

City of Murrieta
INITIAL STUDY/NEGATIVE DECLARATION ENVIRONMENTAL
CHECKLIST FORM

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to City of Murrieta Guidelines and Section 15063 of the State CEQA Guidelines.

PROJECT LABEL:

APN(s):	949190021,949190020, 949190024	USGS	Murrieta, California
		Quad:	
Applicant:	Alliant Strategic Development, LLC, 26050 Moreau Rd Suite 101, Calabasas, CA 91302	Overlays:	TOD Overlay
Project No:	EA-2022-2563		
Staff:	Aaron Rintamaki, Associate Planner		
Rep	Elevated Entitlements LLC Phone: (805) 232-4383 Address: 5716 Corsa Ave Suite 201, Westlake Village, CA 91362		
Proposal:	The proposed project is a grading project on vacant land that will later be used for the development of the 100% affordable Vista Murrieta multi- family development project . The project site is comprised of three (3) parcels located at 25342 Jackson Avenue, 40740 Vista Murrieta, and 40720 Vista Murrieta and is comprised of APNs 949-190-024, 949-190- 020, 949-190-021. The proposal includes 214 total units that have been previously approved. The buildings will be four stories with a height of 49 feet. The project includes 289 parking spaces and on-site amenities.		

PROJECT CONTACT INFORMATION:

Lead agency: City of Murrieta
Planning Division
1 Town Square
Murrieta, CA

Contact person: Aaron Rintamaki, Associate Planner
Phone No: (951) 461-6060
E-mail: Arintamaki@murrietaca.gov

PROJECT DESCRIPTION:

Summary

The project applicant, American Neighborhood Housing, is proposing a grading project on vacant land that will later be used for the development of the 100% affordable Vista Murrieta multi-family development project. The project site comprises of three (3) parcels located at 25342 Jackson Avenue, 40740 Vista Murrieta, and 40720 Vista Murrieta and is comprised of APNs 949-190-024, 949-190-020, and 949-190-021. This project will include the grading of the vacant property and will not include the development of any residential units, permanent parking spaces, or on-site amenities, which were previously approved under DP-2022-2562.

Construction and Project Implementation

Upon approval of the grading project, the general construction timeline for this project will be approximately 2-3 weeks. Construction equipment will consist of grading scrapers, grading blades, and D4 dozers. There will also be a water truck located on site during construction for dust control measures. The proposed grading would be completed by a crew of approximately 6-8 people. Therefore, approximately 8 temporary construction parking spaces will be provided on site. Construction vehicles will access the project site from Vista Murrieta but can also access the project site by Walsh Center Drive. All temporary construction activities would occur entirely onsite. Employee vehicles will be parked on the project site during construction. All staging areas and construction equipment will be located onsite. Grading operations will commence to balance the project site and create a primary pad elevation for the approved building. The proposed project will include the preparation, compaction, and certification of the permanent pad, and does not propose permanent parking, landscaping, or infrastructure within this development stage.

Surrounding Land Uses and Setting

Land uses on the Project site and surrounding parcels are governed by the City of Murrieta General Plan/Development Code. The following table lists the existing land uses and zoning districts. The property is zoned Office. The surrounding properties to the north, south, east, and west are all zoned Office.

Existing Land Use and Zoning Designations		
Location	Existing Land Use	Zoning Designations
Project Site	Single Family Residential	Office
North	Single Family Residential	Office
South	Vacant	Office
East	Single Family Residential	Office
West	Single Family Residential	Office

Project Site Location, Existing Site Land Uses and Conditions

The Vista Murrieta Multi-Family development grading project (Project) is proposed at 25342 Jackson Avenue, 40740 Vista Murrieta, and 40720 Vista Murrieta in the City of Murrieta. The 7.1-acre parcel is zoned Office per the City of Murrieta Development Code with a Transit Oriented Development Overlay (TOD). The topography of the site varies with most of the site not having a slope greater than 20%. The site is almost entirely single family residential with one parcel being vacant and undeveloped.

Existing Entitlements

DP-2022-2562 (Development Permit)

TPM-2022-02568 (Tentative Parcel Map)

EA-2022-2563 (Environmental Assessment)

FIGURES AND TABLES

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- Table 3 SCAQMD Significance Thresholds
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Figure 1 Project Site

