restricted to residential use, one floor of office with onsite parking; or four stories of hotel uses.”

The footnote (P4) in Table IV-1 (Land Use Matrix) for hotel uses in the Downtown Core/Downtown Core-Hotel Overlay District will reference the above revised language.

The above amended OTSP Downtown Core District text still allows for a maximum of 499 hotel rooms within the Downtown Core and Residential/Limited Mixed-Use Districts. This EIR Addendum will focus the environmental analysis on any changes in environmental impacts that would result from allowing four story hotels in addition to the Downtown Core Zoning

	<p>District's current allowance for 4-story buildings if one floor of residential or office (with parking) is provided in multi-story buildings. Four story hotel buildings may result in additional or fewer actual hotel projects, although the number of hotel rooms will not change from 499 as a result of the proposed Specific Plan Amendment.</p> <p>No specific hotel projects are proposed as part of this Specific Plan Amendment. Additional CEQA documentation will be required for future hotel project applications in the OTSP if they exceed the 499 total hotel rooms analyzed in the 2010 Program EIR for the Downtown Core and Residential/Limited Mixed-Use Districts.</p>						
Surrounding Land Uses and Setting	<p>The following describes each land use surrounding the Project Site:</p> <ul style="list-style-type: none"> <li>• North – The Specific Plan Area is bordered immediately to the north by Rancho California Road, which provides direct access to Interstate 15 (I-15), central Temecula and the unincorporated De Luz area. Commercial and Business Park land uses are located north of the Specific Plan area.</li> <li>• West – The Specific Plan area is bordered immediately to the west by the escarpment hillside and the Altair Specific Plan.</li> <li>• South – The Project Site is generally bordered to the south by First Street/Santiago Road. The area south of First Street includes commercial and open space land uses.</li> <li>• East – The Project Site is bordered immediately to the east by Interstate 15 (I-15).</li> </ul>						
Public Agencies Whose Approval is Required	<p>The Project is anticipated to require the following review and approvals:</p> <table border="1"> <thead> <tr> <th>Agency</th><th>Action</th></tr> </thead> <tbody> <tr> <td>City of Temecula</td><td> <ul style="list-style-type: none"> <li>• Approval of Old Town Specific Plan Amendment No. 9</li> <li>• Adoption of EIR Addendum</li> </ul> </td></tr> <tr> <td></td><td></td></tr> </tbody> </table>	Agency	Action	City of Temecula	<ul style="list-style-type: none"> <li>• Approval of Old Town Specific Plan Amendment No. 9</li> <li>• Adoption of EIR Addendum</li> </ul>		
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City of Temecula	<ul style="list-style-type: none"> <li>• Approval of Old Town Specific Plan Amendment No. 9</li> <li>• Adoption of EIR Addendum</li> </ul>						

## Appendix A: Traffic Memo

## Environmental Factors Potentially Affected

This Initial Study Checklist has been prepared to determine if any additional environmental impacts will result with adoption of the OTSP Specific Plan Amendment (No. 9) in comparison to the impacts identified in the 2010 Certified Program EIR. All environmental factors and checklist questions are evaluated and documented into one of the following conclusions:

- **Increased impact** as compared to the impact identified in the previously certified Program EIR
- **Same impact** as compared to the impact identified in the previously certified Program EIR
- **Reduced impact** as compared to the impact identified in the previously certified Program EIR

It is noted that the CEQA Guidelines Appendix G Initial Study Checklist was updated in 2019 to modify some of the checklist questions and add additional checklist topical areas. The Initial Study checklist used to scope the content of the 2010 Program EIR was the pre-2019 version and does not entirely match the 2019 updated checklist used in this Addendum. Checklist questions contained in the previous checklist that are not included in the 2019 update, are not evaluated herein. Only those environmental factors evaluated in the 2010 Program EIR are reevaluated in this EIR Addendum checklist, with the exception of Tribal Cultural Resources, which was added to the Initial Study Checklist in 2019. Environmental factors not previously evaluated (except Tribal Cultural Resources) in the 2010 Program EIR are not evaluated herein to ensure consistency between the Program EIR and the EIR Addendum. Specific Plan Amendment 9 proposes to amend hotel-related land use policy within the Downtown Core District. No specific development proposals or locations have been proposed, and future development applications will be subject to further CEQA environmental review at the time that they are submitted.

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

- Air Quality, Greenhouse Gas Emissions and Noise were found to be significant and unavoidable in the 2010 OTSP SPA No. 7 Program EIR. They remain so, within the context of the EIR Addendum, but no increases in these impacts occur as a result of the proposed Specific Plan Amendment No. 9.

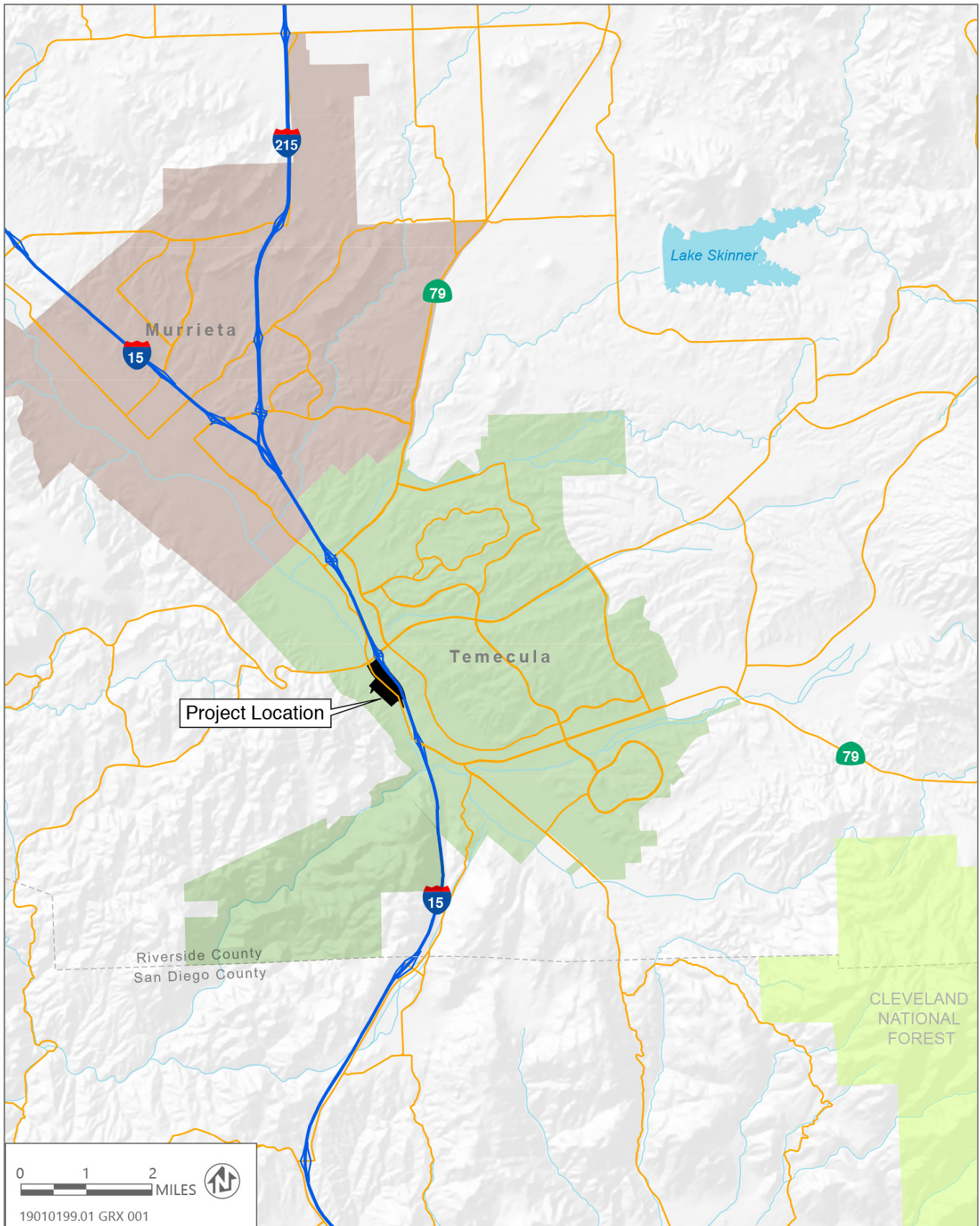
<p align="center"><b>Determination</b></p> <p align="center">(To be completed by the lead agency)</p>	
On the basis of this initial evaluation:	
	I find that the proposed project COULD NOT have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A <b>MITIGATED NEGATIVE DECLARATION</b> will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.
	I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An <b>ENVIRONMENTAL IMPACT REPORT</b> is required, but it must analyze only the effects that remain to be addressed.
X	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier <b>INITIAL STUDY, NEGATIVE DECLARATION</b> or <b>ENVIRONMENTAL IMPACT REPORT</b> , pursuant to applicable standards, and (b) project impacts have been determined to be the same or less than identified in the earlier <b>INITIAL STUDY, NEGATIVE DECLARATION</b> or <b>ENVIRONMENTAL IMPACT REPORT</b> , an <b>ENVIRONMENTAL IMPACT REPORT ADDENDUM</b> will be prepared and, nothing further is required.

