

Formal CEQA Comment Letter

Re: Conditional Use Permit No. 230002 (CUP230002)
Proposed Adoption of a Mitigated Negative Declaration (SCH No. 2025080061)
Planning Commission Hearing: April 1, 2026

To:
Riverside County Planning Department
Attn: Krista Mason, Project Planner
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From:
Save Our Lakes Coalition
Canyon Lake, CA 92587

Date: March 11, 2026

I. Introduction

Save Our Lakes Coalition submits these comments in opposition to the adoption of the Mitigated Negative Declaration (MND) for the Crescent Gardens Cemetery project (CUP230002). These comments are submitted prior to the April 1, 2026 Planning Commission hearing and must be included in the administrative record pursuant to Public Resources Code (PRC) §21177. Substantial evidence in the record demonstrates that the project may result in significant environmental impacts. Under CEQA's Fair Argument Standard (PRC §21082.2), the County is legally required to prepare a full Environmental Impact Report (EIR).

II. CEQA's Fair Argument Standard

Under CEQA, an EIR is required whenever substantial evidence in the record supports a fair argument that a project may have a significant effect on the environment (PRC §21082.2; CEQA Guidelines §15064(f)(1)). The threshold for requiring an EIR is low. Courts have consistently held that if any substantial evidence, even if controverted, supports a fair argument of significant impact, an EIR is required.

III. Independent Evidence Demonstrating Fair Argument

The IS/MND fails to demonstrate that all potential public health and water quality risks have been eliminated. It relies on generalized regulatory compliance and unsupported assumptions rather than site-specific source water protection analysis. Substantial evidence supports a fair argument of potentially significant impacts to Canyon Lake drinking water

quality, recreational human health exposure, and local groundwater quality. In addition, the IS/MND provides no groundwater monitoring data, and the project includes no monitoring wells, leaving the County without any evidence to support its conclusion that groundwater quality will not be impacted. The IS/MND also fails to demonstrate compliance with the Porter-Cologne Water Quality Control Act, which requires protection of all waters of the state, including groundwater. Without monitoring wells, groundwater data, or a defensible source-water protection analysis, the County lacks substantial evidence to support a finding that the project will not degrade water quality. The IS/MND appears to assume that the use of burial vaults alone satisfies the Porter-Cologne Water Quality Control Act. However, Porter-Cologne requires substantial evidence demonstrating that a project will not degrade groundwater quality. The IS/MND provides no such evidence, and the County cannot rely on untested assumptions about vault performance in lieu of groundwater monitoring data or site-specific hydrogeologic analysis.

In addition, the IS/MND fails to evaluate the project's potential impacts on the residents of Meadowbrook, an unincorporated community located immediately downgradient of the project site. Meadowbrook households rely entirely on private domestic wells as their sole source of drinking water. Unlike municipal water systems, private wells cannot be monitored, treated, or protected once contamination occurs. Any degradation of groundwater quality, whether from increased nutrient loading, pathogens, or changes in subsurface hydrology, would directly and irreversibly affect these residents. CEQA requires the County to evaluate impacts on sensitive receptors and communities that depend on groundwater for potable supply. The omission of any analysis of Meadowbrook's well-dependent population represents a significant deficiency in the IS/MND and independently supports the need for a full Environmental Impact Report.

IV. Unsupported “No Possibility” Claim

The IS/MND claims that because runoff must travel over four miles, there is 'no possibility' that contaminants from deceased bodies could reach Canyon Lake. This conclusion is unsupported by any hydrogeologic modeling, preferential pathway analysis, or post-wildfire hydrology evaluation. CEQA does not permit absolute conclusions without scientific demonstration. Distance is a variable, not a barrier.

V. Source-Water Protection (Title 22 / SDWA) Deficiencies

The IS/MND fails to demonstrate equivalency with California Title 22 or the Safe Drinking Water Act (SDWA) source-water protection standards. Reliance on PWQMP, SWPPP, and NPDES permits addresses stormwater permitting, not drinking water source protection. A reservoir with full-body contact recreation requires a source inventory, performance criteria, verification, monitoring, and enforcement triggers.

VI. Hydrology and Water Quality Impacts

The IS/MND acknowledges that the project will discharge stormwater into natural channels but fails to analyze downstream impacts such as increased runoff velocity, erosion, and pollutant transport into the Canyon Lake watershed. These are potentially significant impacts requiring EIR-level analysis.

VII. Imported Fill Contamination Pathway

The project proposes importing over 100,000 cubic yards of fill. The IS/MND fails to include enforceable source restrictions, chemical testing protocols, PFAS/PFOA screening, third-party verification, or reject-and-remove procedures. Imported fill is a well-documented contamination vector and poses a significant risk to the drinking water watershed.

VIII. OWTS/Septic System Failure Modes

The IS/MND proposes multiple on-site septic systems but fails to analyze nitrate loading, wet-weather performance, or long-term monitoring. It relies solely on County DEH approval without enhanced design criteria or failure contingency plans. Septic systems are recognized pathogen and nitrate pathways, especially in sensitive watersheds.

IX. Hazardous Materials and Operational Chemical Risks

The IS/MND acknowledges the use of maintenance chemicals such as oils, solvents, and pesticides but concludes 'less than significant' impacts based on general handling practices. It lacks secondary containment requirements, spill monitoring, and watershed-specific protocols. Management is not elimination.

