

CITY OF MURRIETA

COMMUNITY DEVELOPMENT DEPARTMENT Initial Study

I. BACKGROUND INFORMATION

1. **Project Title:** Development Plan 005-1825 and Master Plan Overlay
2. **Lead Agency:** City of Murrieta
Address: 26442 Beckman Court
Murrieta, CA 92562-8850
3. **Contact Person:** Dennis Watts, Senior Planner
Phone Number: (951) 461-6037
4. **Project Location:** The proposed project consists of 6-properties totaling 22.2 acres located in the City of Murrieta, Riverside County. The project site is bounded on the northeast by New Clay Street, on the southeast by Ivy Street, on the northwest by “B” Street, and on the southwest by Murrieta Creek. The properties are referenced as Assessor’s Parcel Numbers: 906-193-001, 906-200-001 & 002, 906-212-001, 906-221-001 & 002. A ranch house with the street address of 42310 B Street is located on APN 906-193-001. The proposed project is located within the Historic Murrieta Specific Plan.
5. **Project Sponsor:** Murrieta Brook, LLC
Address: 1100 Quail Street, Suite 102
Newport Beach, CA 92660

II. PROJECT ASSESSMENT

1. **Project Description:** This proposed project will divide approximately 22.2 acres of land into approximately 62 Single-Family Residential lots with a average lot size of approximately 6,673 gross square feet with the minimum lot size 5,519 square feet and the maximum lot size 9,545 square feet. The proposed site additionally includes a 2,839 square foot lot for storm water drain purposes. The project site within the Historic Murrieta Specific Plan and is zoned Village Residential -Single-Family 1 (VRS-1) with Master Plan Overlay (MPO). In accordance with the Historic Murrieta Specific Plant the VRS-1 with MPO provides for lot sizes reduced to 5,000 square feet provided that the number of units does not exceed the VRS-1 density. The Historic Murrieta Specific Plan VRS-1 target density is 3.5 dwelling units per acre and the project proposes 2.9 dwelling units per acre.

Utilities are located within or available for extension along adjacent streets or in the vicinity of the proposed project site. Proposed utility services will be provided as follows: water/sewer Western Municipal Water District; Natural Gas, Southern California Gas Company; Electric, Southern California Edison; Telephone, Verizon; Cable, Adelphia. The proposed project site is located within the Murrieta Valley School District and will receive public services from the City of Murrieta.

2. Description of the Project Site: The site consists of approximately 22.2 acres of land that is primarily vacant with the exception of a single-family residence, barn, and out buildings on the north end of the property along B Street. The site topography is relatively flat with an elevation of approximately 1,198 feet above mean sea level. The project site has historically been used for agricultural uses and according to the Biological Studies the site primarily consists of non-native grassland/rural vegetation. The site is bounded to the west/southwest by Murrieta Creek.
3. Land Uses:
 - North: Single Family Residential and Old Town Murrieta.
 - East: Rural Residential uses.
 - South: Rural and Estate Residential uses.
 - West: Murrieta Creek, Rural and Estate Residential.
4. General Plan Designation: Historic Murrieta Specific Plan.
5. Zoning: Designation: Village Residential -Single-Family – 1 (VRS-1).
6. Other Agencies whose approval may be required: A General Construction Storm Water (NPDES) Permit from the State Water Resources Control Board.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Land Use & Planning | Water | <input checked="" type="checkbox"/> Aesthetics |
| Public Services | <input checked="" type="checkbox"/> Biological Resources | Geophysical |
| Utilities & Service Systems | Energy & Mineral Resources | <input checked="" type="checkbox"/> Hazards |
| Population & Housing | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Noise |
| Transportation/Circulation | Recreation | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance | | |

IV. DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

- X** 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 the mitigation measures described on an attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a significant effect(s) 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, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

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 all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Jim Mackenzie, Planning Manager

BY: Dennis Watts
Name

Date: November 12, 2007

 Senior Planner
Title

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) *A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources the City cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).*

A "No Impact" answer does not require a source listing if it is clearly apparent by a reasonable person that the project does not affect a particular issue (e.g. the construction of infrastructure will not impact parking capacity). The source reference in the parentheses would be "not applicable" or (N/A).

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

Would the proposal:

Insufficient parking capacity? (N/A) X

- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) "Potentially Significant Impact" is appropriate if an effect is significant or potentially significant, or if the Planning Department staff lacks information to make a finding of insignificance. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Potentially Significant Unless Mitigated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The Planning Department must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section 18 at the end of the checklist.
- 6) A reference list of information sources for potential impacts (e.g. general plans, zoning ordinances) has been established. The source list is attached to the checklist and other sources used or individuals contacted should be cited in the impact assessment discussion. See sample question below.

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

Would the proposal result in potential impacts involving:

Landslides or mudslides? (1, 7)

(Attached source list explains that 1 is the general plan, and 7 is a USGS topo map. This answer would probably not need further explanation.)

V. INITIAL STUDY SOURCE LIST

- 1) Project Application Information
- 2) Field Inspection/Investigation
- 3) Project Plans
- 4) Planner's Knowledge of Area
- 5) Planner's Experience with Other Projects of this Size and Nature
- 6) City General Plan
- 7) City Development Code
- 8) City General Plan/zoning Map Buildout Projections
- 9) City Noise Ordinance
- 10) City Aerial Photos
- 11) City Engineering/Public Works Department
- 12) City Fire Marshall/Fire Department
- 13) City Off-Street Parking Standards
- 14) City Community Services Department
- 15) City Police Department
- 16) City Finance Department
- 17) City Historical Committee/Historic Resources Inventory
- 18) Uniform Building Code (UBC) and Appendices (as adopted by the City)
- 19) Uniform Fire Code (UFC) and Appendices (as adopted by the City)
- 20) Murrieta Valley Unified School District
- 21) Lake Elsinore School District
- 22) Menifee School District
- 23) Riverside County Flood Control and Water Conservation District
- 24) County of Riverside Planning Department
- 25) Western Municipal Water District
- 26) Waste Management
- 27) Rancho California Water District
- 28) Riverside County Congestion Management Plan
- 29) South Coast Air Quality Management District
- 30) USDA-SCS, Soil Survey of Western Riverside Area
- 31) State of California, Special Studies Zones (Revised Official Map)
- 32) ITE Trip Generation Manual/Highway Capacity Manual
- 33) Caltrans Highway Design Manual
- 34) Caltrans Traffic Manual
- 35) Western Riverside County Council of Governments (WRCOG)
- 36) State Archaeological Clearinghouse, UC Regents
- 37) State Agency: _____
- 38) Federal Agency: U.S. Census Bureau – FactFinder website
- 39) Master Plan: _____
- 40) Site Specific Cultural Resources Study
- 41) Site Specific Biological Reports (Habitat Assessment, MSHCP Consistency Analysis, HANS Review, DBESP)
- 42) Project Specific Traffic Study or Report
- 43) Project Specific Noise Study
- 44) Site Specific Geologic Report
- 45) Site Specific Arborist Report
- 46) Site Specific Air Quality Study
- 47) Project Specific Parking Study
- 48) Special Study: Updated 2003 Population

- 49) Other: Riverside County Multiple Species Habitat Conservation Plan, June 25, 2002
- 50) Other: Riverside County Flood Control District “Supplement A to the Riverside County Drainage Area Management Plans, and Attachment to Supplement A”, 1996
- 51) USGS Topographic Map
- 52) Other: Western Riverside Council of Governments (WRCOG). “Western Riverside Subregional Comprehensive Plan.” January 3, 1994.
- 53) Other: VRPA Technologies. “2001 Riverside County Congestion Management Program.” December 12, 2001.
- 54) Other: City of Murrieta General Biological Assessment, September 2000
- 55) Other: California Energy Commission, 2003 & 2005 Integrated Policy
- 56) Other: Site specific Water Quality Management Plan (WQMP)
- 57) Other: Site specific Drainage Study

VI. IMPACT ASSESSMENT CHECKLIST & DISCUSSION

A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources cited in the parentheses following each question.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

1. LAND USE AND PLANNING - *Would the project:*

- a) Conflict with general plan designation or zoning? (1, 3, 4, 6)
- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? (1,2,6,41,56)
- c) Affect agricultural resources or operations? (2,6,4,41)
- d) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (1,3,6)
- e) Be compatible with existing land use in the vicinity? (1,3,4,6)

		X	
	X		
		X	
			X
			X

- 1.a. The parcel that is proposed for this project is currently designated in the General Plan as part of the Historic Murrieta Specific Plan and is zoned as Village Residential Single-Family -1 (VRS-1). The VRS-1 designation provides for residential uses with a minimum lot size of 7,200 square feet and a density range between 2.1 and 5.0 dwelling units per acre (du/ac) and a target density of 3.5du/ac.

The Historic Murrieta Specific Plan states: *The primary purpose of the VRS-1 District is to provide for residential development on common sized suburban lots. This District is intended as an area for development of single family detached, small lot single family detached residential, and mobile homes with a density range of 2.1 – 5 dwelling units per acre and a minimum lot size of 7,200 square feet with one dwelling per lot.*

The target density is 3.5 dwelling units per acre. Cluster development is encouraged in order to protect the environment and VRS-1 lot sizes may be reduced to 5,000 square feet when included in a Master Plan Overlay area; however the, the number of units cannot exceed the VRS-1 density.

The proposed project’s average lot size will be approximately 6,673 gross square feet with the minimum lot size 5,519 square feet and the maximum lot size 9,545 square feet at a density of 2.8 du/ac, thus, conforming with the Historic Murrieta Specific Plan (Section 4.7 Descriptions of Land Use Districts) and the City’s General Plan designations and zoning (General Plan Policy LU-1.1h). **No mitigation required.**

- 1.b. The parcels that make up the proposed project are within the Multiple Species Habitat Conservation Plan, (MSHCP) according to the Riverside County Integrated Project parcel search. The project proponents completed the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) Process and Joint Project Review (JPR) as required under the MSHCP. Compliance with the MSHCP is covered in Biological assessment in section 7, of this study.