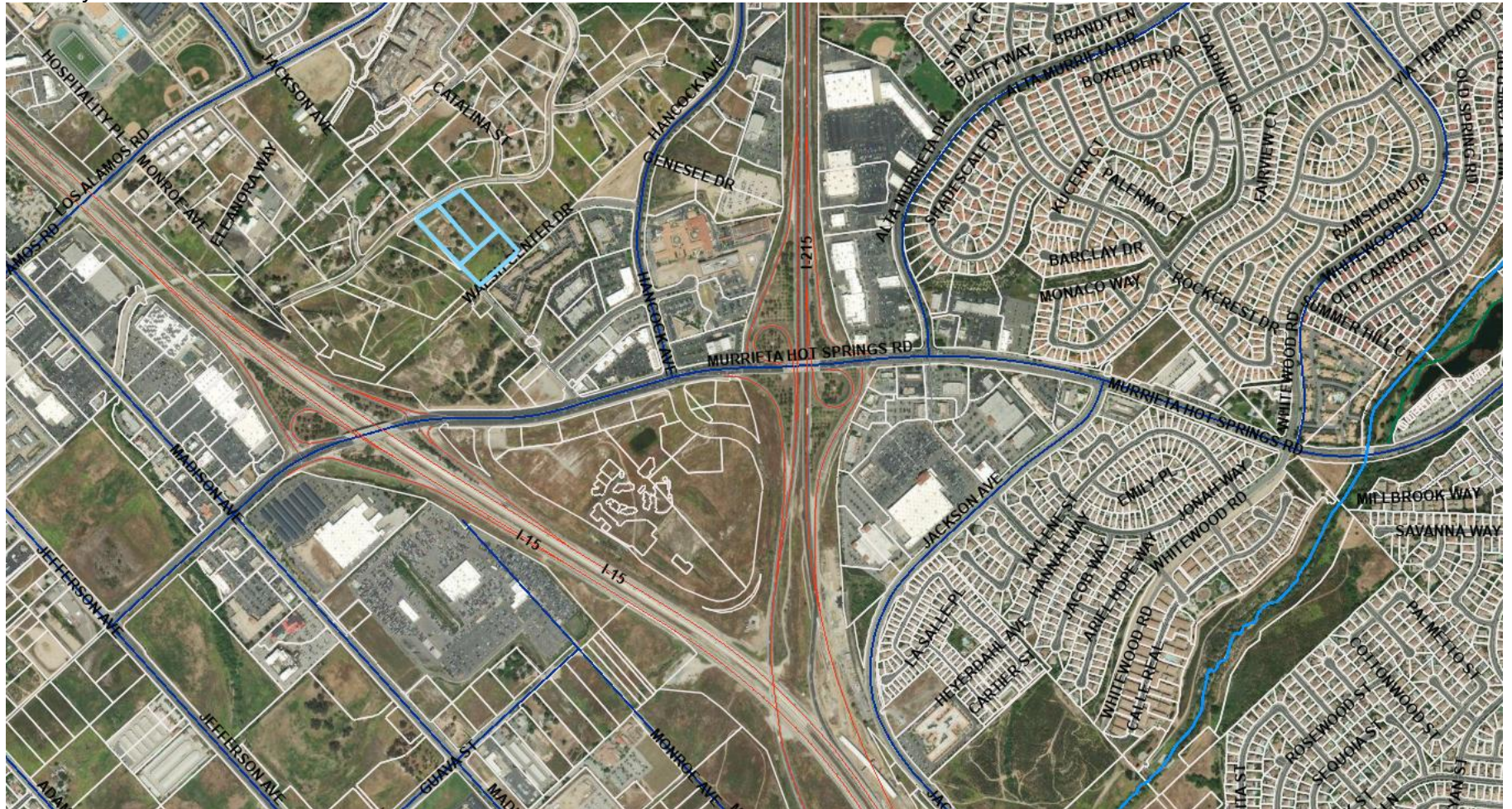


Figure 2 Project Site – Regional Location

Site Photographs



Figure 3 Viewpoint Looking East on Walsh Center Drive



Figure 4 Viewpoint Looking North on Walsh Center Drive



Figure 5 Viewpoint Looking West on Walsh Center Drive



Figure 6 Viewpoint Looking West on Vista Murrieta

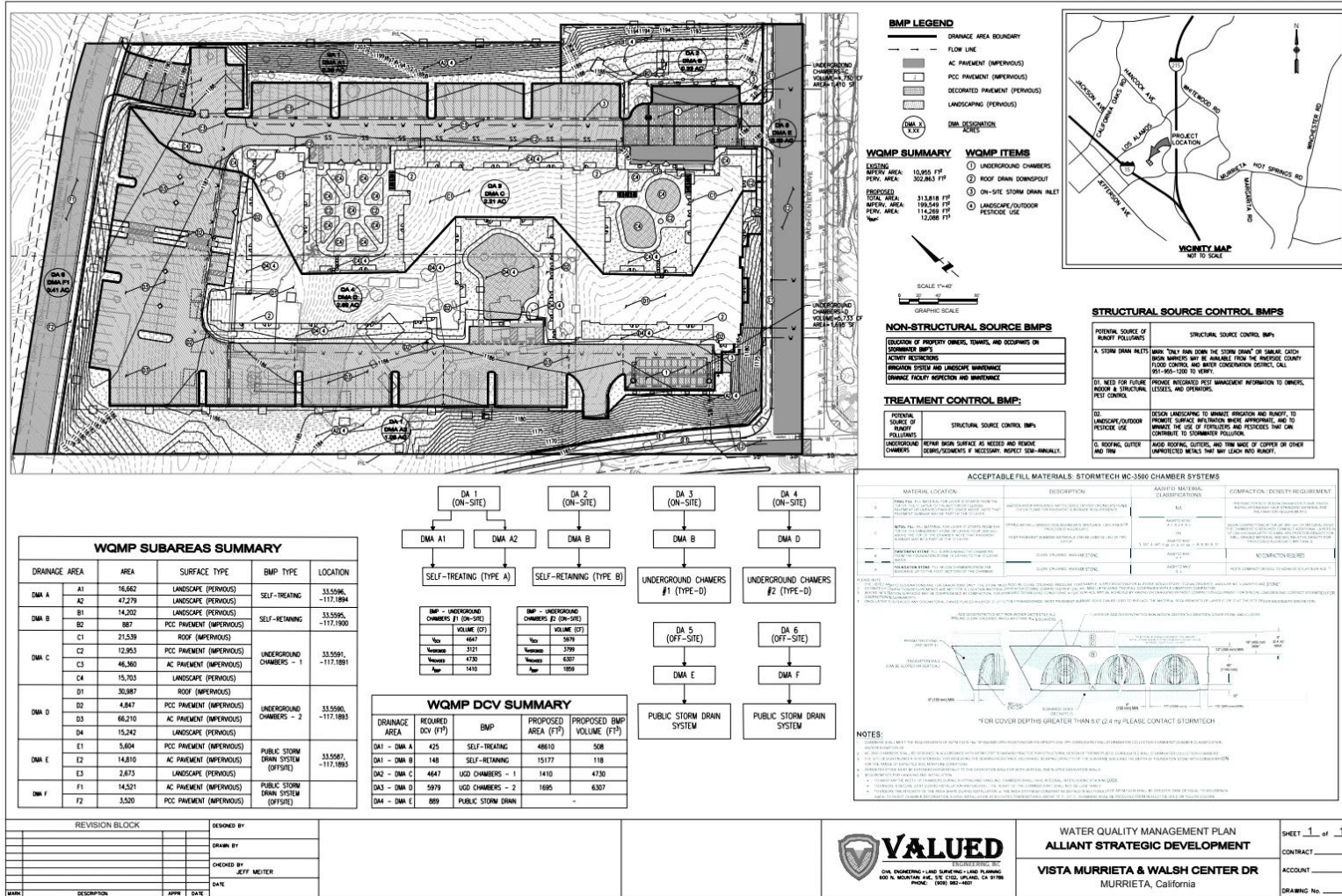


Figure 8 Drainage Management Areas

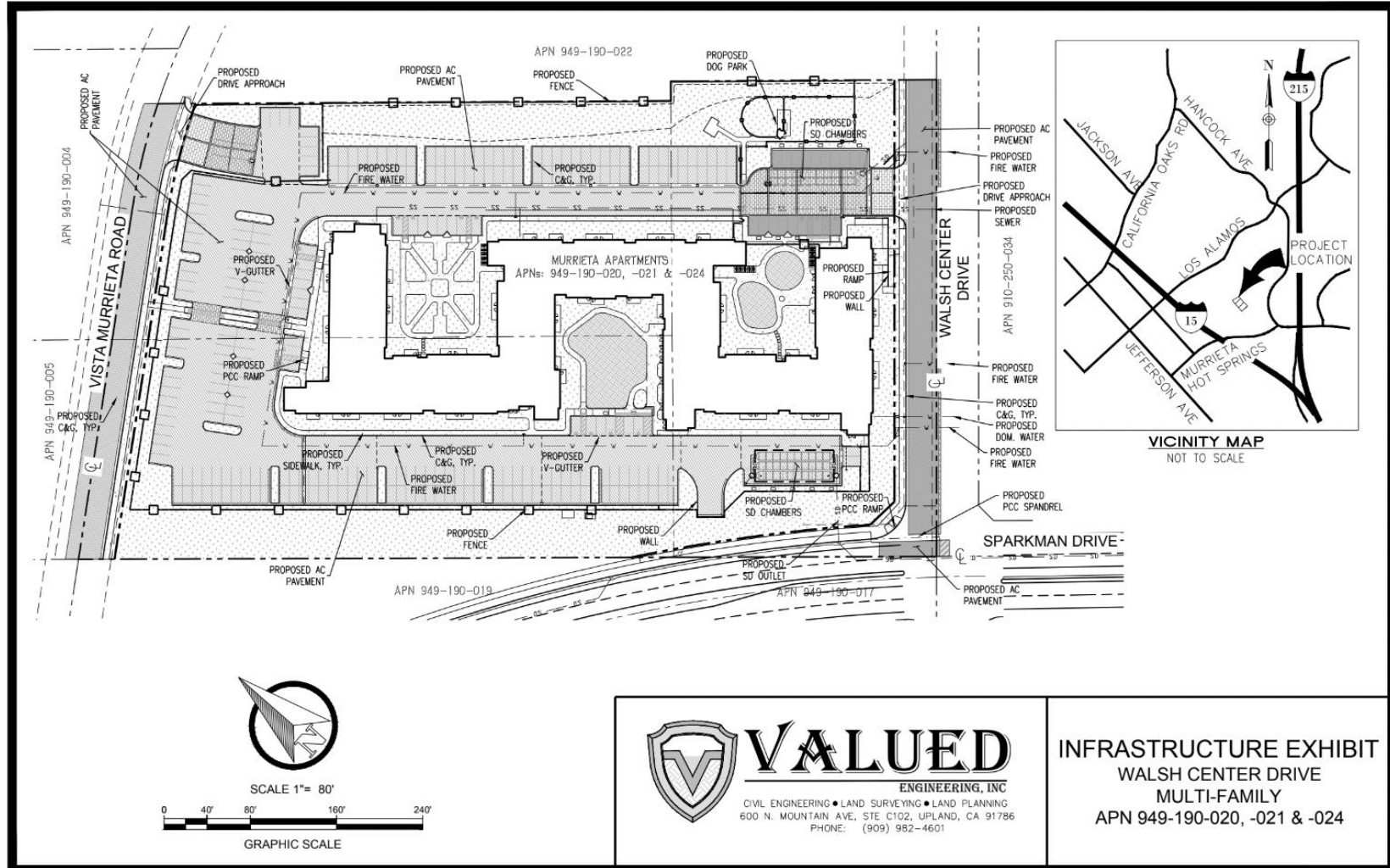


Figure 9 Infrastructure Exhibit



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ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

- Federal: Not Available
- State of California: California Fish & Wildlife, Air Quality Management District (AQMD)
- City of Murrieta: Building and Safety, Traffic, Land Development Engineering – Roads/Drainage; County of Riverside Department of Environmental Health ; Public Works, and Fire

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

Have California Native American tribes traditionally and culturally affiliated with the Project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Tribal consultation request letters were sent to the Agua Caliente Band of Cahuilla Indians, Morongo Band of Mission Indians, Rincon Band of Luiseno Indians, Soboba Band of Luiseno Indians, and Pechanga Band of Luiseno Indians. Response letters were received from June 23, 2023. Formal consultation was requested by the City of Murrieta, which took place on February 22, 2023. The resulting recommended mitigation and monitoring measures have been added to *Section V Cultural Resources* and *Section XVIII Tribal Cultural Resources* of this document.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. The format of this Initial Study is presented as follows. The Project is evaluated based on its potential effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the Project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the Project on the factor and its elements. The effect of the Project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

- No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.
- Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- Less than Significant Impact with Mitigation:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)
- Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: (prepared by Aaron Rintamaki, Planner) _____

Date _____

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the view-shed of any Scenic Route listed in the General Plan): **City of Murrieta Municipal Code, Chapter 16 Development Code City of Murrieta General Plan; Housing Element, Murrieta General Plan 2035 Final EIR July 2011 Aesthetics.**

- a) **Less than significant Impact** . The proposed Project is located within an area where most of the surrounding parcels are developed private properties. The nearest development is an apartment complex along Walsh Center Drive. Given the nature of the proposed Project, there would be minimal obstruction to the surrounding parcels. Therefore, no impacts would occur.
- b) **Less than significant Impact.** The site is not adjacent to a state scenic highway. There are no protected rock outcroppings or historic buildings on the Project site. Overall, the proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings. Because the visual setting will be changed from open space to urban developed, less than significant impacts would occur.
- c) **No Impact.** The proposed Project would not substantially degrade the existing visual character of the site and its surroundings. The proposed Project is similar in scale and character to the existing land uses adjoining the property and is not in conflict with existing zoning. The proposed Project is in congruence with much of the development in the immediate area. Furthermore, the conditions of approval would include requirements for the development to comply with all City Municipal Development Codes

and ordinances. Therefore, the proposed Project would have no impact on the existing visual character and quality of the site and its surroundings.

- d) **Less Than Significant Impact.** All proposed Project lighting will be shielded away from surrounding uses and will be limited to walkways and security lighting. The proposed Project will comply with the City of Murrieta Municipal Code (CMMC) Chapter 16.18.100 Lighting Chapter 16.38.010 Sign Standards, which includes light trespass onto abutting residential properties, shielding, direction, and type. In addition, the proposed Project shall comply with Chapter 16.18.110 Mount Palomar Lighting. Adherence to these code requirements would result in a less than significant impact.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

	<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
II.	AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

to non-agricultural use or conversion of forest land to non-forest use?

SUBSTANTIATION: (Check if project is located in the Important Farmlands Overlay): **City of Murrieta General Plan 2035; City of Murrieta Municipal Code Chapter 16 Development Code. California Department of Conservation Farmland Mapping and Monitoring Program; Western Riverside County Important Farmland Map 2018; Submitted Project Materials.**

- a) **No Impact.** According to *Agricultural Resources*, the California Department of Conservation, and Farmland Mapping and Monitoring Program, the proposed site is not within an area identified as Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. As proposed, the Project would not convert Farmland to non-agricultural use. Therefore, no impacts would occur.
- b) **No Impact.** The proposed Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. The proposed Project area is not under a Williamson Act contract. There is no impact, and no further analysis is warranted.
- c) **No Impact.** The proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The proposed Project area has never been designated as forest land or timberland because the site is within a largely undeveloped residential area. Because the surrounding area, does not contain forested lands no impacts would occur.
- d) **No Impact.** The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. The proposed Project site is within an area that does not contain forest lands. There is no impact, and no further analysis is warranted. Therefore, no impacts would occur.
- e) **No Impact.** The proposed Project would not involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use. The proposed Project site does not contain forested lands. There is no impact, and no further analysis is warranted. Therefore, no impacts would occur.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

project region is non-attainment under an applicable federal or state ambient air quality standard?

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION: *(Discuss conformity with the South Coast Air Quality Management Plan, if applicable): California Emissions Estimator Model (CalEEMod; Version 2020.4.0; Southern California Air Quality Management District; City of Murrieta General Plan 2035; Submitted Project Materials*

- a) **No Impact.** The primary way of determining consistency with the Air Quality Management Plan’s (AQMP’s) assumptions is determining consistency with the applicable General Plan to ensure that the Project’s population density and land use are consistent with the growth assumptions used in the AQMPs for the air basin. As required by California law, a City’s General Plan contains a Land Use Element that details the types and quantities of land uses that the city estimates will be needed for future growth, and that designate locations for land uses to regulate growth. Existing and future pollutant emissions computed in the AQMPs are based on land uses from area general plans. AQMPs detail the control measures and emission reductions required for reaching attainment of the air standards. The applicable General Plan for the Project is the City of Murrieta General Plan 2035. The Project is consistent with the Office and Research General Plan Land Use Designation and the provisions of the Transit Oriented Development (TOD) Overlay District. The City of Murrieta General Plan and CAP is consistent with the population growth and VMT applied in the plan and is therefore consistent with the assumption of the SCAQMP. The Air Quality/Greenhouse Gas Assessment prepared for this project and appended to this document details the project’s compliance with the CAP’s compatibility checklist. Therefore, the Project is consistent with the growth assumptions used in the applicable AQMPs. As a result, the Project will not conflict with or obstruct the implementation of any air quality plans.

- b) **Less Than Significant Impact** . Construction of the Project would result in emissions of ozone precursors including reactive organic gases (ROG), nitrous oxides (NOx), and fugitive dust emissions (PM10). During operation, the Project would result in emissions of ozone precursors associated with mobile source emissions and other stationary sources. Inconsistency with any of the plans would be considered a cumulatively adverse air quality impact.

CEQA significance thresholds for construction emissions for the Basin are shown in Table 1 and occupancy/operational emissions for the Basin are shown in Table 2 below:

Table 1

Estimated Annual Emission (Annual, Unmitigated) LBS/Day (unless otherwise shown)

Emission Source	ROG	NOx	CO	SOx	PM10	PM2.5
Regional Construction Emission	75	100	550	150	150	55
Project Construction Emissions	5.13	10.14	14.30	Negligible	2.41	1.19
Significant?	No	No	No	No	No	No

Table 2

Estimated Annual Emission (Annual, Unmitigated) LBS/Day (unless otherwise shown)

Emission Source	ROG	NOx	CO	SOx	PM10	PM2.5
Regional Construction Emission	55	155	550	150	150	55
Project Construction Emissions	13.32	6.58	62.42	.11	12.27	4.22
Significant?	No	No	No	No	No	No

As discussed above, the Project is consistent with the currently adopted General Plan for the City and is therefore consistent with the population growth and VMT applied in the plan.

