

1 INTRODUCTION

1.1 TYPE OF EIR

This environmental impact report (EIR) evaluates the impacts of the *City of Hemet Draft General Plan* (Draft General Plan). It is a program EIR, as described within the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq. [14 CCR 15000 et seq.]).

According to the State CEQA Guidelines (Section 15168[a]), a state or local agency should prepare a program EIR, rather than a project EIR, when the lead agency proposes the following:

- ▶ a series of related actions that are linked geographically;
- ▶ logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program; or,
- ▶ individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways.

A program EIR “may be prepared on a series of actions that can be characterized as one large project and are related...in connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program” (State CEQA Guidelines Section 15168[a][3]). In this case, the program EIR addresses the Draft General Plan, which is the proposed “project,” as defined by CEQA. This program EIR considers a series of actions related to implementation of the Draft General Plan.

As a program EIR, this document focuses on the overall effect of the Draft General Plan. The analyses in this EIR do not examine the effects of site-specific projects that may occur within the overall umbrella of this program in the future. The nature of general plans is such that many proposed policies are intended to be general, with details to be worked out during implementation. As a result, many of the impacts and mitigation measures in this EIR can be described only in general or qualitative terms. This EIR does, however, quantify impacts related to transportation, drainage, air quality, noise, and other topics, making reasonable assumptions as to the amount, type, and character of land use change anticipated pursuant to the General Plan. The General Plan describes existing conditions information and some of the environmental consequences associated with its implementation and is hereby incorporated by reference.

1.1.1 TIERING AND STREAMLINING

The City will make use of existing streamlining provided by CEQA, emerging streamlining techniques, such as those related to implementation of the Sustainable Communities Strategy (Public Resources Code [PRC] Section 21155), and other streamlining techniques that may become available in the future. The City has invested substantial resources in the General Plan and EIR, and wishes to promote fiscally prudent use of this EIR, once it is certified, to accommodate development consistent with the General Plan.

The analysis in this program EIR is considered the first tier of environmental review and creates a foundation upon which future, project-specific CEQA documents can build. Tiering refers to the concept of a multilevel approach to preparing environmental documents set forth in the PRC Section 21083.3 and the State CEQA Guidelines Section 15152.

Project-level environmental analysis can be streamlined to limit the scope of site-specific approvals following the preparation of an EIR for a general plan. This streamlining provision applies to site-specific approvals for projects

that are consistent with the general plan. This program EIR will, in practice, help determine the need for subsequent environmental documentation, as well as dictate the scope of project level CEQA review.

A program EIR can be incorporated by reference into subsequently prepared environmental documents to address cumulative and growth-inducing impacts, allowing subsequent documents to focus on new or site-specific impacts (State CEQA Guidelines Section 15168[d]).

Public Resources Code Section 21083.3 allows a lead agency to narrow the focus of project level analysis to effects upon the environment which are peculiar to the parcel or project (PRC Section 21083.3(a)). The Code also limits the effects that can be considered peculiar in project-level analysis under the program EIR.

Section 15152 of the CEQA Guidelines provides that where a first-tier EIR has “adequately addressed” the subject of cumulative impacts, such impacts need not be revisited in second- and/or third-tier documents. According to Section 15152(f)(3), significant effects identified in a first-tier EIR are adequately addressed, for purposes of later approvals, if the lead agency determines that such effects have been either:

“mitigated or avoided as a result of the prior [EIR] and findings adopted in connection with that prior [EIR]”; or

“examined at a sufficient level of detail in the prior [EIR] to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.”

The Public Resources Code provides streamlining coverage to the City of Hemet and other public agencies that have authority to implement General Plan EIR mitigation measures. Public agencies can use uniformly applied policies or standards to mitigate effects of future projects, avoiding the need to analyze these effects, unless new information arises that changes the impact analysis (PRC Section 21083.3 (d)). For this reason, this EIR includes references to Draft General Plan policy and implementation programs, where appropriate, to address environmental impacts. Future CEQA documents can reference the same General Plan policies and programs, where appropriate, to demonstrate less-than-significant impacts. The City may consider specific plans, area plans, corridor plans, downtown core area plans, or other documents to implement the General Plan within a smaller geographic area of the City. Although the legally required contents of a program EIR are the same as those of a project EIR; in practice, there are differences in level of detail. General Plans by their nature are broad, long-range, and conceptual. Program EIRs are typically conceptual and abstract. They contain a more general discussion of impacts, alternatives, and mitigation measures than do project-level EIRs. This is appropriate since the General Plan is meant to guide long-term development within the Draft General Plan planning area (planning area). The General Plan does not dictate specific site-planning requirements, internal transportation networks, or other project-level details. The City acknowledges and intends to make best use of the advantages to the programmatic approach to environmental analysis and reporting in this EIR. As noted in CEQA Guidelines Section 15168(b):

“Use of a program EIR can provide the following advantages. The program EIR can:

- (1) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action;
- (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis;
- (3) Avoid duplicative reconsideration of basic policy considerations;
- (4) Allow the Lead Agency to consider broad policy alternatives and programwide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts; and
- (5) Allow reduction in paperwork.