Federal and State programs require selected industries and construction activities to obtain a National Pollutant Discharge Elimination System (NPDES) permit and to prepare a Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). A WQMP was completed for the proposed project by Hunsaker & Associates Irvine, Inc. dated February 7, 2006.

In California, the State Water Resources Control Board (SWRCB) through the nine Regional Water Quality Control Boards (RWQCB) administers the NPDES stormwater permitting program. The subject property is located in the San Diego Region and must submit a Notice of Intent (NOI) to obtain coverage under the General Construction Storm Water Permit, Water Quality Order 99-08-DWQ. The requirement is mandatory and the project will comply with standards for Best Management Practices, (BMP's) which must be implemented to prevent/control potentially significant adverse water erosion and sedimentation impacts. **Mitigation is covered under the Biological Section of this report.**

- 1c. The project site is not replacing or displacing land currently used for agricultural purposes, nor will the proposed project be used for agricultural purposes. There will be no adverse impact to agricultural resources as a result of this development. **No mitigation required.**
- 1d. The project site is bordered on the North and East by existing and proposed multiple uses, single family, and rural residential units, on the West by Murrieta Creek, vacant land and estate and rural residential units, and to the south by rural residential uses and vacant land. Development will not disrupt or divide an established community. **No mitigation required.**
- 1e. The City's General Plan, Development Code and Historic Murrieta Specific Plan establish land use policies for developments in Residential zones. The development of this project will be compatible with existing land uses in the area through implementation of design standards contained in the Historic Murrieta Specific Plan and Development Code and policies contained in the General Plan. **No additional mitigation required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

2. PUBLIC SERVICES - *Would the project have an effect upon or result in a need for new or altered governmental services in any of the following area:*

a) Fire protection? (6)		X	
b) Police protection? (6)		X	
c) Schools? (1, 20)		X	
d) Parks or recreational facilities? (6)		X	
e) Maintenance of public facilities, including roads? (6)		X	
f) Other governmental services? (6)		X	

2a-f. Implementation of the project will create a demand for public services including police, fire, and emergency response services. The proposed project would result in 62 residential lots averaging approximately 6,673 square foot per lot. The development being proposed is in an area zoned for Single-Family Residential (VRS-1) uses and would create a demand for services at a level anticipated and predicted by the General Plan and the Historic Murrieta Specific Plan. The City of Murrieta’s Development Impact Fees are designated to offset capital expenditures for police, fire, park and recreation, and public facilities. Property taxes and other assessments provide funding for maintenance and operational costs for these services. Recreational facilities are covered in section 10 of this study. Payment of Development Fees and assessments are mandatory. **No mitigation is required.**

2a. The project area is serviced by Murrieta Fire Station # 1 located to the north of the proposed project on Juniper Street. According to the City’s General Plan the Fire Department shall ensure all property in the City and successive uses of individual buildings comply with the latest edition of the Uniform Fire Code, (UFC), California Fire Code, (CFC), and other applicable building and fire standards. **This is a mandatory requirement as part of the City’s Development Code, no mitigation required.**

2b. According to the City’s General Plan in cooperation with the Police Department, all new development will incorporate safe building/site designs, such as visible walkways and proper lighting. **This is a mandatory requirement as part of the City’s Development Code, no mitigation required**

2c. The project is located within the Murrieta Unified School District. The development of this project will impact the School District by increasing to the number of students and demand on school facilities. **Mitigation fees will be provided by the future development as currently required by State Law and residential school fees and taxes are a mandatory requirement. No additional mitigation is required.**

- 2d. Development Code, Residential Development Mitigation states: *The purpose of this section is to provide for the payment of fees for the construction and acquisition of public facilities, purchase of regional parkland and trails and the preservation of habitat and open space to defray the actual or estimated cost of financing and/or acquiring these facilities. The funds collected under the residential development mitigation fee do not reflect the entire cost of providing the facilities required in order to effectively meet the needs created by new residential development. Additional revenues will be required from other sources. The council finds that the benefit to each residential unit is greater than the amount of the fee to be paid by that residential unit.* Recreational facilities are covered in section 10 of this study.
- 2e-f. The City of Murrieta's Development Impact Fees are designated to offset capital expenditures for police, fire, park and recreation, and public facilities. Property taxes and other assessments provide funding for maintenance and operational costs for these services.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

3. UTILITIES AND SERVICE SYSTEMS -

Would the project result in a need for new systems, or substantial alterations to the following utilities:

- a) Power or natural gas? (6, 55)
- b) Communication systems? (6)
- c) Sewer or septic tanks? (25)
- d) Solid waste and disposal? (26)
- e) Local or regional water treatment or distribution facilities? (25)
- f) Storm water drainage? (44,56,57)

		X	
		X	
		X	
		X	
		X	
		X	

3a. The project will generate a demand for utility and service systems for energy, communications, water, wastewater, drainage, and solid waste. The City of Murrieta’s General Plan identified adequate capacity for energy and communication systems. Subsequent to the adoption of the General Plan, electricity and natural gas utilities have been deregulated and short-term deficiencies in the supply of electricity and natural gas were experienced in 2000 and 2001. Since 2001, the states electricity situation has stabilized and the state has added over 9,500 megawatts of electricity capacity to the system. The state currently consumes approximately 253.5 million megawatt hours of electricity, and 7 billion cubic feet of natural gas each year at a predicted growth rate of 2.4 percent per year. The California Energy Commission in the 2003 Integrated Energy Policy Report indicated that California should have adequate supplies of electricity through 2007 and meet the natural gas needs of Southern California through 2013 under average annual conditions. The 2005 Integrated Energy Policy Report indicates in the electrical power supply and demand section that several approved power generating facilities have not started construction, maintaining adequate electricity reserves will be difficult over the next few years, however the state now requires investor-owned utilities to maintain a year-round 15 – 17 percent reserve margin. The IEP estimates are based on increases in population and demand and indicate that shortfall will be in reserves. The report further indicates that conservation measures have been producing better results than anticipated in the 2003 IEP. Since the proposed project is in conformity with the General Plan and anticipated growth the project is deemed to have a “less than significant impact” on power resources.

The City of Murrieta has adopted building codes that require implementation of energy conservation measures for new development. Implementation of design and construction standards is considered adequate compliance with energy conservation goals and policies. **No mitigation required.**

- 3b. Communication systems are provided by Verizon Communications with adequate capacity to meet the anticipated demand for this project as well as the ultimate build-out in the City. **No mitigation is required.**
- 3.c&e Western Municipal Water District will provide facilities for both sewer and water service. WMWD charges development connection fees to provide for current and future infrastructure to support proposed projects.

Metropolitan Water District (MWD) on July 13, 2004 approved the *Updated Integrated Water Resource Plan*, which indicated that the District is confident of its ability to meet the water demands of its customers through 2025.” **With the exception of mandatory fees and installation of onsite infrastructure, no mitigation is required.**

- 3d. Solid waste capacity has been increased under Riverside County to provide adequate disposal capacity for the increasing demand over the planning outlook. Waste from the area is transported to the 495 – acre El Sobrante Landfill in Temescal Canyon located south of Corona. The El Sobrante Landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc. The El Sobrante Facility is permitted to accept as much as 10,000 tons of waste per day, and is currently accepting an average of 8,000 tons per day during weekdays. At the current rate of disposal the El Sobrante facility has a life expectancy estimated at 36 years.

It is estimated that approximately 75 percent of all trash can be used to produce various forms of energy. USA Waste of California is in the process of building a 2.5-megawatt electrical generating plant that will utilize methane gas generated from the decomposition process in the landfill. Excess power not used in the operation of the facility will be distributed back to the grid for use by Southern California Edison.

Combined with the City’s mandatory source reduction and recycling program, the proposed project is not forecast to cause an adverse impact on the solid waste and disposal system. **No Mitigation Required.**

- 3e. Western Municipal Water District, (WMWD) will provide facilities for water service for the proposed project. WMWD charges development connection fees to provide for current and future infrastructure to support proposed projects.

WMWD water comes from a variety of natural sources including precipitation, surface stream flows and regional groundwater (aquifers). WMWD also purchases water from Metropolitan Water District of Southern California, which imports water from Northern California and the Colorado River. Water delivered to homes and businesses is a blend of well water (40 percent) and import water (60 percent). Metropolitan Water Districts (MWD) on July 13, 2004 approved the *Updated Integrated Water Resource Plan* which indicated improved reliability of imported water supplies due to implementation of the Integrated Resources Plan and the Water Surplus and Drought Management Plan should provide 100% full service imported water supply reliability through 2025.

The project is exempt from SB 221 Verification of Sufficient Water Supply and SB 610 Water Supply Assessment due to the project size being less than the required 500 units.

- 3f. The City's General Plan includes policies to minimize surface runoff and ensure that no significant effects occur to the storm runoff drainage system. A Project Specific Drainage Study dated February 07, 2006 and Water Quality Management Plan (WQMP) dated February 7, 2006 were prepared by Hunsaker & Associates.

The Drainage Study indicates that runoff from the proposed project will be handled from the eastern portion of the (approximately 1.3 acres) drains to a grassy swale adjacent to New Clay Avenue. Runoff from the central portion of the proposed site (approximately 11.5 acres) is conveyed via two proposed storm drain systems, discharging to a proposed water quality basin located on the southwest corner of the proposed project site. Impacts will additionally be minimized at a single point discharge from the water quality basin to Murrieta Creek with the use of energy dissipation rip rap.

