

Appendix A

Notice of Preparation/Initial Study and Comment Letters



CITY OF MURRIETA

NOTICE OF PREPARATION OF A DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT AND NOTICE OF SCOPING MEETING

DATE: June 18, 2008

TO: Reviewing Agencies, Organizations, and Interested Parties

SUBJECT PROJECT: Notice of Preparation of a Draft Subsequent Environmental Impact Report (EIR) for The Triangle Specific Plan Project

PROJECT APPLICANT: Golden Triangle Development, LLC

NOTICE IS HEREBY GIVEN to Reviewing Agencies, Interested Organizations and Individuals that a scoping meeting will be held on Monday, July 7, 2008 at 6:00 p.m. at the City of Murrieta Senior Center, 41717 Juniper Street, City of Murrieta, for the purpose to gather information for the preparation of an environmental document for the following project:

PROJECT LOCATION AND SETTING: The project site consists of approximately 64.3 acres in the City of Murrieta in Riverside County, California. The project site is bordered by Murrieta Hot Springs Road to the north, Interstate 15 (I-15) on the west and Interstate 215 (I-215) on the east. The project site is currently undeveloped and has been extensively graded for a previously approved project. The topography varies due to this previous grading but generally slopes from the north towards the south. The project site generally consists of several vegetation types including annual grassland, ruderal, disturbed California buckwheat scrub, and willow riparian. The site also contains several disturbed areas which include dirt roads, debris basins, and concrete piles.

The area surrounding the project site (beyond Murrieta Hot Springs Road, I-15 and I-215) is developed with various land uses including commercial/retail, office, restaurant, and residential (varying densities) as further described in the attached Initial Study.

PROJECT DESCRIPTION: A project description is provided in the attached Initial Study. The proposed project involves an amendment to the Murrieta Springs Specific Plan No. 276. The Specific Plan was approved and Final EIR No. 358 was certified by the County of Riverside in October 1990. In summary, the proposed project involves development of up to 1,767,914 gross square feet (gsf) of mixed-use development on approximately 64.3 acres consisting of service commercial; restaurants; entertainment; parking; junior and medium-sized anchor retail stores; a department store; a hotel and conference facility; and "Class A" office space. The

INITIAL STUDY

THE TRIANGLE SPECIFIC PLAN

Lead Agency:

CITY OF MURRIETA
24601 Jefferson Avenue
Murrieta, California 92562

Project Applicant:

GOLDEN TRIANGLE DEVELOPMENT, LLC
One Better World Circle, Suite 300
Temecula, California 92590-3743

Prepared By:

BONTERRA CONSULTING
151 Kalmus Drive, Ste. E-200
Costa Mesa, CA 92626

June 2008

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
Initial Study Checklist Form	1
Section 1.0 Project Description	2
Section 2.0 Environmental Factors Potentially Affected.....	5
Section 3.0 Determination	5
Section 4.0 Environmental Analysis.....	6
1. Aesthetics	6
2. Agriculture Resources.....	7
3. Air Quality	8
4. Biological Resources	9
5. Cultural Resources	11
6. Geology and Soils.....	12
7. Hazards and Hazardous Materials	15
8. Hydrology and Water Quality	18
9. Land Use and Planning.....	20
10. Mineral Resources	21
11. Noise	22
12. Population and Housing	23
13. Public Services	24
14. Recreation	25
15. Transportation/Traffic.....	25
16. Utilities and Service Systems.....	27
17. Mandatory Findings of Significance	29
Section 5.0 References.....	30
 <u>Exhibit</u>	 <u>Follows Page</u>
1 Regional Location	2
2 Local Vicinity.....	2
3 Conceptual Site Plan	2

**CITY OF MURRIETA
COMMUNITY DEVELOPMENT DEPARTMENT
Initial Study Checklist Form**

1. **Project Title:** The Triangle Specific Plan
2. **Lead Agency:** City of Murrieta
Address: 24601 Jefferson Avenue
Murrieta, California 92562
3. **Contact Person:** Dennis Watts, Senior Planner
Phone Number: 951-461-6037
4. **Project Location:** The project site is bordered by Murrieta Hot Springs Road to the north, Interstate 15 (I-15) on the west and Interstate 215 (I-215) on the east.
5. **Project Sponsor:** Golden Triangle Development, LLC
One Better World Circle, Suite 300
Temecula, California 92590-3743
6. **General Plan Land Use Designation:** Specific Plan
7. **Zoning:** Specific Plan 276
8. **Description of the project:** (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Refer to the Project Description provided in Section 1.

9. **Surrounding Land Uses and Setting:** The project site is currently undeveloped and has been extensively graded for a previously approved project. The topography varies due to this previous grading but generally slopes from the north to the south. The project site generally consists of several vegetation types including annual grassland, ruderal, disturbed California buckwheat scrub, and willow riparian. The site also contains several disturbed areas which include dirt roads, debris basins, and concrete piles. Following is a description of surrounding land uses.

North: Commercial, medical office, multiple-family residential, and single family residential uses beyond Murrieta Hot Springs Road

East: Commercial and single-family residential uses beyond I-215

South: A mix of rural single-family and industrial uses beyond I-15

West: Commercial uses beyond I-15

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

Murrieta Redevelopment Agency (owner participation agreement and/or public finance assistance); Caltrans (encroachment permit); U.S. Army Corps of Engineers (404 Permit); San Diego Regional Water Quality Control Board (401 Water Quality Certification); and California Department of Fish and Game (Streambed Alteration Agreement).



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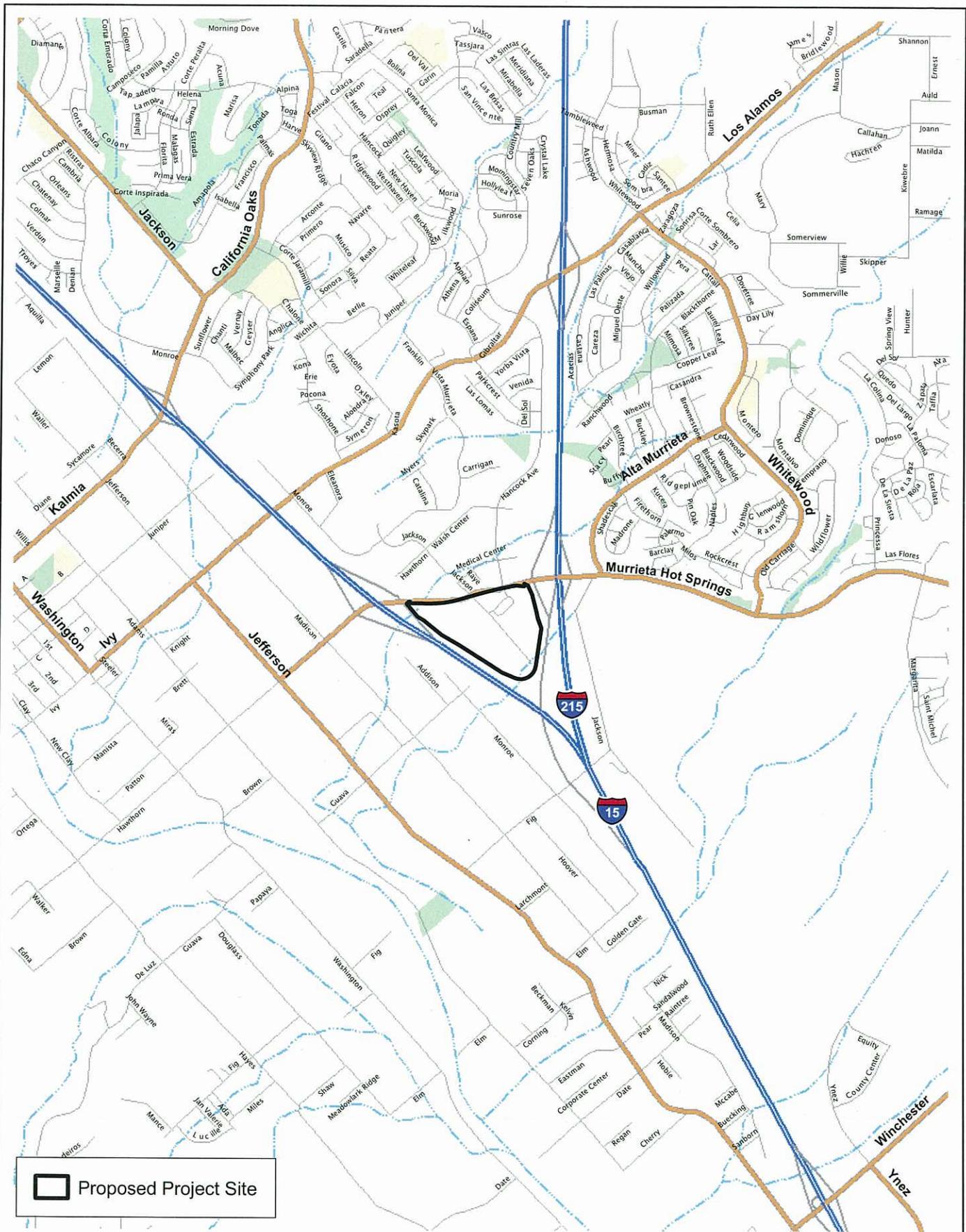
Regional Location

The Triangle Specific Plan Project



Exhibit 1





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 Proposed Project Site

Local Vicinity

The Triangle Specific Plan Project



Exhibit 2



SECTION 1.0 PROJECT DESCRIPTION

Introduction

The City of Murrieta is the Lead Agency responsible for preparing an Environmental Impact Report (EIR) for the proposed actions relating to The Triangle Specific Plan project. This Initial Study (IS) presents a description of the proposed project, an identification of the actions required for project approval, and an evaluation of the probable environmental effects anticipated upon project implementation. Together with the Notice of Preparation (NOP) and the Environmental Checklist Form, the IS will be distributed to any responsible agencies, trustee agencies, and interested parties as required by the California Environmental Quality Act (CEQA).

Project Location

The project site is an approximately 64.3-acre, triangular-shaped property, which is commonly referred to as the "Golden Triangle", located in the center of the City of Murrieta. The project site is bordered by Murrieta Hot Springs Road to the north, Interstate 15 (I-15) on the west, and Interstate 215 (I-215) on the east. The regional location of the project site is shown on Exhibit 1 and the local vicinity is shown on Exhibit 2.

Project Background

The project site has been subject to a number of planning efforts over the last 17 years. The Murrieta Springs Mall Specific Plan (Specific Plan 276) was proposed in 1990. Specific Plan 276 proposed the development of 1.7 million square feet (msf) of commercial, retail and office uses. The County of Riverside was the lead agency for EIR No. 358 prepared for this project (State Clearinghouse No. 90020608). The Final EIR was certified and the Murrieta Springs Mall Specific Plan was approved by the County of Riverside on October 30, 1990. The County of Riverside also adopted Ordinance No. 348.3429 on October 30, 1990 setting specific zoning regulations/standards for development of the Original Specific Plan Project Area in conjunction with other existing County ordinances in place at the time. On or about April 1, 1991, the County recorded Development Agreement No. 54 (the "Development Agreement") thereby vesting the original Specific Plan. Following the City of Murrieta's incorporation on July 1, 1991, the City amended the Development Agreement to confirm the same. The amendment was recorded on February 23, 1994. The term of the Development Agreement, as amended, continues until February 25, 2023 and vests and implements the County development regulations, which were in effect on April 1, 1991. It should be noted that construction of the Murrieta Springs Mall was never initiated.

