



Section 2.0

Introduction and Purpose



2.0 INTRODUCTION AND PURPOSE

2.1 PURPOSE OF THE EIR

The *California Environmental Quality Act (CEQA)* requires that all State and local agencies consider the environmental consequences of projects over which they have discretionary authority. An Environmental Impact Report (EIR) is intended to provide decision-makers and the public with information concerning the environmental effects of a proposed project, possible ways to reduce or avoid the possible environmental damage and identify alternatives to the project. An EIR must also disclose significant environmental impacts that cannot be avoided; growth inducing impacts; effects not found to be significant; as well as significant cumulative impacts of all past, present and reasonably anticipated future projects.

The purpose of this Program EIR is to review the existing conditions, analyze potential environmental impacts, identify General Plan 2035 goals and policies that serve as mitigation, and identify additional mitigation measures to reduce potentially significant effects of the proposed General Plan 2035 (proposed project). Additional details and benefits about Program EIRs are explained further in [Section 2.3.2](#).

A key assumption for both the General Plan 2035 and General Plan 2035 EIR is that the goals and policies identified in the General Plan 2035 will be implemented. With that as an underlying assumption, a conservative approach was employed for this Program EIR where goals and policies have been included as mitigation measures, as noted above. This method further ensures the execution of goals and policies to address development-related and environmental impacts associated with growth under the General Plan 2035.

In addition, the EIR documents background information for the General Plan 2035. Each jurisdiction must prepare supporting environmental documentation for goals and policies contained in the General Plan. This information will be adopted as part of the General Plan 2035.

2.2 AUTHORITY

The City of Murrieta is the Lead Agency under *CEQA* and is responsible for preparing the Program EIR for the Murrieta General Plan 2035 (State Clearinghouse No. 20100111084). This Program EIR has been prepared in conformance with *CEQA* (*California Public Resources Code* [PRC] Section 21000 et seq.); *CEQA Guidelines* (*California Code of Regulations* [CCR], Title 14, Section 15000 et seq.); and the rules, regulations, and procedures for implementation of *CEQA*, as adopted by the City of Murrieta. The principal *CEQA Guidelines* sections governing



content of this document are Sections 15120 through 15132 (Contents of Environmental Impact Reports), and Section 15168 (Program EIR).

2.3 APPROACH

State law specifies the basic contents of the General Plan. However, it permits each jurisdiction to use any format deemed appropriate or convenient. General Plans are traditionally organized into a collection of required and optional elements. These elements contain a policy component and supporting documentation. The City of Murrieta intends for the General Plan to be used primarily as a policy document, with supporting documentation for the General Plan to be included in the Program EIR and Technical Appendices.

2.3.1 GENERAL PLAN

Government Code Section 65300 requires that each jurisdiction prepare and adopt a comprehensive, long-term plan for the physical development of the county or city. *Government Code* Section 65302 provides that “the general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals.” The General Plan is required to include the following State mandated elements:

- Land Use;
- Circulation;
- Housing;
- Conservation;
- Open Space;
- Noise; and
- Safety,

In order to minimize redundancies or to better address local issues, general plans may merge or consolidate elements. A city or county may adopt other elements not required by law that address the physical development of the city or county. Although these elements are optional, once adopted they become an integral part of the general plan with the same force and effect as the required elements. All general plan elements have equal legal status and no element takes precedence over any other.

The Murrieta General Plan 2035 consists of the following 11 State mandated and optional elements:

- Land Use;
- Economic Development;
- Circulation;



- Infrastructure;
- Healthy Community;
- Conservation;
- Recreation and Open Space;
- Air Quality;
- Noise;
- Safety; and
- Housing.

2.3.2 PROGRAM ENVIRONMENTAL IMPACT REPORT AND APPENDICES

The General Plan 2035 Program EIR includes background data and environmental analysis, and the Technical Appendices includes technical reports on specific topics such as traffic, air quality, and noise.

Both the *Public Resource Code* and the *CEQA Guidelines* discuss the use of “tiering” environmental impact reports by lead agencies. *Public Resources Code* Section 21068.5 defines “tiering” as:

“...the coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environmental in the prior environmental impact report.”

The Murrieta General Plan 2035 Program EIR is intended to serve as a Program EIR or “first tier EIR.” *CEQA Guidelines* Section 15168 states that a Program EIR can be prepared in connection with the “issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program.” The Program EIR has been prepared for the General Plan 2035.

CEQA Guidelines Section 15168 (a) states that a Program EIR is appropriate for evaluating “. . . a series of actions that can be characterized as one large project and are related either: (1) Geographically; (2) As logical parts in the chain of contemplated actions; (3) In connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.”