Project specific emissions that exceed the thresholds of significance for criteria pollutants would be expected to result in a cumulatively considerable net increase of any criteria pollutant for which the City of Murrieta is in non-attainment under applicable federal or state ambient air quality standards. It should be noted that a project is not characterized as cumulatively insignificant when project emissions fall below thresholds of significance. As discussed above, results of the analysis show that emissions generated from construction and operation of the Project will be less than the applicable air district emission thresholds for criteria pollutants. Therefore, no impacts would occur.

- c) **No Impact.** Sensitive receptors refer to those segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems affected by air quality). Land uses that have the greatest potential to attract these types of sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential communities. Although the Project site is adjacent to residential uses, the fact that no SCAQMD criteria pollutant thresholds or GHG emissions thresholds would be exceeded as a result of either project construction or operations ensures this impact is less than significant and no mitigation is required. In addition, the Project footprint is larger than five acres which is the SCAQMD threshold for evaluating impacts to sensitive receptors and construction emission in particular are temporary in nature.

Table 3
 SCAQMD Significance Thresholds

POLLUTANT	CONSTRUCTION	OPERATION
<i>Criteria Pollutants Mass Daily Thresholds</i>		
NOx	100 lbs./day	55 lbs./day
ROG (VOC)	75 lbs./day	55 lbs./day
PM10	150 lbs./day	150 lbs./day
PM2.5	55 lbs./day	55 lbs./day
SOx	150 lbs./day	150 lbs./day
CO	550 lbs./day	550 lbs./day
Lead	3 lbs./day	3 lbs./day

- d) **No Impact.** The intensity of an odor source’s operations and its proximity to sensitive receptors influences the potential significance of odor emissions. Air districts throughout the state have identified some common types of facilities that have been known to produce odors. The types of facilities that are known to produce odors are typically associated with heavy industry or agriculture. The Project will not generate odorous emissions given the nature or characteristics of the Project as it is a multifamily development not known to emit odors. The only potential source of odor for this Project is trash in the form of organic matter. The facility is required by the City to operate with trash management and pick up. Therefore no impacts would occur.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IV. BIOLOGICAL RESOURCES - Would the project:				

- a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans,

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | | | | |
| b) | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Have a substantial adverse effect on state or federally protected wetlands as (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION: (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database): **City of Murrieta General Plan 2035; Biological Study Elevated Entitlements July 15, 2022; USGS Murrieta 7.5-minute quadrangle map 2013; Submitted Project Materials**

- a) **Less Than Significant Impact with Mitigation Incorporated.**
- Elevated Entitlements LLC conducted a field survey on March 2, 2022, and found that the Project site provides very limited marginal nesting habitat for ground- and shrub-nesting bird species protected under the Migratory Birds Treaty Act (MBTA). Additionally, the subject site does not fall within an MSHCP Criteria Cell. Therefore, if construction occurs during the nesting bird season (February 1 to September 1), Mitigation Measure BIO-1 shall be implemented in order to ensure impacts are less than significant to potential nesting birds.
- In addition, the subject site has the potential for burrowing owl species to forage on site and nest in adjacent areas. However, no Burrowing Owls were found onsite. Suitable burrows for Burrowing Owls were observed within the subject site during the field survey. Therefore, impacts to Burrowing Owls would be less than significant with the implementation of Mitigation Measure BIO-2.

No potential jurisdictional waters features were observed within the subject site. Areas potentially subject to USACE, RWQCB, and CDFW jurisdiction were assessed during the literature review and field visit. No state or federally defined streams, swales, wetlands, vernal pools, or potential vernal pools are mapped by the United States Geological Services (USGS) within the subject site. Overall, with implementation of Mitigations Measures BIO-1 and BIO-2 potential impacts would be less than significant.

- b) **No Impact.** The proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or United States Fish and Wildlife Service because no such habitat has been identified or is known to exist on the Project site. The property supports three distinct vegetation types, ruderal, California buckwheat scrub along the paved road and a double olive tree row. The majority of the property is occupied by ruderal vegetation comprising a mixture of non-native Mediterranean grasses, foxtail brome, and red-stemmed filaree. There are no defined watercourses on the site. Therefore, no impacts would occur.
- c) **No Impact.** The proposed Project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the proposed Project is not within an identified protected wetland. There are no California or U.S jurisdictional waters on the site. Therefore, no impacts would occur.
- d) **Less Than Significant Impact** . Due to the absence of sensitive biological species as described in the biological reports prepared by Elevated Entitlements LLC (appendix), the proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, because there are no such corridors or nursery sites within or near the Project site. Additionally, the Project site does not fall within an MSHCP criteria cell. The subject site is located within an urbanized area and is directly bordered by existing multi-family to the south and single family residential to the north, east and west. Overall, this region does not serve as an integrated passageway for wildlife. The Project should not prohibit any wildlife movement from occurring or cause any interruptions. Therefore, no impacts would occur.
- e) **No Impact.** The proposed Project does not interfere with any local policies or ordinances protecting biological resources. Therefore, no impacts would occur.
- f) **No Impact.** The proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) or other approved local, regional, or state habitat conservation plan . According to the Regional Conservation Authority (RCA), the property does not fall into a cell group under the MSHCP. Therefore, no impacts would occur.

Mitigation:

BIO-1 Pre-construction Nesting Bird Survey: If construction or other Project activities are scheduled to occur during the bird breeding season (February 1 through September 30), a pre-construction nesting bird survey shall be conducted for the proposed Project plus a 100-foot survey radius (where accessible) during nesting bird season by a Qualified Biologist to ensure that active bird nests will not be disturbed or destroyed. The survey shall be completed no more than three days prior to initial ground disturbance. If an active nest is observed, a no-work buffer shall be implemented around the nest of appropriate size for the nesting species and for the individual disturbance tolerance of the nesting pair. The no-work buffer shall be communicated to all personnel and shall be removed upon completion, or failure, of the nest.

BIO-2 Pre-construction Burrowing Owl Surveys and Avoidance: A Qualified Biologist shall be hired to conduct a Burrowing Owl clearance survey due to the presence of suitable Burrowing Owl habitat encountered within and adjacent to the Project site. A Qualified Biologist shall follow the survey methods outlined in the Staff Report on Burrowing Owl Mitigation (CDFG, 2012). Surveys shall cover all portions of the Project site that were identified as suitable habitat. If raptors or other predators are present that may suppress Burrowing Owl activity, returning at another time or later date for a follow-up survey is recommended. If active burrows are observed, the Biologist shall demark a 500-foot protective buffer.

BIO-3: Pre-construction surveys for BUOW should be conducted no more than 3 days prior to commencement of project-related ground disturbance to verify that BUOW remain absent from the project area.

BIO-4: If burrowing owl are discovered within the project footprint, a project specific BUOW protection and/or passive relocation plan shall be prepared to determine suitable buffers and/or artificial burrow construction locations to minimize impacts to this species. If a BUOW is found on-site at the time of construction, all activities likely to affect the animal(s) shall cease immediately and regulatory agencies shall be contacted to determine appropriate management actions.

Therefore, with the implementation of these mitigation measures impacts would be less than significant.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
V. CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: (Check if the project is located in the Cultural or Paleontological Resources overlays or cite results of cultural resource review):
City of Murrieta General Plan, 2035; Phase I Cultural Resources Assessment April 2022 EnviroPro Consulting LLC; Submitted Project Materials

- a) **Less Than Significant Impact.** The Project site is located immediately north of the junction of US Highways 15 and 215 and north of Murrieta Hot Springs Road. The three existing parcels making up the site are zoned Office and Research Park and are bound by Vista Murrieta to the North and Walsh Center Drive to the South. The site was surveyed on January 13, 2022, in order to comply with CEQA guidelines which the City of Murrieta is required to abide by. An intensive 100% pedestrian survey was undertaken to review the site. Temperatures were in the Mid-60s with clear sunny skies. The ground visibility was good to fair with moderate obscurement from shrubs and grasses. The site was highly disturbed from the previous construction of single-family residences on the property with the southernmost field cleared and mowed of any vegetation. Background review of aerial imagery revealed that a single-family structure as well as two additional structures were demolished sometime around 2008-2009. The archaeological survey of the entire Project area did not identify any cultural resources over 50 years old. Although this is the case the exact age of the demolished structures is not known. The Eastern Information Center (EIC) received the Project's records search request for the Project's development footprint area located on the Murrieta, California (1979) USGS 7.5' quadrangle. The Archaeological Study prepared by EnviroPro Consulting, LLC reflects the results of the records search for the Project area and a 0.5-mile radius.

The search includes a review of all recorded archaeological and built-environment resources as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest (SPHI), the California Historical Landmarks (SHL), the California Register of Historical Resources (CAL REG), the National Register of Historic Places (NRHP), and the California State Historic Properties Directory (HPD) listings were reviewed for the above-referenced Project site and a 0.5-mile radius.

Based on the findings in the Archaeological Study, the proposed Project would not cause a substantial adverse impact on Historical and Archeological Resources. The archeological study did not identify any cultural resources more than 50 years old. Therefore, the impacts would be less than significant.

- b) **Less Than Significant Impact With Mitigation Incorporated.** As part of the current archaeological study, 10.3 acres of land were inventoried to determine whether significant cultural resources would be affected by the proposed Project. The survey failed to identify any archaeological resources that indicated human activities older than 50 years of age. Therefore, no significant impacts on previously documented or undiscovered cultural resources are expected as part of the proposed Project.

The records search conducted by Pechanga did not reveal any known archaeological or tribally sensitive resources. In addition, the authorized Pechanga Monitor did not identify any tribally sensitive resources during the survey. Because the Project did not identify any significant historic or prehistoric sites, the Project meets and complies

with local preservation policies regarding cultural resources in the City of Murrieta General Plan, Cultural Resource Preservation (Municipal Code, Title 16, Article III, Chapter 16.26) City of Murrieta's Cultural Resources Guidance Mitigation Measures CR-1 and is recommended for unexpected potential archaeological discoveries or potential human remains. Therefore, impacts would be less than significant with mitigation incorporated.

- c) **Less Than Significant Impact With Mitigation Incorporated.** The methods and techniques used by EnviroPros are considered adequate and satisfactory for the identification and evaluation of cultural resources visible at the ground surface. However, there is always a possibility that buried archaeological deposits could be found during construction and/or earth disturbing activities. City of Murrieta's Cultural Resources Guidance Mitigation Measures CR-1 and CR-2 are recommended for unexpected potential archaeological discoveries or potential human remains. Therefore, impacts would be less than significant with mitigation incorporated.

Mitigation Measure:

CUL-1: Archaeological Monitoring: At least 30-days prior to grading permit issuance and before any grading, excavation, and/or ground-disturbing activities on the site take place, the project permittee/owner shall retain a Riverside County-certified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Prior to grading, the project permittee/owner shall provide to the City verification that a certified archaeological monitor has been retained. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.

The Project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist and the Tribal monitor(s), shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors.

The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition.

The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis

CUL-2: Cultural Resource Monitoring Plan (CRMP): The Project Archaeologist, in consultation with consulting tribes, the permittee/owner, and the City, shall develop an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the plan shall include:

- a) Project grading and development scheduling;
- b) The development of a monitoring schedule in coordination with the permittee/owner during grading, excavation and ground-disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists; and,
- c) The protocols and stipulations that the permittee/owner, City, Tribes, and Project Archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation

CUL-3: Native American Monitoring: Native American Tribal monitors shall also participate in monitoring of ground-disturbing activity. At least 30 days prior to issuance of grading permits, agreements between the permittee/owner and a Consulting Tribe(s) shall be developed regarding prehistoric cultural resources and shall identify any monitoring requirements and treatment of Tribal Cultural Resources so as to meet the requirements of CEQA. The monitoring agreement shall address the treatment of known Tribal Cultural Resources; the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation, and ground-disturbing activities; project grading and development scheduling.