Specific Plan 276 was included in the General Plan for the City of Murrieta when the City incorporated in 1991. Specific Plan 276 remains the approved land use entitlement for the project site. In 1998 an approximate 867,000 western-themed entertainment center known as RogersDale was proposed and approved for the project site. A Final Parcel Map was approved by the City (28280) and mass grading was initiated; however, the project was never completed.

In July 2006 the project site was added into the Murrieta Redevelopment Project Area included in the Murrieta Redevelopment Plan (originally adopted in May 1999). The purposes and objectives of the Redevelopment Plan are to eliminate the conditions of blight existing in the Redevelopment Project Area and to prevent the recurrence of blighting conditions in this area. The proposed project would be developed in accordance with the requirements of the Redevelopment Plan, in addition to the City's General Plan.

With the exception of mass grading to accommodate the previously approved RogersDale project and construction of detention basins that remain onsite, no construction activities or development has occurred. A few billboards and seasonal strawberry and Christmas tree sales are the only uses that have occurred onsite.

Project Description

Proposed Land Uses

The proposed Triangle Specific Plan project consists of approximately 64.3-acres to be developed as a mixed-use development featuring an open-air, pedestrian-friendly, village-type atmosphere. Proposed uses include service commercial; restaurants; entertainment; parking; junior and medium-sized anchor retail stores; a department store; a hotel and conference facility; and "Class A" office space. The project proposes up to 1,767,914 gross square feet (gsf) of mixed-use development. The buildings would have varying heights, with the maximum height allowed being 280 feet (approximately eighteen stories) for office and hotel buildings in the three corners of the Specific Plan area. The maximum height for all other buildings throughout the Specific Plan area would be 125 feet.

The Conceptual Site Plan for the project is shown on Exhibit 3. As shown, the following uses are proposed: office, retail, restaurant, and entertainment uses in the central and western portions of the site; a hotel and conference facility in the northwestern portion of the site; and free-standing office uses and restaurants along the eastern edge and in the southern portion of the site. These areas would be integrated so they function as a single mixed-use development, unified by circulation, utility, drainage, and design elements. Parking to serve the proposed development would be provided in compliance with City's parking standards and would function on a shared parking basis. It is anticipated that the proposed project would be developed in multiple phases, based on market conditions.

Proposed Infrastructure

In addition to the proposed development, the proposed project includes roadways and utilities, as needed, to support it. In addition to the on-site circulation system, off-site improvements to Murrieta Hot Springs Road between the project's westerly boundary at I-15 and its eastern boundary at I-215 (including realignment of the existing intersection with Sparkman/Monroe Avenue) and other road rights-of-way would be implemented as part of the project.

Water, sewer, electric, gas, and telephone services would be extended onto the site from existing facilities. Water and sewer services would be provided by the Eastern Municipal Water District (EMWD). Gas would be provided by Southern California Gas Company (SCGC); electricity would be provided by Southern California Edison (SCE); and telephone service would be provided by Verizon. The proposed project may also require upgrades to existing utility infrastructure or installation of new utility infrastructure off site to connect to existing facilities. The need for new or extended utility infrastructure will be addressed in the Draft EIR.

Anticipated Project Approvals

The City of Murrieta is expected to use the information contained in the Draft EIR for consideration of approvals related to and involved in the implementation of this project. Potential actions to be considered by the City of Murrieta for the proposed project may include, but not be limited to, the following:

- Specific Plan Amendment (adoption of the proposed Triangle Specific Plan)

- Tract Map, Parcel Map, and/or lot line adjustment
- General Plan and Zone Map Amendment
- Amended Development Agreement and/or Disposition and Development Agreement, and/or Owner Participation Agreement
- Conditional Use Permit(s)
- Development Plan and/or Amended Development Plan
- Parking Lease
- Reimbursement Agreement and/or Community Facilities District Agreement
- Public finance related documents

Other public agencies whose approval may be required are identified on page one of this document.

Estimated Project Schedule

Pursuant to the CEQA Guidelines, the NOP/IS will be circulated for a 30-day public review. Following receipt of comments on the NOP/IS, the Draft EIR will be prepared. It is anticipated that the Draft EIR will be available for public review in summer 2008. A 45-day public review period will be provided, after which responses to comments received will be prepared. Public hearings will be held by the City Planning Commission, which will make recommendations to the City Council. The project will subsequently be submitted to the City Council for its consideration. It is expected that public hearings regarding project approval will be held in fall 2008.

Based on the current project schedule, grading and ground preparation for the project is expected to begin in winter 2008. The project is expected to be phased over a six-year period, with the final phase anticipated to be completed by 2014.

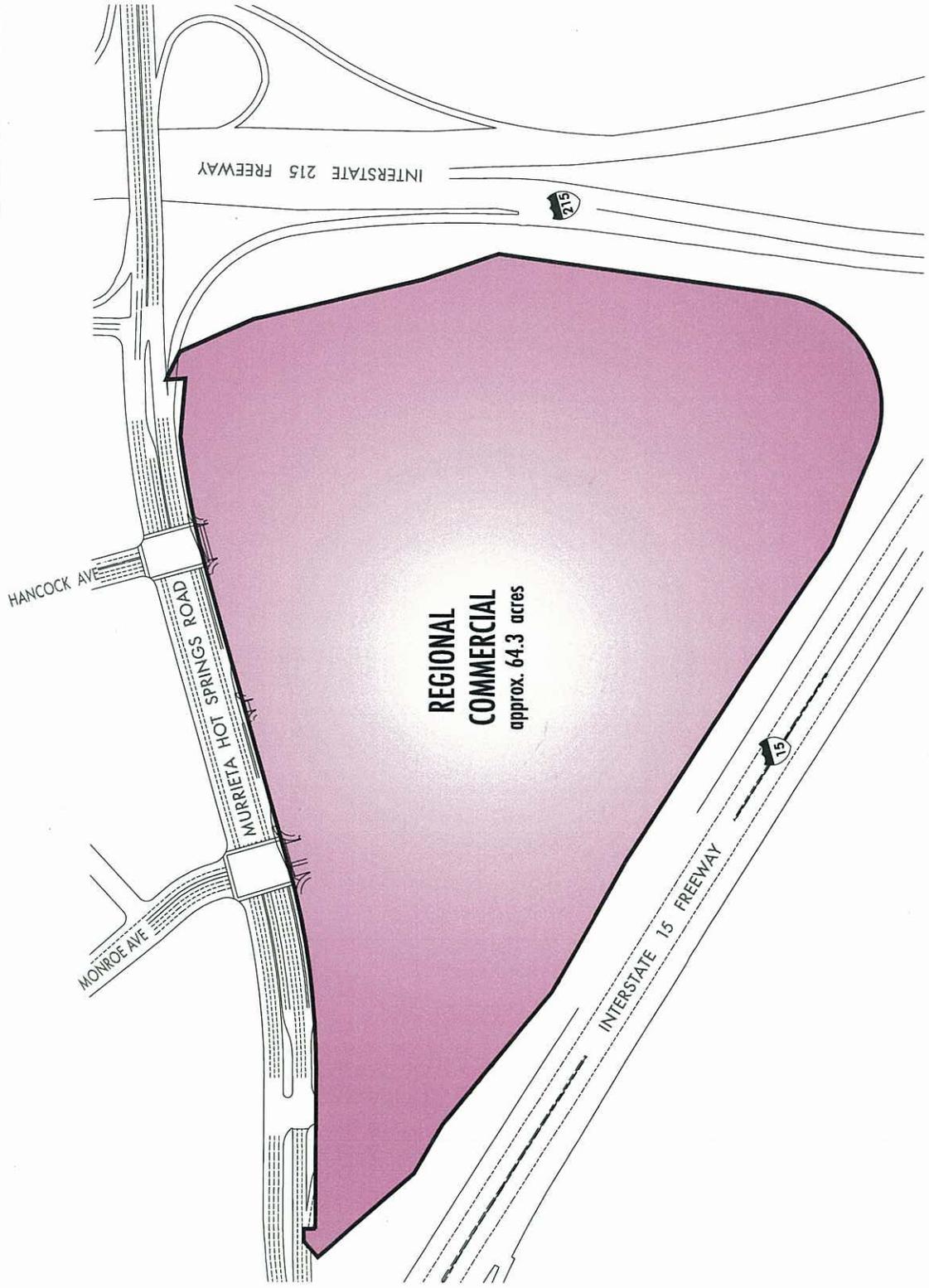


Exhibit 3

Conceptual Site Plan
 The Triangle Specific Plan Project



Benterra
 CONSULTING

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SECTION 2.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

<input checked="" type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Agriculture Resources	<input checked="" type="checkbox"/>	Noise
<input checked="" type="checkbox"/>	Air Quality	<input type="checkbox"/>	Population and Housing
<input checked="" type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Public Services
<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Recreation
<input checked="" type="checkbox"/>	Geology and Soils	<input checked="" type="checkbox"/>	Transportation/Traffic
<input checked="" type="checkbox"/>	Hazards and Hazardous Materials	<input checked="" type="checkbox"/>	Utilities and Service Systems
<input checked="" type="checkbox"/>	Hydrology and Water Quality	<input checked="" type="checkbox"/>	Mandatory Findings of Significance
<input checked="" type="checkbox"/>	Land Use and Planning	<input type="checkbox"/>	None

SECTION 3.0 DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to be the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier 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

Date

Title

SECTION 4.0 ENVIRONMENTAL ANALYSIS

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. <u>AESTHETICS</u>				
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

- 1a-1b. The project site was previously graded and there are no scenic resources on site. The City of Murrieta has not identified scenic vistas within the City; however, it has applied a Scenic Highway/Special Corridor Overlay designation on the I-15 and I-215 within the City. The I-15 is also listed as being "Eligible" for a State Scenic Highway Designation from State Route 76 (SR-76), through the City of Murrieta, up to SR-91. The I-215 is listed as being "Eligible" for a State Scenic Highway designation, but not within the project area (Sections 263.3 and 263.8 of the *California Code of Regulations*, Streets and Highway Code). I-215 is, however, identified as an eligible County Scenic Highway in the project vicinity (County of Riverside General Plan 2003). Although implementation of the proposed project is not expected to damage any scenic resources, visual changes, as viewed from I-15 and I-215, will be evaluated in the Draft EIR.

- 1c. The proposed project would introduce new office, commercial, retail, parking, and hotel land uses in an existing urbanized area. Existing land uses in the area that may have views of the proposed project include: commercial, medical office, and multiple- and single-family residential uses north of the site; a mix of rural residential and light industrial uses south of the site; commercial and single-family uses to the west; and single-family and commercial uses east of the site. Residences and other land uses situated several miles east of the site on the Santa Rosa Foothills may have distant views to the site. The change in visual character resulting from the development of the project site will be evaluated in the Draft EIR.

- 1d. Implementation of the project would result in the development of land uses that would introduce sources of light and glare to the currently undeveloped project site. The potential for the project to generate glare during the day which may affect motorists on adjacent roadways (e.g., I-15 and I-215) will be addressed in the Draft EIR. The Palomar Mountain Observatory located just south of the Temecula/Murrieta Valley in

San Diego County, requires darkness so that the night sky can be viewed clearly. The City of Murrieta has adopted an ordinance that protects night-time darkness (Ordinance 16.18.110). The purpose of this ordinance is to restrict the use of certain light fixtures that emit undesirable light rays into the night sky to prevent detrimental effects on astronomical observation and research. The potential for the project to affect nighttime views due to the introduction of new light sources will also be evaluated in the Draft EIR.