According to *CEQA Guidelines* Section 15168 (b), the advantages of a Program EIR include the following: 1) provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action; 2) ensure consideration of cumulative



impacts that might be slighted in a case-by-case analysis; 3) avoid duplicative reconsideration of basic policy considerations; 4) allow the Lead Agency to consider broad policy alternatives with program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and 5) allow reduction in paperwork.

Subsequent development projects proposed within the City must be reviewed in the context of this Program EIR to determine if additional environmental documentation is required. If the subsequent project would have environmental effects not addressed in the Program EIR, additional environmental review will be required. Where no new effects and no new mitigation measures are involved, the subsequent project can be approved without additional environmental documentation. Where an EIR is required for a subsequent project, the EIR should implement the applicable mitigation measures developed in the Program EIR, and focus its analysis on site-specific issues not previously addressed.

2.4 COMPLIANCE WITH CEQA

2.4.1 EIR SCOPING PROCESS

In compliance with the *CEQA Guidelines*, the City of Murrieta has maximized opportunities for the public to participate in the environmental review process. During preparation of the General Plan 2035 Program EIR, efforts were made to contact various Federal, State, regional and local government agencies and other interested parties to solicit comments on the proposed project.

Due to the decision to prepare a Program Environmental Impact Report, an Initial Study Environmental Checklist was not prepared. This option is permitted under *CEQA Guidelines* Section 15063(a), which states that if the Lead Agency determines an EIR will be required for a project, the Lead Agency may skip further initial review and begin work on the EIR.

The Program EIR will focus on the following environmental issues:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing



- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems

NOTICE OF PREPARATION

Pursuant to the provision of *CEQA Guidelines* Section 15082, as amended, the City of Murrieta circulated a Notice of Preparation (NOP) to public agencies, special districts and members of the public who had requested such notice for a 30-day period, beginning November 22, 2010 and ending December 21, 2010. The purpose of the NOP was to formally announce that the City is preparing a Draft Program EIR for the City of Murrieta General Plan 2035, and that as Lead Agency, was soliciting input regarding the scope and content of the environmental information to be included in the General Plan 2035 Program EIR. An Initial Study Checklist was not circulated with the NOP. The NOP is provided in Appendix A.

NOP AND SCOPING RESULTS

The City of Murrieta received NOP comments from the following individuals, groups, and agencies:

- California Emergency Management Agency (Cal EMA)
- Citizens for Quality Life in Murrieta (CQLM)
- City of Menifee
- County of Riverside Transportation and Land Management Agency
- Department of Toxic Substances Control (DTSC)
- Jim Kelly, Murrieta Property Owner
- Johnson & Sedlack Attorney at Law
- MaryAnn Shushan Miller, Murrieta Resident
- Pechanga Cultural Resources
- Regional Conservation Authority (RCA)
- Riverside County Flood Control and Water Conservation District
- Riverside Transit Agency (RTA)
- Robert D. Wheeler, Ph.D, Murrieta Resident
- Santa Margarita Group/Sierra Club
- South Coast Air Quality Management District (SCAQMD)
- Southern California Association of Governments (SCAG)
- State of California Governor's Office of Planning and Research State Clearinghouse and Planning Unit
- United States Department of the Interior Fish and Wildlife Service



The specific environmental concerns outlined below in *Table 2.1, NOP Comments* were raised in responses to the NOP for the proposed General Plan 2035. The table briefly summarizes the comment(s), the relevant EIR section where the topic is addressed, topics that are relevant to be addressed in the Program EIR, and topics that are relevant to the addressed in the General Plan 2035. All NOP comment letters are provided in Appendix B.