CUL-4: Disposition of Cultural Resources: In the event that Native American Cultural resources are identified during Project earthwork and ground-disturbing activities, the following procedures shall be carried out for final disposition; One or more of the following treatments, in order of preference, shall be employed in consultation with the Consulting Tribe. Evidence of such shall be provided to the City of Murrieta.

1. Preservation-In-Place of the cultural resources. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resource(s).
2. On-site reburial of the discovered items as detailed in the CRMP required pursuant to Mitigation Measure CUL-2. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV report shall be filed with the City under a confidential cover and not subject to Public Records Requests.

CUL-5: Human remains: If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to

California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" for purposes of receiving notification of discovery. The most likely descendant(s) shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

CUL- 6: Inadvertent Archeological Find. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).

- i. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
- ii. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
- iii. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
- iv. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.
- v. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the project archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.
- vi. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with

respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council.”

CUL-7: Archeology Report – Phase IV: At the completion of grading, excavation, and ground disturbing activities on-site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the Project Archaeologist and Native American Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Murrieta, South Coastal Information Center and Consulting tribes.

CUL-8: Non-Disclosure of Reburials Location: It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: *City of Murrieta; Conservation Element Murrieta General Plan 2035, 06 - Infrastructure Element, 0 - 8 Conservation Element; California Energy Commission Title 24; The Clean Power and Electrification Pathway November 2017; 2022 California Gas Report.*

- a) **Less than Significant Impact.** A significant impact would occur if the Project resulted in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or

operation. The proposed Project would develop a four-story multi-family building with 214 dwelling units. The proposed Project is required to comply with the energy conservation standards established in Title 24 of the California Administrative Code. California's Energy Efficiency Standards for Residential Buildings located in Title 24, Part 6 of the California Code of Regulations and commonly referred to as "Title 24," which was established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically by the California Energy Commission, to allow consideration and possible incorporation of new energy efficiency technologies and methods. California's Building Energy Efficiency Standards are updated on an approximately three-year cycle. The 2019 Standards will continue to improve upon the 2016 Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The effective date of the 2019 Standards was January 1, 2020. The Energy Efficiency Standards are a specific response to the mandates of AB 32 and to pursue California energy policy that energy efficiency is the resource of first choice for meeting California's energy needs. The proposed Project includes energy efficiency components to conserve energy, which are detailed below:

Existing Infrastructure

Electricity

Southern California Edison (SCE) provides electricity to the City of Murrieta through existing power lines located throughout the city as well as a network of substations located throughout the area. An example of the scale of the substations in the area is mentioned in the City of Murrieta's General Plan Infrastructure Element, that substation being the Triton transmission substation which is a 115/12 kilovolt facility located in the City of Temecula. SCE generates power through a variety of renewable means such as wind, solar, geothermal, and hydroelectric. Southern California Edison plans to have 80% of their grid supplied by Carbon free energy by 2030 according to The Clean Power and Electrification Pathway which the utility provider (SCE) published in 2017. The availability of electricity is dependent upon adequate generating capacity and adequate fuel supplies. Three letters dated 06-14-22 and sent for the three parcels making up the Project site stated that SCE will have the capacity to service the site. The estimated power requirements for the proposed Project are part of the total load growth forecast for the City of Murrieta and has been considered in the planned growth of Southern California Edison's power system. Because SCE will have the capacity to service the site and because SCE is in the midst of converting their existing power generation infrastructure to more sustainable carbon free means of power generation the potential energy impacts for the site would be less than significant.

Natural Gas

Southern California Gas Company (SCG) provides natural gas resources to the City through existing gas mains located under the streets and public rights-of-way. Natural gas services are provided in accordance with SCG's policies and extension rules on file with the California Public Utility Commission (CPUC) at the time contractual

agreements are made. Natural gas is delivered to the Project Site through natural gas facilities underneath the adjacent public streets. Construction of the proposed Project would necessitate closing off existing service connections to the Project site and re-establishing new service connections to the proposed structures. Such infrastructure improvements would be conducted on-site and within the right-of-way easements serving the Project area and would not create a significant impact on the physical environment. This is largely due to the fact that (a) any disruption of service would be short-term, (b) upgrades would be localized to the Project site, and (c) any foreseeable off-site improvements would be limited to the right-of-way easements in the immediate Project vicinity. Therefore, potential impacts resulting from natural gas infrastructure improvements would be less than significant.

Energy Consumption

Construction

Energy would be consumed during the site grading and construction phases of the proposed Project for grading and materials transfer by heavy-duty equipment, which is usually diesel powered. Construction of the proposed Project would require the export of soil from the Project site during the site grading phase. Construction worker travel to and from the Project site would result in the additional consumption of vehicular unleaded gasoline fuel during the construction period. In addition to diesel fuel and vehicular fuel, an unquantifiable amount of electricity and natural gas would be consumed as a result of the temporary construction process. Due to the relatively short duration of the construction process which is estimated to take 9-11 months, and the fact that the extent of fuel consumption is inherent to construction Projects of this size and nature, fuel consumption impacts would not be considered excessive or substantial with respect to regional fuel supplies. The energy demands during construction would be typical of construction projects for projects of this size and would not necessitate additional energy facilities or distribution infrastructure or cause wasteful, inefficient, or unnecessary consumption of energy. Accordingly, energy demands during construction would be less than significant.

Operation

Electricity

As discussed above, the proposed Project would be required to comply with energy conservation standards pursuant to Title 24 of the California Administrative Code. Therefore, compliance with Title 24 of the California Administrative Code would reduce the proposed Project's energy consumption. Additionally, as discussed above, electric service is available and would be provided to the Project site. The availability of electricity is dependent upon adequate generating capacity and adequate fuel supplies. The estimated power requirements for the proposed Project are part of the total load growth forecast for the City of Murrieta and SCE. This has been considered in the planned growth of SCE's power system. Specifically, the residential units would include energy efficient lighting fixtures, low-flow water features, and energy efficient mechanical heating and ventilation systems. Thus, the proposed Project would incorporate energy conservation features. Therefore, the

development of the proposed Project would not cause wasteful, inefficient, or unnecessary consumption of electricity.

Natural Gas

Natural gas for the Project site is provided by Southern California Gas Company (SCG). Gas supply available to SCG from California sources averaged 323 million cubic feet (cf)/day in 2017. SCG projects total natural gas demand to decrease at an annual rate of 0.74 percent per year from 2018 to 2035. This decrease is due to modest economic growth, CPUC-mandated energy efficiency (EE) standards and programs, tighter standards created by revised Title 24 Codes and Standards, renewable electricity goals, the decline in commercial and industrial demand, and conservation savings linked to Advanced Metering Infrastructure (AMI). Thus, with the natural gas consumption becoming more efficient and decreasing, the SCG's Projection for natural gas also decreases. Interstate pipeline delivery capability into SCG on any given day is theoretically approximately 6,665 million cf/day based on the Federal Energy Regulatory Commission (FERC) Certificate Capacity or SCG's estimated physical capacity of upstream pipelines. SCG's storage fields attain a combined theoretical storage working inventory capacity of 137.1 billion cubic feet; of that, 112.5 billion cubic feet is allocated to residential, small industrial and commercial customers. The natural gas consumption as a result of the operation of the proposed Project would represent a very small fraction of one percent of the SCG's existing natural gas storage capacity and therefore, would be within the SCG's existing natural gas storage capacity of 112.5 billion cubic feet as of 2023. As discussed above, the proposed Project would be required to comply with energy conservation standards pursuant to Title 24 of the California Administrative Code. Therefore, compliance with Title 24 of the California Administrative Code would reduce the proposed Project's energy consumption. Therefore, the development of the proposed Project would not cause wasteful, inefficient, or unnecessary consumption of natural gas.

- b) **Less than Significant Impact.** The City of Murrieta adopted a Conservation Element. The proposed Project would be required to meet Title 24 Energy Efficiency requirements. Adherence would ensure that the proposed Project would not conflict with or obstruct the recently adopted Conservation Element or any other state or local plan for renewable energy or energy efficiency.

Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VII. GEOLOGY AND SOILS - Would the project:				

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- | | | | | | |
|------|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| i. | Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. | Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. | Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv. | Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) | Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION: (Check if project is located in the Geologic Hazards Overlay District): **City of Murrieta General Plan, 2035; Earthquake Fault Zones, Submitted Project Materials; California Building Code; Public Resources Code.**

- a) i) **Less than Significant Impact.** The subject site is located 1-mile outside of the State of California Alquist Priolo Earthquake Fault Zone. The subject site will likely experience little or weak seismic shaking during the design life of the proposed

- Project. A fault trench investigation will be performed prior to any habitable structures being constructed on the subject property to mitigate any impacts from future fault ruptures. Although the majority of the site lies outside of a fault zone for the Murrieta Hot Springs fault established by Riverside County, previous field exploration by LGC, Geo-Environmental (2019) concluded that no active faulting exists across the area of their investigation Earth Strata Geotechnical Services determined that an additional trenching study may be required by the City of Murrieta and their representatives. This suggestion was made because the majority of the trenching done for the previously sited study occurred mostly east of the project site. Due to the nature of the records search as well as review of the site by Earth Strata Services the impacts to the site are considered to be less than significant.
- ii) **Less than Significant Impact.** The subject site will likely experience little or weak seismic shaking during the design life of the proposed Project. The site modified peak ground acceleration is estimated to be 0.901g. Adherence to California Building Code Seismic Design Standards, Chapter 16: *Structural Design* will help to assure a less than significant impact.
- iii) **Less than Significant Impact.** The Project site is not located in an area of high liquefaction susceptibility. Based on the depth to groundwater in the project vicinity, risks associated with liquefaction are considered "negligible." Groundwater was not observed to a total depth of 21 feet, which meets the minimum separation of 10 feet from the bottom of infiltration facility to the Earth Strata Geotechnical Services 4 March 24, 2022, Project Number 214068-12A groundwater mark. According to the California Geology Survey the project is not located in an area with historically high groundwater conditions. Potential groundwater impact is considered low. However, adherence to California Building Code Seismic Design Standards, Chapter 16: *Structural Design* would further assure a less than significant impact due to liquefaction. Therefore, less than significant impacts would occur.
- iv) **No Impact.** The Project site is in an area with gradually sloping hillsides, but the potential to slide during a ground disturbing event such as an earthquake is negligible due to the shallow grade in the area. Therefore, no impacts would occur.
- b) **Less than Significant Impact.** No signs of flooding or erosion occur on the Project site. The risks associated with flooding and erosion will be evaluated and mitigated by the project design Civil Engineer during project plan check. The following best management practices will be implemented by the project design Civil Engineer: fiber rolls will be placed on the slopes, gravel bags will be utilized at any sump condition for protection of drainage inlets, silt fencing would be installed around the perimeter of the Project to contain flows on-site, wind screening will be added to any construction fence to prevent wind erosion. Therefore, less than significant impacts would occur.
- c) **Less than Significant Impact.** The proposed Project is located within the Murrieta Hot Springs fault zone and is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on- or off- site landslide, lateral spreading, subsidence, liquefaction, or collapse based on the Project location and the USGS Geologic Hazards Science Center. Therefore, the impacts would be less than significant.