Issues and Supporting Information Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
2. <u>AGRICULTURE RESOURCES</u>				
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 Department of Conservation as optional model to use in assessing impacts in agriculture and farmland. 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) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

2a–2c. Important farmland maps are compiled by the California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP) by utilizing data from the United States Department of Conservation, Natural Resource Conservation Service (NRCS), soil surveys, and current land use information. The maps depict currently urbanized lands and a qualitative sequence of agricultural designations. Based on review of the 2004 FMMP map for the area, there is no land designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance within the project site. The majority of the project site is designated as “Farmland of Local Importance” and the northwestern corner is designated “Other Land”. This designation, however, was previously placed on the site by the County of Riverside (prior to the incorporation of the City of Murrieta) due to dry farming activities that occurred over 20 years ago. The *City of Murrieta General Plan* has not designated the site for agricultural resources. Additionally, there are no Williamson Act contracts on the property (City of Murrieta Zoning Ordinance 1995). There are no agricultural activities occurring on site, and agricultural activities have not occurred on site for over 20 years. The proposed project will not change the environment in a manner that will result in the conversion of farmland to non-agricultural uses. As such, no further analysis of this issue will be provided in the Draft EIR.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
3. AIR QUALITY				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

3a–3d. The proposed project would generate short-term, construction-related and long-term air emissions that have the potential to affect local and regional air quality. Further evaluation in the Draft EIR is required to determine whether this project will conflict with the adopted *South Coast Air Quality Management Plan (AQMP)*. An air quality analysis will be conducted to determine if the mobile and stationary air emissions associated with the project would violate any air quality standard or contribute substantially to an existing or projected air quality violation. The air quality analysis will also determine if the potential mobile and stationary air emissions associated with the project could result in exposure of sensitive receptors to significant concentrations of air pollutants. These issues will be addressed in the Draft EIR and mitigation measures will be identified, as appropriate.

3e. The proposed land uses are not expected to create unusual or objectionable odors. Some odors may be associated with the operation of diesel engines during site preparation. However, these odors are typical of urbanized environments and would be subject to construction and air quality regulations, including proper maintenance of machinery, in order to minimize engine emissions. These emissions are also of short duration and odors are quickly dispersed into the atmosphere. Any future on-site commercial uses which may emit steam (such as restaurants) are required to secure appropriate permits from the South Coast Air Quality Management District (SCAQMD). Compliance with SCAQMD rules and permit requirements would prevent objectionable odors from affecting a substantial number of people. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
4. <u>BIOLOGICAL RESOURCES</u>				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or USFWS?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect of 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

- 4a. BonTerra Consulting Senior Botanist Sandra Leatherman and Ecologist, Lindsey Messett, conducted a site visit on Tuesday, July, 24, 2007. A Habitat Assessment has been prepared pursuant to the requirements of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) (BonTerra Consulting, 2007). The project site does not provide habitat for any federal or State-listed Endangered or Threatened plant species. Potential habitat for the burrowing owl (*Athene cunicularia hypugaea*), a California Species of Special Concern (SSC), was identified on the

project site. BonTerra Consulting biological resource staff conducted focused surveys for the burrowing owl on August 27, 28, 29, and 30, 2007 in accordance with the Western Riverside County MSHCP survey instructions. Five historic burrows were located on-site but no burrowing owls were observed.

The Habitat Assessment also identified potential fairy shrimp habitat. On August 24, 2007, the project site was surveyed for fairy shrimp habitat by BonTerra biologist Jeff Crain (Permit TE-047998-1). Based on the survey conducted, it was identified that there is no suitable habitat on the project site. This issue will be addressed further in the Draft EIR.

- 4b. The project site has been previously graded and is predominantly disturbed. The following vegetation types occur on the project site: disturbed buckwheat scrub, willow riparian scrub, mulefat scrub, individual Fremont's cottonwood trees, ornamental, annual grassland/ruderal, and ruderal. Willow riparian scrub occurs on the southeastern boundary of the project site along the blue-line stream. The majority of this habitat is located immediately adjacent to but off of the project site. The willow riparian on the project site is dominated by red willow (*Salix laevigata*) with a few Fremont's cottonwoods (*Populus fremontii*). Potential impacts to riparian habitat or sensitive natural communities will be addressed in the EIR, and mitigation measures will be identified, as appropriate.
- 4c. There is an existing drainage caused by a culvert outlet located along the eastern boundary of the project site that extends off site toward I-215. This drainage follows the eastern border of the project site and supports riparian/riverine vegetation including willows and Fremont's cottonwood trees. This drainage is identified as a "blue-line stream" on the USGS quadrangle map. A jurisdictional delineation of drainages on the project site will be performed to determine the extent of areas under U.S. Army Corps of Engineers (USACE), and CDFG jurisdiction. The findings of this delineation will be presented in the EIR and mitigation measures will be recommended as appropriate.
- 4d. The project site is located between I-15 and I-215, with the south corner of the project site located at the intersection of these two transportation facilities. A blue-line drainage occurs in the southern portion of the site, exiting through two culverts. The culvert located along the southwest boundary exits under I-15 into open space and sparse residential development; the culvert located on the southeast boundary exits under I-215 into dense residential and urban development. These culverts would allow the movement of small- to medium-sized mammals to and from the project site including desert cottontail (*Sylvilagus audubonii*), black-tailed jackrabbit (*Lepus californicus*), raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginiana*), striped skunk (*Mephitis mephitis*), bobcat (*Lynx rufus*), and coyote (*Canis latrans*). As there is no available wildlife movement corridor to connect any open space area located to the north or east, local wildlife movement would be expected to be mostly restricted to open space areas southwest of the project site. Development of the project site would reduce the amount of open space available for local wildlife movement, but would not be expected to substantially reduce the amount of wildlife movement in the region. No further evaluation of this issue is warranted in the Draft EIR.
- 4e. The City of Murrieta has adopted a Tree Ordinance (Ord. 182 §2 [part] 1997) to provide regulations for the protection, preservation, and maintenance of native Oak, Sycamore, and Cottonwood trees; trees of historic or cultural significance; groves and stands of mature trees; and mature trees (in general) that are associated with

proposals for development. It is also the intent of this chapter to perpetuate the existence of these trees through the replacement of trees removed as a result of a new development. There are Fremont's cottonwood trees on site that may be subject to provisions of the City's Tree Ordinance. This issue will be further addressed in the Draft EIR, and mitigation measures identified, as appropriate.

- 4f. The project site is located within the Western Riverside MSHCP area. The project site is not within a Criteria Cell Area, therefore no Habitat Evaluation and Acquisition and Negotiation Strategy (HANS) process is necessary. However, to comply with the MSHCP, a full Habitat Assessment has been prepared by County of Riverside qualified Biologists. The Habitat Assessment for this project addresses habitat for burrowing owl, fairy shrimp, riverine/riparian areas, and non-covered riparian species. Following the submittal of the Habitat Assessment to the City, appropriate mitigation and requirements will be determined, and the project will comply with the MSHCP. This issue will be addressed further in the Draft EIR.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES				
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

- 5a. As previously mentioned, the project site has been graded and there are no existing structures or other development on site. No historical resources were discovered on the project site during previous surveys and grading activities (LSA 1990). This finding was confirmed during field studies conducted during preparation of the Cultural Resources Assessment for the proposed project. No impact to historic resources would occur with project implementation and no further evaluation of this issue is warranted in the Draft EIR.
- 5b. No significant archaeological resources were discovered on the project site during previous surveys and grading activities (LSA 1990). However, a Cultural Resources Assessment is being prepared for the proposed project, and potential impacts to archaeological resources that would result from the proposed development will be addressed in the Draft EIR. It should also be noted that the City of Murrieta will consult

with Native American organizations pursuant to the requirements of Senate Bill (SB) 18 and this consultation effort will be discussed further in the Draft EIR.

- 5c. Paleontological resources include fossils or assemblages of fossils that are unique, unusual, rare, or that add to the existing body of knowledge in specific areas, either stratigraphically, taxonomically, or regionally. Such resources may include the remains of very small to large terrestrial and/or aquatic species that can assist in the interpretation of tectonic events, geomorphic evolution, paleoclimatology, and relationships of terrestrial and aquatic species. The Pauba Formation on site has a high paleontological sensitivity. The Draft EIR will address potential impacts to paleontological resources and mitigation measures will be identified, as appropriate.
- 5d. The proposed project site is not known to have been utilized for religious or sacred purposes. No evidence is in place to suggest that the project site has been used for human burials. The *California Health and Safety Code* (Section 7050.5) states that if human remains are discovered on site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to the *Public Resources Code* (Section 5097.98). As adherence to State regulations is required for all development, no additional mitigation is required in the unlikely event human remains are discovered on site. Impacts associated with this issue are considered less than significant and no further analysis of this issue is required in the Draft EIR.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
6. <u>GEOLOGY AND SOILS</u>				
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) The 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 risks to life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

Comments:

- 6a.i. No faults have been mapped on the project site (CDC 2002). The closest fault to the site (locally known as the Murrieta Hot Springs Fault) trends east-west and is located a few hundred feet to the north. The potential for ground fault rupture to occur on the project site is less than significant. Although fault rupture on the project site is highly unlikely, this issue will be addressed in the Draft EIR, and mitigation measures will be identified as appropriate.

- 6a.ii. The primary seismic hazard for the project site, as with all southern California, is ground shaking due to the proximity of major active faults. The most significant known active faults in the region include the Elsinore, San Andreas, San Jacinto, and Newport-Inglewood faults. The active Wildomar Fault Zone lies approximately 2,600 feet southwest of the site. Because of the evidence for Holocene activity, the State of California Division of Mines and Geology has placed the Wildomar Fault in an Alquist-Priolo Special Study Zone. The actual zone lies 2,200 feet from the project site at its closest approach. The Murrieta Hot Springs Fault is also considered “potentially active” (having ruptured in the last two million years). Due to the site’s proximity to known active faults, ground shaking is very possible (GEOFON 1998). This issue will be evaluated in the Draft EIR and mitigation measures will be identified, as appropriate.

- 6a.iii. The *City of Murrieta General Plan* does not identify the site as being at risk for any type of seismic-related ground failure. Liquefaction is a phenomenon in which earthquake-induced cyclic stresses generate excess pore water pressure in loose, saturated, sandy soils and soft silts below the water table. This causes a loss of shear strength and, in many cases, ground settlement. The geotechnical investigation to be prepared for the proposed project will address the potential for liquefaction within the project limits. With implementation of the recommendations made in the geotechnical report and adherence to the City of Murrieta’s development code, impacts are expected to be less than significant. This issue, however, will be evaluated in the Draft EIR and mitigation measures will be identified, as appropriate.