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Signature

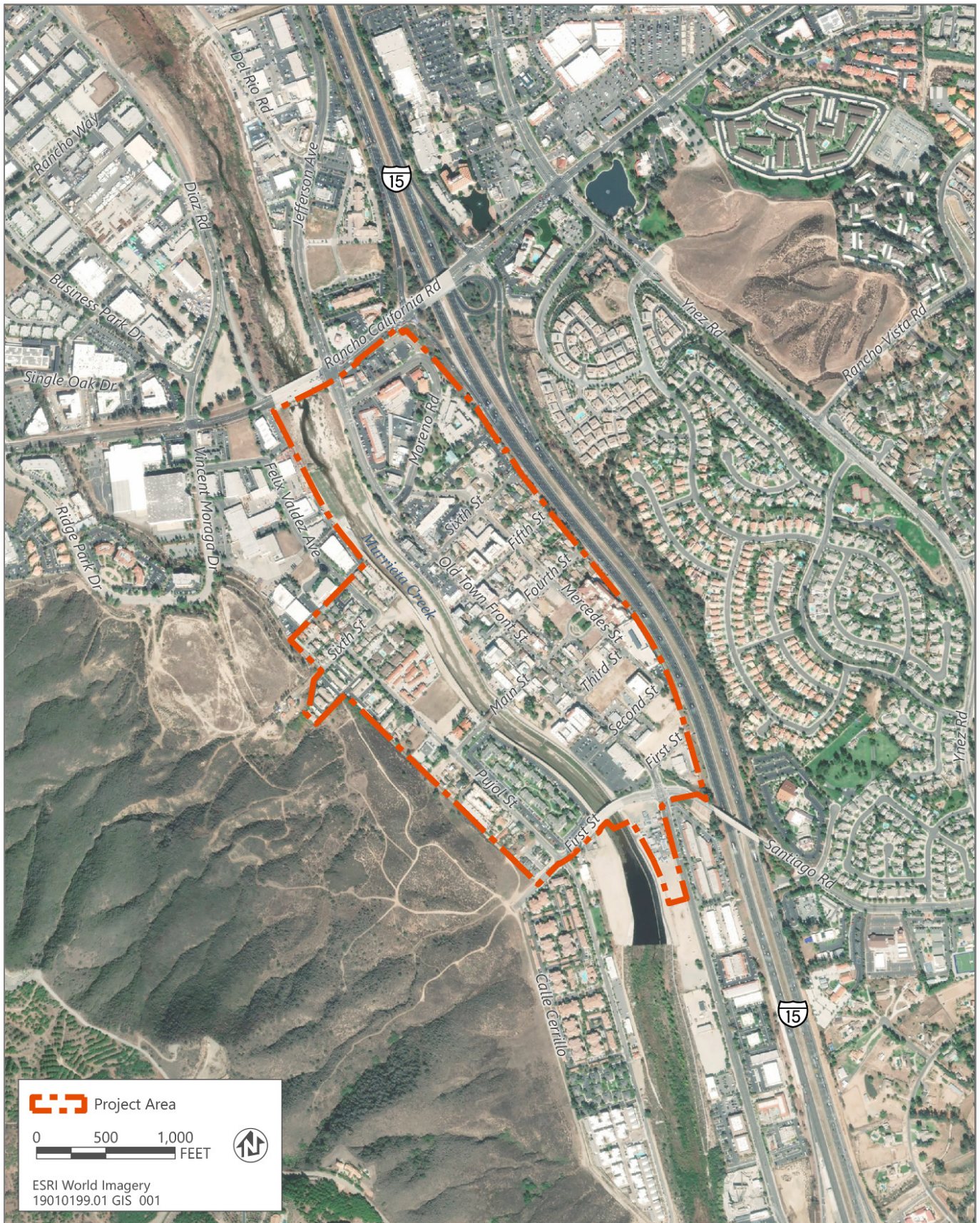
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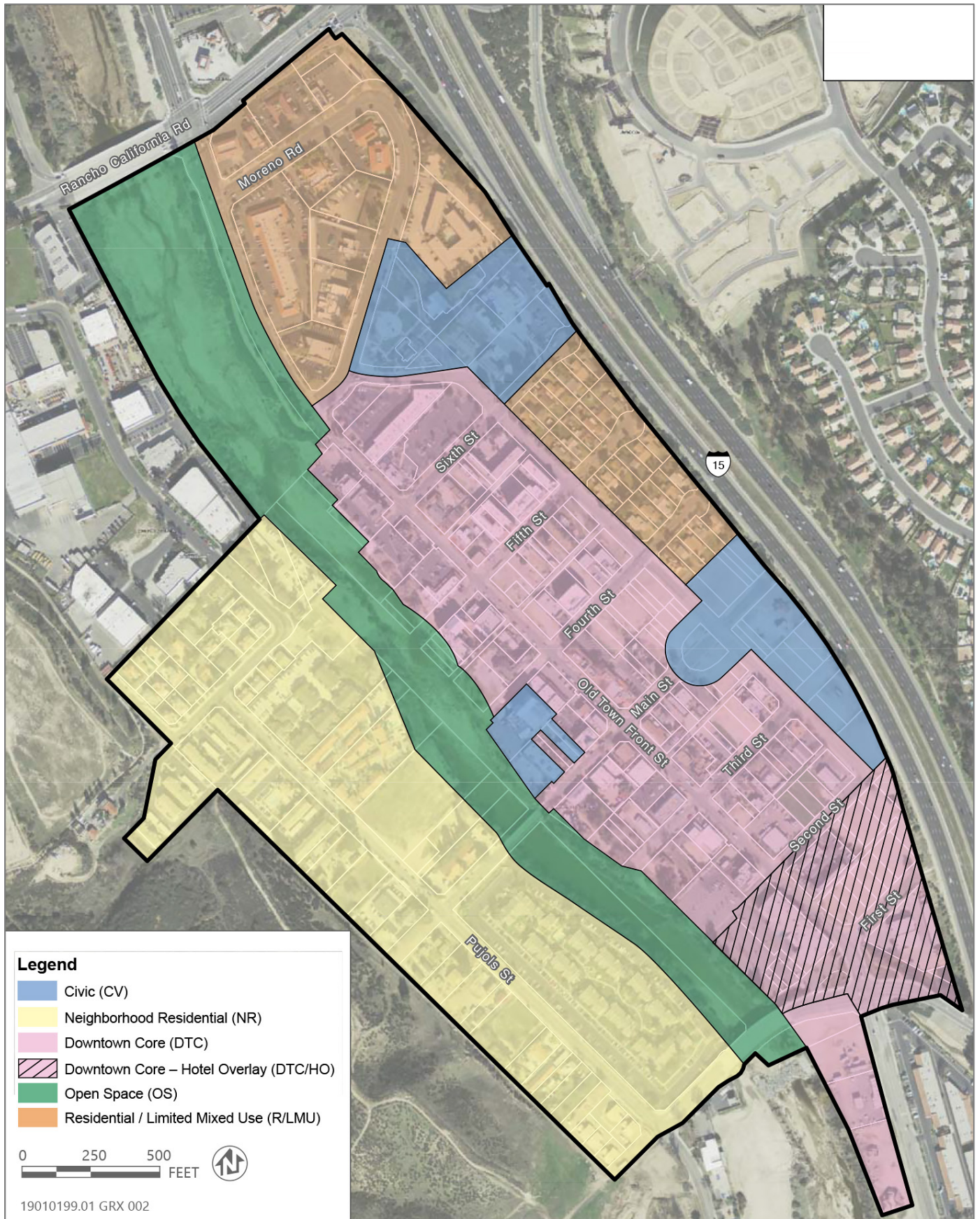
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Source: adapted by Ascent Environmental in 2020



Source: adapted by Ascent Environmental in 2020



Source: adapted by Ascent Environmental in 2020

1. AESTHETICS. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Have a substantial adverse effect on a scenic vista?		X	
b	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		X	
c	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?		X	
d	Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?		X	

Comments:

Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential/Limited Mixed-Use Districts as allowed by the existing adopted specific plan, and evaluated in the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. As a result, aesthetic impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR.

**1.a. Same Impact.** Scenic vistas are views defined as having a valued resource and typically contain scenes such as waterways, the ocean, hills, valleys, or mountains. The City of Temecula contains several scenic vistas which include the hills surrounding the City of Temecula and Santa Ana Mountains to the west and southern ridgelines, the Santa Margarita River, the slopes in the Sphere of Influence located west and east of the City limits and other important landforms and historic landscape features as scenic vistas. The rolling hills surrounding the City of Temecula to the south east, and west are designated by the General Plan Community Design Element as important natural features whose public views should be protected and maintained. Therefore, all public and private development projects are subject to review by the City to ensure consistency with the General Plan Community Design Element to maintain public views of scenic resources.

A portion of the I-15 from Corona South to the San Diego County line has been named as an Eligible State Scenic Highway. At this time, this area of the I-15 has been designated but is not yet considered a State Scenic Highway (Caltrans, 2016).

The Project area is highly urbanized and exhibits relatively flat terrain. Views of the surrounding area, specifically of the Santa Ana Mountains, would not be substantially obstructed or impacted by Project implementation due to the similar elevation of the Project area compared to the surrounding land uses. Furthermore, the Project is required to comply with the General Plan Community Design Element and is subject to review by the City for consistency. Therefore, development within the Project area would result in less than significant impacts related to scenic vistas and the effects would be **less than significant**.

1.b. **Same Impact.** The Project Site, nearby roadways, and surrounding land are not considered a state scenic highway corridor. Within Riverside County the closest designated State Scenic Highways in Riverside County are along State Route 74 (SR-74) and State Route 243 (SR-243). The area designated as a State Scenic Highway is not visible from the Project Site or the surrounding area and is located approximately 50 miles northeast of the Project Site. The Project is located adjacent to the I-15, which is designated by Caltrans as an Eligible State Scenic Highway; however, it is not officially designated as a State Scenic Highway by Caltrans. Public views of the distant mountains (Cleveland National Forest) to the south from I-15 would not be obscured by development of the Project. Under the Project, public views of the project area would change from a vacant land to a built environment with multiple story buildings. However, the proposed Project is consistent with surrounding residential and commercial uses. Therefore, no new or substantially more severe impacts would occur to passenger views along the I-15 and impacts would be **less than significant**.