The drainage study concludes that all runoff from the pre-developed site drains to Murrieta Creek and development of the proposed Ivy House project will not divert area to or from Murrieta Creek.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

4. POPULATION & HOUSING - *Would the project:*

a) Cumulatively exceed official regional or local population projections? (6,35)

b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure? (6, 35)

c) Displace existing housing, especially affordable housing? (2,6)

		X	
		X	
			X

4.a. The WRCOG anticipates the growth rate in Western Riverside County will increase 18% for population and 12% for employment by the year 2020. The most recent City projections indicate that the maximum population potential for the City is 108,000 persons. The current 2006 population of Murrieta is approximately 93,000 as reported by the California State Department of Finance with a current rate of increase from 2000 of 110%. The proposed project would divide 22.2-acres into 64 lots on property zoned and designated for Village Residential S-1 (VRS-1), with a density of approximately 2.8 dwelling units per acre which conforms to the Historic Murrieta Specific Plan and City’s General Plan. The anticipated population generated from the project and the cumulative build out projections for population should not exceed the current regional or local forecasts. **No mitigation required.**

4.b. The project is located in a primarily residential area with additional proposed residential development planned or in progress. Development and zoning surrounding the site also includes existing single-family, multiple use, estate and rural residential development. Existing developments are to the north and to the east of the project site. To the west of the site are Murrieta Creek, estate and rural residential and vacant land, to the south is rural residential and vacant land. Infrastructure to this project is available or planned to be extended to the project area within existing roadways. Area improvements have been identified within the City of Murrieta’s General Plan and do not induce substantial growth in the area as development is planned for the area consistent with the General Plan. **No mitigation required.**

4.c. The proposed project is planned on property that is primarily vacant and is displacing one existing single-family residence with barn and outbuildings. The existing zoning will not have an adverse affect on affordable housing. **No mitigation required.**

Potentially Significant Impact **Less Than Significant With Mitigation Incorporated** **Less Than Significant Impact** **No Impact**

5. TRANSPORTATION/CIRCULATION.

Would the proposal result in:

- a) Increased vehicle trips or traffic congestion? (3, 6, 28, 32, 42)
- b) Hazards to safety from design features (e.g. sharp curves or dangerous intersections), incompatible uses (e.g. farm equipment) or barriers for pedestrians or bicyclists? (1, 2, 3, 4, 5, 6, 11, 42)
- c) Inadequate emergency access or access to nearby uses? (1, 2, 3, 4, 5, 6, 42)
- d) Insufficient parking capacity on-site or off-site? (1, 2, 3, 4, 5, 6, 7, 42)
- e) Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)? (3, 6, 28, 42)
- f) Air or rail traffic impacts? (6, 42)

		X	
		X	
			X
			X
			X
			X

5.a. The project site is located south of New Clay Avenue with primary egress to Kalmia/California Oaks Road. According to the Traffic Assessment Letter conducted by LOS Engineering, Inc dated November 11, 2005 the proposed project will generate approximately 650 trip-ends per day with 52 vehicles per hour during the AM peak and 68 vehicles per hour during the PM peak hours.

The following table contains the information from the study Table 12, Existing + Cumulative + Project Intersection Level of Service for the intersections of New Clay x Kalmia, Washington Avenue x Kalmia, and Adams Avenue x Kalmia during peak AM and PM traffic conditions.

Intersection	Traffic Control Status	AM Peak Hour Level of Service (LOS)	PM Peak Hour Level of Service (LOS)
New Clay Ave at Kalmia Street	U	A	A
Washington Ave at Kalmia Street	TS	C	D
Adams Av at Kalmia Street	TS	C	C

AWS – All Way Stop CSS – Cross Street Stop TS – Traffic Signal U - Unsignalized

- **Traffic Mitigation Measure (T 1)**
Construct half street improvements with appropriate transitions along New Clay Street and B Street to the satisfaction of the City Engineer.
- **Traffic Mitigation Measure (T 2)**
Install stop signs at the project egress points and alley egress points as required by and to the satisfaction of the City Engineer.

The City is a participant in the **Transportation Uniform Mitigation Fee (TUMF)** for Western Riverside County, a comprehensive funding source for arterial highway improvements to mitigate the cumulative regional transportation impacts of new development on regional arterial highways. This is a mandatory fee. **No additional mitigation is required.**

- 5b. Roadways and circulation improvements within the proposed project must conform to the City's standard street design requirements. Circulation system improvements will be installed in a manner that will not result in traffic hazards.
- 5.c A review of the development plan indicates adequate routes of emergency access are provided to the project and adequate access will be provided to all proposed structures. The City Fire Department was consulted by the project proponent and approved the 20-foot paved alley widths within a 28-foot wide general utility easement. No adverse emergency access impacts are forecast to occur. **No mitigation is required.**
- 5d. The proposed project incorporates off street parking of two (2) vehicles for each residence and is consistent with Residential requirements. No adverse parking capacity impacts are forecast to occur. **No mitigation is required.**
- 5e. The roadways and project access ways are being designed to meet City standards. No alternative transportation systems are being incorporated into the project and none are required by City policy for this type of residential project. No conflicts with alternative transportation policies should occur with implementation of City requirements. **No mitigation is required.**
- 5f. The project site is not located in an area that would impact air or rail traffic and is located outside of the any existing airport safety or influence zones. **No mitigation required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

6. WATER - Would the project result in:

- a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (5,44,56,57)
- b) Exposure of people or property to water related to hazards such as flooding and inundation? (1,2,3,5,6,41,44,57)
- c) Discharge into surface waters, or in alteration of surface water quality, (e.g. temperature, dissolved oxygen, or turbidity)? (1,2,3,5,6,41,44,56,57)
- d) Changes in the amount of surface water in any water body? (1,2,3,5,6,41,44,56,57)
- e) Changes in currents, or the course or direction of water movements? (1,2,3,5,6,41,44,56,57)
- f) Change in the quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? (1,2,3,5,6,41,44)
- g) Altered direction or rate of flow of ground waters? (1,2,3,5,6,41,44)
- h) Impacts to ground water quality? (1,2,3,5,6,41,44)

		X	
		X	
		X	
		X	
		X	
		X	
			X
		X	

- 6.a The proposed project will develop unimproved lands and includes asphalt streets, concrete driveways and walkways, which will result in changes in absorption rates and the rate and amount of surface runoff from the project site. The addition of structures, pavement and asphalt will result in a decrease of the surface permeability. The project is proposing 62 residential units with an average 6,673 square foot per lot, which is below the minimum lot size of 5,000 square feet allowed under the Historic Murrieta Specific Plan and General Plan designation and zoning with Master Plan Overlay, as such the decrease in permeability is less than anticipated in the General Plan. Additionally, development of the project must conform to the City’s Development Code and a portion of Development Fees is designated for stormwater management systems. The measures will bring the impact to a less than significant level. **No additional mitigation required.**
- 6b. According to FEMA and the General Plan Flood Zone Maps a portion of the proposed project site and the property is located inside the 100 and 500-year flood hazard zones. Final pad elevations according the project specific Drainage Plan will be above the 100-year flood zone. The project is outside of the inundation channels for Lake Skinner and Diamond Valley Lakes.

- 6c. The project has the potential for discharges of various urban and storm generated pollutants into the storm drain system. These pollutants include motor oil, antifreeze, fuels, pesticides, herbicides, fertilizers, trash, detergents, and waste typically generated by similar industrial projects. The City and County have adopted Best Management Practices, (BMP's) which are designed to control and prevent discharges of pollutants that could cause significant adverse impacts to the surface water quality. The document "Supplement A" to Riverside County Drainage Area Management Plans, and Attachment to "Supplement A" define BMP's that should be applied to the project which will ensure that significant erosion and sedimentation, nor other water quality degrading impacts will occur from the development of the proposed project. The project will be required to obtain a State General Permit for construction activity by coordinating between the San Diego Regional Water Quality Control Board, (SARWQCB) and provide a Storm Water Pollution Prevention Plan prior to commencing grading operations. A Water Quality Management Plan (WQMP) was completed by Hunsaker & Associates, dated February 7, 2006 and contains recommendations for BMP's and site drainage. Conditions of the General Stormwater permit are contained in Section 1 of this study. **This is a mandatory requirement.**
- 6d. Surface runoff from the site will be increased from the site as a result of the decreased permeability. This increase will be reduced before leaving the project site to a level that does not cause significant increases in downstream runoff using acceptable control measures. A Water Quality Management Plan (WQMP) was completed by Hunsaker & Associates, dated February 7, 2006 and contains recommendations for BMP's and site drainage. Control measures or BMP's are outlined in the sources described in item 6.c. & 6.d. **No additional mitigation required.**
- 6e. The project site is border to the west by Murrieta Creek. Changes in drainage will occur but have been addressed in the project Drainage Study and Water Quality Management Plans prepared by Hunsaker & Associates, dated February 7, 2006. **No mitigation required.**
- 6f-g. Impacts to ground water can be mitigated to a level of less than significant by implementing Best Management Practices (BMP's) and the installation of a retention basin. No ground water was encounter during geotechnical investigations. No activities in constructing or operating the project are predicted to cause any direct adverse impact to groundwater with the exception of accidental releases of pollutants during construction which is addressed in Section 13, "Hazardous" mitigation measure **HAZ-1** of this document. Implementation of the SWPPP and surface water quality control measures outlined in item 6c above will ensure that the project does not contribute to indirect significant impacts to groundwater quality. **No additional mitigation is required.**

Potentially Significant Impact **Less Than Significant With Mitigation Incorporated** **Less Than Significant Impact** **No Impact**

7. BIOLOGICAL RESOURCES - *Would the project result in impacts to:*

- a) Endangered, threatened, or rare species or their habitats (including, but not limited to plants, fish, insects, animals, and birds)? (6,41)
- b) Locally designated species and/or natural communities (e.g. heritage trees, oak forests, etc.)? (2,6,7,41)
- c) Wetland habitat (e.g. marsh, riparian, and vernal pools)? (2,6,41)
- d) Wildlife dispersal or migration corridors, (including, but not limited to Murrieta Creek, Warm Springs Creek, and Cole Creek)? (2,6,41)

	X		
	X		
		X	
		X	

7a - b. The parcel that makes up the proposed project is within the Multiple Species Habitat Conservation Plan, (MSHCP) according to the Riverside County Integrated Project parcel search. The APN for the MSHCP search was 384-220-011, which was the property designation prior to incorporation into the City. The current APN for the property is now 359-350-011 which is not listed in the MSHCP Riverside County Integrated Project parcel search.