- 6a.iv. The project site is relatively flat in the north with low rolling hills in the south. There are not any steep slopes near or proposed by the project and, as such, landslide issues are highly unlikely. Impacts associated with this issue are considered less than significant and no further analysis of this issue is required in the Draft EIR.
- 6b. Development of the proposed project would alter the ground surface and change the topography on site. Geotechnical studies previously prepared for the project site have indicated that the site's soils may be susceptible to erosion (Kleinfelder 1990). The geotechnical investigation to be prepared for the project will address the potential for erosion within the project limits. With implementation of the recommendations made in the geotechnical report and adherence to the City of Murrieta's development code, impacts are expected to be less than significant. This issue, however, will be evaluated in the Draft EIR and mitigation measures will be identified, as appropriate.
- 6c. Subsidence is when settlement of under-consolidated soils occurs during ground shaking. The *City of Murrieta General Plan* does not identify the site as being at risk for any type seismic-related ground failure. The geotechnical investigation to be prepared for the proposed project will address the potential for subsidence within the project limits. With implementation of the recommendations made in the geotechnical report and adherence to the City of Murrieta's development code, impacts are expected to be less than significant. This issue, however, will be evaluated in the Draft EIR and mitigation measures will be identified, as appropriate.
- 6d. Expansive soils generally have a significant amount of clay particles, which can give up water (shrink) or take on water (swell). The change in volume exerts stress on buildings and other loads placed on these soils. The extent of shrink/swell is influenced by the amount and type of clay in the soil. The occurrence of expansive soils is often associated with geologic units having marginal stability. The distribution of expansive soils can be widely dispersed; they can occur in hillside areas, as well as low-lying alluvial basins. According to a previous Geotechnical study previously conducted for the project site (Kleinfelder, 1990), portions of the Pauba Formation found on the project site have clayey materials with a moderate potential for expansion. The geotechnical investigation to be prepared for the proposed project will address the potential for expansive soils within the project limits. Although it is expected that adherence to the applicable provisions of the Uniform Building Code, recommendations contained in the geotechnical investigation, and City standards will reduce potential impacts associated with expansive soils; this issue will be evaluated in more detail in the Draft EIR and mitigation measures will be identified, as appropriate.
- 6e. The proposed project will be connected to the municipal sewer system and does not propose any septic tanks. Therefore, there would be no impact from development of the proposed project. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
7. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transportation, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 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, would 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) For a project within the vicinity of a private airstrip, would 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"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- 7a. The proposed project consists of retail, hotel, office, entertainment, and parking uses. The proposed uses would utilize hazardous materials, primarily fertilizers, cleaners, paints, and related products, and would necessitate the transport, storage, and sale of these hazardous materials. Potentially hazardous materials, such as petroleum products, pesticides, fertilizers, and other household products (such as paint, solvents, and cleaning products) may be stored and sold in conjunction with on-site retail sales. The transport, storage, handling, and retail sale of these substances are routinely conducted at such sites.

The federal Hazardous Materials Transportation Law is the statutory basis for the extensive body of regulations aimed at ensuring the safe transport of hazardous materials on water, rail, highways, in the sky, or in pipelines. It includes provisions for material classification, packaging, marking, labeling, placarding, and shipping documentation. Sections 25500–25520 of the California *Health and Safety Code* outline requirements for the handling of hazardous materials and the preparation of business and are plans relating to the handling and release or threatened release of hazardous materials. Business plans required by this code must include an inventory of hazardous materials stored on site (above specified quantities), an emergency response plan, and an employee-training program. Businesses that use, store, or handle, at any time, any individual hazardous material in an aggregate amount equal to or greater than 55 gallons of a hazardous liquid, 500 pounds of a hazardous solid, or 200 cubic feet of a compressed gas at standard temperature and pressure require these plans, which must be prepared prior to facility operation and are reviewed/updated biennially (or within 30 days of a change).

Locally, these plans are required at the building permit stage. The City of Murrieta Fire Department conducts site inspections to confirm compliance with each business plan and is responsible for enforcing and reviewing biennial updates and/or any other changes made to individual business plans.

All activity involving hazardous substances would be conducted in accordance with applicable local, State, and federal safety standards; therefore, a less than significant impact related to this issue would occur. No further discussion of this issue in the Draft EIR is warranted.

- 7b. A Preliminary Environmental Survey (PES) was prepared for a previously proposed project on the site (GEOFON 1987). This assessment characterized the existing conditions both on the project site and within the project area regarding past and current activities that involved the handling, use, storage, transport or emission of hazardous materials. There was no evidence of major surface soil contamination due to spillage or disposal of hazardous chemicals at the site. An updated Phase I Environmental Site Assessment (ESA) was prepared for the project site (Leighton 2007). Based on a search of selected governmental databases conducted as part of the ESA, neither the project site nor adjacent properties were listed as sites of concern. Additionally, the ESA revealed no evidence of recognized environmental conditions in connection with the proposed project site. Therefore, no impact related to this issue would occur and no mitigation is required. No further discussion of this issue in the Draft EIR is warranted.

- 7c. During the construction phase of the project, there is a limited risk of accidental release of hazardous materials such as gasoline, oil, or other fluids in operation and maintenance of construction equipment. Compliance with the standard State and local construction requirements would reduce the risk of any damage or injury from these potential hazards to a less than significant level.

There is one private pre-school located south of I-15 and approximately 1,000 feet south of the project site. Several other schools are located less than two miles from the site including: Alta Murrieta Elementary School (1.27 miles), Buchanan Elementary School (1.31 miles), Rail Ranch Elementary School (1.60 miles), and Warm Springs Middle School (1.99 miles). The operation of the proposed retail, hotel, restaurant, and office uses would involve the transport, storage, and sale of various hazardous materials, such as petroleum products, pesticides, fertilizers, and other products such as paint, solvents, and cleaning products. However, these uses would not involve the use, storage, handling, transport, or emission of these hazardous materials in a manner or quantity that would result in a risk to the schools identified above. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.

- 7d. The site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to *Government Code*, Section 65962.5 (CWRCB 2007).
- 7e. The closest airport to the project site is a general aviation facility located in French Valley, approximately three miles east of the project. The project site is outside the Airport Influence Area and identified Height Review Overlay Zones as shown on Map FV-1, Compatibility Map, in the Riverside County Airport Land Use Compatibility Plan (ALUCP). No impacts are anticipated. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.
- 7f. The project site is not within the vicinity of a private airstrip. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.
- 7g. Implementation of the proposed project would generate an increase in the amount and volume of traffic on local and regional roadway networks. The developers of the proposed project would be required to design, construct, and maintain structures, roadways, and facilities to comply with applicable local, regional, State, and/or federal requirements related to emergency access and evacuation plans. However, key transportation facilities that provide emergency access in the vicinity of the project (e.g., Murrieta Hot Springs Road) would remain fully operational during construction and operation of the project. Emergency access to the site would be provided in compliance with applicable City requirements. Further evaluation of this issue in the Draft EIR is not required and no mitigation is necessary.
- 7h. The project site is situated between two interstate highways in an urban area. Furthermore, the proposed project site is not located within an area identified as a wildland fire hazard area according to Figure VI-7 of the City's General Plan. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
8. <u>HYDROLOGY AND WATER QUALITY</u>				
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or 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 (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

8a & 8f. The project site is currently undeveloped and implementation of the project would result in an increase in the amount of impervious surfaces on site, which would increase the amount of storm water runoff. This runoff would carry typical urban pollutants from the site, and could discharge into the regional drainage system, which eventually flows into Murrieta Creek. Murrieta Creek is listed as a 303(d) body of water with exceedences of iron, nitrogen, manganese, and phosphorus (California State Water Resources Control Board website (CWRCB 2006). The Draft EIR will describe current water quality conditions, and will provide an analysis of potential water quality impacts associated with the proposed uses.

The San Diego Regional Water Quality Control Board (RWQCB) has issued a Municipal Separate Storm Sewer System (MS4) permit for the Santa Margarita River watershed. The City of Murrieta, the County of Riverside, and the City of Temecula are co-permittees listed on this permit. The program requires the preparation of a Water Quality Management Plan (WQMP). The City and County have adopted a set of Best Management Practices (BMPs) designed to control discharges of pollution during construction and occupancy that could cause a significant adverse impact to surface water quality. A WQMP will be prepared for the proposed project.

Additionally, the proposed project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) requirements including implementation of a Storm Water Pollution Prevention Plan (SWPPP). The Draft EIR will address compliance with these regulations.

8b. According to the California Department of Water Resources, the project site is located within the Temecula Valley Groundwater Basin which occupies approximately 137 square miles within the County of Riverside. While groundwater recharge can take place to a minor degree on any site with a permeable surface through precipitation and percolation, the major recharge areas for the Temecula Valley Groundwater Basin include the Warm Springs, Tocalota, Santa Gertrudis, Murrieta, and Pechanga Creeks and the Temecula River. None of these water bodies are located on the project site; therefore, development of the proposed project would not interfere with groundwater recharge.

Water service to the proposed project would be provided by EMWD which derives approximately 25 percent of their water supply from groundwater (EMWD 2007b). The project's anticipated demand for water is not expected to substantially deplete groundwater supplies; therefore, no impact related to groundwater recharge or supplies would occur. No further discussion of this issue in the Draft EIR is warranted. However, the ability to serve the project's anticipated water demand is discussed in Response 16d.

8c–8d. The project site was previously graded; however, there are drainages on site. Implementation of the proposed project would result in alteration to the current drainage pattern within the project limits. Impacts related to alterations in the direction, volume, or quality of existing drainage flows will be addressed in the Draft EIR.

8e. The proposed project would include a system of underground storm drains, which would convey project runoff to the existing storm drain system. There may be an increase in the amount of runoff from the site and improvements to the existing

facilities may be required. Any new facilities will be designed to control the increased runoff in a manner consistent with the General Plan's requirements for flood control and water quality. Potential adverse impacts related to erosion, potential flooding, and capacity of existing drainage facilities due to an increase in surface water runoff will be addressed in the Draft EIR.

- 8g–8h. The closest Federal Emergency Management Agency (FEMA) mapped 100-year floodplain is Warm Springs Creek, located approximately 4,000 feet east of the project site (RBF 2008). Based on review of the Flood Zone Map presented as Figure 3.2-1 of the City of Murrieta Master Environmental Assessment (MEA), the proposed project site is not within a mapped 100-year flood hazard area. Therefore, the proposed project would not place housing (including hotel uses) or structures within a 100-year flood hazard area or in a location that would impede or redirect flood flows. As a result, no flooding or flood flow impacts are expected. Further evaluation of these issues in the Draft EIR is not required and no mitigation measures are necessary.
- 8i. Skinner Reservoir (Lake Skinner) is the nearest dam to the project site, located approximately seven miles away. According to the Riverside County Integrated Project (RCIP) database, Lake Skinner has a “High Hazard Rating” based on the facility’s age, construction material, height, storage capacity versus drainage area, and pathway hazard potential (RBF 2008). However, the project site is not within the Lake Skinner dam inundation area according to the Lake Skinner Potential Dam Inundation Area Map in the City of Murrieta MEA (Figure 3.2-2). The project is also outside of the Diamond Valley Lake Dam Inundation Area. As a result, no dam inundation impacts are expected. Further evaluation of these issues in the Draft EIR is not required and no mitigation measures are necessary.
- 8j. A seiche is a wave or oscillation of the surface of water in an enclosed or semi-enclosed basin that continues from a few minutes to a few hours as a result of seismic or atmospheric disturbances. The project site is not located near a lake or ocean; therefore, no seiche- or tsunami-related impacts would occur. Additionally, mudflows are not expected to occur due to the site’s relatively flat topography, the nature of the site’s soils, and the type of improvements proposed for the project site. No further discussion of these issues is required in the Draft EIR and no mitigation measures are necessary.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
9. 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) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
avoiding or mitigating an environmental effect?				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

- 9a. The project site is surrounded by highways and urban land uses and will represent a continuation of existing urban development. Implementation of the proposed project would not physically divide an established community. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.
- 9b. Based on a preliminary review, it is anticipated that the proposed mixed-use project would be consistent with land use plans, policies, and/or regulations applicable to the project. However, the project's consistency with the City of Murrieta's adopted General Plan and relationship to the governing Specific Plan for the site (Specific Plan 276) will be addressed in the Draft EIR. Consistency will be determined using three criteria: (1) consistency with the Goals and Policies; (2) consistency with the Land Use Plan and other exhibits; and (3) consistency with the Implementation Programs. The project's consistency with the City of Murrieta Development Code (Zoning) and applicable regional planning documents will also be evaluated in the Draft EIR.
- 9c. Please refer back to Comment 4f in Biological Resources regarding the project's consistency with the Western Riverside County MSHCP.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
10. MINERAL RESOURCES				
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<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"/>

Comments:

- 10a–10b. Based on review of the City's General Plan and the Department of Conservation's Aggregate Availability Map (2006), there are no mineral resources in the project area (CGS 2006); for this reason, development of the project site would not result in the

loss of availability of known mineral resources that would be of value to the region and the residents of the state. Therefore, there would be no loss of mineral resources or of a locally important mineral resource recovery site. No further analysis of this issue is necessary in the Draft EIR.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
11. NOISE				
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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, 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"/>
f) For a project within the vicinity of a private airstrip, 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"/>

Comments:

11a–11d. Noise increases from the proposed project would be generated on a short-term and long-term basis. The proposed project would increase ambient noise levels during construction (construction vehicular traffic, excavation, grading, and building construction), and could also result in vibration. Short-term noise levels would be higher than existing ambient noise levels in the project area, but would cease upon project completion. Long-term operation of land uses proposed at the project site could increase the ambient noise levels above existing conditions. Long-term noise impacts would also be associated with increased traffic on local roadways. Short-term and long-term noise impacts will be evaluated in the Draft EIR and mitigation measures will be identified, as necessary.