1.c. **Same Impact.** The Project area is currently developed with urban uses. The Project would modify the existing visual character and quality of the area through the addition of up to four (4) story hotels; however, the proposed hotel uses are located with an urban area and are consistent and visually compatible with the uses located in the vicinity of the project area. Additionally, four story buildings are a Permitted Use in the OTSP Downtown Core District (when at least one floor of residential or one floor of office (with parking) is provided) and are consistent with the City of Temecula Zoning Ordinance. Because the visual character would be similar to the surrounding land uses and is a permitted use under the OTSP and current zoning, the Project is consistent with surrounding land uses and would have a **less than significant** impact on the visual character of the area.

1.d. **Same Impact.** The Project Site is located within a developed and urban area within the City of Temecula. New sources of exterior lighting and interior lighting would be included as part of the Project and be subject to light pollution regulations in Chapter 17.22 Section 17.22.176 of the City of Temecula Municipal Code, the County of Riverside's Mount Palomar Light Pollution Ordinance, and the City of Temecula General Plan Policy 2.5 of the Community Design Elements. Lighting would be downward shielded and dark sky compliant to minimize lighting and glare.

Daytime glare is attributed to the reflection of artificial and natural lighting off of highly reflective surfaces, such as windows. Mid-rise buildings with large surface areas of reflective or mirrorlike materials are a common source of daytime glare, especially around sunrise and sunset. In addition to 4-story buildings with a minimum of one floor of residential or one floor of office (with parking), the proposed Project allows for up to four (4) story hotels which would be built with textured, non-reflective surfaces, non-reflective (mirrored) glass and downward shielded lighting to minimize glare and prevent spillover onto adjacent structures. As a result, the Project would result in a **less than significant** glare impact.

#### References:

California Department of Transportation (Caltrans). 2016. California Scenic Highways Mapping System.

- 2. AGRICULTURE AND FOREST RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?		X	
b	Conflict with existing zoning for agricultural use, or a Williamson Act contract?		X	
c	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?		X	
d	Result in the loss of forest land or conversion of forest land to non-forest use?		X	
e	Involve other changes in the existing environment which, due to initial Study location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?		X	

**Comments:**

2.a-e. Agricultural and Forest Resources impacts were not evaluated in the certified Program EIR. No Additional analysis is warranted or required based on the limited scope of the proposed Specific Plan Amendment No. 9 and the current urbanized area.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Conflict with or obstruct implementation of the applicable air quality plan?		X	
b	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?		X	
c	Expose sensitive receptors to substantial pollutant concentrations?		X	
d	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		X	

Comments:

Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential-Limited Mixed-Use Districts as allowed by the existing adopted specific plan and evaluated by the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. As a result, air quality impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR.

**3.a. Same Impact.** The 2016 Air Quality Management Plan (2016 AQMP) serves as South Coast Air Quality Management District's (SCAQMD) state implementation plan (SIP) submittal to California Air Resources Board (CARB) to track the path towards the South Coast Air Basin (SCAB) reaching attainment under the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The Project area is designated as OTSP Downtown Core District. The Project is a Permitted Use of the Downtown Core District and the City of Temecula Zoning Ordinance and would therefore be consistent with existing general plan land use designations.

Emissions of criteria pollutants and precursors were modeled using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2 computer program (CAPCOA 2016). Detailed information regarding modeling assumptions and outputs can be found in Appendix A. Project construction would generate exhaust emissions from construction equipment and vehicle trips, fugitive dust from demolition and ground disturbing activities, and off-gas emissions from architectural coatings and paving. Operation of the Project would increase the amount of operational air emissions from vehicles accessing the project site (mobile sources), natural gas consumption (energy sources), and use of consumer products and operation of landscaping equipment (area sources). However, as discussed below, construction and operation of the project would not result in daily emissions in exceedance of the SCAQMD's CEQA thresholds of significance for emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. As discussed above, the SCAB is in nonattainment for several of the NAAQS (ozone and PM<sub>2.5</sub>) and CAAQS (ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>). Because emissions of ROG, NO<sub>x</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub> would not exceed these thresholds, construction- and operation-related emissions of criteria air pollutants and precursors would not conflict with an applicable AQMP. This impact would be **less than significant**.

**3.b. Same Impact.** As discussed above, construction of the Project would generate criteria pollutants and precursor emissions from the use of heavy-duty equipment, worker commute trips, and fugitive dust emissions.

The Project would generate emissions associated with typical activities associated with congregate car including mobile source emissions from worker commute trips, persons visiting residents of the Project areas, and residents' use of vehicles. Natural gas would also be directly consumed on-site from natural gas-powered stove tops and fireplaces as well as indirectly consumed to produce energy to power the Project. The infrequent application of paint, use of consumer products and landscaping equipment, and application of fertilizers on landscaped areas would also result in operational emissions of air pollutants.

Thus, construction- and operation-related emissions of ROG, NO<sub>x</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub> would remain **significant and unavoidable** based on the analysis in the previously certified EIR; no greater impacts would result from the proposed Specific Plan Amendment No. 9.

**3.c. Same Impact.** Implementation of the Project would not introduce any new long-term operational sources of TACs. Therefore, construction related TACs will comprise the analysis of substantial pollutant concentrations.

In relation to air quality, sensitive receptors include infants and children, the elderly, people with illnesses, or others who are especially sensitive to the adverse health effects of air pollutants (discussed previously). Hospitals, schools, convalescent facilities, and residential housing are examples of land uses with populations who are sensitive to air quality impacts. Existing sensitive receptors within the Project Site include residences to the north, south, east, and west and the ABC Child Care Center to the northeast of the Project Site.

Construction-related activities would result in temporary, intermittent emissions of diesel particulate matter (PM) from the exhaust of heavy-duty off-road diesel equipment used for construction of the Project. On-road, diesel-powered haul trucks traveling to and from the project site during construction to deliver materials and equipment would not operate at a single location for extended periods and therefore would not expose a single receptor to excessive diesel PM emissions. This analysis focuses primarily on heavy duty construction equipment used on-site that may affect nearby off-site land uses.

Considering the highly dispersive properties of diesel PM, the relatively low mass of diesel PM emissions that would be generated during project construction, the relatively short period during which diesel PM-emitting construction activity would take place in the same location near the same receptors, it is anticipated construction-related TACs would not expose sensitive receptors to an incremental increase in cancer risk that exceeds 10 in one million or a hazard index of 1.0 or greater. This impact would remain **significant and unavoidable** based on the analysis in the previously certified EIR; no greater impacts would result from the proposed Specific Plan Amendment No. 9.

**3.d. Same Impact.** Odors are typically associated with industrial activities involving the use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes. Odors are also associated with such uses as sewage treatment facilities and landfills. The proposed Specific Plan Amendment No. 9 would allow four story buildings in the Downtown Core District when four floors of hotel are provided and would not change the types of uses allowed within the overall specific plan area. The Project would not introduce any major odor-producing uses that would have the potential to affect a substantial number of people. It is expected refuse generated from future development of the Project would be temporarily stored in covered containers and would be removed at regular intervals in compliance with the City's solid waste regulations. Activities and materials associated with construction would be typical of construction projects of similar type and size. Any odors that may be generated during construction of future development of the Project would be localized and would not be sufficient to affect a substantial number of people or result in a nuisance as defined by SCAQMD Rule 402. Impacts with regard to odors would be **less than significant**.

## References:

- California Air Pollution Control Officers Association. 2016. CalEEMod 2016.3.2 Computer Program. Available: <http://www.capcoa.org/caleemod/>. Accessed November 13, 2019.
- California Air Resources Board. 2005 (April). *Air Quality and Land Use Handbook: A Community Health Perspective*. Available: <https://ww3.arb.ca.gov/ch/handbook.pdf>. Accessed November 13, 2019.
- . 2015. User Manual for the Hotspots Analysis and Reporting Program Air Dispersion Modeling and Risk Assessment Tool Version 2. Last Revised: March 17, 2015. Available: <https://ww3.arb.ca.gov/toxics/harp/docs2/harp2admtuserguide.pdf>. Accessed November 13, 2019.
- . 2019. Area Designations Maps – State/National Standards Homepage. Last updated October 24, 2019. Available: <https://ww3.arb.ca.gov/desig/adm/adm.htm>. Accessed November 12, 2019.
- CAPCOA. See California Air Pollution Control Officers Association.
- CARB. See California Air Resources Board.
- Office of Environmental Health Hazard Assessment. 2015. Air Toxics Hot Spots Program Risk Assessment Guidelines. Available: <https://oehha.ca.gov/media/downloads/crn/2015guidancemanual.pdf>. Accessed November 13, 2019.
- SCAQMD. See South Coast Air Quality Management District.
- South Coast Air Quality Management District. 2017 (April). South Coast AQMD Air Quality Significance Thresholds. Available: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2>. Accessed November 12, 2019.

<b>4. BIOLOGICAL RESOURCES. Would the project:</b>				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X	
b	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X	
c	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X	
d	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery Sites?		X	
e	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X	
f	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?		X	

Comments:

4.a – f. Biological Resources were not evaluated in the certified Program EIR. No Additional analysis is warranted or required based on the limited scope of the proposed Specific Plan Amendment No. 9 and the current urbanized area.

5. CULTURAL RESOURCES. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X	
b	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X	
c	Disturb any human remains, including those interred outside of formal cemeteries?		X	

Comments:

Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential/Limited Mixed-Use Districts as allowed by the existing adopted specific plan and evaluated by the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. The proposed Specific Plan Amendment would not directly result in any site-specific hotel development proposals or projects. Future hotel development projects submitted for development review to the City of Temecula may be subjected to additional CEQA environmental review including tribal consultation pursuant to the CEQA Guidelines, SB 18 and AB 52. The City of Temecula works closely with local Native American tribes to ensure that all aspects of potential project impacts to cultural resources are identified, and to ensure that appropriate conditions of approval are applied. As a result, cultural resource impacts associated with the Specific Plan Amendment would remain the same as evaluated in the 2010 Program EIR.