**Table 2.1
NOP Comments**

Individual, Group or Agency	Comment	EIR Section ¹	General Plan 2035 ²
California Emergency Management Agency (Cal EMA)	Examine the sections of state planning law that involve potential hazards the City may face and determine if there are hazard issues within the community which the GP should address.	Not Applicable to EIR	X
Citizen for Quality Life in Murrieta (CQLM)	Include the draft policies and goals for the Los Alamos Hills Specific Plan.	Not Applicable to EIR	X
	Remove two very high density projects within the community and from the Housing Element, General Plan Update, and EIR.	Not Applicable to EIR	X
	Analyze how the City's growth would affect the provision of water and sewer services, change traffic patterns and safety, Police and Fire response times, pedestrian and trail safety, air quality impacts, and the provision of public open space versus private property rights in the Los Alamos Hills area.	Section 5.1, Land Use Section 5.2, Population, Employment, and Housing Section 5.4, Traffic and Circulation Section 5.5, Air Quality Section 5.8, Geology and Seismic Hazards Section 5.13, Hydrology, Drainage, and Water Quality Section 5.14, Hazards and Hazardous Materials Section 5.15, Water Supply Section 5.16, Wastewater Section 5.17, Fire Protection Section 5.18, Police Protection Section 5.20, Parks and Recreational Facilities	
	Analyze the financial impacts of implementing the goals and policies of the General Plan on a neighborhood-by-neighborhood basis, including Los Alamos Hills.	Not Applicable to EIR	X
	Evaluate all possible funding tools and mechanisms legally available to the City and each neighborhood which might help mitigate the financial burden resulting from implementation of the General Plan 2035.	Not Applicable to EIR	X
	There should be goals and policies to encourage City staff to actively pursue all Federal, State, and County grant opportunities as well as other funding sources.	Not Applicable to EIR	X
City of Menifee	Potential impacts to regional transportation corridors within the project vicinity, specifically possible impacts to the interchanges along Interstate 215. The DEIR should identify mitigation measures for impacts to regional transportation corridors.	Section 5.4, Traffic and Circulation	



**Table 2.1 [continued]
NOP Comments**

Individual, Group or Agency	Comment	EIR Section ¹	General Plan 2035 ²
County of Riverside Transportation and Land Management Agency	Traffic study to address potential impacts and mitigation measures on all roadways in the County General Plan that might be affected.	<u>Section 5.4, Traffic and Circulation</u>	
	If a modeling process is to be used, model inputs and assumptions should be thoroughly documented. The recently developed RIVTAM is the suggested model.	<u>Section 5.4, Traffic and Circulation</u>	
Department of Toxic Substances Control (DTSC)	Evaluate whether conditions within the project area may pose a threat to human health or environment.	<u>Section 5.14, Hazards and Hazardous Materials</u>	
	Identify the mechanism to initiate any required investigations and/or remediation for any site that may be contaminated. If necessary, DTSC would require an oversight agreement in order to review.	<u>Section 5.14, Hazards and Hazardous Materials</u>	
	Environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan and the findings should be summarized.	<u>Section 5.14, Hazards and Hazardous Materials</u>	
	If any demolition, an investigation should be conducted for the presence of other hazardous materials. If other hazardous materials are identified, proper precautions should be taken during demolition activities and contaminants should be remediated in compliance with California environmental regulations and policies.	<u>Section 5.14, Hazards and Hazardous Materials</u>	
	If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils.	<u>Section 5.14, Hazards and Hazardous Materials</u>	
	Human health and the environment of sensitive receptors should be protected during any construction or demolition.	<u>Section 5.14, Hazards and Hazardous Materials</u>	
	If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law and Hazardous Waste Control Regulations.	<u>Section 5.14, Hazards and Hazardous Materials</u>	
Jim Kelly, Murrieta Property Owner	Remove two very high density projects within the community and from the Housing Element, General Plan 2035 and EIR.	Not Applicable to EIR	X
Johnson & Sedlack Attorney at Law (on behalf of the Elsinore Murrieta Anza Resource Conservation District and Sierra Club	Provide a range of alternatives. Concerned with changes to the implementation of the MSHCP as well as maintaining connectivity of natural areas.	<u>Section 6.0, Alternatives</u>	
	Include a climate action plan.	<u>Section 5.5, Air Quality</u> <u>Section 5.6, Greenhouse Gas Emissions</u>	X
	Do not just consider the "natural beauty" of natural areas but also their functionality for wildlife, wildlife corridors and functional riparian areas. Discuss plans for recharge of aquifers and methods of preventing overdraft of existing aquifers.	<u>Section 5.3, Aesthetics</u> <u>Section 5.10, Biological Resources</u> <u>Section 5.13, Hydrology, Drainage, and Water Quality.</u>	
	Evaluate the health effects of diesel particulates.	<u>Section 5.5, Air Quality</u>	
	Evaluate policies designed to ensure that there will be adequate funding for development of transportation resources.	Not Applicable to EIR	X