1.2 PURPOSE AND INTENDED USES OF THE EIR

This EIR has been prepared in accordance with CEQA, including the CEQA statutes (Public Resources Code Sections 21000–21178.1), State CEQA Guidelines (14 CCR Sections 15000–15387) to and evaluate the environmental impacts that could result from implementation of the proposed Draft General Plan.

The purpose of an EIR is neither to recommend approval nor denial of a project. An EIR is an informational document used in the planning and decision-making process by the lead agency and responsible and trustee agencies. It describes the significant environmental impacts of a project, potentially feasible measures to mitigate significant impacts, and potentially feasible alternatives to the project that can reduce or avoid significant environmental effects. CEQA requires decision-makers to balance the benefits of a project against its unavoidable environmental effects in deciding whether to carry out a project.

The State CEQA Guidelines charge public agencies with the responsibility of avoiding or minimizing environmental damage that could result from implementation of a project, where feasible. As part of this responsibility, public agencies are required to balance various public objectives, including economic, environmental, and social issues.

The lead agency is the public agency with primary responsibility over the proposed project. In accordance with State CEQA Guidelines Section 15051(b)(1), “the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose.” The City of Hemet, as the lead agency, has prepared this EIR to evaluate the environmental impacts of implementation of the Draft General Plan.

The EIR was prepared under the direction of the City and is provided for review by both the public and public agencies, as required by CEQA. The City Council must certify the EIR before adopting the Draft General Plan. If significant environmental effects are identified, the lead agency must adopt “Findings” indicating whether feasible mitigation measures or alternatives exist that can avoid or reduce those effects. If the significant environmental impacts are identified as unavoidable, the lead agency may still approve the project if it determines that social, economic, legal, technological, or other factors override the unavoidable impacts. The lead agency would then be required to prepare a “Statement of Overriding Considerations” that discusses the specific reasons for approving the project, based on information in the EIR and other information in the record.

In making its decision about the proposed project, the City considers the information in this EIR, comments received on the Draft EIR, and responses to those comments, along with other available information and technical analysis.

1.3 SCOPE OF THE EIR

1.3.1 GEOGRAPHIC SCOPE

The City of Hemet planning area (the “project site,” as defined by CEQA) includes all areas within the City’s current jurisdictional limits plus areas within the City’s current Sphere of Influence (SOI), and an additional area outside the SOI. Exhibit 3-3 in Chapter 3, “Project Description,” illustrates the boundaries of the city limits, SOI, and planning area.

This EIR analyzes impacts of the Draft General Plan relative to current conditions, including possible land use changes from existing conditions within the planning area. The geographic scope of analysis is dependent upon the topic being analyzed. While geologic and soils impacts are generally localized, air pollutant emissions can have regional or even global impacts. Please refer to the topic-specific chapters of this EIR for a description of the geographic scope of analysis for each resource.

1.3.2 ENVIRONMENTAL ISSUES ADDRESSED

Environmental review in compliance with CEQA (PRC Sections 21000 et seq.) is required as part of the City’s consideration of the Draft General Plan. This EIR includes an evaluation of all required environmental resource areas, as well as other CEQA-mandated sections, as presented below:

- ▶ aesthetics;
- ▶ agriculture and forestry resources;
- ▶ air quality;
- ▶ biological resources;
- ▶ cultural resources;
- ▶ geology, soils, mineral resources, and paleontological resources;
- ▶ greenhouse gas emissions;
- ▶ hazards and hazardous materials
- ▶ hydrology and water resources;
- ▶ land use, population, and housing;
- ▶ noise;
- ▶ public services;
- ▶ traffic and transportation;
- ▶ utilities and energy efficiency; and
- ▶ maximum development scenario.

The EIR includes an analysis of alternatives to the Draft General Plan, as required by Section 15126.6 of the State CEQA Guidelines (Chapter 5). Other CEQA-mandated issues discussed within the context of this EIR are cumulative impacts, growth-inducing impacts, and significant and unavoidable adverse impacts (Chapter 6).