**5.a. Same Impact.** A historical resource is defined in Section 15064.5(a)(3) of the CEQA Guidelines as any object, building, structure, Site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period or method of construction; representing the work of an important creative individual; possessing high artistic values; or yielding information important in prehistory or history. Resources listed in or determined eligible for the California Register of Historical Resources, included in a local register, or identified as significant in a historic resource survey are also considered historical resources under CEQA. Future project construction consistent with SPA 9 would require grading and excavation in areas which could contain previously recorded historic resources. Additional CEQA analysis and documentation will be required when specific projects are proposed. **Less than significant impact** with prior mitigation incorporated.

**5.b. Same Impact.** Section 15064.5(a)(3)(D) of the State CEQA Guidelines generally defines archaeological resources as any resource that “has yielded, or may be likely to yield, information important in prehistory or history.” Archaeological resources are features, such as tools, utensils, carvings, fabric, building foundations, etc., that document evidence of past human endeavors and that may be historically or culturally important to a significant earlier community.

The City of Temecula consulted on April 21, 2020 with the Pechanga Tribe to evaluate the potential impacts of the proposed Specific Plan Amendment on archaeological and Tribal Cultural Resources. Through consultation, the Pechanga Tribe identified the Old Town Specific Plan as being located within the boundaries of recorded Traditional Cultural

Property, *'éxva Teméeku*. In addition, there are placenames within the near vicinity of the Specific Plan, along with a number of recorded cultural resources. The Tribe identified the potential for finding subsurface prehistoric cultural resources during ground disturbing activities within the proposed Specific Plan boundaries.

The Pechanga Tribe provided additional input and refinement to the mitigation measures contained in the 2010 PEIR, due to the amount of time that has transpired since certification of that PEIR. The following refinements to the 2010 PEIR mitigation measures do not imply that any additional cultural resource impacts are expected to occur beyond those identified in the 2010 PEIR, and do not represent significant new information. The mitigation measure refinements are as follows:

**Mitigation Measure 3.4-1a:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that all areas slated for development or other ground disturbing activities shall be subject to a Phase I survey (including a 1-mile radius records search and intensive archaeological survey) for archaeological resources on a project-specific basis prior to the City's approval of project plans. The survey shall be carried out by a qualified archaeologist in consultation with the Pechanga Band of Luiseño Mission Indians (Pechanga Tribe). The Pechanga Tribe shall be allowed to accompany the project archaeologist on the Phase I walkover survey, and shall be given the opportunity to comment on the archaeological report which results from the evaluation. If archaeological resources are encountered during the survey, the City shall require that the resources are evaluated for their eligibility for listing on the National Register or California Register by a Riverside County qualified archaeologist and the Pechanga Tribe, and that recommendations are made for treatment of these resources, in consultation with the Pechanga Tribe. If Phase II archeological evaluations are recommended, the Pechanga Tribe shall consult on all proposed test plans and participate with the project archeologist during testing and evaluation. All such surveys with recommendations shall be completed prior to project approval. Any identified resources shall be avoided if feasible. Ground-disturbing activity in areas which were previously undisturbed, or have been determined by a qualified archaeologist in consultation with the Pechanga Tribe, to be sensitive for cultural resources shall be monitored by a Riverside County qualified archaeologist and Pechanga tribal representative(s).

**Mitigation Measure 3.4-1b:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that during construction, should prehistoric or historic subsurface cultural resources be discovered, all activity in the vicinity of the find shall stop and a Riverside County qualified archaeologist, in consultation with the Pechanga Tribe will be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, the City and the archaeologist will determine, in consultation with the Pechanga Tribe, appropriate avoidance measures or other appropriate mitigation. Grading or further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors, if needed. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreement entered into with the Pechanga Tribe. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources, and/or re-burial on the property in perpetuity. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist, and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning

Commission and/or City Council.- Upon completion of earthmoving activities, the landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the Pechanga Tribe for proper treatment and disposition.

**Mitigation Measure 3.4-1c:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that for projects in areas which were previously undisturbed, or have been determined by a qualified archaeologist in consultation with the Pechanga Tribe, or by the Pechanga Tribe pursuant to certified PEIR MM 3.4-1a to be sensitive for cultural resources, at least 30 days prior to seeking a grading permit, the Project Applicant shall contact the Pechanga Tribe to notify the Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Temecula and the Tribe to develop and enter into a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources; appropriate treatment and procedure for inadvertent discoveries; the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

**Mitigation Measure 3.4-1d:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that if inadvertent discoveries of subsurface cultural resources are discovered during grading, the Project Applicant, the Project Archaeologist, and the Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the project applicant and the Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Pechanga Tribe. Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable to the City of Temecula City Council.

**Mitigation Measure 3.4-1e:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that all sacred sites, should they be encountered within the project area, shall be avoided and preserved as preferred mitigation, if feasible.

**Mitigation Measure 3.4-1f:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that in the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries: a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Temecula Community Development Department:

- Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources. ii.) Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV

Report shall be filed with the City under a confidential cover and not subject to Public Records Request. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Pechanga Tribe curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

**Mitigation Measure 3.4-4a:** Consistent with State law, CEQA Guidelines, and the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS-39, the City of Temecula shall require that if human skeletal remains are uncovered during project construction, work in the vicinity of the find shall cease and the Riverside County coroner will be contacted to evaluate the remains. If the County coroner determines that the remains are Native American, he or she will contact the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). The NAHC will then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. Per Public Resources Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. Per Public Resources Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

In addition, Tribal Cultural Resources are defined in the CEQA statute and Guidelines as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources (California Register) or included in a local register of historical resources, or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant. A cultural landscape that meets these criteria is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. Historical resources, unique archaeological resources, or non-unique archaeological resources may also be tribal cultural resources if they meet these criteria. Impacts to Tribal Cultural Resources are evaluated in Section 18 of this Initial Study Checklist.

The proposed Specific Plan Amendment would not directly result in any site-specific hotel development proposals or projects. Future hotel development projects allowed by the Specific Plan Amendment and submitted for development review to the City of Temecula will be subjected to additional CEQA environmental review including cultural resource investigations and tribal consultation pursuant to the CEQA Statute and Guidelines, SB 18 and AB 52. The City of Temecula works closely with local Native American tribes to ensure that all aspects of potential project impacts to cultural resources are identified, and where required, are mitigated. As a result, cultural resource impacts associated with the Specific Plan

Amendment would remain the same as evaluated in the 2010 Program EIR. **Less than significant impact** with prior mitigation incorporated.

5.c. **Same Impact.** The Project Site is located in an urbanized area of the City. Project construction would require ground disturbing activities included grading and excavation in a previously undeveloped area. Although no known human remains exist onsite there is a potential that ground disturbing activities could disturb previously unknown human remains. Therefore, impacts to human remains would remain **less than significant** with implementation of the previously adopted mitigation measures.

#### References:

City of Temecula, Temecula General Plan, 1993, Updated 2005, Open Space Conservation Element, Figure OS-2, Historic Structures and Sites, page OS-16.

<b>6. ENERGY. Would the project:</b>				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?		X	
b	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?		X	

Comments:

6.a-b. Energy Impacts were not evaluated in the certified Program EIR. No Additional analysis is warranted or required based on the limited scope of the proposed Specific Plan Amendment No. 9 which does not change the types of uses allowed in the overall Old Town Specific Plan area.

<b>7. GEOLOGY AND SOILS. Would the project:</b>				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:		X	
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		X	
	ii. Strong seismic ground shaking?		X	
	iii. Seismic-related ground failure, including liquefaction?		X	
	iv. Landslides?		X	
b	Result in substantial soil erosion or the loss of topsoil?		X	
c	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-Site landslide, lateral spreading, subsidence, liquefaction or collapse?		X	
d	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X	
e	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?		X	
f	Directly or indirectly destroy a unique paleontological resource or Site or unique geologic feature?		X	

**Comments:**

7.a-f. Geology and Soils Impacts were not evaluated in the certified Program EIR. No Additional analysis is warranted or required based on the limited scope of the proposed Specific Plan Amendment No. 9 and the current urbanized area, including the fact that the proposed Specific Plan Amendment No. 9 would occur within the footprint of the current OTSP area.

8. GREENHOUSE GAS EMISSIONS. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		X	
b	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		X	

Comments:

Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential/Limited Mixed-Use Districts as allowed by the existing adopted specific plan and evaluated by the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. As a result, greenhouse gas emission impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR.

**8.a. Same Impact.** Construction and operation of the Project would increase GHG emissions which have the potential to cumulatively result in a significant impact on the environment. Construction-related activities that would generate GHG emissions include operation of heavy-duty equipment and work commute vehicle trips to and from the Project site. Operation of the Project would result in GHG emissions from vehicle trips accessing the Project site (mobile sector), electricity and natural gas combustion (energy sector), operation of landscaping equipment (area sector), treatment of water and wastewater (water sector), and decomposition of solid wastes at landfills (solid waste sector). Emissions from these sectors and from construction-related activities were modeled using CalEEMod Version 2016.3.2.

For the reason stated above, construction and operation of the Project would result in a significant climate change impact. This impact would remain **significant and unavoidable**.

**8.b. Same Impact.** The Project would result in a significant impact if it would generate GHG emissions, either directly or indirectly, that may conflict with applicable regulatory plans and policies to reduce GHG emissions, as discussed in CARB's 2017 California Climate Change Scoping Plan (2017 Scoping Plan), Southern California Association of Government's (SCAG's) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and the City of Temecula's Sustainability Plan.