11e–11f. As noted previously, the French Valley Airport is approximately three miles east of the project site. According to the French Valley Noise Contour Map (Riverside County Airport Land Use Compatibility Plan 2004), the project site is located outside the 60 Community Noise Equivalent Level (CNEL) noise contour; therefore, aircraft overflights would not significantly contribute to the noise environment and would not subject future employees or visitors of the project to excessive noise levels. The project site is not located near a private airstrip. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
12. <u>POPULATION AND HOUSING</u>				
Would the project:				
a) Induce substantial 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

12a. The project does not involve the development of new residential units and would not result in the generation of additional residents in the city. The proposed project would provide additional retail, office, hotel/conference, and entertainment uses. It is expected that the employment opportunities from these uses will be accommodated from the local labor pool and would not indirectly generate new residents in the area. Additionally, the City of Murrieta General Plan currently identifies development of the project site pursuant to Specific Plan 276 (Murrieta Springs Mall), approved by the County of Riverside in 1990 (prior to incorporation of the City of Murrieta). Specific Plan 276 includes the development of 51.5 acres of Regional Commercial, 2.9 acres of Office/Retail, 3.0 acres of restaurant, 4.5 acres of hotel, and 1.6 acres of retail uses (approximately 1.77 msf).

The level of development anticipated with the proposed project is assumed in the local growth forecasts for the City. The regional growth estimates are based upon these local forecasts, further integrating them into the applicable regional growth forecasts. Additionally, the project site is within a developed urban area and would not require the extension of any major infrastructure facilities.

There is no potential for substantial unanticipated growth since development of this site with similar uses is envisioned in the City's adopted General Plan. This issue will not be addressed further in the Draft EIR.

12b-12c. The proposed project site is currently vacant and undeveloped. Development of the proposed project would not result in the displacement of any existing housing and would not necessitate a need for the construction of replacement housing elsewhere. For this reason, no impacts associated with the displacement of existing housing would occur. No further discussion of this issue is necessary in the Draft EIR and no mitigation is required.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
13. PUBLIC SERVICES				
Would the project result in substantial adverse physical impacts associated with the provision of 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:				
a) Fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

13a-13b. Fire and police protection services are provided to the project site by the City of Murrieta Fire and Police Departments. The proposed project would include the development of retail, restaurant, office, hotel and conference facilities. There would be an incremental increase in the demand for fire and police protection services as the proposed project builds out. The proposed project's potential impact on these services and the need for new or modified public facilities will be addressed in the Draft EIR. Mitigation measures will be identified, as necessary.

13c. The proposed project would not involve the development of residential uses; therefore, no new students would be generated within the Murrieta Valley Unified School District. There would not be a need for the provision of new or altered school facilities. Although the proposed project would not generate new students, the Project Applicant would be required to pay construction fees (also known as "developer's fees") pursuant to *Government Code*, Section 65995. The legislation recognized the need for the fees to be adjusted periodically to keep pace with inflation; therefore, the State Allocation Board increases the maximum fees according to the adjustment for inflation in the statewide cost index for Class B construction. The Developer would be required to pay the applicable maximum rate for new commercial/industrial construction. The payment of school mitigation impact fees is deemed to provide "full and complete mitigation of impacts" from the development of real property on school facilities (*Government Code*, Section 65995). No further discussion of this issue is necessary in the Draft EIR.

13d-13e. The proposed project does not involve the development of residential uses and there would be no associated increase in population. Because there would not be an increase in population, there would not be a substantial increase in demand for parks,

recreational facilities, or other public facilities (e.g., libraries). There would not be a need for the provision of new or altered public facilities (schools, parks, libraries, etc.) or associated physical impacts associated with the construction of such facilities. It should be noted that the Project Applicant would be required to pay applicable Public Facilities/Infrastructure Mitigation Fees to the City of Murrieta in compliance with Section 16.36 of the City's Municipal Code. No further discussion of this issue is necessary in the Draft EIR.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
14. RECREATION				
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

14a–14b. The proposed project does not involve the development of residential uses and there would be no associated increase in population. Because there would not be an increase in population, there would not be a substantial increase in demand for parks or recreational facilities. Additionally, the proposed project does not involve the development of recreational facilities. As noted in 13d-13e in Section 13, Public Services, the Project Applicant would be required to pay applicable Public Facilities/Infrastructure Mitigation Fees to the City of Murrieta. No further discussion of this issue is necessary in the Draft EIR.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
15. TRANSPORTATION/TRAFFIC				
Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ration on roads, or congestion at intersections)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a 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"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

- 15a–15b. Implementation of the proposed project would generate additional vehicle trips which could impact intersections and/or street segments in the project vicinity. A comprehensive traffic impact study will be prepared to evaluate the traffic generation and distribution associated with the proposed project and to determine if significant traffic impacts are likely to occur. The traffic study will also address compliance with level of service standards established for designated roads and highways in the vicinity of the project. This issue will be addressed in the Draft EIR and mitigation measures will be identified, as necessary.
- 15c. The proposed project will not impact air traffic patterns. No airports are located within the immediate project area. As discussed under Item 7e, the closest airport to the project site is the French Valley Airport, a general aviation facility approximately three miles east of the project. Regional air traffic demands would be accommodated by Los Angeles International Airport, John Wayne Airport, Ontario Airport, Long Beach Airport, and San Diego International Airport. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.
- 15d. Roadway improvements will be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control, and other related issues. Adherence to applicable City requirements will ensure the proposed development will not include any sharp curves or dangerous intersections. Therefore, no substantial increase in hazards due to a design feature would occur. No further discussion of this issue in the Draft EIR is required.
- 15e. The proposed project will be developed in compliance with the Fire Department's regulations for access and site design. Although impacts are expected to be less than

significant, the Draft EIR will discuss emergency access and other design considerations based on coordination with the Fire Department.

15f. It is anticipated that parking demand for the project would effectively operate on a shared basis due to the mix of proposed land uses and varied peak usage hours. Additionally, it is assumed that many visitors and employees would go to multiple uses within the project during a single trip and would not need to park separately for each use. A parking study will be prepared for the project and will be included in the Draft EIR. Mitigation measures will be identified, as necessary. .

15g. The project is not expected to conflict with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks). According to the Riverside Transit Agency (RTA) website (RTA 2007), RTA bus service is currently available in the area. Implementation of the project would not conflict with any potential future routing in this area. The Triangle project would also provide a bus turnout/transit stop along Murrieta Hot Springs Road. The Draft EIR will include a discussion of adopted policies, plans, and/or programs supporting alternative transportation, as well a discussion of the project's consistency with such policies, plans and/or programs.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
16. UTILITIES AND SERVICE SYSTEMS				
Would the project:				
a) Exceed wastewater treatment requirements of the applicable RWQCB?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

- 16a. Wastewater originating from the project site would ultimately be treated by facilities owned and operated by EMWD. The wastewater treatment requirements issued by the California RWQCB for EMWD's treatment plant were developed to ensure that adequate levels of treatment would be provided for the wastewater flows emanating from all land uses within its service area; therefore, the wastewater from the project site would not cause the treatment plant to exceed these treatment requirements; therefore, there would be no impact. Further evaluation in the Draft EIR is not required and no mitigation measures are necessary.
- 16b–16c. Future development of the project would increase the demand for water and wastewater treatment services. The existing and post-development demands on existing utilities will be addressed in the Draft EIR to determine what impacts may occur from implementation of the proposed development. The need for the construction of new and/or upgraded water, wastewater or storm water facilities (on and off site) will be addressed, and potential environmental impacts associated with these construction activities will be analyzed. Appropriate mitigation measures will be identified, as necessary.
- 16d. The project site is within the EMWD service area for both wastewater and water service. EMWD charges development connection fees to mitigate project impacts and to provide for current and future infrastructure to support proposed projects. According to EMWD's *2005 Urban Water Management Plan*, the improved reliability of imported water supplies due to the Metropolitan Water District's implementation of the Integrated Resources Plan and the Water Surplus and Drought Management Plan should provide 100 percent full service water supply reliability through 2010. Based on the regional progress to date in developing off-stream storage for surplus imported water, coupled with the local plans for resource development, the District is confident of its ability to meet the water demands of its customers through 2020. A water supply assessment (WSA) is required for the project, as set forth in Sections 10910–10912 of the *California Water Code* (SB 610). The Draft EIR will discuss water supply issues related to implementation of the proposed project.
- 16e. In addition to the wastewater facilities necessary to serve the project, the Draft EIR will discuss the existing wastewater treatment system's capacity and the EMWD's ability to serve the project. Appropriate mitigation measures will be identified, as necessary.
- 16f. Riverside County has increased its solid waste capacity to provide adequate disposal capacity for the increased demand. Solid waste from the area is transported to the 495-acre El Sobrante Landfill, located in Temescal Canyon, south of Corona. The El Sobrante Landfill is owned and operated by a subsidiary of Waste Management, Inc. The El Sobrante Facility is permitted to accept up to 10,000 tons of waste per day, and is

currently accepting an average of 8,000 tons per day during weekdays. At the current rate of disposal, the El Sobrante Facility has a life expectancy estimated at 36 years. Combined with the City's mandatory source reduction and recycling program, the proposed project is not expected to cause an adverse impact on the solid waste and disposal system. The project's impacts related to solid waste will be addressed in the Draft EIR.

- 16g. The proposed project would be required to comply with applicable local, State, and federal solid waste disposal requirements, thereby ensuring that impacts associated with this issue are considered to be less than significant. Applicable requirements will be addressed in the Draft EIR.

Issues and Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
17. MANDATORY FINDINGS OF SIGNIFICANCE				
Would the project:				
a) Does the project have the potential to 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, 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 will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

Comments:

17a–17c. The project has the potential to degrade the quality of the natural and human environment related to land use, public services, utilities, transportation, water quality, biological resources, cultural resources, aesthetics, geology, noise, and air quality and to also cumulatively affect the natural and human environment. Because of this potential for significant adverse effects, a Draft EIR will be prepared for the project.