**Table 2.1 [continued]
NOP Comments**

Individual, Group or Agency	Comment	EIR Section ¹	General Plan 2035 ²
	Provide policies to ensure noise emissions, including during construction, do not exceed thresholds.	Not Applicable to EIR	X
MaryAnn Shushan Miller, Murrieta Resident	Analysis of impacts for the MSHCP, RCA report on conservation, affordable housing.	Not Applicable to EIR	X
	Analysis of Los Alamos Hills Specific Plan	Not Applicable to EIR	X
Pechanga Cultural Resources	Must include involvement of and consultation with the Pechanga Tribe. Cultural resources should be evaluated in the DEIR.	<u>Section 5.9, Cultural Resources</u>	
Regional Conservation Authority (RCA)	City will need to ensure the DEIR is consistent with the MSHCP, including Reserve Assembly and special survey requirements. Land designations shown on Exhibit 2 of the General Plan 2035 Focus Areas included with the NOP should not conflict with the Reserve Assembly Goals of the MSHCP. City should be aware that Proposed Constrained Linkage 16 is located within areas designated as Professional and Office on Exhibit 2.	<u>Section 5.9, Cultural Resources</u> <u>Section 5.10, Biological Resources</u>	
Riverside County Flood Control and Water Conservation District	The DEIR should fully evaluate any potential impacts to proposed MDP facilities.	<u>Section 5.8, Geology and Seismic Hazards</u> <u>Section 5.13, Hydrology, Drainage, and Water Quality.</u>	
Riverside Transit Agency (RTA)	Allow bus stops the proper space for buses to board and align passengers.	<u>Section 5.4, Traffic and Circulation</u>	X
	Assure streets are constructed to accommodate buses.	<u>Section 5.4, Traffic and Circulation</u>	X
	Construct sidewalks that are ADA compliant.	<u>Section 5.4, Traffic and Circulation</u>	X
	Include installation of bus stop amenities at waiting locations such as shelters, benches, and trash receptacles.	<u>Section 5.4, Traffic and Circulation</u>	X
	Provide right-of-way for pedestrian connectivity for easy access to stops and mobility throughout.	<u>Section 5.4, Traffic and Circulation</u>	X
Robert Wheeler, Ph.D, Murrieta Resident	MSHCP process.	Not Applicable to EIR	X
	Water quality and supply concerns.	<u>Section 5.13, Hydrology, Drainage, and Water Quality</u> <u>Section 5.15, Water Supply</u> <u>Section 5.16, Wastewater</u>	
Santa Margarita Group/Sierra Club	Incorporate the recommendations made in the County City Arroyo Committee report of 2006 to ensure water quality and preservation of waterways.	<u>Section 5.13, Hydrology, Drainage, and Water Quality</u> <u>Section 5.15, Water Supply</u> <u>Section 5.16, Wastewater</u>	X
	City creates a comprehensive map of the City's watercourses that would include the owners, conservations efforts and managers.	Not Applicable to EIR	X
	City develops methods to steward and protect these stretches so that HOAs, landowners, groups, and youth can participate and become educated in preserving these watercourses.	Not Applicable to EIR	X



**Table 2.1 [continued]
NOP Comments**

Individual, Group or Agency	Comment	EIR Section ¹	General Plan 2035 ²
South Coast Air Quality Management District	Identify any potential adverse air quality impacts (construction and operations) that could occur from all phases of the project and all air pollutant sources related to the project. Quantify PM 2.5 emissions and compare the results to the recommended PM 2.5 significance thresholds. Analyze regional air quality impacts. Calculate localized air quality impacts and compare to results to LSTs. Perform a mobile source health risk assessment. Identify possible mitigation measures.	<u>Section 5.5, Air Quality</u>	
Southern California Association of Governments (SCAG)	The proposed project is regionally significant. Use a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or non-applicability of the policy and supportive analysis in table format. Use the SCAG List of Mitigation Measures extracted from the RTP.	<u>Section 5.1, Land Use</u> <u>Section 5.2, Population, Employment, and Housing</u> <u>Section 5.4, Traffic and Circulation</u> <u>Section 5.5, Air Quality</u>	
United States Department of the Interior Fish and Wildlife Service	The MSHCP Guidelines Pertaining to the Urban Wildlands Interface require that the quantity and quality of runoff discharged to the MSHCP Conservation Area not be altered in an adverse way when compared with existing conditions. DEIR to address any potential effects from land use changes under the proposed General Plan 2035 to the quantity and quality of surface water available to Warm Springs and Murrieta Creeks.	<u>Section 5.1, Land Use</u> <u>Section 5.10, Biological Resources</u> <u>Section 5.13, Hydrology, Drainage, and Water Quality</u> <u>Section 5.15, Water Supply</u> <u>Section 5.16, Wastewater</u>	
<p>1 = The EIR section in which the analysis is provided. 2 = The comment is relevant for the General Plan 2035, not the General Plan 2035 EIR.</p>			

2.4.2 PUBLIC REVIEW OF DRAFT EIR

The Draft EIR is subject to a 45-day review period by responsible and trustee agencies and interested parties. In accordance with the provisions of *CEQA Guideline* Sections 15085(a) and 15087(a)(1), the City of Murrieta, serving as the Lead Agency, has 1) published a Notice of Availability (NOA) to the public of a Draft EIR and 2) prepared and transmitted a Notice of Completion (NOC) to the California State Clearinghouse. Proof of publication is available at the City of Murrieta.