The Project's location in proximity to commercial and other residential uses and its proximity to transit service renders the project consistent with and in support of the goals and benefits of the SCAG 2016 RTP/SCS, which seeks "improved mobility and accessibility... to reach desired destinations with relative ease and within a reasonable time, using reasonably available transportation choices." The project would support the SCAG 2016 RTP/SCS implementation of "strategies focused on compact infill development, superior placemaking (the process of creating public spaces that are appealing), and expanded housing and transportation choices." As such, the project would be consistent with regional plans to reduce VMT and associated GHG emissions.

***City of Temecula Sustainability Plan***

The City of Temecula Sustainability Plan was adopted in June 2010 to identify and address current and future climate change goals. The Sustainability Plan includes several goals for reducing GHG emissions through energy and water

efficiency, waste reduction, and embracing cleaner technology. The Project would be consistent with the applicable sustainability goals outlined in the plan. The Sustainability Plan incorporates the following goals which would be applicable to the Project:

- Reduce energy consumption throughout the community through use of the latest technology, practices, and programs that support this goal.
- Support the use of clean energy throughout the community through use of the latest technology, practices, and programs.
- Reduce total waste generated and reduce the use and release of household hazardous waste.
- Distribute trip types among all modes of transportation (vehicle, transit, pedestrian, bicycle, etc.).

The Project would minimize energy consumption through the use on energy metering and would support the use of clean energy through meeting the Tier 1 Standards of the CalGreen Code. Energy consumption would additionally be reduced through compliance with the 2019 California Energy Code, which achieved a 53 percent reduction in residential energy use as compared to the 2016 California Energy Code through solar photovoltaic installation requirements.

Furthermore, as discussed above, the project would be located close to existing public transit and would encourage multi-modal transportation (vehicle, transit, pedestrian, bicycle, etc.). The project's consistency with these goals along with the 2017 Scoping Plan and SCAG RTP/SCS would ensure that the project would not conflict with adopted plans, policies, or regulations for reducing the emission of GHGs. As such the Project would not conflict with any applicable plans or policies and impacts would be **less than significant**.

#### References:

California Air Resources Board. 2017. 2017 California Climate Change Scoping Plan. Available: [https://ww3.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf). Accessed November 18, 2019.

CARB. See California Air Resources Board.

SCAG. See Southern California Association of Governments.

SCAQMD. See South Coast Air Quality Management District.

South Coast Air Quality Management District. 2008 (October). Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold -- Attachment E. Available: [https://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgattachmente.pdf?sfvrsn=2](https://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgattachmente.pdf?sfvrsn=2). Accessed November 18, 2019.

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<b>9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X	
b	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X	
c	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		X	
d	Be located on a Site which is included on a list of hazardous materials Sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		X	
e	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?		X	
f	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X	
g	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?		X	

Comments:

9.a-g. Hazards and Hazardous Materials Impacts were not evaluated in the certified Program EIR. No Additional analysis is warranted or required based on the limited scope of the proposed Specific Plan Amendment No. 9 and the current urbanized area, including the fact that the proposed Specific Plan Amendment No. 9 would occur within the footprint of the current OTSP area.

10. HYDROLOGY AND WATER QUALITY. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		X	
b	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?		X	
c	Substantially alter the existing drainage pattern of the Site or area, including through the alteration of the course of a stream or river or through the addition of imperious surfaces, in a manner which would:		X	
	i) result in substantial erosion or siltation on- or off-site;		X	
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;		X	
	iii) create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or		X	
	iv) impede or redirect flood flows?		X	
d	In flood hazard, tsunami, or seiche zones, risk or release of pollutants due to project inundation?		X	
e	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		X	

Comments:

Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential/Limited Mixed-Use Districts as allowed by the existing adopted specific plan and Evaluated by the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. As a result, hydrology and water quality impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR.

10.a. **Same Impact.** The Project area is designated a Priority Development Project area and is required to comply with the development planning requirements of the San Diego Regional Water Quality Control Board (SDRWQCB) MS4 permit and the City of Temecula Stormwater Ordinance. As shown in Figure 3, the proposed Project design implements non-structural, structural, source control and treatment control Best Management Practices (BMPs), which can include infiltration basin, detention basin, vegetated swale, media filter, pervious concrete, storm drain stenciling or signage, protection of material and trash storage areas from rainfall, and vector avoidance strategies. The proposed Project Site drainage would

implement the following BMPs in accordance with the Water Quality Management Plan: capture and convey stormwater runoff from developed areas to underground retention/detention stormwater water quality mitigation system via private storm drain inlets and drainage networks. Development of the Project is required to comply with all water quality standards or waste discharge requirements. By complying with the requirements for a Priority Development Project impacts related to violation of water quality standards and waste discharge requirements of the Project are anticipated to be **less than significant**.

10.b. **Same Impact.** Water would be supplied to the Project by the Rancho California Water District (RCWD). The Project would slightly increase the demand for water from the RCWD. The RCWD currently obtains water from the following primary water sources: 1) local groundwater from the Murrieta-Temecula Groundwater Basin; 2) imported State Water Project (SWP) and Colorado River water from the Metropolitan Water District of Southern California (MWDSC) through the Eastern Municipal Water District (EMWD) and the Western Municipal Water District (WMWD); and 3) recycled water from both the District and EMWD facilities. The Water Facilities Master Plan predicts an additional annual groundwater capacity which will be generated through increasing artificial recharge of the groundwater basin by 22,443 acres feet per year (AFY). An additional annual supply of 5,319 AFY of recycled water is also anticipated by buildout. The full build-out annual capacity of the EWMD is anticipated to be 115,002 AFY which is greater than the projected build-out annual production requirement of 110,714 AFY. The proposed Project is considered as part of the full build-out area, and therefore would be adequately served by the projected water supply for the EMWD and would not substantially decrease groundwater supplies. As discussed in response 10.a. the Project is designed to promote stormwater infiltration and groundwater recharge. Therefore, Project impacts would be **less than significant**.

10.c.i. **Same Impact.** The proposed Project area is designated a Priority Development Project area and therefore the Project area is required to prepare a Water Quality Management Plan (WQMP). Additionally, future Project design is required to comply with the local City of Temecula Stormwater and Urban Runoff Management and Discharge Controls Ordinance (Chapter 8.28 et seq.) and regional MS4 Permit (California Regional Water Quality Control Board San Diego Region Order No. R9-2013-0001 as amended by R9-2015-0001 and R9-2015-0100) requirements for stormwater management; as well as the requirements of the City of Temecula Engineering and Construction Manual (Chapter 18) and the City of Temecula Erosion and Sediment Control Ordinance (Chapter 18.18 et seq.) Potential erosion, siltation, and increased runoff would be minimized through implementation of the WQMP and adherence to the Storm Water Pollution Prevention Plan (SWPPP). With implementation of erosion and sediment control BMPs, construction would result in a **less than significant** erosion, siltation, and runoff impact.

10.c.ii. **Same Impact.** According to Figure PS-2, of the City of Temecula General Plan, the Project Site is not located within a 100-Year Flood Zone. The Project is required to implement a SWPPP during construction to reduce pollutants and stormwater runoff. Compliance with the National Pollutant Discharge Elimination System (NPDES) requirements minimize potential impacts related to flooding. Therefore, the impacts would be **less than significant**.

10.c.iii. **Less Than Significant Impact.** Construction within the Project Site would be required to comply with the development planning requirements of the SDRWQCB MS4 permit and the City of Temecula Stormwater Ordinance. Future projects would be required to generate a project specific WQMP as required by the City of Temecula Stormwater Ordinance and as specified in the City's Jurisdictional Runoff Management Plan. The implementation of the specific drainage features within each WQMP, would ensure that the Project would meet the City's MS4 Permit and Stormwater Ordinance requirements. As a part of the WQMP, the Project would be required to incorporate and maintain LID BMPs into the project design, which include measures to reduce increases in runoff through hydromodification and infiltration protection. Therefore, impacts would be **less than significant** in this regard.

10.c.iv. **Same Impact.** According to Figure PS-2, of the City of Temecula General Plan, the Project Site is not located within a 100-Year Flood Zone. Therefore, development of the Project area would not result in impacts related to impeding or redirecting flood flows. The Project would have **no impact** and analysis of this issue is not necessary.

10.d. **Same Impact.** A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of the sea floor associated with large, shallow earthquakes. Mudflows result from the downslope movement of soil and/or rock under the influence of gravity.

According to Figure PS-2, of the City of Temecula General Plan, the Project Site is not located within a 100-Year Flood Zone or within a dam inundation area. The Project Site is not subject to tsunami hazards given its distance to the Pacific Ocean. Furthermore, the gently sloping topography of the project area is not conducive to sustaining mudflows. The Project would have **no impact** and analysis of this issue is not necessary.

10.e. **Same Impact.** Future projects shall be designed to not violate water quality standards or waste discharge requirements. Future projects would be required to comply with all applicable requirements of the NPDES General Construction Permit issued by the SDRWQCB. The Project would be required to implement a SWPPP during construction that includes BMPs to reduce pollutants in stormwater runoff from the Project Site. By complying with the NPDES requirements, potential impacts to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan are anticipated to be **less than significant**. No further analysis of this topic is required.

#### References:

City of Temecula, Temecula General Plan, 1993, Updated 2005, Public Safety Element, Figure PS-2, Flood Hazards and Dam Inundation Areas, page PS-11.

11. LAND USE AND PLANNING. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Physically divide an established community?		X	
b	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?		X	

Comments:

Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential/Limited Mixed-Use Districts as allowed by the existing adopted specific plan and evaluated by the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. As a result, land use and planning impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR.

11.a. **Same Impact.** The Specific Plan Amendment would not divide and established community and would result in the same number of hotel rooms (499) as the existing Specific Plan. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided) or when four floors of hotel are provided. No changes to the existing General Plan land use designations would be made and the Project is consistent with surrounding residential and commercial land uses. Therefore, the Project would have **no impact**.