1.4 ENVIRONMENTAL REVIEW PROCESS

The State CEQA Guidelines has specific requirements for EIRs related to descriptions of the project, the environmental setting, and certain types of impacts. Table 1-1 identifies the required elements of a EIR (with State CEQA Guidelines sections referenced) and the corresponding chapters or sections in which each element is discussed in this document.

Table 1-1 Analyses Required by the State CEQA Guidelines	
Required Description and Analysis	EIR Chapter or Section
Summary (Section 15123)	2
Description of the Project (Section 15124)	3
Description of the Existing Setting (Section 15125)	4
Environmental Impacts (Sections 15126 and 15143)	4
Alternatives to the Proposed Project (Section 15126.6)	5
Cumulative Impacts (Section 15355)	6.1
Growth-Inducing Impacts (Section 15126[d])	6.2
Irreversible Environmental Effects (Section 15126.2[c])	6.3
Significant Environmental Effects Which Cannot be Avoided (Section 15126.2[b])	6.4
Included in the Final EIR: Comments received on the Draft EIR and Responses (Section 15132)	7

1.5 NOTICE OF PREPARATION

Pursuant to the provision of Section 15082 of the CEQA Guidelines, the City of Hemet circulated a Notice of Preparation (NOP) of the General Plan EIR to government agencies, special service districts, organizations, and individuals with an interest in or jurisdiction over the project. This step ensured early consultation on the scope of the EIR. The comment period ended on July 27, 2010. The NOP is a brief notice sent by the lead agency to inform responsible agencies, trustee agencies, and potentially affected federal, state, and local agencies that the lead agency plans to prepare an EIR. The NOP also seeks comments regarding the scope and content of the EIR. The NOP and all comments received on the NOP are included as Appendix A to this EIR.

The City received NOP comment letters from the following:

- ▶ U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office;
- ▶ California Department of Fish and Game, Inland Deserts Region;
- ▶ Riverside County Waste Management Department;
- ▶ California Department of Transportation, (Caltrans) Division of Aeronautics;
- ▶ Riverside County Airport Land Use Commission;
- ▶ California Public Utilities Commission, Rail Crossings Engineering Section;
- ▶ Riverside Transit Agency;
- ▶ California Emergency Management Agency;
- ▶ South Coast Air Quality Management District;
- ▶ City of San Jacinto;
- ▶ Soboba Band of Luiseño Indians;
- ▶ California Native American Heritage Commission; and
- ▶ Regional Conservation Authority.

The City also held a scoping meeting on July 14, 2010, to receive comments on the NOP. The City has conducted public outreach in various formats and settings to support the preparation of the Draft General Plan. Although social and economic issues were raised during this outreach, many environmental issues were also raised.

The NOP comment letters and comments at the scoping meeting suggest that the following are particular areas of focus for the EIR (please refer to Appendix A for a more complete summary):

- ▶ Compliance with the Western Riverside Multi-Species Habitat Conservation Plan, including quality and quantity of surface water.
- ▶ Analysis of airport compatibility considering both the applicable Airport Land Use Compatibility Plan and Caltrans Airport Land Use Planning Handbook standards for anticipated new runway configurations at Hemet-Ryan Airport.
- ▶ Air Quality analysis should follow California Air Resources Board and South Coast Air Quality Management District (SCAQMD) guidance.

The City received a comment letter on the NOP from the Native American Heritage Commission (NAHC) dated July 12, 2010. This letter offers guidance and direction to the City regarding cultural resource regulations and consultation. The NAHC letter specifies Native American contacts for the City to use in consultation. The City used this same contact list (based on 2005 correspondence from NAHC earlier in the General Plan update process) to circulate a letter providing the opportunity to participate in the local land use planning process to ensure consideration of cultural places in the context of broad local land use policy. The Cultural Resources Director for the Soboba Band of Luiseño Indians responded to the City's NOP with a request for government-to-government consultation in accordance with Senate Bill (SB) 18, and offered comments on General Plan Amendment 1083. No other Native American contacts responded.