APN	Cell	Cell Group	Acres	Area Plan	Sub Unit
906193001	6314	Independent	5.47	Southwest Area	SU1 – Murrieta Creek
906200001	6314	Independent	5.76	Southwest Area	SU1 – Murrieta Creek
906200002	6314	Independent	5.45	Southwest Area	SU1 – Murrieta Creek
906212001	6314	Independent	5.33	Southwest Area	SU1 – Murrieta Creek
906221001	6314	Independent	2.17	Southwest Area	SU1 – Murrieta Creek
906221002	6314	Independent	0.46	Southwest Area	SU1 – Murrieta Creek

A Consistency Analysis for the Western Riverside MSHCP, was prepared by Vandermost Consulting Services, Inc. dated October 2005 revised on July 17, 2006. The report concluded that: “... the proposed Project site exists within SWAP Subunit 1 of the MSHCP in independent Cell 6314 requiring conservation focusing on Murrieta Creek and adjacent grassland habitat contributing to the assembly of Proposed Constrained Linkage 13. In compliance with the Subunit and Cell conservation requirements and the riparian/riverine definition in Section 6.1.2 of the MSHCP, the proposed Project will avoid the majority (+/- 97.5%) of Murrieta Creek and adjacent 100-foot buffer along the southwestern boundary of the site, thereby providing a potential wildlife movement corridor pursuant to MSHCP Section 7.5.2.

The Consistency Analysis concludes that based on the analysis “pursuant to MSHCP guidelines and the DBESP, the proposed Project is in compliance on payment of the MSHCP and SKR HCP mitigation fees.”

• **Biological Resources Mitigation Measure (B 1)**

The project is required to pay the MSHCP mitigation fee.

APN	Amphibia Species	Burrowing Owl	Criteria Area Species	Mammalian Species	Narrow Endemic Plant Species	Special Linkage Area
906193001	NO	YES	NO	NO	NO	NO
906200001	NO	YES	NO	NO	NO	NO
906200002	NO	YES	NO	NO	NO	NO
906212001	NO	YES	NO	NO	NO	NO
906221001	NO	YES	NO	NO	NO	NO
906221002	NO	YES	NO	NO	NO	NO

As required by the MSHCP for these parcels a Habitat Assessment for Burrowing Owl (BUOW), Phase I and Phase II were conducted by PCR Services Corporation, dated March 21, 2005. According to the Assessment no burrowing owls or burrows were identified on the project site and concluded that the Study Area is not expected to support burrowing owl.

An additional Habitat Assessment and Focused Survey for Burrowing Owl was conducted on the proposed Project site by Pacific BioScience, Inc dated June 2006 and although no burrowing owl (BUOW) or BUOW sign were observed on the proposed project site, the site contains suitable habitat for the BUOW and a 30-day BUOW clearance survey is recommended as mitigation.

• **Biological Resources Mitigation Measure (B 2)**

A burrowing owl (BUOW) clearance survey shall be conducted 30-days prior to initiation of ground-disturbing activities of the site. If the clearance survey is positive, additional actions/mitigation may be required pursuant to the MSHCP, Fish and Game Code, and the MBTA.

In accordance to the MSHCP Consistency Analysis and in compliance with the Migratory Bird Treaty Act (MBTA) and nesting bird surveys will be conducted three days prior to commencing Project activities.

- **Biological Resources Mitigation Measure (B 3)**

For all bird species vegetation removal should be conducted outside the avian breeding season (March-July) to avoid impacts to nesting birds. If vegetation clearance is conducted during the breeding season, a pre-construction bird survey would be required less than 3-days form vegetation disturbance activities. If passerine birds are found to be nesting or there is evidence of nesting behavior inside or within 300 feet of the impact area, a 300-foot buffer will be required around the nest where no vegetation disturbance would be permitted; for raptors the buffer would be increased to 500 feet. A qualified biologist would closely monitor the nest until it is determined that the nest is no longer active, at which time vegetation removal could continue.

The proposed project site is located inside the Stephens' Kangaroo (SKR) HCP fee area boundary. Potential impacts to the SKR will be mitigated through the payment of a fee.

- **Biological Resources Mitigation Measure (B 4)**

Payment of the SKR mitigation fee to the Riverside County Habitat Conservation Agency (RCA) is required.

7c. The proposed project site is bounded to the west/southwest by Murrieta Creek. According to the Determination of Biologically Equivalent or Superior Preservation (DBESP) report prepared by Vandermost Consulting Services, Inc. dated July 17, 2006 "*the MSHCP requires avoidance of all Riparian/Riverine areas and Vernal Pools in areas within Criteria Cells described for conservation, which is applicable to the entire on-site portion of Murrieta Creek. However, the Project is required to construct interim flood control and water quality structures in compliance with the City of Murrieta General Plan Safety Element. An interim flood control channel to direct off-site flows is required prior to the Riverside County Flood Control and Water Conservation District Master Planned improvements to Murrieta Creek, and a water quality basis is required pursuant to the Regional Water Quality Control Board requirements. Impacts for construction of flood control facilities in Murrieta Creek are considered covered activities pursuant to MSHCP Section 7.3.7.*"

7d. The project site is located in an area currently experiencing residential development and disturbances and is located in a wildlife corridor. Development however of this site will not interfere with wildlife dispersal and migration corridors according to the DBESP report prepared by Vandermost Consulting Services, Inc. dated July 17, 2006. The DBESP report states that the proposed conservation associated with the Project is considered in compliance with the MSHCP Reserve Assembly objectives by providing indirect connections to MSHCP Criteria Cells to the east and northwest, contributing to the assembly of Proposed Constrained Linkage 13.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

8. ENERGY AND MINERAL RESOURCES -

Would the project:

a) Conflict with adopted energy conservation plans? (5,6,55)

		X	
		X	

b) Use non-renewable resources in a wasteful and inefficient manner? (5,6,55)

8.a. The project does not conflict with any known energy conservation plans. The Southern California Association of Governments Regional Comprehensive Plan and Guide along with State plans for energy conservation will be met in the construction of the project. Energy conservation measures are addressed in the City’s General Plan under goal COS-4 Energy Conservation, including the adoption of California Title 24 Building Energy Standards. Energy resources are further discussed in the “Utilities and Services” (Section 3) of this report. **No mitigation is required.**

8.b. Development of the proposed project will increase the demand for energy and could increase the demand for non-renewable resources. Based on analyses in the City’s General Plan and other available data and reports, adequate commercial energy and non-renewable resources are currently available or will be available to meet forecast growth demand, no significant impact to these resources is predicted to occur. The City’s General Plan describes goals and policies to limit the wasteful use of non-renewable resources. **No mitigation is required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

9. CULTURAL/PALEONTOLOGICAL RESOURCES - *Would the project:*

- a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5? (1,6,40)
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5? (1,6,40)
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1,6,40)
- d) Disturb any human remains, including those interred outside of formal cemeteries? (2,6,40)
- e) Restrict existing religious or sacred uses within the potential impact area? (2,6,40)

		X	
	X		
	X		
	X		
		X	

A Phase I Cultural Resources Assessment was conducted for the proposed project site and surround area by Michael Brandman Associates the results of which are contained in a report dated 29 March 2006. The Phase I Cultural Resources Assessment indicates that two previous archaeological surveys have been conducted on portions of the project site in the past. In 1992 the floodplain of Murrieta Creek and a buffer around the floodplain was surveyed by Jones & Stokes Associates. In 2003 a linear survey along a portion of the southern boundary was conducted by Peak & Associates. No cultural sites were recorded within the proposed project site during either of these previous surveys. Additionally, 15 other surveys have been conducted within a .05 mile radius of the proposed project site. These surveys recorded forty-five cultural resources. Table 1 of the Phase I Cultural Resource Assessment provides information on these sites and general location.

- 9a. The Phase I Cultural Resources Assessment indicates that the historic ranch complex located on the northwest corner of the proposed site has been determined to be ineligible for the California Register and is therefore not considered a historical resource for purposes of CEQA. The assessment however, indicates that there is a “moderate” probability that significant historic resources will be unearthed during development within the project area and a **mitigation monitoring program is recommended** per the Cultural Mitigation Measures in this section.
- 9b. The Phase I Cultural Resources Assessment indicates that no prehistoric sites or prehistoric artifacts were identified during the survey for the proposed project site. The site has been determined to have a “moderate sensitivity” for cultural resources and archaeological monitoring must take place during construction. A **mitigation monitoring program is recommended** per the Cultural Mitigation Measures in this section.

9c. A records search was conducted on the proposed site by Dr. Eric Scott, Curator of Paleontology, Division of Geological Sciences, San Bernardino County Museum and indicates in a letter dated 8 February 2006 **that results of the literature review and check of the Regional Paleontologic Locality Inventory (RPLI) demonstrate that excavation within the boundaries of proposed project site has a high potential to impact significant nonrenewable fossil resources. A mitigation monitoring program is recommended** per the Cultural Mitigation Measures in this section.

- **Cultural Mitigation Measure (C 1)**

There is “moderate” probability that significant historic resources will be unearthed during development within the project area. An archaeological mitigation monitoring program shall be implemented within the project boundaries. Full-time monitoring shall continue until the Project archaeologist determines that the overall sensitivity of the Project Site has been reduced from moderate to low as a result of mitigation monitoring. Should the monitor determine that there are no cultural resources within the impacted areas, or should the sensitivity be reduced to low during the monitoring, all monitoring shall cease.

- **Cultural Mitigation Measure (C 2)**

Should any cultural resources be discovered, the monitor is authorized to stop all grading in the immediate area of the discovery, and shall make recommendations to the Lead Agency (City) on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with section 15064.5 of the CEQA Guidelines.

If the resources are determined to be unique historic resources as defined under section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency (City).

Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency (City) approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency (City) where they would be afforded long-term preservation to allow future scientific study.

- **Cultural Mitigation Measure (C 3)**

Monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor is required. Based upon results of the Phase I Cultural Resources Assessment, dated 29 March 2006, areas of concern within the boundaries of this project include the sandstone components of the Pauba Formation. Monitoring is not necessary unless potentially fossiliferous units are encountered in the subsurface during excavation activities and upon examination by qualified paleontologic personnel are subsequently determined to potentially

contain fossil resources.

If required, paleontological monitors should be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.

Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if potentially-fossiliferous units as described herein are not present, or if present are determined upon exposure and examination by qualified paleontologic personnel to have a low potential to contain fossil resources.