11.b. **Same Impact.** As discussed under Response 11.a., the proposed project would not change the existing General Plan land use designations or other policy or regulation, other than revising the Specific Plan to indicate that in the Downtown Core Zoning district four story hotels will be permitted in addition to buildings currently permitted of up to four stories when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided. As a result, land use and planning impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR.

The proposed project is consistent with the current City General Plan and City Zoning. Therefore, the Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating and environmental impact. Project impacts would be **less than significant** in this regard.

<b>12. MINERAL RESOURCES. Would the project:</b>				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?		X	
b	Result in the loss of availability of a locally important mineral resource recovery Site delineated on a local general plan, specific plan, or other land use plan?		X	

Comments:

12.a-b. Mineral Resources Impacts were not evaluated in the certified Program EIR. No Additional analysis is warranted or required based on the limited scope of the proposed Specific Plan Amendment No. 9 and the current urbanized area.

13. NOISE. Would the project result in the:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X	
b	Generation of excessive groundborne vibration or groundborne noise levels?		X	
c	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?		X	

Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential/Limited Mixed-Use Districts as allowed by the existing adopted specific plan and evaluated by the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. As a result, noise impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR.

#### Comments:

13.a. **Same Impact.** Noise is defined as unwanted sound; however, not all unwanted sound rises to the level of a potentially significant noise impact. To differentiate unwanted sound from potentially significant noise impacts, the City has established noise regulations that consider noise-sensitive land uses. The following discussion includes a brief description of the fundamental principles of noise and commonly used noise descriptors, a summary of applicable noise standards, and an evaluation of project-generated construction and operational noise.

#### NOISE PRINCIPLES AND DESCRIPTORS

Audible sound is a physical disturbance in a medium, such as air, that is capable of being detected by the human ear. Sound waves in air are caused by variations in pressure above and below the static value of atmospheric pressure. Sound is measured in units of decibels on a logarithmic scale. The “pitch” (high or low) of the sound is a description of frequency, which is measured in hertz. Most common environmental sounds are composed of a composite of frequencies.

The time-varying characteristic of environmental noise over specified periods of time is described using statistical noise descriptors in terms of a single numerical value, expressed as A-weighted decibels (dB(A)). The noise descriptors used in this analysis are summarized below:

- **L<sub>eq</sub>:** The L<sub>eq</sub>, or equivalent sound level, is used to describe the noise level over a specified period of time, typically 1-hour, expressed as L<sub>eq</sub>. The L<sub>eq</sub> may also be referred to as the “average” sound level.

- **L<sub>max</sub>**: The maximum, instantaneous noise level.
- **CNEL**: Community Noise Equivalent Level is the average noise level over a 24-hour day that includes an addition of 5 dBA to the measured hourly noise levels between the evening hours of 7:00 p.m. to 10:00 p.m. and an addition of 10 dBA to the measured hourly noise levels between the nighttime hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity during the evening and nighttime hours, respectively.

## CITY OF TEMECULA MUNICIPAL CODE

The Municipal Code Title 8 Chapter 9.20, "Noise," declares that the making, creating, or continuance of excessive noises are detrimental to the public health, comfort, convenience, safety, welfare, and prosperity of the residents of the City. Section 9.20.060 establishes sound level limits. The exterior noise limits for each land use classification are summarized in Table 13-1. One-hour average sound levels are not to exceed the applicable limit. The noise subject to these limits is defined as that part of the total noise at the specified location that is due solely to the action of said person.

Per the Municipal Code Section 9.20.060.D, construction noise levels measured at or beyond the property lines of any property zoned residential shall not exceed an average sound level greater than 65 dBA. Further, construction activity may only occur between 7:00 a.m. through 6:30 p.m. Monday through Friday. Construction activities on Saturday are limited between the hours of 7:00 a.m. and 6:30 p.m. No construction activity shall be undertaken on Sunday and national recognized holidays unless exempted by Section 9.20.070 of the Temecula Municipal Code.

**Table 13-1 City of Temecula Land Use/Noise Standards**

Property Receiving Noise		Maximum Noise Level (CNEL, dBA)	
Type of Land Use	Land Use Designation	Interior	Exterior <sup>1</sup>
Residential	Hillside, Rural, Very Low Density, Low Density, Low-Medium Density	45	65
	Medium Density	45	65/70 <sup>2</sup>
	High Density	45	70 <sup>2</sup>
Commercial and Office	Neighborhood, Community, Highway Tourist, Service	N/A	70
	Professional Office	50	70
Light Industrial	Industrial Park	55	75
Public/Institutional	School	50	65
	All Others	50	70
Open Space	Vineyards/Agricultural	N/A	70
	Open Space	N/A	70/65 <sup>3</sup>

Notes: CNEL = community noise equivalent level, dB = decibel, CNEL = community-noise equivalent level

<sup>1</sup> Regarding aircraft-related noise, the maximum acceptable exposure for new residential development is 60 dBA CNEL.

<sup>2</sup> Maximum exterior noise levels up to 70 dBA CNEL are allowed for Multiple-Family Housing.

<sup>3</sup> Where quiet is a basis required for the land use.

Source: City of Temecula 2005

## CONSTRUCTION

Construction hours are proposed to be from 7:00 a.m. to 6:30 p.m. Monday through Friday. No demolition would occur. Noise from construction activities would be generated by the operation of vehicles and equipment involved

during various stages of construction: site preparation, grading, building construction, architectural coating, and paving. The noise levels generated by construction equipment would vary depending on factors such as the type and number of equipment, the specific model (horsepower rating), the construction activities being performed, and the maintenance condition of the equipment.

The closest receptors to the project site are approximately 100 feet from the construction site. The City of Temecula has established a construction-noise significance threshold of 65 dB  $L_{eq}$  at a site supporting a sensitive receptor. It is foreseeable that construction activities could introduce new levels of noise; however, the extent of construction equipment required to construct the proposed project would be minor due to the size of the project. Moreover, the proposed project would be constructed over a relatively short period (14 months) and would generate low construction-related Average Daily Trips (ADT). Project construction would also be required to adhere to Section 9.20.060.D of the City's municipal code which stipulates that construction activity must be limited to the hours of 7:00 a.m. to 6:30 p.m. Monday through Friday. Construction noise impacts would remain **significant and unavoidable, as documented in the 2010 Program EIR**; the current SPA 9 proposal would not increase these impacts.

## OPERATION

The existing noise environment in the project vicinity is dominated by traffic noise from nearby roadways, as well as nearby commercial activities. Long-term operations of the proposed project would have a minimal effect on the noise environment within the proximity of the project area. Noise generated by the proposed project would result primarily from the increased traffic on local roads. As a result, project-related traffic noise impacts would remain **less than significant**.

**13.b. Same Impact.** The proposed project would not result in any major operational sources of vibration (e.g., rail lines, transit stations), and therefore, this discussion focusses on short-term construction-generated vibration. Prior to the analysis, a brief discussion of vibration principles is included.

## FOUNDATIONS OF VIBRATION

Vibration can be interpreted as energy transmitted in waves through the ground or man-made structures, which generally dissipate with distance from the vibration source. Because energy is lost during the transfer of energy from one particle to another, vibration becomes less perceptible with increasing distance from the source.

Vibration sources include the use of heavy-duty equipment during construction. Operational sources include major transit (e.g., rail, transit stations) development. Maintenance operations and traffic traveling on roadways can also be a source of such vibration. If its amplitudes are high enough, ground vibration has the potential to damage structures, cause cosmetic damage or disrupt the operation of vibration-sensitive equipment such as electron microscopes and advanced technology production and research equipment. Ground vibration and ground-borne noise can also be a source of annoyance to individuals who live or work close to vibration-generating activities.

Future projects consistent with SPA 9 will require additional CEQA documentation and analysis at the time applications are submitted. Vibration associated with hotel construction allowed by the Specific Plan is expected to be minor, as pile driving is not typically required. Thus, impacts associated with construction-related ground vibration and vibration noise would remain **less than significant**.

**13.c. Same Impact.** According to Figure LU-2, of the City of Temecula General Plan, the Project Site is not located within an airport land use plan or within two miles of a public airport. The French Valley Airport located at 37600 Sky Canyon Drive, Murrieta, is approximately 4.6 miles northeast of the Project Site. No further analysis of this topic in the Initial Study is required. Thus, impacts associated with airport related noise would remain **less than significant**.

14. POPULATION AND HOUSING. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?		X	
b	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?		X	

Comments:

Population and Housing Impacts were not evaluated in the certified Program EIR. No Additional analysis is warranted or required based on the limited scope of the proposed Specific Plan Amendment No. 9.

15. PUBLIC SERVICES. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:			
a	Fire protection?		X	
b	Police protection?		X	
c	Schools?		X	
d	Parks?		X	
e	Other public facilities?		X	

Comments:

Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential/Limited Mixed-Use Districts as allowed by the existing adopted specific plan and evaluated by the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. As a result, public service impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR.

15.a. **Same Impact.** Fire protection and emergency medical services are provided to the City and the Project Site by the Temecula Fire Department (FD), who contracts with the Riverside County Fire Department (RCFD). The Project is not expected to induce substantial population growth nor would it result in substantial adverse effects on Temecula FD services and facilities which would require new or physically altered facilities to maintain service. Additionally, the future projects would be required to pay the Fire Development Impact Fee at the time of building permit. The Project would have a **less than significant impact**.

15.b. **Same Impact.** Police services for the City and the Project Site are provided by the City of Temecula Police Department (PD), who contracts with the Riverside County Sheriff Department (RCSD). The Project is not expected to induce substantial population growth and result in substantial adverse effects on Temecula PD services and facilities which could result in the need for new or physically altered facilities to maintain service. No further analysis of this topic is required. The Project would have a **less than significant impact**.