SECTION 5.0 REFERENCES

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- U.S. Department of Transportation (DOT), Research and Special Programs Administration. 1994. Federal Hazardous Materials Transportation Law. Washington, D.C.: DOT.

project would also include implementation of roadway and infrastructure improvements necessary to serve the project.

The General Plan designation for the project site is Specific Plan and the current zoning for the project site is Specific Plan 276. The proposed project would require, among other actions, a Specific Plan Amendment and a General Plan and Zone Map Amendment to reflect the proposed Specific Plan land uses.

POTENTIAL ENVIRONMENTAL EFFECTS: Based on the conclusions of the attached Initial Study, the environmental issues to be addressed in the Draft EIR include: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services, Transportation/Traffic, and Utilities/Service Systems.

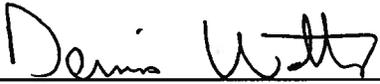
Pursuant to Section 15082(a) of the California Environmental Quality Act (CEQA) Guidelines, the City of Murrieta (City) as the lead agency is providing notice that it will prepare an environmental impact report for the project described above. This Notice of Preparation (NOP) of The Triangle Specific Plan Project EIR has been prepared to solicit comments from agencies, organizations, and other interested parties on the proposed project. In order to identify environmental issues that may be associated with approval and development of the proposed project, an Initial Study was prepared pursuant to the requirements of CEQA, and is attached.

Pursuant to Section 15103 of the State CEQA Guidelines, your response must be sent at the earliest date but received by our agency no later than thirty (30) days after receipt of this notice. Copies of the Initial Study are available at the City of Murrieta Planning Department at the address indicated below. Should you have any questions regarding the project or NOP, please call Mr. Dennis Watts, Senior Planner at (951) 461-6060. Please mail your written response, including any comments you may have on this project to:

Mr. Dennis Watts, Senior Planner
City of Murrieta
Planning Department
1 Town Square • 24601 Jefferson Avenue
Murrieta, CA 92562

Comments may also be accepted by the following e-mail address dwatts@murrieta.org.

All parties that have submitted their names and mailing addresses will be notified of any significant changes in the proposed project. If you wish to be placed on the mailing list, please submit your name and mailing address to the contact person listed above.



Dennis Watts, Senior Planner

6/17/08

Date



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

June 19, 2008

To: Reviewing Agencies

Re: The Triangle Specific Plan
SCH# 2008061104

Attached for your review and comment is the Notice of Preparation (NOP) for the The Triangle Specific Plan draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Dennis Watts
City of Murrieta
24601 Jefferson Avenue
Murrieta, CA 92562

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

CITY OF MURRIETA

JUN 25 2008

RECEIVED
PLANNING DEPT

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008061104
Project Title The Triangle Specific Plan
Lead Agency Murrieta, City of

Type NOP Notice of Preparation
Description The project proposed development of up to 1,767,914 gross square feet of mixed-use development including hotel, office, restaurant, entertainment, parking and commercial uses.

Lead Agency Contact

Name Dennis Watts
Agency City of Murrieta
Phone 951 461-6037 **Fax**
email
Address 24601 Jefferson Avenue
City Murrieta **State** CA **Zip** 92562

Project Location

County Riverside
City Murrieta
Region
Cross Streets I-15, I-215, Murrieta Hot Springs Road
Lat / Long 33° 33' 13.641" N / 117° 11' 4.501" W
Parcel No.
Township 7S **Range** 3W **Section** **Base**

Proximity to:

Highways I-15 and I215
Airports
Railways
Waterways Murrieta Creek, Warm Springs Creek
Schools Murrieta School District
Land Use Vacant and undeveloped
Specific Plan 276/Specific Plan (County of Riverside EIR 358 SCH#90020608)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 6; Native American Heritage Commission; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 9

Date Received 06/19/2008 **Start of Review** 06/19/2008 **End of Review** 07/18/2008

DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING

464 WEST 4th STREET, 6th Floor MS 725

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-6890

TTY (909) 383-6300

*Flex your power!
Be energy efficient!*

July 17, 2008

Mr. Dennis Watts
City of Murrieta
24601 Jefferson Avenue
Murrieta, CA 92562

Dear Mr. Watts:

The Triangle Specific Plan
State Clearinghouse #2008061004
08-RIV-15 PM 9.468, 215 PM 9.507

The California Department of Transportation (Department) reviewed the Initial Study and Notice of Preparation for the Triangle Specific Plan Draft Environmental Impact Report (DEIR), which involves an amendment to the previous approved Murrieta Springs Specific Plan 276. Various meetings involving the Department, and project Consultants have been held to determine; interchange modification, project sewage, drainage and grading, right of way landscaping, signage, and encroachment permit requirements.

The proposed project is bordered by Murrieta Hot Springs Road to the north, Interstate 15 (I-15) on the west, and Interstate 215 (I-215) on the east. It will consist of mixed-use development; commercial, restaurants, entertainment, parking, retail stores, hotel and conference facility, and office space on 64.3-acres. The buildings will have varying heights with the maximum being 280-feet (approximately 18-stories).

The applicant must be advised of the City's Project Study Report (PSR) for reconstruction/realignment of the eastbound Murrieta Hot Springs Road off-ramp. The reconstruction will be for an I-15 eastbound to northbound loop. Preservation of land in the northwest corner of the development is recommended.

Due to project density, size and freeway access to I-15 and I-215 is via Murrieta Hot Springs Road; we believe project development will impact existing State facilities, particularly with regard to increased traffic volumes, and drainage. So that impacts may be fully evaluated and effectively mitigated, we recommend that the DEIR be prepared to include discussion of:

CITY OF MURRIETA**JUL 23 2008**

Traffic Analysis:

1. The format used in this analysis should be consistent with the Caltrans Guide for the Preparation of Traffic Impact Studies. Information regarding this guide is available upon request or accessible on the Internet at this link:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

2. Analysis should address development impacts to the existing I-15 and I-215 on-and-off ramps and identify need for ramp widening and/or lane re-configuration.

Hydrology Study:

1. All existing tributary areas, area drainage patterns and runoff volumes having an impact to adjacent I-15 and I-215 drainage facilities must be identified and analyzed in a project hydrology study.
2. Existing capacity of affected State drainage systems cannot be exceeded. Should 100-year project runoff volumes be determined to exceed the maximum capacity of the existing State drainage facilities, construction of on-site detention basins, new drainage systems or other impact mitigation will be required.
3. Future review of project drainage design will include an evaluation of runoff impacts to adjacent State right-of-way. Where applicable, compliance with pertinent NPDES/water quality standards will be required.

Site Grading:

Landscaping and irrigation of slopes may be required to provide adequate erosion control. Plant materials and irrigation devices selected for use may be subject to State standards. Preparation of landscape/irrigation plans for Caltrans review will be required.

Outdoor Advertising:

A Highway Outdoor Advertising Permit Application must be submitted and a permit secured prior to the placement of all displays, which are regulated by the Outdoor Advertising Act. Information regarding permit requirements may be obtained by visiting our website:

<http://www.dot.ca.gov/hq/oda/>

Mr. Dennis Watts
July 17, 2008
Page 3

Once the above studies and the DEIR are completed, please forward to us for review and comments. If you have any questions regarding this letter, please contact me at (909) 383-4557 for assistance.

Sincerely,



DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

c: State Clearinghouse
Johnson Yu, Caltrans Streamlined Oversight Projects
Miguel Gonzalez, RBF Consulting
Micah Spano, The Garrett Group
Roger Cunliffe-Owen, City of Murrieta Contract Program Project Manager
Bruce Ko, Caltrans Program Project Management

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
www.nahc.ca.gov
ds_nahc@pacbell.net



June 23, 2008

Mr. Dennis Watts

CITY OF MURRIETA

24601 Jefferson Avenue
Murrieta, CA 92562

Re: SCH# 2008061104; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for The Triangle Specific Plan; City of Murrieta; Riverside County, California

Dear Mr. Watts:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state agency designated for the protection of California's Native American cultural resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR per the California Code of Regulations § 15064.5(b)(c) (CEQA Guidelines). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE),' and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the 'Information Center' nearest you is available from the State Office of Historic Preservation in Sacramento (916/653-7278). The record search will determine:

- If a part or the entire (APE) has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- √ Contact the Native American Heritage Commission (NAHC) for:
 - * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity who may have information on cultural resources in or near the APE. Please provide us site identification as follows: USGS 7.5-minute quadrangle citation with name, township, range and section. This will assist us with the SLF.
 - Also, we recommend that you contact the Native American contacts on the attached list to get their input on the effect of potential project (e.g. APE) impact. In many cases a culturally-affiliated Native American tribe or person will be the only source of information about the existence of a cultural resource.
 - √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f) of the California Code of Regulations (CEQA Guidelines). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

CITY OF MURRIETA

JUN 27 2008

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PLANNING DEPT

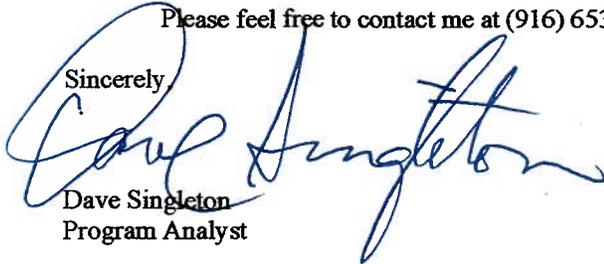
√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigations plans.

- CEQA Guidelines §15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the Initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American groups, identified by the NAHE, to ensure the appropriate and dignified treatment of Native American human remains and any associated grave goods.
- Health and Safety Code §7050.5, Public Resources Code §5097.98 and CEQA Guidelines §15064.5(d) mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in CEQA Guidelines §15370 when significant cultural resources are discovered during the course of project planning or execution.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Dave Singleton". The signature is written in a cursive style with a large, looping initial "D".

Dave Singleton
Program Analyst

Attachment: Native American Contact List.

Cc: State Clearinghouse

Native American Contacts
Riverside County
June 23, 2008

Cahuilla Band of Indians
Anthony Madrigal, Jr., Chairperson
P.O. Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
(951) 763-2631

(951) 763-2632 Fax

Los Coyotes Band of Mission Indians
Katherine Saubel, Spokesperson
P.O. Box 189 Cahuilla
Warner , CA 92086
loscoyotes@earthlink.net
(760) 782-0711
(760) 782-2701 - FAX

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resource Center
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 308-9295 Ext 8106
(951) 676-2768
(951) 506-9491 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, vice chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 609 Cahuilla
Hemet , CA 92546
srtribaloffice@aol.com
(951) 658-5311
(951) 658-6733 Fax

Cupa Cultural Center (Pala Band)
Shasta Gaughen, Assistant Director
35008 Pala-Temecula Rd.PMB Box 445 Luiseno
Pala , CA 92059
cupa@palatribe.com
(760) 742-1590
(760) 742-4543 - FAX

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 676-2768
(951) 695-1778 Fax

Willie Pink
48310 Pechanga Road Luiseno
Temecula , CA 92592
wjpink@hotmail.com
(909) 936-1216
Prefers e-mail contact

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the propose SCH#2008061104; CEQA Notice of Preparation (NOP) and draft Environmental Impact Report (DEIR) for the Triangle Specific Plan; City of Murrieta; Riverside County, California.