- **Cultural Mitigation Measure (C 4)**

Recovered specimens must be prepared to a point of identification and permanent preservation, including washing of sediments, so as to recover small invertebrates and vertebrates.

- **Cultural Mitigation Measure (C 5)**

Significant paleontologic specimens are to be identified and curated into an established, accredited museum repository with permanent retrievable storage (e.g., SBCM). The paleontologist must have a written repository agreement in hand prior to initiation of mitigation activities.

Mitigation of adverse impacts to significant paleontologic resources is not complete until such curation into an established museum repository has been fully completed and documented.

- **Cultural Mitigation Measure (C 6)**

A report of findings must be prepared with an appended itemized inventory of all recovered specimens. The report and inventory, when submitted to the appropriate Lead Agency along with confirmation of the curation of recovered specimens into an established accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

- **Cultural Mitigation Measure (C 7)**

A report documenting the monitoring activities shall be submitted to the City of Murrieta within 60 days of completion of grading. This report shall document the type of cultural resources recovered and the disposition of such resources. The artifacts shall be deposited into an accredited institution that is authorized to accept the cultural resources.

9d. Disruption of human remains is not anticipated; however the following mitigation measures shall be adhered to:

- **Cultural Mitigation Measure (C 8)**

Once the project-related earthmoving excavation begins, and in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Riverside County Coroner is contacted to determine if the remains are (either historic or) prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission (NAHC) within 24-hours, and the NAHC shall identify the person or persons it believes to be the most likely descendant from the deceased North American. The most likely descendent may make recommendations to the landowner or the person of responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98 or

2) Where the following conditions occur, the landowner or his authorized representative shall re-bury the Native American human remains and associated grave goods with appropriated dignity either in accordance with the recommendations of the most likely descendent or on the property in a location not subject to further subsurface disturbance:

- **The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24-hours after being notified by the commission.**

- **The descendant identified fails to make a recommendation: or**

- **The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC fails to provide measures acceptable to the landowner.**

9e. No apparent existing religious or sacred uses within the subject property's boundaries currently exist. **No additional mitigation is required beyond the measures identified in this section.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

10. RECREATION - *Would the project:*

a) Increase the demand for neighborhood or regional parks or other recreational facilities? (6)

		X	
		X	

b) Affect existing recreational opportunities? (6)

10a. The proposed project being a residential development will create a demand for neighborhood, regional parks and other recreational facilities. The City requires the payment of Development Impact Fee's, which includes a park fee used to offset demands on the park system by developments. This fee is mandatory and no adverse impact to recreational facilities and opportunities is anticipated.

Development Code, Section 16.36.040 Residential Development Mitigation states: The purpose of this section is to provide for the payment of fees for the construction and acquisition of public facilities, purchase of regional parkland and trails and the preservation of habitat and open space to defray the actual or estimated cost of financing and/or acquiring these facilities. The funds collected under the residential development mitigation fee do not reflect the entire cost of providing the facilities required in order to effectively meet the needs created by new residential development. Additional revenues will be required from other sources. The council finds that the benefit to each residential unit is greater than the amount of the fee to be paid by that residential unit.

No additional mitigation required.

10.b. No existing recreational resources or opportunities occur on the project site; therefore, no potential for adverse impacts to existing resources on the project site will occur. **No mitigation required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

11. AESTHETICS - *Would the project:*

- a) Affect a scenic vista or scenic highway? (2,6)
- b) Have a demonstrable negative aesthetic effect? (6,7)
- c) Create light or glare? (6,7,41)

		X	
		X	
		X	

- 11a. The proposed project is not located adjacent to or affecting a scenic highway. The site location will not obstruct and is not part of a critical scenic vista. **No mitigation is required.**
 - 11b. The project will comply with the applicable requirements for Residential Design Standards (Section 16.08.030) and Landscaping Standards (Section 16.28) as contained in the Development Code as well as Design Standards contained in the Historic Murrieta Specific Plan. The requirements of the Development Code and the Historic Murrieta Specific Plan will ensure quality architectural design, site design, and landscaping standards are accomplished. Implementation of Design Standards will reduce impacts to aesthetics below a significant level. **No additional mitigation is required.**
 - 11c. Lighting standards are established in the Development Code, (Sections 16.18.100 and 16.18.110) which requires that the project controls light and glare on adjacent properties and minimize impacts to the Mount Palomar Observatory. Additionally, the project will be required to reduce lighting impacts on Murrieta Creek.
- **Aesthetics Mitigation Measure (A 1)**
In accordance with BMP's for the MSHCP and as recommended in the DBESP report lighting within the Project development will be limited to residential streets and consist of downward directed and shielded low-pressure sodium lights to ensure ambient lighting in the adjacent Murrieta Creek in not increased.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

12. GEOLOGY/SOILS - *Would the project result in or expose people to potential impacts involving:*

a) Seismicity: fault rupture? (6,44)		X	
b) Seismicity: ground shaking or liquefaction? (6,44)		X	
c) Seismicity: special study zone? (6,44)		X	
d) Landslides or mudslides? (6,44)		X	
e) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (1,6,44)		X	
f) Subsidence of the land? (6,44)		X	
g) Expansive soils? (6,44)		X	
h) Unique geologic or physical features? (2,6,44)		X	

12.a-h Based on the Preliminary Geotechnical Investigation report prepared by Harrington. Geotechnical Engineering, Inc. dated December 15, 2004; the subject property is not located within an earthquake fault, liquefaction, subsidence, flood, and/or dam inundation zone. The project is not subject to landslides, mudslides or expansive soils. Through the projects site design and implementation of the City’s development code and the Uniform Building Code, potential impacts are less than significant.

12a&c. Based on the Preliminary Geotechnical Investigation report prepared by Harrington. Geotechnical Engineering, Inc. dated December 15, 2004, the site is not located within the Alquist-Priolo Special Study Zone, and does not require a special fault study. Fault rupture normally occurs along existing faults since no active or inactive faults are known to traverse the site (Kennedy, 1997 & Mann 1955), rupture is unlikely. **No Mitigation is required.**

12b-h. According the Safety Element of the General Plan Figures VI-2 and VI-3 the site is not located within Liquefaction and Subsidence Hazard Zones, or within the Earthquake Fault or Special Geologic Study Zones. The Preliminary Geotechnical Investigation report prepared by Harrington. Geotechnical Engineering, Inc. dated December 15, 2004, found that no soil or geologic conditions were encountered during the investigations, which would preclude residential development of the property. Compliance with City grading standards, recommendations of the Preliminary Geotechnical Investigation report prepared by Harrington. Geotechnical Engineering, Inc. dated December 15, 2004 and the Uniform Building Code will ensure that persons are not subject to hazards as a result of excavation, grading, and fill. **No additional mitigation is required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

13. HAZARDS - *Would the project involve:*

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)? (1,5,6,56)
- b) Possible interference with an emergency evacuation plan? (1,5,6)
- c) The creation of any health hazard or potential health hazard? (1,5, 6)
- d) Exposure of people to existing sources of potential health hazards? (1,5,6)
- e) Increased fire hazard with flammable brush, grass, or trees? (1,5,6)

	X		
			X
	X		
			X
			X

13a. During construction there is a potential for accidental release of petroleum products in sufficient quantity to pose a significant hazard to people and the environment. The following mitigation measure shall be incorporated into the SWPPP prepared for the project and will reduce the hazard to a less than significant level.

• **Hazards Mitigation Measure (H 1)**

All spills or leakage of petroleum products during construction activities shall be remediated in compliance with applicable state and local regulation regarding cleanup and disposal of the contaminated release. The contaminated waste shall be collected and disposed of at an appropriately licensed disposal or treatment facility.

Following construction a limited potential exists from residential usage of petroleum products, pesticides, and consumer products. Riverside County operates several Antifreeze, Batteries, Oil and Paint (ABOP) collection facilities including one located in the City of Murrieta for household hazardous waste disposal. Residents within the city are routinely notified of the ABOP facility's operations, which limits the potential residential release of these materials. The measures addressed in Section 6 - Waters, of this study reduce the hazards to a less than significant level.

13b. The project will include access points off improved roadways and include site access sufficient for fire apparatus turn radius. The proposed project presents no significant potential to cause interference with any emergency response or evacuation plan. **No mitigation required.**

13c. The project being residential in nature does not create health hazards or potential health hazard at a significant level. **No mitigation required.**

13d. The project area was predominately used for rural residential uses. According to a Phase I Environmental Site Assessment conducted by Harrington Geotechnical Engineering, Inc.

dated November 22, 2004, the site previously contained a gasoline underground storage tank (UST). The tank was documented as removed on June 9, 2004, however the report indicates that records of the removal are incomplete and no records could be located by Riverside County Department of Environmental Health on the status of the UST removal. As such the Phase I recommended soil boring and confirmation sampling in the former UST excavation site be completed

- **Hazards Mitigation Measure (H 2)**

- Conduct soil boring and confirmation sampling in the former UST excavation site and coordinate UST closure reporting with Riverside County Department of Environmental Health and the San Diego County Regional Water Quality Control Board.**

- 13e. The project is located outside of the Wildland Fire Protection Agreement Area and is outside of areas designated as Wildland areas that may contain substantial forest fire risks and hazards and very high fire hazard severity zones according the California Department of Forestry and Fire Preventions fire hazards map dated 06 June 2000, and the Protection Agreement Area according to Figure VI-7 of the City's General Plan. **No mitigation required.**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
---	---	---	----------------------

14. NOISE - Would the project result in:

- a) Increases in existing noise levels? (1,3,6)
- b) Exposure of people to severe noise levels? (1,3,6)

	X		
	X		

- 14.a. The proposed development will generate noise during construction and following occupancy of the site. Construction noise is required to be controlled in accordance with the City’s Development Code, which restricts construction activities to daylight hours. The ongoing noise levels associated with residential use are considered acceptable and insignificant for the project area in accordance with the General Plan Noise Element policies. No other sensitive uses occur in the project area and no background noise conditions will conflict with the project. Mitigation measures are included under Section 14. b.
- 14.b. According to Figure VII-3 of the General Plan, the project is not located within area that is impacted by vehicular noise between 60 and 65 CNEL. The project is in a Land Use Category for Residential Use and according to the City’s General Plan Noise Element, normally acceptable levels of noise are 65 to 70 CNEL.