- d) **Less than Significant Impact.** The Project site is not located in an area that has been identified as having the potential for expansive soils as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. According to the Preliminary Geotechnical Interpretive Report by Earth Strata Geotechnical Services, Inc there is a very low expansion potential (expansion index of 20 or less) making the design of slab on ground foundations exempt from procedures outline in Section 1808.6.1 or 1808.6.2. Therefore, impacts would be less than significant.
- e) **No Impact.** There will be no septic tanks used on the Project site. The Project will connect to the main sewer line in the public right-of-way. Therefore, no impacts would occur.
- f) **Less Than Significant Impact with Mitigation:**

The paleontological record search revealed that fossils are known from the Pauba Formation and unnamed sandstone near the project location. Based on the records search localities, both the Pauba Formation and the unnamed sandstone are assigned a high potential for fossil resources (Potential Fossil Yield Classification while the young alluvial channel deposits are assigned a low sensitivity.

Based on the sensitivity of the site for paleontological resources, the planned depth of cuts and the depths of other finds within the area, impacts to paleontological resources may be significant without mitigation. Implementation of Mitigation Measure PAL -1 would reduce potential impacts to paleontological resources to less than significant.

Mitigation Measure:

PAL-1 If during initial ground-disturbing activities, paleontological resources are encountered, a qualified paleontological monitor shall be retained and have the authority, if necessary, to stop or redirect grading activities and evaluate the significance of any paleontological resources discovered on the property. If significant paleontological resources are encountered, adequate funding shall be provided to collect, curate, and report on these resources. A report shall be submitted to the City of Murrieta within 60 days from the completion of grading.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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VIII. GREENHOUSE GAS EMISSIONS – Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

- b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

SUBSTANTIATION: *California Emissions Estimator Model (CalEEMod; Version 2020.4.0); Southern California Air Quality Management District; City of Murrieta General Plan 2035; Submitted Project Materials*

a) Less than Significant Impact. On December 8, 2015, Riverside County adopted their General Plan with includes the Climate Action Plan (CAP). This plan contains guidance for Riverside County's Greenhouse Gas. This plan provides an equivalent threshold of 3,000 MT CO₂e and imposes a mitigation checklist for those projects exceeding the threshold. The proposed project would generate an estimated total of 2,292.61 metric tons of CO₂e emissions during construction. The SCAQMD recommends amortizing construction emissions over a period of 30 years to estimate the contribution of construction emissions to operational emissions over the project lifetime. Amortized over 30 years, the construction of the project will generate approximately 76.42 metric tons of CO₂e on an annualized basis. Based on the results of the CalEEMod Model, the Project would generate a total of 2,270.57 metric tons of CO₂e emissions annually from operations. By adding the amortized construction emissions results with the operational annual CO₂e emissions the project will produce 2,346.99 metric tons over a 30-year period. This cumulative level is below the SCAQMD's recommended Tier 3 threshold of 3,000 metric tons of CO₂e emissions for residential and commercial land uses, therefore no significant impact would occur.

b) **No Impact.** California passed the California Global Warming Solutions Act of 2006. Assembly Bill (AB) 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. Under AB 32, California Air Resource Board (CARB) must adopt regulations by January 1, 2011, to achieve reductions in GHGs to meet the 1990 emission cap by 2020. On December 11, 2008, CARB adopted its initial Scoping Plan, which functions as a roadmap of CARB's plans to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. CARB's 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan.

SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS) that will prescribe land use allocation in that MPO's regional transportation plan. CARB, in consultation with MPOs, has provided each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. Executive Order B-30-15 establishes a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050. Executive Order B-30-15 requires MPO's to implement measures that will achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets. The City of Murrieta's Climate Action Plan (2011) aims to reduce GHG emissions by 15 percent below 2009 emissions levels through 2035. In 2009, the City of Murrieta

recorded total GHG emissions of 430,842 metric tons of carbon dioxide equivalent per year.

With the implementation of the Global Warming Solutions Act of 2008 (AB 32) and SB 375, Murrieta is mandated by the State of California to address the linkages between land use, transportation, and climate change. On a regional level, SB 375 will be implemented by the Southern California Association of Governments (SCAG) through the Sustainable Communities Strategy (SCS). On a local level, the City must examine the balance between land uses to meet the needs of a diverse community and examine opportunities to reduce vehicle miles traveled (VMT) and to increase access alternative transportation. The Project is consistent with the currently adopted General Plan for the City of Murrieta and the adopted SCS and is therefore consistent with the population growth and VMT applied in those plan documents. Therefore, the Project is consistent with the growth assumptions used in the applicable Air Quality Management Plan (AQMP). Overall, no impacts would occur.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

SUBSTANTIATION: *City of Murrieta General Plan 2035; Environmental Protection Agency National Pollutant Discharge Elimination System; Submitted Project Materials*

- a) **No Impact.** The proposed Project would not store or release any hazardous materials onsite. Therefore, no impacts would occur.
- b) **Less Than Significant Impact.** The proposed Project would not store or release any hazardous materials onsite. Therefore, less than significant impacts would occur.
- c) **Less than Significant Impact.** Emissions and handling of hazardous or acutely hazardous materials, or substances, would have a less than significant impact on any existing or proposed schools that are within a quarter mile from the Project site. The nearest school is located to the northeast and more than a half-mile away. Therefore, less than significant impact would occur.
- d) **No Impact.** The Project site is not included on the list of hazardous materials sites compiled pursuant to Government Code 65962.5. Therefore, the Project would not create a significant hazard to the public or environment.
- e) **No Impact.** The Project site is located approximately three miles southwest from the French Valley Airport and it is not located within an Airport Land Use Plan or within two miles of a public use airport. Therefore, the proposed Project would not result in a safety hazard for people residing or working in the Project area. As a result, no impacts would occur.
- f) **No Impact.** The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the Project has adequate access from two or more directions. Therefore, no impacts would occur.
- g) **No Impact.** Being in a sparsely populated location, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Therefore, no impacts would occur.

The project Site is located in a developing area with commercial uses to the south and residential uses to the north and east, with construction of a residential project to the west. Water for fire protection would be provided by hydrants installed per City of Murrieta requirements. **No impact** would occur under this threshold.

Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
X. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: *City of Murrieta General Plan 2035; Walsh Center Drive Multi-Family Condominium Development 40720 and 40740 Vista Murrieta and 25342 Jackson Preliminary Hydrology Report April 2022; Project Specific Water Quality Management Plan August 2022; Submitted Project Materials*

- a) **No Impact** The proposed Project would not violate any water quality standards or waste discharge requirements. Running water will be provided by accessing the main waterline in the neighborhood public right of way. The wastewater from the project will be properly disposed of through the City's sewer system. Stormwater runoff will be properly managed according to the project specific water quality management plan, and storm water pollution prevention plan. Infiltration is not feasible and will not be utilized to treat stormwater. Therefore, no impacts would occur.
- b) **No Impact.** The Project would not substantially deplete groundwater supplies nor interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, because the proposed Project will not be using a well to supply running water. The Project contains 194,534 sq. ft. of pervious area, which is sufficient for the Project site to not require additional best management practices (BMPs). Therefore, no impacts would occur.
- c) **Less than Significant Impact.** The Project site is not identified near a United States Geological Survey (USGS) mapped blue line stream. Since on-site grading is proposed, the Project would increase the pre-development runoff flowrate, but will be adequately accounted for with proper building pad drainage and landscaping.

Based on existing site conditions and proposed Project activities, the Project would alter some existing drainage patterns of the site. However, these impacts do not include the alteration of the course of a stream or river because no wetlands, streams or riparian habitats were found on site even though the project is within the overall Santa Margarita River Watershed (Vista Murrieta Biological Study pg. 9). The proposed Project will increase site discharge by 6.29 cfs and the existing site does not retain any storm water in the existing condition (Walsh Center Drive Multi-Family Condominium Development Preliminary Hydrology Report pg. 3). Considering the augmentations to the drainage from the proposed Project released flows into the city storm drain system will not exceed the 90% flow for an existing 100-year storm event (Walsh Center Drive Multi-Family Condominium Development Preliminary Hydrology Report pg. 3). The increase in the rate or amount of surface runoff in a manner which would result in flooding on, or off-site has been accounted for and will be made negligible due to proper onsite drainage and adequate landscaping. Therefore, less than significant impacts would occur.

- d) **Less Than Significant Impact.**

According to the Preliminary Geotechnical Interpretive Report, seismically induced flooding is normally a consequence of a tsunami (seismic sea wave), a seiche (i.e., a wave-like oscillation of surface water in an enclosed basin that may be initiated by a strong earthquake) or failure of a major reservoir or retention system up gradient of the

site. Since the site is at an elevation of more than 1,100 feet above mean sea level and is located more than 20 miles inland from the nearest coastline of the Pacific Ocean, the potential for seismically induced flooding due to a tsunami is considered nonexistent. Since no enclosed bodies of water lie adjacent to or up gradient of the site, the likelihood of induced flooding due to a dam failure or a seiche overcoming the dam's freeboard is considered nonexistent. Therefore, less than significant impacts would occur.

- e) **Less than Significant Impact.** According to the project specific Water Quality Management Plan (WQMP) the Project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems. There would be adequate capacity in the local and regional drainage systems, so that downstream properties are not negatively impacted by any increases or changes in volume, velocity, or direction of storm water flows originating from or altered by the Project in section d of the Hydrology and Water Quality section. The proposed watershed is broken down into five drainage areas. Drainage area (DA 1) consists of two subareas (DMA A1 and A2) consisting of the pervious area (landscaping and natural soil type B) that drain directly offsite to the public storm drain system. This drainage area will be treated as Self-Mitigating area per the San Diego BMP Manual. Drainage area (DA 2) consists of the impervious walkway and pervious landscaping. The impervious area is more than 5 percent of the self-mitigating area and also the pervious area is composed of Hydrologic Soil Group B. Therefore, DA 2 will be treated as Impervious Area Dispersion SD-B (Self-retaining). Drainage area (DA 3) consists of landscaped area, parking lot, walkway, and half portion of the building structure. The drainage flows north to south, where it is captured in a drain inlet which will then flow into underground chamber 1. The chambers are sized for 10-year, 24-hour storms to comply with HCOC Management to filter the stormwater runoff. The runoff from the drainage area (DA 4) with subarea D will be collected in the underground chambers 2 which is sized for 10-year, 24-hour storm to comply with HCOC Management to filter the stormwater runoff. The roof runoff from this Drainage Area will be collected by Roof Gutters by others and discharged into the proposed inlets, then eventually flow into the underground chamber 2. Drainage area (DA 5) with subarea DMA E includes the walkway (PCC pavement), AC pavement and Natural Soil Type-B. This drainage will be flowing from the northeast to the southwest at a low point toward the end of Walsh Center Drive following the existing public storm drain system. Please refer to Figure 8 Drainage Management Areas for reference. Therefore, less than significant impacts would occur.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XI. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any applicable land use plan,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

SUBSTANTIATION: City of Murrieta General Plan 2035; City of Murrieta General Plan Land Use Element; City of Murrieta Municipal Code; Submitted Project Materials

- a) **No Impact.** The proposed Project would not physically divide an established community, because the Project is in an area where there are existing single family residences immediately adjacent to the Project Site. These areas are zoned office but are mainly underdeveloped. Therefore, no impacts would occur.
- b) **No Impact.** The Project is consistent with all applicable land use policies and regulations of the City of Murrieta Municipal and General Plan. According to the City of Murrieta Municipal and General Plan (2025), the Project is zoned Office and has an Office and Research Park designation as part of the General Plan Land Use, the Project does fall within a Transit Oriented Districts (TOD) Overlay. This overlay allows for Multi-Family Residential uses. In compliance with the allowable uses in the TOD overlay the Project meets the Vista Murrieta General Plan Land Use Element Policy LU-1.1 "Identify appropriate locations for residential and non-residential development to accommodate growth through the year 2035 on the General Plan Land Use Policy Map (Exhibit 3-4)". The Project complies with all hazard protection as described in section IX of this ISMND "Hazards and Hazardous Materials", resource preservation, and the TOD Overlay District regulations. Therefore, no impacts would occur.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XII. MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the Mineral Resource Zone Overlay): **City of Murrieta General Plan 2035, Submitted Project Materials; California Department of Conservation: Mineral Land Classification Maps**