Any public agency or members of the public desiring to comment on the Draft EIR must submit their comments in writing to the Lead Agency at the address on the NOC prior to the end of the public review period. The Lead Agency will evaluate and prepare responses to all written comments received from both citizens and public agencies during the public review period.



2.4.3 FINAL EIR

The Final EIR will consist of the Draft EIR, revisions to the Draft EIR, comments received in the review process, a list of persons commenting and responses to comments. After the Final EIR is completed, and at least 10 days prior to the certification hearing, a copy of the response to comments made by public agencies on the Draft EIR will be provided to the commenting agencies.

2.5 INTENDED USES OF THIS EIR

The City of Murrieta, as the Lead Agency for this project, will use this Program EIR in consideration of the proposed General Plan 2035. This document will provide environmental information to several other agencies affected by the project, or which are likely to have an interest in the project.

Certain projects or actions undertaken by a Lead Agency require subsequent oversight, approvals, or permits from other public agencies in order to be implemented. Such other agencies are referred to as Responsible Agencies and Trustee Agencies. Pursuant to *CEQA Guidelines* Sections 15381 and 15386, as amended, Responsible Agencies and Trustee Agencies are respectively defined as follows:

“Responsible Agency” means a public agency, which proposes to carry out or approve a project, for which [a] Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term “responsible agency” includes all public agencies other than the Lead Agency, which have discretionary approval power over the project. (Section 15381)

“Trustee Agency” means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. Trustee Agencies include; The California Department of Fish and Game, The State Lands Commission; The State Department of Parks and Recreation and The University of California with regard to sites within the Natural Land and Water Reserves System. (Section 15386)

Various State and Federal agencies exercise control over certain aspects of the City and the Sphere of Influence. The various public, private, and political agencies and jurisdictions with particular interest in the proposed project include, but are not limited to the following:

- Adelphia Cable
- Audubon Society
- Building Industry Association
- Cahuilla Band of Indians



- California Air Resources Board (CARB)
- California Department of Conservation
- California Department of Fish and Game (CDFG)
- California Department of Transportation (Caltrans) District 8
- California Department of Toxic Substances Control (DTSC)
- California Highway Patrol (CHP)
- California Environmental Protection Agency (CalEPA)
- California Regional Water Quality Control Board (CRWQB)
- Cal-Tech/Mount Palomar Observatory
- City of Murrieta Fire Department (CMFD)
- City of Murrieta Police Department (CMPD)
- City of Lake Elsinore
- City of Menifee
- City of Temecula
- City of Wildomar
- Department of Toxic Substances Control (DTSC)
- Eastern Information Center Anthropology Department, University of California
- Eastern Municipal Water District (EMWD)
- Elsinore-Murrieta-Anza Resource Conservation District
- Elsinore Valley Municipal Water District (EVMWD)
- Endangered Habitats League
- Los Alamos Neighborhood Association
- Menifee Unified School District (MUSD)
- Menifee Valley Un-inc. Community
- Metropolitan Water District of Southern California (MWD)
- Murrieta Valley Unified School District (MVUSD)
- Pechanga Band of Luiseno Indians
- Rancho California Water District (RCWD)
- Riverside County Airport Land Use Commission
- Riverside County Department of Environmental Health
- Riverside County Flood Control District
- Riverside County Planning Department
- Riverside County Transportation Commission
- Riverside County Transportation Department (RCTD)
- Riverside Transit Agency (RTA)
- San Bernardino County Museum



- Soboba Indian Reservation
- South Coast Air Quality Management District (SCAQMD)
- Southern California Association of Governments (SCAG)
- Southern California Association of Governments Riverside County Regional Office;
- Southern California Edison (SCE)
- Southern California Gas Company (SCG)
- State Clearinghouse Office of Planning & Research;
- United Murrieta Neighborhoods
- Union for a River Greenbelt Environment
- U.S. Department of the Army Corps of Engineers (ACOE)
- U.S. Fish & Wildlife Service (USFWS)
- U.S. Postal Service
- U.S. Environmental Protection Agency (U.S. EPA)
- Verizon of California
- Waste Management of Inland Valley
- Western Municipal Water District (WMWD)
- Western Riverside Council of Governments

Some of the Federal, State or regional agencies listed above may be Responsible or Trustee Agencies, and may use this EIR in their decision-making process or for informational purposes include.

2.6 FORMAT OF THE PROGRAM EIR

Section 1.0, Executive Summary, provides a brief project description and summary of the environmental impacts and mitigation measures and alternatives.