Construction Noise Source Table

Noise Source	DBA @ 50 feet
Dozer	85 – 90
Tractor	77 - 82
Loaders	86 – 90
Backhoe	81 – 90
Grader	79 - 89
Trucks	81 - 87
Air Compressor	76 - 86
Pneumatic Tools	78 – 88

Source: Noise Control for Buildings and Manufacturing Plants. Bolt, Beranek, and Newman, 1987.

As indicated in the Construction Noise Source Table short term elevated noise levels during the noisiest construction phases can typically levels range up to 90 dBA,Lmax @ 50 feet from the source. Construction employees may be exposed to severe noise levels from equipment operation during construction. Mandatory occupational health and safety standards require hearing protection for individuals operating such equipment. No other sources of severe noise are forecast to occur on the project site during construction or occupancy of the project site.

- **Noise Mitigation Measure (N 1)**

During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuation devices. (e.g. mufflers)

- **Noise Mitigation Measure (N 2)**

With the exception of emergency conditions, construction shall be limited to daylight hours or no later than 7 p.m.

- **Noise Mitigation Measure (N 3)**

If noise complaints demonstrate that a significant noise impact is affecting sensitive receptors due to construction activities (noise levels as measured at the receptor location at a level in excess of the City's noise significance thresholds), the City shall require the construction contractor to apply appropriate measures to reduce the impacts of noise on the sensitive receptor to levels within the City's significance thresholds.

Potentially Significant Impact Less Than Significant With Mitigation Incorporated Less Than Significant Impact No Impact

15. AIR QUALITY. *Would the proposal:*

- a) Violate any air quality standard or contribute to an existing or projected air quality violation? (6,29,42,46)
- b) Expose sensitive receptors to pollutants? (6,29,42,46)
- c) Alter air movement, moisture, or temperature, or cause any change in climate? (6,29,46)
- d) Create objectionable odors? (6,29,46)

	X		
	X		
			X
	X		

15a-b) Data on local air quality for 2006 is available from the SCAQMD, a summary of air quality data is provided in Table A-1. The data indicates the Federal and State standards that have been violated within the region via monitoring stations located at Lake Elsinore, Perris Valley, and Metropolitan Riverside County.

Regional Air Quality Summary Table A -1

2006 Air Quality Summary								
	PM 10 (*)		PM 2.5 (*)	CO (max concentration)		Ozone (days)		
	Federal 24 hr.	State 24 hr.	Federal 24 hr.	1 hr.	8 hr.	Federal 1 hr.	8 hr.	State 1 hr.
Lake Elsinore	--	--	--	1	1.0	3	24	40
Perris Valley	0	19(35.2)	--	--	--	12	53	76
Metropolitan Riverside	0	71(60.2)	32(10.7)	3	2.1	8	30	45

-- Pollutant not monitored.

* Indicates number of samples and percent that exceeds standard.

The proposed project will create emissions associated with the construction and operation of the project and vehicle trips associated with the movement of materials, products, customers, and employees. The proposed project is located within the South Coast Air Basin, (SCAB) under the jurisdiction of the South Coast Air Quality Management District, (SCAQMD) for air quality issues, regulations, and enforcement. The SCAQMD published in 1997 the Air Quality Management Plan (AQMP) that identifies threshold values for emissions. The 2003 AQMP has been adopted without change to the threshold values. The SCAQMD also published the CEQA Air Quality Handbook, as an advisory tool to assist local governments, project proponents, and consultants who prepare environmental documents with guidance for analyzing and mitigating air quality impacts of projects.

This project has the potential to produce both short and long term air quality impacts. Short-term impacts are associated with the construction of the project, while long-term impacts are associated with emissions from the operation of the project. The SCAQMD's thresholds of significance values for construction and operation are expressed in pounds per day, (lbs/day) and provided in Table A-2)

Air Quality Significance Thresholds Table A-2

Mass Daily Thresholds		
Pollutant	Construction	Operation
NO _x	100 lbs/day	55 lbs/day
ROG*	75 lbs/day	55 lbs/day
PM ₁₀	150 lbs/day	150 lbs/day
Sox	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day

* ROG may also be referred to as VOC or ROC.

The emissions estimates represent a “worst-case,” because they incorporate the assumption that construction activities at each location occur at the peak daily levels throughout the construction period. It is unlikely that the peak daily levels would actually occur at all locations where construction is taking place at the same time. Data utilized to forecast emissions was obtained from available project data, development plans, and resource material where indicated. The URBEMIS 2002 for Windows, 8.7, program was used to forecast emission based on the project data, resource material, or default values where no data was available.

Construction emissions can be distinguished as either onsite or offsite. Onsite emissions generated during construction principally consist of exhaust emissions (CO, ROG, NO_x, SO_x, and PM₁₀) from construction equipment, fugitive dust (PM₁₀) from grading and excavation, and ROG emissions from asphalt paving and architectural painting. Offsite emissions during construction typically consist of exhaust emissions from truck traffic and worker commute trips; road dust associated with traffic to and from the construction site; and fugitive dust (PM₁₀) from trucks hauling materials, construction debris, or excavated soils from the site.

Construction Emissions (lbs/day)

Demolition:

Pollutant	Unmitigated (lbs/day)	Mitigated (lbs/day)
ROG	7.05	7.05
NOx	53.38	53.38
CO	56.10	56.10
PM10	5.94	5.94
SO ₂	0.03	0.03

Demolition of approximately 5,000 square feet of structures including the existing single-family residence, barn and outbuildings currently located on the property is planned for this project, utilizing one dozer, one tractor/loader, and one miscellaneous off road truck (water truck) over a period of ½ month.

Site Grading:

Pollutant	Unmitigated (lbs/day)	Mitigated (lbs/day)
ROG	12.41	12.41
NOx	77.25	77.25
CO	105.21	105.21
PM10	193.96	31.47
SO ₂	0.00	0.00

Grading includes removal of existing trees, land clearing and grubbing operations. Grading estimates are based on worst-case PM10 levels utilizing one dozer, two scrapers, and one miscellaneous off road truck over a period of approximately 1.5-months. Grading was estimated using the 19.5 acres with an estimated daily disturbance of 5 acres. Decreasing the amount of daily disturbance would decrease the emissions. Equipment requirements estimated per each acre using: Process Plan Construction Estimating Standards, 1996; National Construction Estimator, 1998; Dodge Unit Cost Book, 1998.

The following mitigation measures are recommended in order to comply with regional rules such as the SCAQMD's Rules 402, 403, and 404 which would assist in reducing short-term air pollutant emissions.

• **Air Quality Mitigation Measure (AQ-1)**

During construction, the contractor shall ensure all construction equipment is properly serviced and maintained in good operating condition to reduce emissions. The SCAQMD requires that fuel injection timing be retarded 2 degrees for the manufacture's recommendation and use high-pressure injectors.

- **Air Quality Mitigation Measure (AQ-2)**
 During construction, the contractor shall ensure low emission mobile construction equipment is used (replace diesel-powered equipment with gasoline-powered equipment), where feasible, during site preparation, grading, excavation, and construction of the proposed project components.
- **Air Quality Mitigation Measure (AQ-3)**
 During construction, the contractor shall ensure proposed project specific sites are watered and that construction trucks pass through a shaker grate to remove excess dirt prior to exiting the site.
- **Air Quality Mitigation Measure (AQ-4)**
 During construction, the contractor shall ensure that when soil is transported the operator (1) employs water to moisten earthen surface prior to disturbance and immediately after disturbance; (2) controls runoff so it does not saturate the surface of unpaved haul road and cause track-off; and (3) employs watering as an emergency measure during high wind events to stabilize actively dusting surface including but not limit to soil pile, unpaved road, and unpaved parking areas.
- **Air Quality Mitigation Measure (AQ-5)**
 During construction, the contractor shall ensure that water-wetting methods and soil-binders are used on exposed soil stockpiles, unpaved roads, and unpaved parking areas. Active grading areas shall be watered at least three times each workday, as needed, to prevent visible plumes from exiting the project site.
- **Air Quality Mitigation Measure (AQ-6)**
 During construction, the contractor shall ensure that during site preparation, grading, excavation and construction, chemical soil stabilizers are applied, according to the manufacturer's specification, to all inactive construction areas, defined as previously graded areas, which are inactive for 96 hours or more.
- **Air Quality Mitigation Measure (AQ-7)**
 During construction, the contractor shall ensure groundcover is re-established through seeding and watering on those parts of the Project site that would not be disturbed for lengthy periods, generally defined as two or more months.
- **Air Quality Mitigation Measure (AQ-8)**
 During construction, the contractor shall ensure that site preparation, grading, excavation and construction, public streets are swept if silt is deposited on these roads from construction activities within the project site.
- **Air Quality Mitigation Measure (AQ-9)**
 During construction, the contractor shall ensure that site preparation; grading, excavation and construction speed limits on unpaved roads are restricted to 15 miles per hour.

- **Air Quality Mitigation Measure (AQ-10)**
During construction, the contractor shall ensure that site preparation; grading, excavation and construction operations are suspended when wind speeds exceed 25 miles per hour.

- **Air Quality Mitigation Measure (AQ-11)**
During construction, the contractor shall ensure that during site preparation, grading, excavation and construction, low sulfur fuel is used for portable and stationary construction equipment.

- **Air Quality Mitigation Measure (AQ-12)**
During construction, the contractor shall ensure that during site preparation, grading, excavation and construction, onsite power sources are used rather than temporary diesel or gasoline ICE generators when feasible.

- **Air Quality Mitigation Measure (AQ-13)**
During construction, the contractor shall ensure that during site preparation, grading, excavation and construction, the contractor will establish a car-pool program for construction employees which will include incentives with the goal of achieving a 1.5 persons per vehicle ridership for this project.