- a) **No Impact.** According to the General Plan EIR Mineral Resources Section, the Project site is not located within a Mineral Resources Zone. The proposed Project would not interfere with current mining operations. Therefore, no impacts would occur.
- b) **No Impact.** The proposed Project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, no impacts would occur.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIII. NOISE - Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: (Check if the project is located in the Noise Hazard Overlay District or is subject to severe noise levels according to the General Plan Noise Element): **City of Murrieta General Plan 2035; Noise Analysis 40740 Vista Murrieta, Murrieta CA 92562; Submitted Project Materials**

- a) **Less Than Significant Impact.** The Project site consists of a 100% affordable multi-family apartment complex with an adjoining parking lot. According to the Noise Analysis conducted by Elevated Entitlements, once operational, the dominant sources of operational noise during project operation would include cars entering and leaving the property on Walsh Center Drive and loading and unloading activities. Other potential noise sources would include landscaping maintenance, conversations in parking lots, vehicle doors closing, and car alarms. Activities that typically occur in parking lots can generate noise levels of between 49 dBA (tire squeals) and 74 dBA (car alarms) at 50 feet from the noise source. The proposed Project has the potential to impact sensitive receptors, including single-family residences, located to the north, west, east, and south

of the project site. Although the single-family residences to the north, west, and east of the project site are located more than 300 feet away, it is important to note that there are single-family residences located within 300 feet to the south of the project site. Overall, due to the proximity of the project to the single-family homes Impacts can be less than significant with mitigation (Noise Analysis 40740 Vista Murrieta, Murrieta CA 92562 pg. 12).

Mitigation Measures

NOISE-1 : The applicant shall utilize the quietest available equipment for loading and unloading activities, landscaping maintenance, and other operational activities that generate noise.

NOISE-2 : Loading and unloading activities and vehicle idling shall occur as far as possible from the nearest noise- and vibration-sensitive land uses.

NOISE-3 : The applicant shall install 5'-6" tubular fencing around the project site along with robust vegetation in order to screen potential propagation of noise from the development towards sensitive residential land uses (Noise Analysis 40740 Vista Murrieta, Murrieta CA 92562 pg. 12).

Therefore, less than significant impacts would occur.

- b) **Less Than Significant Impact.** According to the Noise Analysis by Elevated Entitlements, the Project site will require the demolition of existing single-family structures. All construction site activity would be conducted in accordance with the permissible hours of construction as stated in Section 5.7 of the City of Murrieta Municipal Code (Code). Notwithstanding compliance with the Code, construction noise levels would result in a temporary and intermittent increase in ambient noise levels throughout the duration of the construction period. Construction of the Project would require the use of heavy equipment for paving and building construction. During construction there would be a different mix of equipment operating and noise levels would vary based on the amount of equipment in operation and the location of each activity.

As shown in Table 4, below, typical construction noise can reach 86 dBA Leq when measured at a reference distance of 50 feet from the center of construction activity. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 84 dBA Leq measured at 50 feet from the noise source to the receptor would reduce to 78 dBA Leq at 100 feet from the source to the receptor and reduce by another 6 dBA Leq to 72 dBA Leq at 200 feet from the source to the receptor.

Table 4 Typical Outdoor Construction Noise Levels

Construction Phase	Noise Levels at 50 Feet with Mufflers (dBA Leq)	Noise Levels at 60 Feet with Mufflers (dBA Leq)	Noise Levels at 100 Feet with Mufflers (dBA Leq)	Noise Levels at 200 Feet with Mufflers (dBA Leq)
Ground Clearing	82	80	76	70
Excavation, Grading	86	84	80	74
Foundations	77	75	71	65
Structural	83	81	77	71
Finishing	86	84	80	74
Source: United States Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment and Home Appliances, PB 206717, 1971.				

The nearest sensitive receptors that would be subject to construction noise impacts include single-family residential uses 300 feet north, west, and east of the project site. Construction noise impacts would be mitigated to less than significant levels with implementation of the following mitigation measures.

The proposed Project would not create exposure of persons to, or generation of excessive ground borne vibration or ground borne noise levels. The proposed Project is required to comply with the vibration standards of the City of Murrieta Municipal Code. No vibration exceeding these standards is anticipated to be generated by the proposed uses (Noise Analysis 40740 Vista Murrieta, Murrieta CA 92562 pg. 11).

Mitigation Measures

NOISE-4 : Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices to the extent feasible.

NOISE-5: Noise and ground borne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.

NOISE-6 : A construction site notice shall be provided that includes the job site address, permit number, name and phone number of the contractor and owner or owner’s agent, hours of construction allowed by code, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public (Noise Analysis 40740 Vista Murrieta, Murrieta CA 92562 pg. 12).

The proposed Project would not create exposure of persons to, or generation of excessive ground borne vibration or ground borne noise levels. The proposed Project is required to comply with the vibration standards of the City of Murrieta Municipal Code. No vibration exceeding these standards is anticipated to be generated by the proposed uses. Therefore, no impacts would occur.

With the implementation of measures NOI-1 through NOI-4, noise impacts during the construction of each phase would be reduced to **less than significant**.

- c) **No Impact.** According to the Riverside County Airport Land Use Compatibility Plan Policy Document (201), the proposed Project is not within the Airport Safety Review Area. The proposed Project is not within two miles of a public or public use airport. Therefore, no impacts would occur.

Therefore, impacts are less than significant with mitigation incorporated.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIV. POPULATION AND HOUSING - Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: City of Murrieta General Plan 2035; City of Murrieta Municipal Code; Submitted Project Materials.

- a) **Less Than Significant Impact.** The proposed Project would not induce significant population growth in the area with the development of a 100% affordable multi-family development. The Project would include the extension of roads and infrastructure, which will be consistent with the surrounding urbanized area. Therefore, the impacts would be less than significant.
- b) **Less Than Significant Impact.** The proposed Project would remove two existing single-family homes on the property. However, a 100% affordable multi-family development will be developed in order to contribute to housing needs in the City of Murrieta and State of California. Therefore, the impacts would be less than significant.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XV. PUBLIC SERVICES				

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: *City of Murrieta General Plan 2035; City of Murrieta Municipal Code; City of Murrieta Development Mitigation Fees July 1, 2022; Submitted Project Materials*

- a) **Less Than Significant Impact.**

Fire protection

The proposed Project will be constructing a four story 214-unit affordable multi-family residential apartment complex on a 7.1 gross acre site. According to the City of Murrieta General Plan 2035 EIR, the fire department development fee for multi-family dwellings is \$988.44 per unit. The fire department development fee for the proposed project will be \$211,526.16.

Funding for fire services and facilities would be paid in part by developer fees and general funds. This would ensure that new developments would not reduce the staffing, response times, or existing service levels within the City. Therefore, implementation of the proposed General Plan 2035 would result in less than less than significant impacts to fire protection and emergency services. As such, implementation of the proposed General Plan 2035 would not result in cumulatively considerable fire protection impacts. Therefore, less than significant impacts would occur.

Police protection

The proposed Project will be constructing a four story 214-unit affordable multi-family residential apartment complex on a 7.1 gross acre site. According to the City of Murrieta General Plan 2035 EIR, the multi-family law enforcement mitigation fee is \$240.06 per unit. The proposed Project law enforcement mitigation fee will be \$51,372.84.

As individual projects are proposed within the City, the Murrieta Police Department service levels and staffing requirements would be evaluated to determine if additional staffing and/or facilities would be required. As the proposed General Plan buildout would occur over a 25-year period, the Murrieta Police Department would effectively plan for increases in population and police protection service demand. The following goals and policies in the proposed General Plan 2035 (Safety Element Goals SAF-9, SAF-10, SAF-11, and their associated policies), and continued collection of DIF Fees would reduce impacts resulting from the proposed General Plan 2035 to a less than significant

level. No service shortfall requiring additional personnel or equipment is anticipated as a result of the implementation of the proposed General Plan 2035. Therefore, less than significant impacts would occur.

Schools

The proposed Project will be constructing a four story 214-unit affordable multi-family residential apartment complex on a 7.1 gross acre site. According to the City of Murrieta General Plan 2035 EIR, estimated student generation is calculated based on students per dwelling unit. For K-5 schools, the student generation factor is 0.16 students per unit. Therefore, if approximately 214 units are proposed to be built then 34 K-5 students are expected within the proposed Project, below the additional number of units threshold of 10,734 students. For 6-8 schools, the student generation factor is 0.1517 students per unit. Therefore, if approximately 214 units are proposed to be built then 32, 6-8 students are expected within the proposed Project below the additional number of units threshold of 10,734 students. For 9-12 schools, the student generation factor is 0.16 students per unit. Therefore, if approximately 214 units are proposed to be built then 34, 9-12 students are expected within the proposed Project below the additional number of units threshold of 10,734 students. Therefore, less than significant impacts would occur.

Parks

According to the City of Murrieta General Plan 2035, the City has adopted a standard of 5 acres of parkland per 1,000 residents. With the inclusion of the 115.48 acres of MVUSD facility open space, and the 40 acres of future opportunity sites, a total of 622.72 acres of parkland and open space would be available in the year 2035 for a population of 133,452. However, to meet the standard of 5 acres per 1,000 residents, a total of 667.26 acres would be needed in the year 2035; therefore, there would be a deficit of 44.54 acres of parkland. The Project will pay a Parkland Development Impact fee of \$3,210.00 (\$15.00 per unit) assisting the city's parks and open spaces. The proposed Project will include a children's play area reducing the Projects impact on surrounding community parks Therefore, less than significant impacts would occur.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

physical deterioration of the facility will occur or be accelerated?

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

SUBSTANTIATION: City of Murrieta General Plan 2035; City of Murrieta Environmental Impact Report Section 5.20 Parks and Recreation Facilities July 2011; Recreation and Open Space Element. Submitted Project Materials

- a) **Less than Significant Impact.** According to the City of Murrieta General Plan 2035, the City has adopted a standard of 5 acres of parkland per 1,000 residents. With the inclusion of the 115.48 acres of MVUSD facility open space, and the 40 acres of future opportunity sites, a total of 622.72 acres of parkland and open space would be available in the year 2035 for a population of 133,452. However, to meet the standard of 5 acres per 1,000 residents, a total of 667.26 acres would be needed in the year 2035; therefore, there would be a deficit of 44.54 acres of parkland. The Project will pay a Parkland Development Impact fee of \$3,210.00 (\$15.00 per unit) assisting the city's parks and open spaces. The proposed Project will include a children's play area reducing the Projects impact on surrounding community parks Therefore, less than significant impacts would occur.
- b) **Less than Significant Impact.** The proposed Project includes the development of onsite recreational activities including swings and a tot lot area. The Project would not significantly increase the use of existing neighborhood parks such that physical deterioration of the facility will occur or be accelerated. Therefore, the impacts would be less than significant.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: City of Murrieta General Plan 2035; City of Murrieta Circulation Element; City of Murrieta Environmental Impact Report Section 5-04 Traffic and Circulation; VMT Memo Translution Inc. February 17, 2022; Land Use 223 “Affordable Housing” ITE Trip Generation 11th Edition; 2023 CEQA Guidelines; Submitted Project Materials

- a) **Less than Significant Impact.** A Vehicle Miles Traveled (VMT) screening memorandum for the Vista Murrieta project was prepared by Translutions Inc. on February 17, 2022. This report evaluated the construction and operation of a 214 multi-family affordable housing unit project. The report concluded that the project would generate VMT below applicable City of Murrieta screening thresholds. The memorandum further determined that the project is consistent with the General Plan, located within a Transit Oriented Development (TOD) Overlay District, and situated in a low-VMT area based on the Western Riverside Council of Governments (WRCOG) VMT Screening Tool. Therefore, the full residential development was determined to result in a less-than-significant VMT impact and would not require a detailed VMT analysis. This environmental analysis is limited to only grading and does not include the construction or operation of the residential units, as analyzed in the VMT memorandum. Grading activities would generate short-term, temporary vehicle trips associated with construction workers and equipment and would not result in any long-term operational vehicle trips. The proposed grading project would require no more than 8 parking spaces during construction. As the grading-only scope represents a significantly reduced level of activity compared to the residential development that was previously analyzed, VMT impacts would be minimal and less than significant.