15.c. **Same Impact.** The Project Site falls under the jurisdiction of the Temecula Valley Unified School District (TVUSD). Project development would not generate school-aged children and thus would not result in the need for new or physically altered facilities to maintain service. The Project would have a **less than significant impact** on schools.

15.d. **Same Impact.** Project implementation would ultimately introduce hotel occupants and temporary construction workers into the Downtown Core District. This population increase is considered temporary and could possibly increase short term demand on park services and facilities which is not expected to result in the need for new or physically altered facilities to maintain service. Therefore, the Project would have a **less than significant impact** on parks.

15.e. **Same Impact.** The Project Site is currently served by the Ronald H. Roberts Temecula Public Library, 3.5 miles away at 30600 Pauba Road. The Project is not expected to induce substantial population growth and result in substantial adverse effects on library services so that there was a need for new or physically altered facilities to maintain service. Therefore, the Project would have a **less than significant impact** on library resources.

<b>16. RECREATION. Would the project:</b>				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?		X	
b	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?		X	

Comments:

16a-b. Recreation Impacts were not evaluated in the certified Program EIR. No Additional analysis is warranted or required based on the limited scope of the proposed Specific Plan Amendment No. 9.

17. TRANSPORTATION/TRAFFIC. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		X	
b	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?		X	
c	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X	
d	Result in inadequate emergency access?		X	

Comments:

A Traffic Impact Assessment (TIA) memorandum has been prepared for the SPA by Fehr & Peers, and is included in Appendix A of this EIR Addendum. Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential/Limited Mixed-Use Districts as allowed by the existing adopted specific plan and evaluated by the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. As a result, transportation/traffic impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR.

17.a. **Same Impact.** Project-related construction activities have the potential to result in short-term, temporary impacts to surrounding roadways as a result of construction vehicles and worker vehicle trips, which may cause temporary traffic slowdown or partial road closures. There are no conflicts with a program, plan ordinance or other policy document. Therefore, since these impacts are temporary and short-term, the Project's impacts would be **less than significant**.

17.b. **Same Impact.** CEQA Guidelines Section 15064.3 describes specific considerations for evaluating a project's transportation impacts. Generally, vehicle miles traveled (or "VMT") is identified as the most appropriate measure of transportation impacts. For the purposes of this CEQA section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Lead agencies are required to approve a VMT significance threshold by July 1, 2020. Because the City of Temecula does not have an approved VMT significance threshold at this time, a VMT evaluation will not be conducted for the Project and it has been determined by the City that a level of service (LOS) evaluation is not required due to the limited changes proposed as part of Specific Plan Amendment No. 9, which does not change the overall number of hotel rooms that were previously analyzed in the certified Program EIR.

The proposed allowance of hotel use in lieu of either residential or hotel use on the fourth floor, assuming an averaged rate in the Downtown Core could potentially add approximately 10.81 more trips per day per 1,000 square feet of area, including 0.27 more AM peak hour trips and 0.52 more PM peak hour trips per KSF. The trip rates are considered conservative. The conversion of the hotel trip rate to square feet/room does not factor in the hotel common space areas, such as the lobby and conference rooms, as is typically factored into published trip generation rates. Factoring in the common space areas would reduce the converted trip rate for hotel use.

Although Level of Service (LOS) analysis is no longer required by CEQA effective July 1, 2020, it was the applicable traffic impact analysis methodology in place when the 2010 Program EIR was certified. The Old Town Specific Plan states that “an intersection specific level of service (LOS) E and F will be deemed acceptable along Old Town Front Street from Second Street to Moreno Road (north loop)”, which is within the Downtown Core. Therefore, the proposed change in land use is not forecast to result in a significant traffic impact. The comparison showed that replacing residential or office use (based on an average rate) with hotel use may result in an additional 10.81 trips per day per 1,000 square feet of area. This minor increase in trip generation would not substantially increase traffic or exceed significance thresholds in the OTSP.

The Program EIR did not quantify the potential development of the OTSP policy that states “All four-story buildings in the Downtown Core district must contain at least one floor restricted to residential use or one floor of office with on-site parking”. Additionally, the number of hotel rooms within the Downtown Core is restricted to 499 rooms. Future development that proposes hotel use that exceeds what is covered under the 2010 OTSP Program EIR will require further CEQA environmental analysis regardless of how many stories are proposed. Since the height of the hotel projects does not change the cap of 499 rooms, the hotel use-related traffic that will be allowed by the Specific Plan Amendment was adequately covered under the 2010 OTSP Program EIR, and would remain **less than significant**.

**17.c. Same Impact.** Roadways surrounding the Project Site are part of an established road network that serves the City of Temecula and do not contain sharp curves or dangerous intersections. Construction of the Project would alter pedestrian and vehicular access to the Project Site (i.e. new sidewalks, curbs, etc.). The proposed internal circulation and vehicular access adhere to the City’s design standards in relation to protection of pedestrian and bicycle traffic and does not substantially increase hazards due to a geometric design feature or incompatible use. Therefore, a **less than significant impact** would occur. No further analysis of this topic is required.

**17.d. Same Impact.** Roadways surrounding the Project Site are part of an established road network that serves the City of Temecula. The Project includes adequate emergency access and would implement traffic control measures such as construction flagmen, signage, etc. as needed. Furthermore, final design plans would be reviewed by the City Public Works Department and Temecula FD to ensure adequate emergency access is maintained. The Project is not part of a City-designated emergency evacuation route nor would it prevent implementation of the City’s emergency response plan. Therefore, construction of the Project is not expected to result in inadequate emergency access and would have a **less than significant impact**.

18. TRIBAL CULTURAL RESOURCES. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a Site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:		X	
	i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X	
	ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X	

Comments:

Tribal Cultural Resources Impacts were not evaluated in the certified 2010 Program EIR, as it was certified prior to the existence of AB 52, which requires the evaluation of Tribal Cultural Resources in CEQA documents. The City of Temecula consulted with the Pechanga Tribe on April 21, 2020 to evaluate the potential impacts of the proposed Specific Plan Amendment on archaeological and Tribal Cultural Resources. Through consultation, the Pechanga Tribe identified the Old Town Specific Plan as being located within the boundaries of recorded Traditional Cultural Property, 'éxva Teméeku. In addition, there are placenames within the near vicinity of the Specific Plan, along with a number of recorded cultural resources. The Tribe identified the potential for finding subsurface prehistoric cultural resources during ground disturbing activities within the proposed Specific Plan boundaries.

Changes in the California Environmental Quality Act, effective July 2015, require that the City address a new category of cultural resources – tribal cultural resources – not previously included within the law's purview. Tribal Cultural Resources are those resources with inherent tribal values that are difficult to identify through the same means as archaeological resources. These resources can only be identified and understood through direct consultation with the tribes who attach tribal value to the resource. Through consultation pursuant to AB 52, the Pechanga Band of Luiseño Indians ("Tribe") identified the Old Town Specific Plan ("Project") as being located within the boundaries of a recorded Traditional Cultural Property, 'éxva Teméeku. All Luiseño People were created at 'éxva Teméeku, and this expansive Traditional Cultural Property (TCP) also includes locations where pivotal historic events occurred related to the Tribe's continued existence, including the creation of the Pechanga Indian Reservation.

The origin of the Luiseño people is the single most important account in the Tribe's culture and oral tradition. The Tribe's present-day practices, beliefs, cultural identity, and social structure are directly related to the Tribe's Creation, which occurred within the Project area. Luiseño history begins with the Creation of all things at 'éxva Teméeku and the surrounding places. The name 'éxva (EXH-vah) can be translated as a "place of sand" and Teméeku (Teh-MEH-koo) means "sun place." The place known today as Temecula derives its etymology from this physical place, where the Murrieta and Temecula Creeks converge to form the Santa Margarita River, which flows onto the Pacific Ocean. Because the name 'éxva Teméeku is so well known it is often mischaracterized as the place of Creation for Pechanga, but in fact, 'éxva Teméeku is only one portion that is the central to a geographical area that is the place of Tribe's origin.

'Éxva Teméeku has always been an integral part of Luiseño culture and identity. Mourning ceremonies and songs are directly related to the creation of the First People and the events surrounding Wuyóot's death. Several scholars have recorded and analyzed Luiseño songs and ceremonies including Constance Dubois (1908), William Strong (1929), Helen H. Roberts (1933), John P. Harrington (1932-1941), and Ralph Heidsiek (1966). Their consultants always stressed the importance of the Origin account to the structure of Luiseño society and culture. Heidsiek recognized the creation account as "the source of subject matter for all significant Luiseño songs and the basis for guiding traditional social behavior" (1966, 53). Roberts, who interviewed Pechanga tribal elders, understood the death and mourning ceremonies to be related to the events surrounding Wuyóot's death and that the songs and traditions are not only shared amongst the Luiseño, but also neighboring groups (Roberts 1933, 7). Strong found "all songs connected with the mourning ceremonies seem to refer to the creation story, especially that portion concerning the dying god Wiyot" (1929, 322). Harrington's consultants also describe the importance of 'éxva Teméeku. Josefa Verdugo accompanied Harrington on a place name trip in 1933 and said "all the stories mention 'éxva Teméeku as the first place for starting everything" (Harrington 1986, 3:119:264). One of Harrington's main Luiseño consultants and traditional singer, Jose Albañes, stated "'éxva timéeku [is] the main place where the people were born" and the place where they "burned" Wuyóot (Harrington 1986, 3:125:165). Albañes and Juan Sotelo Calac, another prominent Luiseño ceremonial leader, said there are many songs that mention 'éxva Teméeku (Harrington 1986, 3:119:166) Bernardo Cuevas, the son of Salvador Cuevas who was one of Constance DuBois' consultants, told Harrington the "old people in ceremonials talk of that after Wuyóot died, the people were living at Temecula and from Temecula they scattered" (Harrington 1986, 3:115:260).