- **Air Quality Mitigation Measure (AQ-14)**
During construction, the City shall require a lunch shuttle or catering program be implemented by the during site preparation, grading, excavation and construction to reduce the number of lunch time trips to and from the site.

Building Construction:

Pollutant	Unmitigated (lbs/day)	Mitigated (lbs/day)
ROG	10.86	10.86
NOx	70.48	70.48
CO	88.74	88.70
PM10	2.75	2.70
SO ₂	0.0	0.0

Building construction estimates were based on utilizing one miscellaneous off road truck, two rough terrain forklifts, two tractor/Loader/Backhoes, and two internal combustion engines (ICE's) operating miscellaneous equipment over a period of approximately 10 months.

Architectural Coating

Pollutant	Unmitigated (lbs/day)	Mitigated (lbs/day)
ROG	50.92	50.92
NO _x	.14	.14
CO	2.99	2.99
PM10	.05	.05
SO ₂	0.00	0.00

Architectural coatings estimates were based on URBEMIS defaults were applicable over a period of 4 months with mitigation for using Low VOC coatings. No mitigation values were calculated for the project however a 50% reduction for ROG (VOC) can be achieved by taking the default URBEMIS value of 250 grams/liter of VOC and evaluating the use of Low VOC coatings which according to manufacturer and AQMD data are 100 g/l for interior and 150 g/l for exterior. Additional decreases in ROG (VOC) can be obtained by using High Velocity Low Pressure Applicators (HVLP), and No VOC coatings, which contain <1g/l VOC. The values using the Low VOC coatings represent approximately 50% reduction whereas using a combination of Low and No VOC coatings can produce reductions of 60%, 40 %, and >90%. The majority of architectural coatings will be applied as interior paints which would offer the best reduction using Low VOC and No VOC paints. Using HVLP equipment it is estimated would also reduce the VOC emissions 10 – 15%.

Asphalt Paving

Pollutant	Unmitigated (lbs/day)	Mitigated (lbs/day)
ROG	1.13	1.13
NO _x	3.51	3.51
CO	.68	.68
PM10	.08	.08
SO ₂	0.01	0.01

Asphalt estimates are based on utilizing one paving unit, one roller, one surfacing unit and one miscellaneous paving equipment on 4 acres over a ½ -month period. No mitigation values were used for the asphalt operations.

- **Air Quality Mitigation Measure (AQ-15)**
During construction, the City shall require that low VOC coating and solvents be used on all structures.
- **Air Quality Mitigation Measure (AQ-16)**
During construction, the City shall require that low VOC asphalt be used on paved portions of the project site.

Area Source and Operations Emissions (lbs/day)

Pollutant	Unmitigated (lbs/day)	Mitigated (lbs/day)
ROG	11.15	11.15
NO _x	7.09	7.09
CO	66.25	66.25
PM ₁₀	5.98	5.98
SO ₂	0.06	0.06

Data contained herein was obtained from default values for similar projects using the URBEMIS program and includes the calculated values for Area and Operational Emissions. The Operations Emissions table includes emissions from the day-to-day residential operation and maintenance, consumer product use and from vehicle trips associated with the movement of materials, products, residents, and visitors. Area Source emissions include consumer products, natural gas use, and landscaping equipment.

Emissions associated with the construction and operational portions of the project are below SCAQMD thresholds with mitigation and are considered less than significant with mitigation incorporated.

CEQA requires that impacts be reduced to the greatest extent feasible, therefore the following additional mitigation measures shall be implemented:

- **Air Quality Mitigation Measure (AQ-17)**
The City shall require that sidewalks and/or pedestrian paths be provided within the development.
 - **Air Quality Mitigation Measure (AQ-18)**
The City shall require that pedestrian safety measures such as street lighting and pedestrian signage and signals be provided.
 - **Air Quality Mitigation Measure (AQ-19)**
The City shall require that off-site intersection traffic signals be synchronized to prevent congestion of traffic flow in the area of the project.
- 15 b)** Sensitive receptors include the very young, elderly, and persons suffering from illness are normally associated with locations such as schools, day-care facilities, convalescent care facilities, medical facilities, and residential areas. Evaluations according to SCAQMD recommendations need to be conducted to ensure that sensitive receptors will not be exposed to localized concentrations of the criteria pollutant carbon monoxide (CO). High levels of CO are associated with traffic congestion in particular slow moving and idling vehicles. Depending on the existing background concentrations of CO, roadways have the potential to be CO hot spots. Therefore projects with sensitive receptors or projects that could negatively impact levels of service (LOS) should utilize the Emfac 2.2 and CALINE 4 programs to evaluate the effects of vehicle emissions to determine if the project will cause the state 1-hour or 8-hour CO standards to be

exceeded, creating a “CO hotspot.” Since the project does not negatively impact the LOS of local intersections. Local CO Hotspot analysis was not performed.

- 15 c) The climate of Southern California found in the Murrieta Valley is a combination of a Mediterranean-type climate characterized by long hot summer and moderate winter precipitation with a Maritime Influence giving a marine layer and a temperature inversion layer. The average temperature in the project area is 73 degrees Fahrenheit, with an average rainfall of 10.44 inches. The construction project proposed is too small to have a potential effect on climatic changes. **No mitigation required.**
- 15 d) During construction and operation the proposed project will contain operations that will produce odors associated with equipment and materials. The site is located within the vicinity of sensitive receptors in the surrounding residential areas; however, the odors associated with this type project are normally not considered so offensive as to cause sensitive receptors to complain. Diesel fuel odors from construction equipment, operation equipment, and new asphalt paving fall into this category. No significant odor impacts are forecast to result from implementing the proposed project.

16. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of 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, 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?
- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- c) Does the project have impacts, which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- d) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
	X		
	X		
		X	
		X	

The project is a residential development consisting of 22.2 acres of land into approximately 62 Single-Family Residential lots with a average lot size of approximately 6,673 gross square feet with the minimum lot size 5,519 square feet and the maximum lot size 9,545 square feet. The proposed site additionally includes a 2,839 square foot lot for storm water drain purposes.

The conclusion of the Determination of Biologically Equivalent or Superior Preservation (DBESP) prepared by Vandermost Consulting Services, Inc. dated July 17, 2006 states:

The Project site contains +/- 3.40 acres of Riparian/Riverine habitat as defined by MSHCP Section 6.1.2. In compliance with the City of Murrieta General Plan Safety Element, the Project is required to construct an interim channel to convey off-site flows to Murrieta Creek and prevent site flooding prior to RCFCWCD Master Drainage Plan improvements, and to provide a water quality basin designed to meet the requirements of the RWQCB. The required interim flood control channel and water quality basin outlets to Murrieta Creek will require impacts to the banks that have been minimized through project design features, including selecting the design with the least acreage of impacts and locating the structures in unvegetated or low-quality Riparian/Riverine habitat. Proposed impacts total approximately 0.086 acre of Riparian/Riverine Area associated with Murrieta Creek, including +/- 0.035 acre of temporary and only +/- 0.051 acre of permanent impacts. The majority of impacts (+/- 0.074-acre of the +/- 0.086-acre) is associated with the flood control structure outlet to Murrieta Creek and is therefore considered a covered activity pursuant to MSHCP Section 7.3.7. Proposed conservation will include the avoidance of approximately 97.5% of on-site Riparian/Riverine habitat (+/- 3.314 acres), a minimum 100-foot buffer between the Creek and development (+/- 2.7 acres of existing grassland habitat), in addition to restoration of all temporary

impacts by revegetating with native plants consistent with local habitat. This conservation complies with MSHCP Reserve Assembly objectives by maintaining habitat connectivity and potential habitat for planning species, linkage contribution, and the proposed inclusion of +/- 3.75% of the 10%-20% conservation targeted by the MSHCP despite the Project occupying only 14% of the entire Cell. Furthermore, no individuals of Riparian/Riverine or Vernal Pool planning species and no suitable fairyshrimp habitat were observed on-site. Suitable habitat exists on-site for only two Riparian/Riverine planning species, the southwestern willow flycatcher and least Bell's vireo. This habitat will be avoided, and pre-construction surveys will also be conducted prior to any breeding season. Therefore no direct or indirect impacts to Riparian/Riverine and Vernal Pool planning species are expected with development of the proposed Project...

All "Potentially Significant" adverse environmental impacts have been identified that are not addressed by compliance with mandatory mitigation requirements that when applied will reduce impacts to a level of "Less than Significant". **The evaluation in this Initial Study indicates that the City can issue a Negative Declaration as the appropriate determination for this project to comply with the California Environmental Quality Act.**

17. DEPARTMENT OF FISH AND GAME "DE MINIMIS" IMPACT FINDINGS.

- a) Does the project have the potential to cause any adverse effect, either individually or cumulatively, on fish and wildlife? Wildlife is defined as "all wild animals, birds, plants, fish, amphibians, and related ecological communities, including the habitat upon which the wildlife depends on for its continued viability" (Section 711.2, Fish and Game Code).

Yes	No
	X

The parcel that makes up the proposed project is within the Multiple Species Habitat Conservation Plan, (MSHCP) according to the Riverside County Integrated Project parcel search. According to the Consistency Analysis for the Western Riverside County Multiple Species Habitat Conservation Plan conducted by Vandermost Consulting Services, Inc. dated October 2005 and revised on July 17, 2006 indicates that the Project with recommended mitigation employed does not have a potential for adverse effects, individually or cumulatively, on fish or wildlife as a result of the proposed Project. The evaluation in this Initial Study indicates that the City can issue a Negative Declaration if mitigations described herein are implemented as the appropriate environmental determination for this project to comply with the California Environmental Quality Act.

18. EARLIER ANALYSIS.

There are no earlier CEQA analyses of the proposed project, aside from the general evaluation given this site within the City's General Plan EIR.