According to the City of Murrieta General Plan 2035, the Riverside Transit Authority (RTA) offers five fixed bus routes in the City of Murrieta with a variety of fare options for passengers. In addition to fixed and commuter bus services, the City of Murrieta also offers a Dial-a-Ride (DAR) service. The existing circulation system includes pedestrian facilities such as sidewalks near businesses, schools, parks, and major retail facilities. However, City streets are generally not equipped with designated bicycle facilities. The proposed Project includes the street improvements along Walsh Center Drive with new curb, gutter, and sidewalk. These street improvements will create a more pedestrian and bike friendly environment with access to local community services. Therefore, the impacts would be less than significant.

- b) **Less Than Significant Impact.** The Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b) subsection (1) Land Use Projects. As described in subsection a) of the Transportation section of this report (2023 CEQA Guidelines pg. 189). The project does not meet a threshold of significance as defined by ITE Trip Generation, 11th Edition which would require a VMT analysis. The project is also at the intersection of three major transit corridors that are all less than half a mile away. Those corridors being the Temecula Valley Freeway to the west, the Escondido Freeway to the northeast, and Murrieta Hot Springs Road to the southwest. Taking the proximity to major transportation corridors into account and the Project being below the thresholds of significance described above Therefore, impacts would be less than significant.

- c) **No Impact.** The proposed Project would not substantially increase hazards due to a design feature or incompatible uses because the Project site is adjacent to an established road that is accessed at points with good site distance and properly controlled intersections. There are no incompatible uses proposed by the Project that would impact surrounding land uses. Therefore, no impacts would occur.
- d) **No Impact.** The site incorporates an open design, which allows access during a possible emergency event. Adequate access to ingress and egress points including turnaround areas are of adequate width and preliminary approved by City of Murrieta Fire during their review of the Project. Therefore, no impacts would occur.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVIII. TRIBAL CULTURAL RESOURCES				

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 - ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

SUBSTANTIATION: City of Murrieta General Plan; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials

Assembly Bill (AB) 52 took effect on July 1, 2015. AB 52 requires a lead agency to make best efforts to avoid, preserve, and protect tribal cultural resources.

Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and Project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and

conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Public Resources Code section 21082.3(c) also contains provisions specific to confidentiality.

Prior to the release of the CEQA document for a project, AB 52 requires the lead agency to initiate consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested the lead agency, in writing, to be informed by the lead agency through formal notification of proposed project in the geographic area that is traditionally and through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation.

Tribal consultation request letters were sent to the Agua Caliente Band of Cahuilla Indians, Morongo Band of Mission Indians, Rincon Band of Luiseno Indians, Soboba Band of Luiseno Indians, and Pechanga Band of Luiseno Indians.

- a) **Less than Significant Impact with Mitigation.** The South-Central Coastal Information Center received a records search request for the Project area. Records search for the Project area and a 1-mile radius were provided and included a review of all recorded archaeological and built-environment resources as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest (SPHI), the California Historical Landmarks (SHL), the California Register of Historical Resources (CAL REG), the National Register of Historic Places (NRHP), and the California State Historic Properties Directory (HPD) listings were reviewed for the Project site and a 1-mile radius.

A portion of the Project site has been surveyed previously. While there are no recorded archaeological sites within the Project area, buried resources could potentially be unearthed during Project activities. Therefore, customary caution and a halt-work condition shall be in place for all ground-disturbing activities. In the event that any evidence of cultural resources is discovered, all work within the vicinity of the find shall stop until a qualified archaeological consultant can assess the find and make recommendations. Excavation of cultural resources shall not be attempted by Project personnel. It is also recommended that the Native American Heritage Commission (NAHC) be consulted to identify if any additional traditional cultural properties or other sacred sites are known to be in the area. The NAHC may also refer the Project proponent to local tribes with particular knowledge of potential sensitivity.

- b) **Less than Significant Impact with Mitigation.** The Project proponent shall consider the significance of any possible resource to a California Native American tribe. With required mitigation and monitoring requested by tribes with ancestral interest in the Project area, the potential impact would be reduced to a less than significant level.

The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties. It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by

public disclosure requirements of the California Public Records Act. The coroner, parties, and Lead Agencies would be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

With the implementation of **Mitigation Measures TCR-1 through TCR-8**, which have been described in the Cultural Resources section, impacts would be less than significant.

Therefore, impacts are less than significant with mitigation incorporated.

Mitigation Measure:

TCR-1: Archaeological Monitoring: At least 30-days prior to grading permit issuance and before any grading, excavation, and/or ground-disturbing activities on the site take place, the project permittee/owner shall retain a Riverside County-certified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Prior to grading, the project permittee/owner shall provide to the City verification that a certified archaeological monitor has been retained. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.

The Project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist and the Tribal monitor(s), shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors.

The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition.

The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting

Tribe(s) shall make themselves available to provide the training on an as-needed basis

TCR-2: Cultural Resource Monitoring Plan (CRMP): The Project Archaeologist, in consultation with consulting tribes, the permittee/owner, and the City, shall develop an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the plan shall include:

- a) Project grading and development scheduling;
- b) The development of a monitoring schedule in coordination with the permittee/owner during grading, excavation and ground-disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists; and,
- c) The protocols and stipulations that the permittee/owner, City, Tribes, and Project Archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation

TCR-3: Native American Monitoring: Native American Tribal monitors shall also participate in monitoring of ground-disturbing activity. At least 30 days prior to issuance of grading permits, agreements between the permittee/owner and a Consulting Tribe(s) shall be developed regarding prehistoric cultural resources and shall identify any monitoring requirements and treatment of Tribal Cultural Resources so as to meet the requirements of CEQA. The monitoring agreement shall address the treatment of known Tribal Cultural Resources; the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation, and ground-disturbing activities; project grading and development scheduling.

TCR-4: Disposition of Cultural Resources: In the event that Native American Cultural resources are identified during Project earthwork and ground-disturbing activities, the following procedures shall be carried out for final disposition; One or more of the following treatments, in order of preference, shall be employed in consultation with the Consulting Tribe. Evidence of such shall be provided to the City of Murrieta.

1. Preservation-In-Place of the cultural resources. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resource(s).
2. On-site reburial of the discovered items as detailed in the CRMP required pursuant to Mitigation Measure CUL-2. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments. Any reburial process shall

be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV report shall be filed with the City under a confidential cover and not subject to Public Records Requests.

TCR-5: Human remains: If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendants(s)" for purposes of receiving notification of discovery. The most likely descendant(s) shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

TCR- 6: Inadvertent Archeological Find. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).

- i. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
- ii. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
- iii. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
- iv. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.
- v. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the project

archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.

vi. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council.”

TCR-7: Archeology Report – Phase IV: At the completion of grading, excavation, and ground disturbing activities on-site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the Project Archaeologist and Native American Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Murrieta, South Coastal Information Center and Consulting tribes.

TCR-8: Non-Disclosure of Reburials Location: It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

<i>Issues</i>	<i>Potential y Significan t Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significan t</i>	<i>No Impac t</i>
XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: City of Murrieta General Plan 2035; Submitted Project Materials

- a) **Less Than Significant Impact.** The proposed Project would not require a significant expansion of water, wastewater treatment, or storm water drainage because of its location and proximity to the other developed areas and existing infrastructure. The Project site has existing infrastructure on record from SoCal Gas, Southern California Edison, the Eastern Municipal Water District, and the City of Murrieta. There are at least two recorded electrical easements described in the ALTA Survey by SCE. The first easement was recorded on January 29, 1971, for electrical supply and communication. The second easement also proposed by SCE was recorded on May 29, 1973, for electrical service closer to the southwestern portion of the lowest parcel on Walsh Center Drive. SoCal Gas has a high-pressure gas line running along Los Alamos Road northeast of the site providing gas to the immediate area around the Project site. The Eastern Municipal Water District maintains both sewer main and water main lines, which run the length of Walsh Center Drive, both providing service to the Project site. Finally, the City of Murrieta maintains the infrastructure for both Vista Murrieta and Walsh Center

Drive, which run parallel to the site from the north and south respectively. These streets provide transportation infrastructure to the Project site. Will serve letters were received from the sewer purveyor and the water purveyor on October 25, 2022. The electrical utility also provided the developer with will serve letters for all three parcels on June 14, 2022. As part of the approval process, the applicant will be required to pay development impact fees to offset any potential impact on local infrastructure. These fees are paid directly to the City of Murrieta and will be used by the Department of Public works to maintain existing infrastructure and mitigate future impacts from the Project site. Therefore, impacts would be less than significant.

- b-c) **Less Than Significant Impact.** The proposed Project is being developed in an urbanized area where there is adequate supply and capacity to support the addition of housing units. Therefore, the impacts would be less than significant.
- d) **Less Than Significant Impact.** The proposed Project would not generate excessive excess waste nor significantly impact the capacity of local infrastructure. The Project is being proposed in an area that has already been developed and is capable of handling the waste generated. Therefore, less than significant impacts would occur.
- e) **Less than Significant Impact.** The Project developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the City of Murrieta in compliance with the recycling requirements of Assembly Bill (AB) 2176. A Construction Waste Management Plan would be prepared to show adequate handling of waste materials; disposal, reuse, or recycling as required by the City of Murrieta. Therefore, the impacts would be less than significant.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

landslides, as a result of runoff, post-fire slope instability, or drainage changes?

SUBSTANTIATION: *City of Murrieta General Plan 2035; CALFIRE Fire Hazard Severity Zones; CALFIRE Fire and Resource Assessment Program California Department of Forestry and Fire Protection; CALFIRE Fire Hazard Severity Zone Maps Riverside County November 21, 2022; <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=4466cf1d2b9947bea1d4269997e86553>; Submitted Project Materials*

- a) **No Impact.** The proposed Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Therefore, no impacts would occur.
- b) **Less than Significant Impact.** The proposed Project is not within a moderate Local Response Area (LRA) Fire Hazard Severity Zone. Implementation of the proposed Project would not cause a significant impact due to slope, prevailing winds, and other factors that may exacerbate wildfire risks, thereby exposing Project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire. Therefore, less than significant impacts would occur.
- c) **Less than Significant Impact.** The proposed Project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines, or other utilities) due to the property being largely developed. The surrounding properties are developed and extending the infrastructure in question would not cause significant impacts to the environment. The proposed Project is not expected to exacerbate fire risk that may result in temporary or ongoing impacts to the environment. Therefore, less than significant impacts would occur.
- d) **No Impact.** The proposed Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, no impacts would occur.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant

- or animal or eliminate important examples of the major periods of California history or prehistory?
- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?