1.6 ORGANIZATION OF THE EIR

This EIR is organized as follows:

- ▶ **Chapter 1, “Introduction,”** describes the type of EIR prepared for the Draft General Plan; the purpose, intended uses, and geographic and environmental scope of the EIR; the environmental review process; the relationship of the EIR to other City plans and zoning; subsequent actions required; the type of mitigation proposed in this EIR; the EIR comment process; and other agencies expected to use this EIR.
- ▶ **Chapter 2, “Executive Summary,”** provides an overview of the findings and conclusions of this EIR.
- ▶ **Chapter 3, “Project Description,”** describes the project’s location, purpose, and history; the framework of the Draft General Plan; and the relationship of the Draft General Plan to area and regional plans.
- ▶ **Chapter 4, “Environmental Impact Analysis,”** evaluates the topics listed above in Section 1.3.2, “Environmental Issues Addressed,” and includes a discussion of the existing conditions; regulatory framework; less than significant, potentially significant, and significant environmental effects; mitigation for potentially significant and significant effects; and a discussion of impacts remaining after incorporation of mitigation.
- ▶ **Chapter 5, “Alternatives Analysis,”** provides a comparative analysis between the Draft General Plan as described in Chapter 3, “Project Description,” and three alternatives. This chapter also describes alternatives that were considered but eliminated from the EIR and identifies the “environmentally superior” alternative.
- ▶ **Chapter 6, “Other CEQA Considerations,”** describes the impacts of implementing the Draft General Plan in combination with the impacts of related past, present, and reasonably foreseeable projects. Chapter 6 also discusses the growth inducement potential of the Draft General Plan, significant irreversible environmental changes associated with the plan, and significant and unavoidable effects of the plan.
- ▶ **Chapter 7, “Comments and Responses,”** will be included in the Final EIR only and lists the comments and recommendations received on the Draft EIR, along with the City’s responses to significant environmental points raised in the review and consultation process.
- ▶ **Chapter 8, “Report Preparation,”** lists the individuals who contributed to preparation of the EIR.
- ▶ **Chapter 9, “References,”** lists the sources of information cited throughout the EIR.
- ▶ **Appendices** provide background and technical information.

1.7 RELATIONSHIP TO OTHER PLANS AND REGULATIONS

Although the Draft General Plan describes a future pattern of development in some land areas that are currently unincorporated and under the County’s jurisdiction, the City’s General Plan land use designations and zoning regulations apply only within the City limits and areas that are anticipated to be annexed to the City.

The City’s adoption of the Draft General Plan may lead to revisions to the City’s Municipal Code, including zoning (Municipal Code Chapter 90) and subdivision regulations (Municipal Code Chapter 70). Changes could be made to other existing City plans and programs as well, depending on the final adopted provisions of the Draft General Plan. A number of future actions may be based, in whole or in part, on the environmental evaluation undertaken as part of the Draft General Plan and this EIR. Review and approval of subsequent development projects may require review and approval by agencies, including, but not limited to:

- ▶ the City of Hemet, which has jurisdiction over amendments to the *Hemet Draft General Plan*, zoning changes, property subdivisions, conditional use permits, and other discretionary development approvals;
- ▶ the Hemet Redevelopment Agency, which has jurisdiction over redevelopment projects located within Redevelopment Project Areas;
- ▶ the U.S. Army Corps of Engineers (USACE), which issues federal Section 404 permits for individual development projects and public works projects;
- ▶ the Santa Ana Regional Water Quality Control Board (RWQCB), which issues state National Pollutant Discharge Elimination System permits for individual private development projects and public projects; and
- ▶ the California Department of Fish and Game (DFG), which issues state Section 1600 et seq. permits for individual private development projects and public works projects.

Various other federal, state, regional, and local plans and other laws will affect the land use and development consistent with the Draft General Plan. In some cases, compliance with these plans and/or laws will provide additional reduction of the impacts of future land uses and development.

1.7.1 FEDERAL GOVERNMENT

There are no federal plans that directly affect local land use decisions, but federal laws, such as the Endangered Species Act, can affect individual land uses. In the case of federal approval of road and highway projects or other public infrastructure, the projects must comply with the National Environmental Policy Act, as well as the federal Endangered Species Act. The USACE, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the U.S. Department of Housing and Urban Development are examples of federal agencies that exercise jurisdiction over many such projects.

1.7.2 STATE AND REGIONAL GOVERNMENT

State and regional agencies also exert strong influence on local land use and development decisions. In some cases, these agencies have adopted plans. In other situations, the agencies fund public infrastructure. In some matters, however, the State exercises direct control. An example is the requirement for certification of housing elements by the California Department of Housing and Community Development (HCD). State law also dictates much of the content of general plans and related zoning regulations.

In addition, state requirements are often implemented through regional planning and regulatory agencies. Examples include:

- ▶ RWQCB Basin Plan and point- and nonpoint-source water quality regulations;
- ▶ Southern California Association of Governments (SCAG) Regional Transportation Plan;
- ▶ SCAG Regional Housing Needs Assessment; and
- ▶ SCAQMD attainment planning efforts, control measures, and permit requirements.