APPENDICES:

- A- Location Map
- B- Air Quality Assessment/Study
- C- Mitigation Measures

APPENDIX C

MITIGATION MEASURES:

- **Traffic Mitigation Measure (T 1)**
Construct half street improvements with appropriate transitions along New Clay Street and B Street to the satisfaction of the City Engineer.
- **Traffic Mitigation Measure (T 2)**
Install stop signs at the project egress points and alley egress points as required by and to the satisfaction of the City Engineer.
- **Biological Resources Mitigation Measure (B 1)**
The project is required to pay the MSHCP mitigation fees.
- **Biological Resources Mitigation Measure (B 2)**
A burrowing owl (BUOW) clearance survey shall be conducted 30-days prior to initiation of ground-disturbing activities of the site. If the clearance survey is positive, additional actions/mitigation may be required pursuant to the MSHCP, Fish and Game Code, and the MBTA.
- **Biological Resources Mitigation Measure (B 3)**
For all bird species vegetation removal should be conducted outside the avian breeding season (March-July) to avoid impacts to nesting birds. If vegetation clearance is conducted during the breeding season, a pre-construction bird survey would be required less than 3-days form vegetation disturbance activities. If passerine birds are found to be nesting or there is evidence of nesting behavior inside or within 300 feet of the impact area, a 300-foot buffer will be required around the nest where no vegetation disturbance would be permitted; for raptors the buffer would be increased to 500 feet. A qualified biologist would closely monitor the nest until it is determined that the nest is no longer active, at which time vegetation removal could continue.
- **Biological Resources Mitigation Measure (B 4)**
Payment of the SKR mitigation fee to the Riverside County Habitat Conservation Agency (RCA) is required.
- **Cultural Mitigation Measure (C 1)**
There is “moderate” probability that significant historic resources will be unearthed during development within the project area. An archaeological mitigation monitoring program shall be implemented within the project boundaries. Full-time monitoring shall continue until the Project archaeologist determines that the overall sensitivity of the Project Site has been reduced from moderate to low as a result of mitigation monitoring. Should the monitor determine that there are no cultural resources within the impacted areas, or should the sensitivity be reduced to low during the monitoring, all monitoring shall cease.

- **Cultural Mitigation Measure (C 2)**

Should any cultural resources be discovered, the monitor is authorized to stop all grading in the immediate area of the discovery, and shall make recommendations to the Lead Agency (City) on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with section 15064.5 of the CEQA Guidelines.

If the resources are determined to be unique historic resources as defined under section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency (City).

Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency (City) approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency (City) where they would be afforded long-term preservation to allow future scientific study.

- **Cultural Mitigation Measure (C 3)**

Monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor is required. Based upon results of the Phase I Cultural Resources Assessment, dated 29 March 2006, areas of concern within the boundaries of this project include the sandstone components of the Pauba Formation. Monitoring is not necessary unless potentially fossiliferous units are encountered in the subsurface during excavation activities and upon examination by qualified paleontologic personnel are subsequently determined to potentially contain fossil resources.

If required, paleontological monitors should be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if potentially fossiliferous units as described herein are not present, or if present are determined upon exposure and examination by qualified paleontologic personnel to have a low potential to contain fossil resources.

- **Cultural Mitigation Measure (C 4)**

Recovered specimens must be prepared to a point of identification and permanent preservation, including washing of sediments, so as to recover small invertebrates and vertebrates.

- **Cultural Mitigation Measure (C 5)**

Significant paleontologic specimens are to be identified and curated into an established, accredited museum repository with permanent retrievable storage (e.g., SBCM). The paleontologist must have a written repository agreement in hand prior to initiation of mitigation activities.

Mitigation of adverse impacts to significant paleontologic resources is not complete until such curation into an established museum repository has been fully completed and documented.

- **Cultural Mitigation Measure (C 6)**

A report of findings must be prepared with an appended itemized inventory of all recovered specimens. The report and inventory, when submitted to the appropriate Lead Agency along with confirmation of the curation of recovered specimens into an established accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

- **Cultural Mitigation Measure (C 7)**

A report documenting the monitoring activities shall be submitted to the City of Murrieta within 60 days of completion of grading. This report shall document the type of cultural resources recovered and the disposition of such resources. The artifacts shall be deposited into an accredited institution that is authorized to accept the cultural resources.

- **Cultural Mitigation Measure (C 8)**

Once the project-related earthmoving excavation begins, and in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Riverside County Coroner is contacted to determine if the remains are (either historic or) prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission (NAHC) within 24-hours, and the NAHC shall identify the person or persons it believes to be the most likely descendant from the deceased North American. The most likely descendent may make recommendations to the landowner or the person of responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98 or

2) Where the following conditions occur, the landowner or his authorized representative shall re-bury the Native American human remains and associated grave goods with appropriated dignity either in accordance with the recommendations of the most likely descendent or on the property in a location not

subject to further subsurface disturbance:

- The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24-hours after being notified by the commission.

- The descendant identified fails to make a recommendation: or

- The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

- **Aesthetics Mitigation Measure (A 1)**

In accordance with BMP's for the MSHCP and as recommended in the DBESP report lighting within the Project development will be limited to residential streets and consist of downward directed and shielded low-pressure sodium lights to ensure ambient lighting in the adjacent Murrieta Creek in not increased.

- **Hazards Mitigation Measure (H 1)**

All spills or leakage of petroleum products during construction activities shall be remediated in compliance with applicable state and local regulation regarding cleanup and disposal of the contaminated release. The contaminated waste shall be collected and disposed of at an appropriately licensed disposal or treatment facility.

- **Hazards Mitigation Measure (H 2)**

Conduct soil boring and confirmation sampling in the former UST excavation site and coordinate UST closure reporting with Riverside County Department of Environmental Health and the San Diego County Regional Water Quality Control Board.

- **Noise Mitigation Measure (N-1)**

During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuation devices. (E.g. mufflers)

- **Noise Mitigation Measure (N-2)**

With the exception of emergency conditions, construction shall be limited to daylight hours or no later than 7 p.m.

- **Noise Mitigation Measure (N-3)**

If noise complaints demonstrate that a significant noise impact is affecting sensitive receptors due to construction activities (noise levels as measured at the receptor location at a level in excess of the City's noise significance thresholds), the City shall require the construction contractor to apply appropriate measures to reduce the impacts of noise on the sensitive receptor to levels within the City's significance thresholds.

- **Air Quality Mitigation Measure (AQ-1)**
During construction, the contractor shall ensure all construction equipment is properly serviced and maintained in good operating condition to reduce emissions. The SCAQMD requires that fuel injection timing be retarded 2 degrees for the manufacture's recommendation and use high-pressure injectors.

- **Air Quality Mitigation Measure (AQ-2)**
During construction, the contractor shall ensure low emission mobile construction equipment is used (replace diesel-powered equipment with gasoline-powered equipment), where feasible, during site preparation, grading, excavation, and construction of the proposed project components.

- **Air Quality Mitigation Measure (AQ-3)**
During construction, the contractor shall ensure proposed project specific sites are watered and that construction trucks pass through a shaker grate to remove excess dirt prior to exiting the site.

- **Air Quality Mitigation Measure (AQ-4)**
During construction, the contractor shall ensure that when soil is transported the operator (1) employs water to moisten earthen surface prior to disturbance and immediately after disturbance; (2) controls runoff so it does not saturate the surface of unpaved haul road and cause track-off; and (3) employs watering as an emergency measure during high wind events to stabilize actively dusting surface including but not limit to soil pile, unpaved road, and unpaved parking areas.

- **Air Quality Mitigation Measure (AQ-5)**
During construction, the contractor shall ensure that water-wetting methods and soil-binders are used on exposed soil stockpiles, unpaved roads, and unpaved parking areas. Active grading areas shall be watered at least three times each workday, as needed, to prevent visible plumes from exiting the project site.

- **Air Quality Mitigation Measure (AQ-6)**
During construction, the contractor shall ensure that during site preparation, grading, excavation and construction, chemical soil stabilizers are applied, according to the manufacturer's specification, to all inactive construction areas, defined as previously graded areas, which are inactive for 96 hours or more.

- **Air Quality Mitigation Measure (AQ-7)**
During construction, the contractor shall ensure groundcover is re-established through seeding and watering on those parts of the Project site that would not be disturbed for lengthy periods, generally defined as two or more months.

- **Air Quality Mitigation Measure (AQ-8)**
 During construction, the contractor shall ensure that site preparation, grading, excavation and construction, public streets are swept if silt is deposited on these roads from construction activities within the project site.

- **Air Quality Mitigation Measure (AQ-9)**
 During construction, the contractor shall ensure that site preparation, grading, excavation and construction speed limits on unpaved roads are restricted to 15 miles per hour.

- **Air Quality Mitigation Measure (AQ-10)**
 During construction, the contractor shall ensure that site preparation, grading, excavation and construction operations are suspended when wind speeds exceed 25 miles per hour.

- **Air Quality Mitigation Measure (AQ-11)**
 During construction, the contractor shall ensure that during site preparation, grading, excavation and construction, low sulfur fuel is used for stationary construction equipment.

- **Air Quality Mitigation Measure (AQ-12)**
 During construction, the contractor shall ensure that during site preparation, grading, excavation and construction, onsite power sources are used rather than temporary diesel or gasoline ICE generators when feasible.

- **Air Quality Mitigation Measure (AQ-13)**
 During construction, the contractor shall ensure that during site preparation, grading, excavation and construction, the contractor will establish a car-pool program for construction employees, which will include incentives with the goal of achieving a 1.5 persons per vehicle ridership for this project.

- **Air Quality Mitigation Measure (AQ-14)**
 During construction, the City shall require a lunch shuttle or catering program is implemented during the site preparation, grading, excavation and construction to reduce the number of lunchtime trips to and from the site.

- **Air Quality Mitigation Measure (AQ-15)**
 During construction, the City shall require that low VOC coating and solvents be used on all structures.

- **Air Quality Mitigation Measure (AQ-16)**
 During construction, the City shall require that low VOC asphalt be used on paved portions of the project site.

- **Air Quality Mitigation Measure (AQ-17)**
The City shall require that sidewalks and/or pedestrian paths be provided within the development.
- **Air Quality Mitigation Measure (AQ-18)**
The City shall require that pedestrian safety measures such as street lighting and pedestrian signage and signals be provided.
- **Air Quality Mitigation Measure (AQ-19)**
The City shall require that off-site intersection traffic signals be synchronized to prevent congestion of traffic flow in the area of the project.