In addition to being located within the TCP, there are placenames in the near vicinity of the Project, along with a number of recorded cultural resources. The information on the tribal cultural resources within the Project area supports that the Old Town area of Temecula maintains cultural sensitivity.

While the TCP was not included or assessed in the 2010 Environmental Impact Report for the Project, the impacts to the tribal cultural resource are consistent with those identified in the prior CEQA review. The Project area is located in in-fill, which means the surrounding area was largely developed prior to the 2010 EIR. The impacts to both cultural resources and tribal cultural resources have, for the most part, already occurred and additional impacts from the current Project can be reduced to a level below significance with the incorporation of slightly modified mitigation measures from the 2010 EIR.

Given the sensitivity that continues to exist in the Old Town area of Temecula, the Tribe identified the potential for finding subsurface prehistoric cultural resources and tribal cultural resources during ground-disturbing activities associated with the proposed Specific Plan boundaries. The inclusion of the Mitigation Measures listed below, which have only been modified slightly from the prior measures to provide additional process and clarity, will reduce the impacts to cultural resources and tribal cultural resources to less than significant.

The Pechanga Tribe provided additional input and refinement to the mitigation measures contained in the 2010 PEIR, due to the amount of time that has transpired since certification of that PEIR. These refinements are included in Section 5 (Cultural Resources) of this Initial Study/EIR Addendum and are included herein again in this section for ease of reference. The refinements to the 2010 PEIR mitigation measures do not imply that any additional cultural/Tribal Cultural

Resource impacts are expected to occur beyond those identified in the 2010 PEIR, and do not represent significant new information.

**Mitigation Measure 3.4-1a:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that all areas slated for development or other ground disturbing activities shall be subject to a Phase I survey (including a 1-mile radius records search and intensive archaeological survey) for archaeological resources on a project-specific basis prior to the City's approval of project plans. The survey shall be carried out by a qualified archaeologist in consultation with the Pechanga Band of Luiseño Mission Indians (Pechanga Tribe). The Pechanga Tribe shall be allowed to accompany the project archaeologist on the Phase I walkover survey, and shall be given the opportunity to comment on the archaeological report which results from the evaluation. If archaeological resources are encountered during the survey, the City shall require that the resources are evaluated for their eligibility for listing on the National Register or California Register by a Riverside County qualified archaeologist and the Pechanga Tribe, and that recommendations are made for treatment of these resources, in consultation with the Pechanga Tribe. If Phase II archeological evaluations are recommended, the Pechanga Tribe shall consult on all proposed test plans and participate with the project archeologist during testing and evaluation. All such surveys with recommendations shall be completed prior to project approval. Any identified resources shall be avoided if feasible. Ground-disturbing activity in areas which were previously undisturbed, or have been determined by a qualified archaeologist in consultation with the Pechanga Tribe, to be sensitive for cultural resources shall be monitored by a Riverside County qualified archaeologist and Pechanga tribal representative(s).

**Mitigation Measure 3.4-1b:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that during construction, should prehistoric or historic subsurface cultural resources be discovered, all activity in the vicinity of the find shall stop and a Riverside County qualified archaeologist, in consultation with the Pechanga Tribe will be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, the City and the archaeologist will determine, in consultation with the Pechanga Tribe, appropriate avoidance measures or other appropriate mitigation. Grading or further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors, if needed. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreement entered into with the Pechanga Tribe. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources, and/or re-burial on the property in perpetuity. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist, and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council.- Upon completion of earthmoving activities, the landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the Pechanga Tribe for proper treatment and disposition.

**Mitigation Measure 3.4-1c:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that for projects in areas which were previously undisturbed, or have been determined by a qualified archaeologist in consultation with the Pechanga Tribe, or

by the Pechanga Tribe pursuant to certified PEIR MM 3.4-1a to be sensitive for cultural resources, at least 30 days prior to seeking a grading permit, the Project Applicant shall contact the Pechanga Tribe to notify the Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Temecula and the Tribe to develop and enter into a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources; appropriate treatment and procedure for inadvertent discoveries; the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

**Mitigation Measure 3.4-1d:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that if inadvertent discoveries of subsurface cultural resources are discovered during grading, the Project Applicant, the Project Archaeologist, and the Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the project applicant and the Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Pechanga Tribe. Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable to the City of Temecula City Council.

**Mitigation Measure 3.4-1e:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that all sacred sites, should they be encountered within the project area, shall be avoided and preserved as preferred mitigation, if feasible.

**Mitigation Measure 3.4-1f:** Consistent with the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS39, the City of Temecula shall require that in the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries: a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Temecula Community Development Department:

- Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources. ii.) Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Pechanga Tribe curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials

have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

**Mitigation Measure 3.4-4a:** Consistent with State law, CEQA Guidelines, and the City of Temecula's General Plan Goal 6 and Implementation Procedure OS-26 and OS-39, the City of Temecula shall require that if human skeletal remains are uncovered during project construction, work in the vicinity of the find shall cease and the Riverside County coroner will be contacted to evaluate the remains. If the County coroner determines that the remains are Native American, he or she will contact the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). The NAHC will then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. Per Public Resources Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. Per Public Resources Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

Tribal cultural resources are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources (California Register) or included in a local register of historical resources, or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant. A cultural landscape that meets these criteria is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. Historical resources, unique archaeological resources, or non-unique archaeological resources may also be tribal cultural resources if they meet these criteria.

The proposed Specific Plan Amendment would not directly result in any site-specific hotel development proposals or projects. Future hotel development projects allowed by the Specific Plan Amendment and submitted for development review to the City of Temecula may be subjected to additional CEQA environmental review including cultural resource investigations and tribal consultation pursuant to the CEQA Statute and Guidelines, SB 18 and AB 52. The City of Temecula works closely with local Native American tribes to ensure that all aspects of potential project impacts to tribal cultural resources are identified, and are conditioned appropriately. As a result, tribal cultural resource impacts associated with the Specific Plan Amendment would be **less than significant**.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?		X	
b	Have sufficient water supplies available to serve the project and responsibly foreseeable future development during normal, dry and multiple dry years?		X	
c	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		X	
d	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?		X	
e	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?		X	

Comments:

Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential/Limited Mixed-Use Districts as allowed by the existing adopted specific plan and evaluated by the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. As a result, utilities and service systems impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR.

19.a. **Same Impact.** The Project would connect to the existing water system for the City of Temecula. As discussed in the Hydrology Section, the proposed drainage system is designed to increase stormwater retention and infiltration onsite for the treatment of wastewater. The Project would connect to existing electric power and would not require new telecommunication facilities. Relocation of utilities would not be required as part of the Project. Therefore, the impacts are **less than significant**, and no further analysis of this issue is necessary.

19.b. **Same Impact.** As discussed in the Hydrology Section Response 10.b, the Project is part of the Rancho California Water District (RCWD). Implementation of the Project would not result in an increase in water demand. The proposed Project is considered as part of the full build-out area, and therefore would be adequately served by the projected water supply expected for the RCWD during normal, dry, and multiple dry years and would not substantially decrease groundwater supplies. Therefore, the Project would have a **less than significant impact** on water supplies.

19.c. **Same Impact.** The Project area is designed to treat additional stormwater flow onsite and therefore would not exceed the capacity of wastewater treatment facilities serving the Project area. Therefore, the Project impacts would be **less than significant** and no further analysis of this issue is necessary.

19.d. and e. **Same Impact.** The City of Temecula has a contract with CR&R Inc. for trash and recycling services. CR&R Inc. have a total of six disposal facilities which provide state of the art recycling and green waste programs. Given the capabilities of the CR&R and the small amount of solid waste that would be generated by Project construction and operation, the Project is not expected to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Additionally, solid waste management under CR&R Inc. is required to comply with all federal, state, and local statutes and regulations. Therefore, the Project would also be in compliance with these requirements. Therefore, the impact of the Project on solid waste would be **less than significant** and would comply with all applicable regulations.

<b>20. WILDFIRE. Would the project:</b>				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Substantially impair an adopted emergency response plan or emergency evacuation plan?		X	
b	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?		X	
c	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?		X	
d	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?		X	

Comments:

Wildfire Impacts were not evaluated in the certified Program EIR. No Additional analysis is warranted or required based on the limited scope of the proposed Specific Plan Amendment No. 9 and the site's urbanized area.

21. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
Issues and Supporting Information Sources		Increased Impact as Compared to Impact Documented in Previous EIR	Same Impact as Compared to Impact Documented in Previous EIR	Reduced Impact as Compared to Impact Documented in Previous EIR
a	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X	
b	Does the project have impacts that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X	
c	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X	

Comments:

Implementation of Specific Plan Amendment No. 9 would result in the same total number of hotel rooms (499) in the Downtown Core and Residential/Limited Mixed-Use Districts as allowed by the existing adopted specific plan and evaluated by the 2010 Program EIR. The Downtown Core Zoning district is defined by multi-story urban buildings of up to four stories (when at least one floor of residential is provided, or when at least one floor of office (with parking) is provided). In addition, the proposed Specific Plan Amendment No. 9 would also allow four story buildings in the Downtown Core District when four floors of hotel are provided. As a result, impacts associated with the 499 hotel rooms would remain the same as evaluated in the 2010 Program EIR and the mandatory findings of significance would be the same as identified in the 2010 Program EIR.

**21.a. Same Impact.** Based on evaluations and discussions contained in this Initial Study, Project development is not anticipated to substantially degrade the quality of the environment. Furthermore, any potential impacts would be **less than significant**.

**21.b-c. Same Impact.** Based on evaluations and discussions contained in this Initial Study, Project development is not anticipated to have incremental effects that would be cumulatively considerable effects in context of the effects of past, current and probable future projects nor is it expected to cause substantial adverse effects on human beings directly or indirectly. Impacts would be **less than significant**.

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## **Appendix A – Traffic Memo**