Section 2.0, Introduction and Purpose, provides an overview of the proposed Murrieta General Plan 2035 and the scope, use and approach of the Program EIR, including CEQA compliance information.

Section 3.0, Project Description, provides a detailed project description of the General Plan 2035. This section describes the environmental setting and defines the project.

Section 4.0, Basis of Cumulative Analysis, describes the approach and methodology for the cumulative analysis.



Section 5.0, Environmental Analysis, evaluates the impacts associated with implementation of the proposed General Plan 2035. This section contains a detailed environmental analysis of the existing conditions, project impacts, recommended mitigation measures, and unavoidable adverse impacts for a number of environmental topic areas. Mitigation measures that are incorporated into the General Plan 2035 in the form of goals and policies are described and additional mitigation measures, which may be required to mitigate project impacts, are recommended.

Section 6.0, Alternatives, describes a reasonable range of alternatives to the project that could avoid or substantially lessen the significant impact of the project and still feasibly attain the basic project objectives.

Section 7.0, Other CEQA Considerations, discusses growth-inducing impacts associated with the proposed project; significant environmental changes that would be involved with the proposed project, should it be implemented; significant irreversible environmental changes that would be involved with the proposed project, should it be implemented; and energy efficiency pursuant to *CEQA Guidelines* Appendix F.

Section 8.0, Effects Found Not To Be Significant, provides an explanation of potential impacts that have been determined not to be significant.

Section 9.0, Significant Environmental Effects Which Cannot Be Avoided if the Proposed Action is Implemented, describes those impacts that remain significant and unavoidable following mitigation.

Section 10.0, References, lists the organizations and individuals contacted during the preparation of the General Plan 2035 Program EIR, report preparation personnel and a list of reference materials.

Section 11.0, Mitigation Monitoring Program, identifies responsibilities for monitoring mitigation.

Section 12.0, Comments and Responses, includes both the comment letters, and list of commentors, and responses to comments, as well as a comprehensive list of errata and changes incorporated into the Final General Plan and EIR.

The following Appendices contain the technical documentation for the General Plan 2035 and General Plan 2035 EIR:

- Appendix A: Notice of Preparation
- Appendix B: Notice of Preparation Comments
- Appendix C: Traffic Impact Analysis
- Appendix D: Air Quality Data



- Appendix E: Noise Data
- Appendix F: Public Service/Utility Correspondence
- Appendix G: Seismic & Geologic Hazards Existing Conditions Report
- Appendix H: Biological Resources Existing Conditions Report
- Appendix I: Cultural Resources Existing Conditions Report
- Appendix J: Riverside County Planning Department – Permitted Surface Mines
- Appendix K: Parks & Open Space Available on School Sites
- Appendix L: Eastern Municipal Water District Reference Materials
 - Appendix L1: 2005 Urban Water Management Plan
- Appendix M: Elsinore Valley Municipal Water District Reference Materials
 - Appendix M1: 2005 Urban Water Management Plan
 - Appendix M2: Regional Recycled Water Project Facilities Report – 2006
 - Appendix M3: Water Distribution System Master Plan – 2008
 - Appendix M4: Sewer System Management Plan – 2008
- Appendix N: Rancho California Water District Reference Materials
 - Appendix N1: 2005 Urban Water Management Plan
 - Appendix N2: Addendum to 2005 Urban Water Management Plan
 - Appendix N3: Water Facilities Master Plan Update – 2005
 - Appendix N4: Sewer System Management Plan – 2008
 - Appendix N5: Wastewater Facilities Master Plan – 2005
- Appendix O: Western Municipal Water District Reference Materials
 - Appendix O1: 2005 Urban Water Management Plan
 - Appendix O2: Master Water Planned Facilities – 2008
- Appendix P: Climate Action Plan
- Appendix Q: Murrieta Office & Industrial Data Review Report
- Appendix R: Murrieta Economic Trends & Conditions Report
- Appendix S: Fiscal Analysis
- Appendix T: Murrieta General Plan Update Retail Land Use Market Analysis

2.7 INCORPORATION BY REFERENCE

Pertinent documents relating to this EIR have been cited in accordance with *CEQA Guidelines* Section 15148, which encourages “incorporation by reference” as a means of reducing redundancy and length of environmental reports. The following documents, which are available for public review at the City of Murrieta, Community Development Department, located at One Town Square, 24601 Jefferson Avenue, Murrieta, California 90622 are hereby incorporated by reference into this EIR. Information contained within these documents has been utilized for each section of this EIR. A brief synopsis of the scope and content of these documents are provided below.