Native American Contacts
Riverside County
June 23, 2008

Soboba Band of Luiseno Indians
Erica Helms, Cultural Resources Manager
P.O. Box 487 Luiseno
San Jacinto , CA 92581
dhill@soboba-nsn.gov
(951) 654-2765
FAX: (951) 654-4198

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2008061104; CEQA Notice of Preparation (NOP) and draft Environmental Impact Report (DEIR) for the Triangle Specific Plan; City of Murrieta; Riverside County, California.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

CITY OF MURRIETA

June 26, 2008

Mr. Dennis Watts, Senior Planner
City of Murrieta
Planning Department
1 Town Square – 24601 Jefferson Avenue
Murrieta, CA 92562

JUL 07 2008
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PLANNING DEPT

Dear Mr. Watts:

Notice of Preparation of a Draft Environmental Impact Report (Draft EIR) for the Triangle Specific Plan

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft environmental impact report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality analysis and electronic versions of all air quality modeling and health risk assessment files. Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, the lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2007 Model. This model is available on the SCAQMD Website at: www.urbemis.com.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM_{2.5} emissions from construction and operational activities and processes. In connection with developing PM_{2.5} calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM_{2.5} emissions and compare the results to the recommended PM_{2.5} significance thresholds. Guidance for calculating PM_{2.5} emissions and PM_{2.5} significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

Cleaning the air that we breathe...

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/agguide/agguide.html>. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (<http://www.aqmd.gov>).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Gordon Mize, Ph.D., Air Quality Specialist, CEQA Section, at (909) 396-3302 if you have any questions regarding this letter.

Sincerely,



Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development and Area Sources

SS:GM:AK
RVC080620-02AK
Control Number



RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

July 3, 2008

CITY OF MURRIETA

JUL 08 2008

RECEIVED
PLANNING DEPT

Mr. Dennis Watts, Senior Planner
City of Murrieta
Planning Department
1 Town Square
24601 Jefferson Avenue
Murrieta, CA 92562

Dear Mr. Watts:

Re: Notice of Preparation of a Draft
Subsequent Environmental Impact
Report for the Triangle Specific Plan
Project

This letter is written in response to the Notice of Preparation of a Draft Subsequent Environmental Impact Report (DSEIR) for the Triangle Specific Plan Project. The proposed project consists of the development of up to 1,767,914 gross square feet of mixed-use development on approximately 64.3 acres. The proposed project is bordered by Murrieta Hot Springs Road on the north, Interstate 15 on the west and Interstate 215 on the east in the city of Murrieta, Riverside County.

The Riverside County Flood Control and Water Conservation District has the following comments/concerns that should be addressed in the DSEIR:

1. Please be advised the proposed project is located within the District's Murrieta Creek Master Drainage Plan (MDP). When fully implemented, these MDP facilities will provide flood protection to relieve those areas within the plan of the most serious flooding problems and will provide adequate drainage outlets. The DSEIR should address potential impacts to proposed MDP storm drain facilities in the proposed project area. The District's MDP facility maps can be viewed online at rcflood.org. To obtain further information on the MDP and the proposed facilities, contact Dale Anderson of the District's Planning Section at 951.955.1345.
2. Page 19 of the Initial Study states, "The proposed project would include a system of underground storm drains, which would convey project runoff to the existing storm drain system. There may be an increase in the amount of runoff from the site and improvements to the existing facilities may be required." In the event that the proposed connections or improvements to existing storm drain facilities affect District right-of-way, easements or facilities, an encroachment permit will be required. Any activities within road right-of-way that may impact District's existing facilities should also be coordinated through the District's Operations and Maintenance Division. To obtain further information on

July 3, 2008

-2-

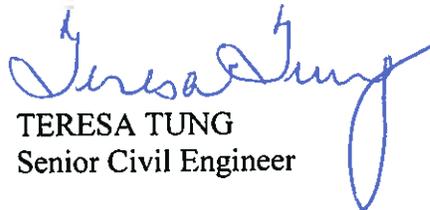
Mr. Dennis Watts
Re: Notice of Preparation of a Draft
Subsequent Environmental Impact
Report for the Triangle Specific Plan
Project

encroachment permits or existing facilities, contact Ed Lotz of the Encroachment Permit Section at 951.955.1266.

3. The District is a signatory to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). For purposes of procuring an encroachment permit from the District, the permit applicant will need to demonstrate that the portion of the project located within District right-of-way or easement is consistent with the MSHCP. The DSEIR should include an MSHCP consistency report with all of its supporting documents and provide adequate mitigation, if needed, in accordance with all applicable MSHCP requirements. The report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP.

Thank you for the opportunity to comment on the Notice of Preparation. Please forward any subsequent environmental documents regarding the project to my attention at this office. Any further questions concerning this letter may be referred to Jason Swenson at 951.955.8082 or me at 951.955.1233.

Very truly yours,



TERESA TUNG
Senior Civil Engineer

c: TLMA
Attn: David Mares
Ed Lotz
Dale Anderson

JDS:rlp



COUNTY OF RIVERSIDE
TRANSPORTATION AND
LAND MANAGEMENT AGENCY
Transportation Department



Juan C. Perez, P.E., T.E.
Director of Transportation

August 1, 2008

CITY OF MURRIETA

AUG 07 2008

RECEIVED
PLANNING DEPT

Mr. Dennis Watts, Senior Planner
City of Murrieta, Planning Department
1 Town Square, 24601 Jefferson Avenue
Murrieta, CA 92562

Subject: Response to Notice of Preparation of A Draft Subsequent Environmental Impact Report for the Triangle Specific Plan Project

Dear Mr. Watts:

Thank you for sending the Riverside County Transportation Department the Notice of Preparation (NOP) of a Draft Subsequent Environmental Impact Report (DEIR) for the Triangle Specific Plan Project in the City of Murrieta.

The proposed commercial, retail, hotel and office land uses could lead to increases in traffic volumes in the area. The Transportation Department requests that the traffic study for the proposed development address potential impacts and mitigation measures on any County roadways in the area included in the County General Plan on which 50 or more project peak hour trips are added. Necessary improvements to mitigate project impacts shall be identified, and responsibility for the needed improvements shall be designated. The Riverside County Traffic Study Guidelines should be followed for analysis of facilities within Riverside County.

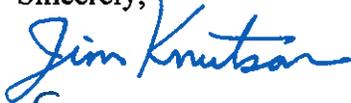
If a modeling process is to be used for the traffic analysis, model inputs and assumptions should be thoroughly documented.

The County is especially interested in the cumulative analysis of the intersection of SR-79/Winchester Road/Murrieta Hot Springs Road, since there are numerous pending or recently-approved development projects in the County area to the east of Winchester Road. Please contact Kevin Tsang in the Transportation Department for information regarding cumulative projects in Riverside County (ktsang@rctlma.org).

Mr. Dennis Watts, Senior Planner
City of Murrieta
August 1, 2008
Page 2

Thank you again for the opportunity to review the NOP. We look forward to receiving the EIR and the traffic analysis for the development. You can reach me at (951) 955-2091.

Sincerely,



for
Farah Khorashadi
Engineering Division Manager

FK:rg

Cc: George A. Johnson, TLMA Director
Juan C. Perez, Director of Transportation

From: Mike McCoy [mailto:mmccoy@riversidetransit.com]

Sent: Friday, June 27, 2008 11:54 AM

To: Watts, Dennis (Planning)

Subject: Initial Study - The Triangle

June 27, 2008

To: Dennis Watts, Senior Planner, City of Murrieta

From: Michael McCoy, Communications Planner, Riverside Transit Agency (RTA)

Thank you for giving RTA an opportunity to comment on the Initial Study for the Triangle Specific Plan in Murrieta. Comments are due approximately July 16, 2008.

As indicated in Comment 15g of the Transportation/Traffic Impacts section, a bus turnout and transit stop are proposed for an as-yet-to-be-determined precise location along eastbound Murrieta Hot Springs Rd as part of the street improvement plans for The Triangle project. RTA wants to go on record at this time as continuing to support the overall Triangle concept and the agency looks forward to further discussion on transit with the developer, the City of Murrieta and other interested parties. The mutual goal of the discussion would be to analyze and clarify options for the physical placement and characteristics of the bus stop/bus turnout and its connectivity with the pedestrian network in The Triangle. Some work has already been done on this topic - a "best practices"- based site for the bus stop has been proposed by RTA. The agency looks forward to seeing the initial concepts evolve into final site plans, street improvement plans and landscape plans.

If there are any questions, please contact me at these numbers:

Thank you.

Mike McCoy

Planning Communications Specialist
Riverside Transit Agency

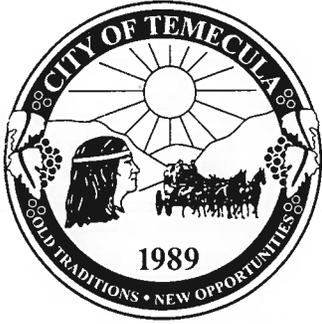
1825 Third Street
P.O. Box 59968
Riverside, CA 92507 USA

mmccoy@riversidetransit.com

Ph: (951) 565-5164

Fax: (951) 565-5165

www.RiversideTransit.com



City of Temecula

Planning Department

43200 Business Park Drive • Temecula, CA 92590 • Mailing Address: P.O. Box 9033 • Temecula, CA 92589-9033
(951) 694-6400 • FAX (951) 694-6477

July 17, 2008

CITY OF MURRIETA

JUL 18 2008

RECEIVED
PLANNING DEPT

Ms. Mary Lanier
Director of Planning
City of Murrieta
24601 Jefferson Avenue
Murrieta, CA 92562

SUBJECT: Response to a Notice of Preparation of a Draft Subsequent EIR for the Triangle Specific Plan Project

Dear Mary;

Thank you for the opportunity to comment on the Notice of Preparation of a Draft Subsequent Environmental Impact Report (SEIR) for the Triangle Specific Plan. The City of Temecula would appreciate a review copy of the Draft SEIR when it is available. We have completed several recent Environmental Impact Reports in the general vicinity and offer them for your information with regard to circulation and other related impacts.

Included are the recently certified Environmental Impact Reports for the Mercedes-Benz dealership on Ynez Road and the Temecula Education Complex located on Diaz Road.

Sincerely,



Robert C. Johnson, Ph.D.
Assistant City Manager

Enclosures: Fletcher Jones Mercedes Benz Draft SEIR
Temecula Education Complex Draft EIR

Delivered Via Messenger

cc: City Council
Shawn Nelson, City Manager
Aaron Adams, Assistant City Manager
Debbie Ubnoske, Director of Planning
Bill Hughes, Director of Public Works

Pechanga Comments: NOP for Golden Triangle SPA/DSEIR

From: Laura Miranda [mailto:lmiranda@pechanga-nsn.gov]
Sent: Friday, July 25, 2008 8:43 AM
To: Watts, Dennis (Planning); Smith, Greg (Planning)
Cc: Anna Hoover; Tina Johnson; Laura Miranda
Subject: Pechanga Comments: NOP for Golden Triangle SPA/DSEIR
Importance: High

Dear Mr. Watts,

On behalf of the Pechanga Band of Luiseno Indians I am submitting this email correspondence as the Tribe's comments on the Initial Study (IS) dated June 2008 for the NOP of the DSEIR, SPA and associated approvals for the Golden Triangle Specific Plan Project.

The Pechanga Tribe previously commented on this Project in our letter Dated 12/6/07 submitted to Mr. Greg Smith. I have attached the letter as the Tribe is reiterating its contents and incorporating it into this email correspondence on the June 2008 IS.

The June 2008 IS states that the City will conduct SB 18 consultation. As such, the Pechanga Tribe is requesting to invoke the SB 18 consultation as soon as we are provided copies of all archaeological reports prepared for this Project, including the LSA 1990 report and studies and reports that were conducted for the original SP and EIR. The Tribe is also requesting the ability to obtain copies of the previously approved EIR and SP, especially the cultural resources sections, mitigation measures and conditions of approval prior to our consultation.