Another quasi-regional agency that influences local land use decisions and decisions on development project applications is the Riverside Local Agency Formation Commission (LAFCO). The Riverside LAFCO is responsible for decisions regarding the formation and organization of special districts that provide public services and regarding the geographical area served by special districts and cities through spheres of influence and annexation.

1.8 SUBSEQUENT ACTIONS REQUIRED

Further actions or procedures required to allow implementation of the Draft General Plan include revisions to City zoning, tentative maps, site plans, building permits, grading permits, sphere of influence expansions, annexations, and other actions. Future development project proposals, public investments, and other actions, would also be subject to CEQA requirements.

1.9 MITIGATION MEASURES

The State CEQA Guidelines define mitigation to include:

- ▶ avoiding the impact altogether by not taking a certain action or parts of an action;
- ▶ minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- ▶ rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- ▶ reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; or
- ▶ compensating for the impact by replacing or providing substitute resources or environments.

In this case, because the proposed project is the City's Draft General Plan, mitigation to accomplish the above outcomes could take the form of:

- ▶ policies or implementation programs proposed within the Draft General Plan;
- ▶ land use, circulation, or other policy diagrams in the Draft General Plan capable of minimizing or eliminating a potentially significant impact; and
- ▶ other actions (e.g., actions performed by another agency).

Draft General Plan policies address many of the environmental impacts discussed in this EIR, and act as programmatic mitigation measures that are part of the proposed project itself, with the intention that the General Plan would be self-mitigating for certain impacts.

1.10 AVAILABILITY OF THE DRAFT EIR

Copies of the Draft General Plan and the Draft EIR are available through the City of Hemet, and are also available to be reviewed at the Hemet Public Library at 300 East Latham Avenue. The City will circulate the document widely to public agencies, other public and private organizations, property owners, developers, and other interested individuals. Information on the General Plan and EIR is also available on the City's web site (<<http://www.cityofhemet.org>>).

Comments on the Draft EIR may be submitted in writing or via email to the City:

City of Hemet
Attn: Deanna Elliano, Director of Community Development
445 E. Florida Avenue
Hemet, CA 92543
E-mail to: <DElliano@cityofhemet.org>

To keep the document succinct and useful as a decision-making tool, the State CEQA Guidelines charge that an EIR focus on a project's significant environmental impacts and not address every imaginable less-than-significant effect. Comments should be focused on the adequacy and completeness of the Draft EIR, or should address questions about the environmental consequences of project implementation. In this case, "adequacy" is defined as the thoroughness of the EIR in addressing significant environmental effects, identifying mitigation measures for those impacts, and supplying enough information for public officials to make decisions about the merits of the project.

After the close of the public review period, a Final EIR is prepared, containing all the comments received by the City during the public review period and responses to those comments. This document will be made available to public agencies and the general public so those parties can review the FEIR before the City certifies it as complete.

1.11 AGENCIES EXPECTED TO USE THIS EIR

As the lead agency for this "project," the City of Hemet will be responsible for considering certification of the EIR and adoption of the Draft General Plan. The City may utilize this EIR for subsequent actions implementing the Draft General Plan, general plan amendments or elements, the Municipal Code, other City plans, or other City actions.

In addition to the lead agency, State CEQA Guidelines Section 15124 states that an EIR should contain a statement briefly describing the intended uses of the EIR and, to the extent that it is known to the lead agency, a list of agencies expected to use the EIR in their decision making, permits or other approvals implementing the project, and related environmental review and consultation required by law or regulation. A wide variety of federal, state, regional, and local agencies may use this EIR in their planning process, issuance of permits, or exercise of regulatory authority over resources or jurisdictional actions within the City.

A number of other jurisdictional and permit-granting agencies have control over specific environmental resources in the planning area. The following is a listing of agencies that may utilize this EIR:

- ▶ South Coast Air Quality Management District,
- ▶ California Department of Conservation, Division of Mines and Geology,
- ▶ California Department of Fish and Game,
- ▶ California Department of Transportation,
- ▶ California Housing and Community Development Department,
- ▶ California Public Utilities Commission,
- ▶ Santa Ana Regional Water Quality Control Board,
- ▶ Riverside Local Agency Formation Commission,
- ▶ Southern California Association of Governments, and
- ▶ Native American Heritage Center.

In addition to these agencies, the following federal agencies may use environmental information in this EIR for permitting decisions, in addition to other federal agencies:

- ▶ U.S. Army Corps of Engineers, and
- ▶ U.S. Fish and Wildlife Service.

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