- ***City of Murrieta Municipal Code (Municipal Code), 1995.*** The *City of Murrieta Municipal Code* consists of all the regulatory, penal, and administrative ordinances of the City of Murrieta. It is the method the City uses to implement control of land uses, in accordance with Murrieta General Plan goals and policies. Murrieta’s Zoning law is found in Title 16, Development Code, of the City of Murrieta Municipal Code. The City of Murrieta Zoning Code carries out the policies of the Murrieta General Plan by regulating development and land uses within the City, consistent with the General Plan. The Murrieta Zoning Code was adopted to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare of the City’s residents and businesses. Implementation of General Plan 2035 will include necessary amendments to the Murrieta Municipal Code to maintain consistency as required by State law.
- ***City of Murrieta Official General Plan/Zoning Map, Adopted July 20, 1999; Amended February 7, 2006.*** The General Plan/Zoning Map was used to identify the zoning of the properties within the City.
- ***Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), Adopted June 17, 2003.*** On June 17, 2003, the Riverside County Board of Supervisors approved Resolution 2003-299, which certified the MSHCP Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS), approved the MSHCP, and approved the Implementing Agreement for the MSHCP.

The MSHCP is a multi-jurisdictional habitat conservation plan focusing on the conservation of both sensitive species and their associated habitats to address biological diversity and conservation needs in Western Riverside County, which would set aside significant areas of undisturbed land for the conservation of habitat while preserving open space and recreational opportunities. The MSHCP boundaries (or MSHCP Plan Area) encompass approximately 1,966 square miles consisting of approximately 842,500 acres of unincorporated County land west of the crest of the San Jacinto Mountains to the Orange County line, as well as approximately 372,700 acres within the jurisdictional areas of the following incorporated cities: Banning, Beaumont, Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, and Temecula.

The MSHCP establishes a framework for compliance with State and Federal endangered species regulations while accommodating future growth in Western Riverside County, including issuance of “Take” permits for certain species pursuant to Section 10(a)(1)(B) of the Federal Endangered Species Act and Section 2800 et seq. of the *California Fish and Game Code*.

The MSHCP provides for the creation of a Conservation Area that protects and manages 500,000 acres of habitat for Covered Species (146 species). The 500,000 acres comprises of 347,000 acres of Public/Quasi-Public Lands and approximately 153,000 acres of Additional Reserve Lands. Of the 153,000 acres, Local Permittees will be responsible for



contributing approximately 97,000 acres of privately owned land, and the State and Federal contribution will be 56,000 acres. As part of the local mitigation component, 41,000 of the 97,000 acres conserved would accrue through the implementation of developer incentives and onsite set asides accomplished through the development review process. The precise boundaries of the proposed 153,000-acre reserve are not specifically identified in the MSHCP. Rather, the proposed reserve will be assembled pursuant to written criteria that describe a possible design for the 153,000-acre reserve to be established within a larger area, which is called the “Criteria Area.” The conservation of 153,000 acres is anticipated to occur over the first 25 years of the program and when completed, must be in a configuration to, and include the vegetation communities that, provide for the conservation of Covered Species. Covered Activities would include, but are not limited to, public and private development (within the Plan Area) that require a discretionary and certain ministerial action by a Permittee subject to consistency with MSHCP policies, maintenance of and safety improvements on existing roads, the Circulation Elements of the Permittees, maintenance and construction of flood control facilities, single-family homes on existing legal parcels within the Criteria Area, up to 10,000 new acres of agricultural activity within the Criteria Area, and compatible uses in the Conservation Area. The MSHCP makes a provision for the inclusion of special districts and other nonpermittee entities in the permit with a certificate of inclusion.

- ***Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), Final Environmental Impact Report/Environmental Impact Statement. Adopted June 17, 2003.*** On June 17, 2003, the Riverside County Board of Supervisors approved Resolution No. 2003-299, which certified the MSHCP Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS), approved the MSHCP (Proposed Action), and approved the Implementing Agreement for the MSHCP. As part of Resolution No. 2003-299, the Board of Supervisors adopted environmental findings and a Statement of Overriding Considerations.

The EIS/EIS reviewed the Proposed Action – MSHCP and four alternatives: 1) Listed, Proposed, and Strong Candidate Species Alternative; 2) Listed and Proposed Species Alternative, 3) Existing Reserves Alternatives, and 4) No Project/No MSHCP Alternative. The following topical areas were reviewed in the EIR/EIS: Biological Resources; Agricultural and Extractive Resources; Population, Employment, and Housing; Public Services (Fire Protection and Parks); and Transportation and Circulation.