It is important to point out that the Tribe has not received answers to the questions and concerns posed in our 12/6/08 letter. The June 2008 IS states that the Project property has been subjected to previous grading. Back in December of 2007 and just recently with phone calls from Anna Hoover to the City we had requested clarification on the extent and specifics of this grading and have not received a response on this issue.

The June 2008 IS states that no significant archaeological resources were discovered on the Project site during previous surveys and grading activities. At this time, the Tribe cannot state whether it is in agreement with such a statement. Without the above requested documents and clarifications to our questions concerning the grading, the Tribe cannot adequately comment on this Project or engage in the SB 18 consultation. We look forward to receiving the requested documents and discussing the details of the grading.

Please contact me with any questions/concerns and to schedule the SB 18 consultation.

Thank you for the opportunity to submit these comments on this Project.

--

Laura Miranda
Deputy General Counsel
Pechanga Band of Luiseno Indians
P.O. Box 1477
Temecula, CA 92593
Telephone: (951) 676-2768, Ext. 2137
Fax: (951) 694-0734
Email: lmiranda@pechanga-nsn.gov

This transmittal is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this transmittal is not the intended recipient, or the employee or agent responsible for delivering the transmittal to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by telephone to arrange return of the document. Thank you.



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office, Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

Chairperson:
Germaine Arenas

Vice Chairperson:
Mary Bear Magee

Committee Members:
Evie Gerber
Darlene Miranda
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December 6, 2007

Mr. Greg Smith
Associate Planner
City of Murrieta
Planning Department
26442 Beckman Court
Murrieta, CA 92562

RE: Pechanga Tribe Letter Concerning Request for SB 18 Consultation and Request for Involvement Pursuant to CEQA for the Golden Triangle Project Specific Plan

Dear Mr. Smith:

This comment letter is submitted by the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government, in response to the request for consultation from your office dated September 7, 2007. The Tribe is formally requesting, pursuant to Cal. Govt. Code §65352, to be consulted with concerning the impacts the above listed Project will or may have on Traditional Tribal Cultural Places and Luiseño cultural resources. Further, the Tribe requests consultation with the City of Murrieta as a sovereign governmental entity. Additional comments may be submitted directly by the Tribe or through its attorneys. We request that all such comments be part of the official record for the approval of this Project.

The Pechanga Tribe is also formally requesting, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"), including addition of the Tribe to your distribution list(s) for public notices and public circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project.

Lead Agency Consultation with the Pechanga Tribe Required Pursuant to Cal. Govt. C. §§ 65351, 65352, 65352.3, and 65352.4(Senate Bill 18 – Traditional Tribal Cultural Places law)

As this Project entails a Specific Plan Amendment, the Lead Agency is required to consult with the Pechanga Tribe pursuant to a State law entitled Traditional Tribal Cultural Places (also known as SB 18; Cal. Govt. C. § 65352.3). Such consultation shall be for the

Pechanga Letter to the City of Murrieta

RE: Pechanga Tribe Letter Concerning Request for SB 18 Consultation and Request for Involvement Pursuant to CEQA for the Golden Triangle Project Specific Plan

Page 2

purposes of identifying any Native American sacred places and any geographical areas which could potentially yield sacred places, identifying proper means of treatment and management of such places, and to ensure the protection and preservation of such places through agreed upon mitigation (Cal. Govt. C. 65352.3; SB18, Chapter 905, Section 1(4)(b)(3)). All consultations shall be government-to-government, meaning they shall be directly between the Tribe and the Lead Agency, seeking agreement where feasible (Cal. Govt. C. § 65352.4; SB18, Chapter 905, Section 1(4)(b)(3)). Lastly, any such information conveyed to the Lead Agency concerning Native American sacred places shall be confidential in terms of the specific identity, location, character and use of those places and associated features and objects. Such information shall not be subject to public disclosure pursuant the California Public Records Act (Cal. Govt. C. 6254(r)).

PECHANGA CULTURAL AFFILIATION TO THE PROJECT AREA

The Pechanga Tribe asserts that the Project area is part of the Pechanga Tribe's aboriginal territory, as evidenced by the existence of Luiseño place names, rock art, pictographs, petroglyphs, and an extensive Luiseño artifact record in the vicinity of the Project. The Tribe further asserts that this culturally sensitive area is affiliated specifically with the Pechanga Band of Luiseño Indians because of the Tribe's specific cultural ties to this area. Pechanga considers any resources located on this Project property to be Pechanga cultural resources.

The Pechanga Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and linguistic accounts. Of the many anthropologists and historians who have presented boundaries of the Luiseño traditional territory, none have excluded the Murrieta area from their descriptions (Sparkman 1908; Kroeber 1925; White 1963; Harvey 1974; Oxendine 1983; Smith and Freers 1994), and such territory descriptions correspond almost identically with what was communicated to the Pechanga people by our elders. While historic accounts, anthropological and linguistic theories are important in determining traditional Luiseño territory; the Pechanga Tribe asserts that the most critical sources of information used to define our traditional territories are our songs, creation accounts, and oral traditions.

Our elders state that the Temecula/Pechanga people had usage/gathering rights-what anthropologists include in their definition of a "village territory"-to an area extending from Rawson Canyon on the east, over to Lake Mathews on the northwest, down Temescal Canyon to the Temecula area, eastward to Aguanga, and then along the crest of the Cahuilla range back to Rawson Canyon. Murrieta is located within the south central area of this culturally affiliated territory. The Native American Heritage Commission (NAHC) Most Likely Descendent (MLD) files substantiate this habitation and migration record from oral tradition.

There are several placenames located within Murrieta including the ancient village of 'Avá'aax, located aside Murrieta Creek. Also, *Qéngva* was situated between Dendy Road and

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portions of south-most Guava Street. *Churúkunuknu Sákiwuna* is the placename which describes the actual hot spring from which Murrieta Hot Springs derives its name. *Tóotwi* describes the Adobe Springs site (CA-RIV-716). This village served as the historic encampment for the Cahuilla and Spanish, who later ambushed the Luiseño in what has been called “the Temecula Massacre”. North of the hot springs is the placename called *Múuta Potéei*, whose translation means “the owl’s nest.” Today, residents of Murrieta know this distinctive set of hills as “the hogbacks”. *Tóipa*, describes the Santa Gertrudis River that bisects Murrieta (north-to-south) and eventually empties into the Temecula Creek at *Éxva Teméku*.

Thus, our songs and stories, our indigenous place names, as well as academic works, demonstrate that the Luiseño people who occupied what we know today as Murrieta, Temecula, and the areas in between are ancestors of the present-day Pechanga Band of Luiseño Indians, and as such, Pechanga is the appropriate culturally affiliated tribe for projects that impact this geographic area.

In addition, the Pechanga Tribe has a long modern day history of involvement with Projects in the area known as Murrieta. The Pechanga Tribe has been involved on projects located in the Murrieta vicinity, such as the CalTrans-Ivy Street Bridge Project, the Wynfield Projects, the Murrieta Hot Springs Road Widening, and the current Murrieta 30 and North Murrieta Business Park Projects. Vincent Ibanez, former Chairman of the Tribe, was named MLD for a burial which was located near the intersection of Jefferson and Juniper St (south of and behind Lowe’s). Moreover, Pechanga was named MLD during the Copper Canyon Project (between Paseo Del Oso Oro & Clinton Keith Rd).

The Tribe would welcome to opportunity to meet with the City of Murrieta to further explain and provide documentation concerning our specific cultural affiliation to lands within the geographical Murrieta region.

PROJECT IMPACTS TO CULTURAL RESOURCES

The Pechanga Tribe understands from the City SB 18 Notice, dated 9/7/07, that the Project area soils have been previously disturbed. It is also our understanding that the Notice indicates that the results of an archeological survey conducted by BonTerra Consulting confirmed disturbance of the Project area as well as a lack of cultural resources on the Project property. The Tribe further understands from the Notice that the City will not be recommending archeological or tribal monitoring for the development of this Project. The Tribe does agree that this Project area is disturbed to some extent, but the degree of disturbance is unclear to the Tribe at this time. The Tribe has not received a copy of the BonTerra archeological report nor has it had the opportunity to conduct its own assessment of the property to clearly understand the extent and degree of the previous disturbance. It is the Tribe’s experience, that even with a “halt work” mitigation measure with regard to inadvertent discoveries of resources, such resources are likely to be missed because there will be no one watching the grading that is trained in cultural resources identification. So, this type of mitigation is often not effective to reduce impacts to

Pechanga Letter to the City of Murrieta

RE: Pechanga Tribe Letter Concerning Request for SB 18 Consultation and Request for Involvement Pursuant to CEQA for the Golden Triangle Project Specific Plan

Page 4

cultural resources, rather monitoring would be the most effective mechanism. The Tribe will be engaging in its own assessment of the area, and once it receives the archeological report prepared for this Project, it will have a better idea of specific impacts, and may be requesting that the City adopt specific procedures and policies concerning the protection, preservation and mitigation of sacred places, and all cultural resources, including inadvertent discoveries, pertaining to this Project.

REQUESTED INVOLVEMENT

The Pechanga Tribe officially requests to continue consultation with the City and to receive official notice of all actions concerning this Project pursuant to the Tribal Traditional Cultural Properties law and CEQA. To complete this consultation the Tribe requests copies of all documents pertaining to the cultural resource and archaeological impacts of this Project, including environmental documents, archaeological reports, proposed mitigation measures and conditions of approval, and archaeological site records. The Tribe reserves the right to submit additional proposed mitigation measures upon receipt of the additional requested documents from the City, including the archaeological reports and more information concerning the specifics of the previous disturbance to the Project area.

The Pechanga Tribe looks forward to working together with the City of Murrieta in protecting the invaluable Luiseño cultural resources found in the Project area. Please contact us once you have had a chance to review these comments so that we might address any outstanding issues regarding this Project. If you have any questions, please do not hesitate to contact Deputy General Counsel Laura Miranda at 951-676-2768 X2137 or myself at (951) 308-9295.

Sincerely,



Anna M. Hoover
Cultural Analyst

Cc: Laura Miranda, Pechanga Office of the General Counsel

June 20, 2008

Attn: Dennis Watts
City of Murrieta
24601 Jefferson Avenue
Murrieta, Ca 92562

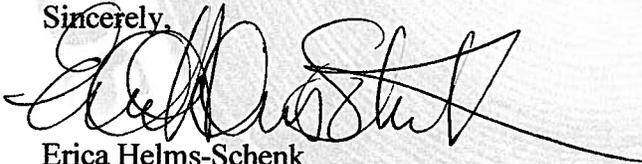
Re: The Triangle Specific Plan

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project(s) has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas.

At this time the Soboba Band does not see a direct need for Native American Monitoring. In the instance that Cultural Resources are encountered the Tribe requests a Native American Monitor be present. Soboba requests this, until deemed unnecessary by both Archaeological and Native American Monitors.

[SPECIAL NOTE (for projects other than cell towers): *If this project is associated with a city or county specific plan or general plan action it is subject to the provisions of SB18-Traditional Tribal Cultural Places (law became effective January 1, 2005) and will require the city or county to participate in formal, government-to-government consultation with the Tribe. If the city or county are your client, you may wish to make them aware of this requirement. By law, they are required to contact the Tribe.*

Sincerely,



Erica Helms-Schenk
Soboba Cultural Resource Department
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