-
- a) **Less than Significant Impact with Mitigation.** The proposed Project does not have the potential to significantly degrade the overall quality of the region’s environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population or 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. With the implementation of mitigation measures **BIO-1 and BIO-2** potential impacts would be less than significant.

There are no identified historic or prehistoric resources identified on this site based on field surveys. Impacts to Paleontological, Cultural and/or Tribal Cultural Resources due to inadvertent discoveries during Project development would be reduced to a less than significant level with the implementation of mitigation measures recommended in the Cultural Resources and Geology and Soils sections (**CR-1 to CR-10 and PAL-1**).

- b) **Less Than Significant Impact.** The proposed Project would not have significant cumulative impacts to the natural environment. The Project is surrounded by existing developed areas and the development of a 100% affordable development would not cause significant cumulative effects to the environment. Therefore, the impacts would be less than significant with implementation of the conditions of approval and mitigation measures.
- c) **Less Than Significant Impact.** The proposed Project would not have significant environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly, as there are no such impacts identified by the studies conducted for this Project or identified by review of other sources.

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community, or its inhabitants. At a minimum, the Project would be required to meet the conditions of approval for the Project to be implemented. It is anticipated that all such conditions of approval would further ensure that no potential for adverse impacts would be introduced by construction activities, initial or future land uses authorized by the Project approval.

General References

City of Murrieta Climate Action Plan 2011

City of Murrieta Municipal Code

City of Murrieta General Plan 2035

City of Murrieta General Plan Environmental Impact Report

Riverside County Airport Land Use Compatibility Plan Policy Document (April 2010)

California Department of Conservation Farmland Mapping and Monitoring Program

Western Riverside County Important Farmland Map 2018

California Emissions Estimator Model (CalEEMod; Version 2020.4.0)

Southern California Air Quality Management District

EPA.gov National Pollutant Discharge Elimination System (NPDES) <https://www.epa.gov/npdes>

California Department of Conservation: Mineral Land Classification Maps

<https://maps.conservation.ca.gov/mineralresources/>

Association of Environmental Professionals. 2007. Recommendations by the Association of Environmental Professionals (AEP) on How to Analyze Greenhouse Gas Emissions and Global Climate Change in CEQA Documents. June.

California Air Pollution Control Officers Association. 2008. CEQA and Climate Change – Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act. January 2022.

CalEEMod Version: CalEEMod.2020.4.0

SCAQMD. 2014. CEQA Significance Thresholds.

<http://www.aqmd.gov/docs/defaultsource/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2>

U.S. EPA. 2006. The U.S. Inventory of Greenhouse Gas Emissions and Sinks: Fast Facts.

www.epa.gov/climatechange/emissions/downloads06/06FastFacts.pdf

Master Environmental Assessment prepared for the City of Murrieta, October 1992

CALFIRE Fire Hazard Severity Zones, CALFIRE Fire and Resource Assessment Program California Department of Forestry and Fire Protection, CALFIRE Fire Hazard Severity Zone Maps Riverside County November 21, 2022,

Initial Study
Vista Murrieta Multi Family
APN: 949190021, 949190020, 949190024
February 2026

Technical Studies

Walsh Center Drive Multi-Family Condominium Development 40720 and 40740 Vista Murrieta and 25342 Jackson Preliminary Hydrology Report April 2022

Project Specific Water Quality Management Plan August 2022

Noise Analysis for 40740 Vista Murrieta, Murrieta, CA 92562 March 10, 2023

Vehicle Miles Traveled Memo, Translution Inc. February 17, 2022

CULTURAL RESOURCES ASSESSMENT OF APPROXIMATELY 10.3 ACRES OF LAND OF THREE PARCELS (APN 949-190-020, 949-190-021, AND 949-190-024) in MURRIETA, RIVERSIDE COUNTY, CALIFORNIA April 2022

Vista Murrieta Biological Study July 15, 2022

Vista Murrieta Air Quality and Greenhouse Gas Assessment February 2, 2022

Preliminary Summary Letter, Geotechnical Interpretive Multi-Family Residential Development Assessor's Parcel Number 949-190-020, 949-190-021, 190-190-024, Located at 40740 and 40720 Vista Murrieta and 25342 Jackson Avenue, City of Murrieta, Riverside County, California January 21, 2022

Preliminary Geotechnical Interpretive Multi-Family Residential Development Assessor's Parcel Number 949-190-020, 949-190-021, 190-190-024, Located at 40740 and 40720 Vista Murrieta and 25342 Jackson Avenue, City of Murrieta, Riverside County, California February 2, 2022

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Monitoring Compliance Complete (Name/Date)
Biological Resources			
<p>BIO-1 Pre-construction Nesting Bird Survey: If construction or other Project activities are scheduled to occur during the bird breeding season (February 1 through September 30), a pre-construction nesting bird survey shall be conducted for the proposed Project plus a 100-foot survey radius (where accessible) during nesting bird season by a Qualified Biologist to ensure that active bird nests will not be disturbed or destroyed. The survey shall be completed no more than three days prior to initial ground disturbance. If an active nest is observed, a no-work buffer shall be implemented around the nest of appropriate size for the nesting species and for the individual disturbance tolerance of the nesting pair. The no-work buffer shall be communicated to all personnel and shall be removed upon completion, or failure, of the nest.</p>	Planning Division		
<p>BIO-2 Pre-construction Burrowing Owl Surveys and Avoidance: A Qualified Biologist shall be hired to conduct a Burrowing Owl clearance survey due to the presence of suitable Burrowing Owl habitat encountered within and adjacent to the Project site. A Qualified Biologist shall follow the survey methods outlined in the Staff Report on Burrowing Owl Mitigation (CDFG, 2012). Surveys shall cover all portions of the Project site that were identified as suitable habitat. If raptors or other predators are present that may suppress Burrowing Owl activity, returning at another time or later date for a follow-up survey is recommended. If active burrows are observed, the Biologist shall demark a 500-foot protective buffer.</p>	Planning Division		
<p>BIO-3: Pre-construction surveys for BUOW should be conducted no more than 3 days prior to commencement of project-related ground disturbance to verify that BUOW remain absent from the project area.</p>	Planning Division		
<p>BIO-4: If burrowing owl are discovered within the project footprint, a project specific BUOW protection and/or passive relocation plan shall be prepared to determine suitable buffers and/or artificial burrow construction locations to minimize impacts to this species. If a BUOW is</p>	Planning Division		

<p>found on-site at the time of construction, all activities likely to affect the animal(s) shall cease immediately and regulatory agencies shall be contacted to determine appropriate management actions.</p>			
<p>Cultural Resources</p>			
<p>CUL-1: Archaeological Monitoring: At least 30-days prior to grading permit issuance and before any grading, excavation, and/or ground-disturbing activities on the site take place, the project permittee/owner shall retain a Riverside County-certified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Prior to grading, the project permittee/owner shall provide to the City verification that a certified archaeological monitor has been retained. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.</p> <p>The Project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist and the Tribal monitor(s), shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors.</p> <p>The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition.</p> <p>The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance</p>	<p>Planning Division</p>		

<p>measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis</p>			
<p>CUL-2: Cultural Resource Monitoring Plan (CRMP): The Project Archaeologist, in consultation with consulting tribes, the permittee/owner, and the City, shall develop an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the plan shall include:</p> <ul style="list-style-type: none"> a) Project grading and development scheduling; b) The development of a monitoring schedule in coordination with the permittee/owner during grading, excavation and ground-disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists; and, c) The protocols and stipulations that the permittee/owner, City, Tribes, and Project Archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation 	<p>Planning Division</p>		
<p>CUL-3: Native American Monitoring: Native American Tribal monitors shall also participate in monitoring of ground-disturbing activity. At least 30 days prior to issuance of grading permits, agreements between the permittee/owner and a Consulting Tribe(s) shall be developed regarding prehistoric cultural resources and shall identify any monitoring requirements and treatment of Tribal Cultural Resources so as to meet the requirements of CEQA. The monitoring agreement shall address the treatment of known Tribal Cultural Resources; the designation, responsibilities, and participation of professional Native American Tribal</p>	<p>Planning Division</p>		

<p>monitors during grading, excavation, and ground-disturbing activities; project grading and development scheduling.</p>			
<p>CUL-4: Disposition of Cultural Resources: In the event that Native American Cultural resources are identified during Project earthwork and ground-disturbing activities, the following procedures shall be carried out for final disposition; One or more of the following treatments, in order of preference, shall be employed in consultation with the Consulting Tribe. Evidence of such shall be provided to the City of Murrieta.</p> <ol style="list-style-type: none"> 1. Preservation-In-Place of the cultural resources. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resource(s). 2. On-site reburial of the discovered items as detailed in the CRMP required pursuant to Mitigation Measure CUL-2. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV report shall be filed with the City under a confidential cover and not subject to Public Records Requests. 	<p>Planning Division</p>		
<p>CUL-5: Human remains: If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendants(s)" for purposes of receiving notification of discovery. The most likely descendant(s) shall then make recommendations and</p>	<p>Planning Division</p>		

engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.			
<p>CUL- 6: Inadvertent Archeological Find. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s).</p> <ul style="list-style-type: none"> i. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find. ii. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources. iii. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed. iv. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not 	Planning Division		

<p>subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.</p> <p>v. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the project archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p> <p>vi. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council.”</p>			
<p>CUL-7: Archeology Report – Phase IV: At the completion of grading, excavation, and ground disturbing activities on-site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the Project Archaeologist and Native American Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the</p>	<p>Planning Division</p>		

archaeologist. All reports produced will be submitted to the City of Murrieta, South Coastal Information Center and Consulting tribes.			
CUL-8: Non-Disclosure of Reburials Location: It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).	Planning Division		
Geology and Soils			
PAL-1 If during initial ground-disturbing activities, paleontological resources are encountered, a qualified paleontological monitor shall be retained and have the authority, if necessary, to stop or redirect grading activities and evaluate the significance of any paleontological resources discovered on the property. If significant paleontological resources are encountered, adequate funding shall be provided to collect, curate, and report on these resources. A report shall be submitted to the City of Murrieta within 60 days from the completion of grading.	Planning Division		
Noise			
NOISE-1: The applicant shall utilize the quietest available equipment for loading and unloading activities, landscaping maintenance, and other operational activities that generate noise	Planning Division		
NOISE-2 : Loading and unloading activities and vehicle idling shall occur as far as possible from the nearest noise- and vibration-sensitive land uses.	Planning Division		
NOISE-3: The applicant shall install 5'-6" tubular fencing around the project site along with robust vegetation in order to screen potential propagation of noise from the development towards sensitive residential land uses (Noise Analysis 40740 Vista Murrieta, Murrieta CA 92562 pg. 12).	Planning Division		
NOISE-4: Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. The Project contractor shall use power construction	Planning Division		

equipment with state-of-the-art noise shielding and muffling devices to the extent feasible.			
NOISE-5: Noise and ground borne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.	Planning Division		
NOISE-6: A construction site notice shall be provided that includes the job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public (Noise Analysis 40740 Vista Murrieta, Murrieta CA 92562 pg. 12).	Planning Division		
Tribal Cultural Resources			
TCR-1: Archaeological Monitoring: At least 30-days prior to grading permit issuance and before any grading, excavation, and/or ground-disturbing activities on the site take place, the project permittee/owner shall retain a Riverside County-certified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Prior to grading, the project permittee/owner shall provide to the City verification that a certified archaeological monitor has been retained. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation. The Project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist and the Tribal monitor(s), shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural	Planning Division		

<p>resources in coordination with any required special interest or tribal monitors.</p> <p>The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition.</p> <p>The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis</p>			
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