X. Nutrient/TMDL Deficiencies

Canyon Lake is subject to a nutrient TMDL. The IS/MND fails to quantify nutrient contributions, provide a fertilizer plan, or address pet/wildlife waste and erosion. In an impaired system, any incremental nutrient loading is significant. A quantitative nutrient budget and enforceable controls are required.

XI. Monitoring Program Gaps

The IS/MND lacks a robust monitoring program. There is no first-flush stormwater sampling, groundwater surveillance, numeric action thresholds, or corrective action framework. CEQA requires verification of impact elimination, especially in high-consequence source-water settings.

XII. Vault Integrity and Failure Modes

The IS/MND describes sealed concrete vaults but does not analyze their long-term integrity, seismic performance, or failure modes. It fails to specify seal standards, QA/QC protocols, or

contingency plans. Without this analysis, vaults cannot support a “no possibility” conclusion regarding groundwater contamination.

The IS/MND also appears to rely on the project’s distance from Canyon Lake—approximately one mile—as an additional basis for concluding that no water-quality impacts will occur. However, distance alone is not a substitute for groundwater data, downgradient flow analysis, or compliance with the Porter-Cologne Water Quality Control Act. The IS/MND provides no evidence demonstrating that contaminants cannot migrate through shallow groundwater toward Canyon Lake or other sensitive receptors.

XIII. Canyon Lake Watershed and Drinking Water Reservoir Impacts

The IS/MND acknowledges that Canyon Lake is a drinking water source and a 303(d)-listed impaired waterbody. It fails to evaluate nutrient loading, pathogen transport, or cumulative degradation. Any project discharging into a drinking water reservoir requires an EIR.

XIV. Biological Resources and Crotch’s Bumble Bee

The IS/MND identifies Crotch’s bumble bee and potential impacts to burrowing owl habitat and riparian resources. However, mitigation is improperly deferred and no Determination of Biologically Equivalent or Superior Preservation (DBESP) is included. These deficiencies require EIR-level analysis.

XV. Burrowing Owl Survey Deficiencies

The IS/MND fails to provide survey dates, methodology, or compliance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation. It does not confirm whether owls or burrows were observed. A DBESP is required under the MSHCP and is missing. These are procedural violations requiring an EIR.

XVI. Cultural and Tribal Cultural Resources

The IS/MND acknowledges the presence of CA-RIV-710, a significant Luiseño village site. Extensive mitigation is proposed, including fencing, reburial, and a Tribal Cultural Resource Management Plan (TCRMP). These measures indicate significant impacts that cannot be mitigated below the threshold of significance without an EIR.

XVII. Pechanga Consultation Does Not Constitute Project Approval

Although Pechanga participated in AB 52 consultation, the IS/MND contains multiple statements indicating that Pechanga anticipates significant impacts and requires ongoing authority to halt construction. This is not project approval; it is risk management. The presence of a major tribal cultural landscape requires an EIR.

XVIII. Traffic, Access, and Emergency Response

The IS/MND fails to analyze cumulative traffic impacts, funeral procession traffic, or emergency evacuation constraints. The site is in a Very High Fire Hazard Severity Zone with a single point of access. These are potentially significant impacts requiring EIR-level analysis.

XIX. Phased Construction and Uncertain Fill Sources

The IS/MND proposes a 15-year phased project with uncertain fill sources. Long-term construction impacts on air quality, noise, and traffic are not adequately analyzed. These omissions require an EIR.

XX. Procedural CEQA Violations

The IS/MND fails to demonstrate consultation with responsible agencies such as the Regional Water Quality Control Board, EVMWD, SAWPA, or CDFW. It improperly defers mitigation without performance standards. The public notice asserts that the IS/MND “will not have a significant effect on the environment,” yet the document lacks the substantial evidence required to support such a conclusion, and CEQA prohibits reliance on conclusory statements without analytical support (CEQA Guidelines §15064(f)(5)). The notice also states that the Planning Director may amend the project “in whole or in part,” and any such changes that alter environmental impacts would require recirculation under CEQA Guidelines §15088.5. These deficiencies constitute procedural violations of CEQA Guidelines §15126.4(a)(1)(B).

XXI. Consultant-Prepared IS/MND and Lack of Independent County Review

The IS/MND was prepared by the applicant’s consultant. Although the public notice asserts that the IS/MND “represents the independent judgment of Riverside County,” the omissions documented in this letter demonstrate that the County did not independently evaluate the consultant-prepared analysis as required by CEQA. The County’s public posting of the IS/MND as a complete CEQA document underscores the need for independent review, as the document was circulated without the technical studies and agency consultation typically included in Riverside County MNDs for projects with comparable or lesser impacts. CEQA requires the lead agency to exercise independent judgment.

XXII. Conclusion and Request for Full EIR

Substantial evidence demonstrates that CUP230002 may cause significant environmental impacts. Under CEQA’s Fair Argument Standard, the County is legally required to prepare a full Environmental Impact Report. In addition, the County cannot make the required Health & Safety Code §116800 finding that the project is not detrimental to public health, safety, comfort, or welfare based on the inadequate IS/MND. Accordingly, Save Our Lakes Coalition respectfully requests that the Planning Commission:

1. Reject the Mitigated Negative Declaration;
2. Direct staff to prepare a full Environmental Impact Report;
3. Recirculate environmental documents for public review.

Please include this letter in the administrative record for CUP230002.

Sincerely,
Save Our Lakes Coalition
Canyon Lake, CA 92587