The impact conclusions for the Proposed Action/Proposed MSHCP from the EIR/EIS (Table ES-8) are provided below. All impacts were concluded to be less than significant, except for the following three significant and unavoidable impacts:

- 1) Sensitive Upland (chapparral, coastal sage scrub, desert scrub, grasslands, Riversidean alluvial fan sage scrub)



- 2) Non-Covered Species
- 3) Existing population and housing projections are substantially exceeded

Impact Category and Issue	Summary of Significance of Impacts After Incorporation of Mitigation Measures
Biology	
<i>Sensitive Natural Vegetation Communities</i>	
Sensitive Upland (chapparral, coastal sage scrub, desert scrub, grasslands, Riversidean alluvial fan sage scrub)	<i>Significant and unavoidable</i>
Wetland Communities (meadows and marshes, playas and vernal pools, water and riparian scrub/woodland/forest)	Less than significant
Forest Communities (montane coniferous forest, peninsular juniper woodland and scrub, woodlands and forest)	Less than significant
Listed Covered Species	Less than significant
Non-Listed Covered Species	Less than significant
Non-Covered Species	<i>Significant and unavoidable</i>
Cores and Linkages	Less than significant
Relationship to Adopted or Approved HCPs and NCCPs	Less than significant
Edge Effects	Less than significant
Agricultural and Extractive Resources	
<i>Agriculture</i>	
Conflict with existing agricultural designations for land within the MSHCP Plan Area or a Williamson Act contract.	Less than significant ¹
Result in the conversion of Prime, Unique, or Statewide Important farmland (collectively, "Designated Farmland") as shown on maps prepared by the Farmland Mapping and Monitoring Program, to non-agricultural uses.	Less than significant
Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Designated Farmland to non-agricultural use.	Less than significant
<i>Mineral Resources</i>	
Results in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State.	Less than significant
Results 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.	Less than significant
Directly conflicts or results in land use incompatibility with adjacent existing and planned land uses or with the environmental goals of the general plans and community plans of the jurisdictions participating in the proposes MSHCP.	Less than significant
Population, Housing, and Employment	
Existing population and housing projections are substantially exceeded.	<i>Significant and unavoidable</i>
Displaces substantial numbers of residential units, requiring the construction of replacement housing elsewhere.	Less than significant
Displaces substantial numbers of persons, necessitating the construction of replacement housing.	Less than significant



Impact Category and Issue	Summary of Significance of Impacts After Incorporation of Mitigation Measures
Exacerbates the jobs-to-housing imbalance in western Riverside County or the Cities of western Riverside County.	Less than significant
Public Services (Fire Protection and Parks)	
Results in relocation or deletion of existing or planned fire protection facilities, adversely affecting the ability of local jurisdictions to provide fire protection in an adequate manner.	Less than significant
Results in the relocation or deletion of existing or planned park facilities, adversely affecting the ability of local jurisdictions to provide park facilities in an adequate manner.	Less than significant
Transportation and Circulation	
Cause an increase in traffic that 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 ratio on roads, or congestion at intersections)	Less than significant
Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways	Less than significant
Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)	Less than significant
Result in inadequate emergency access	Less than significant
Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)	Less than significant
1. If Section 7.3.3 of the MSHCP is implemented, conversion of natural lands to agricultural use, as defined and outlined in those sections of the MSHCP, will be allowed as a covered activity within the Criteria Area, up to an established threshold of 10,000 acres over the life of the plan (the "New Agricultural Lands Cap"). If Section 7.3.3 of the MSHCP is not implemented, then there would be a significant unavoidable adverse impact on agricultural lands.	

On September 16, 2003, the City of Murrieta City Council adopted Resolution No. 03-124, which is a resolution of the City Council of the City of Murrieta making responsible agency findings pursuant to the California Environmental Quality Act for the Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan and approving the Western Riverside County Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan and Implementing Agreement, adopting the environmental findings pursuant to the California Environmental Quality Act, and adopting a Statement of Overriding Considerations. With Resolution No. 03-124, the City Council resolved:

- A. The Final EIR/EIS prepared for the MSHCP has been received by the city Council and incorporated herein by this reference.
- B. The City Council hereby finds and determines that the Final EIR/EIS has been completed in compliance with CEQA and the State CEQA Guidelines and, as the decision-making body for the City of Murrieta, the City Council has review and considered the information



contained in the Final EIR/EIS and related documents in the record and all of the environmental effects of the MSHCP.

- C. The City Council concurs with the environmental findings in County Resolution No. 2003-299 and adopts these finding, attached hereto as Exhibit B and incorporated herein by this reference. The City Council also finds that there are no additional feasible mitigation measures or alternatives within its powers that would substantially lessen or avoid any significant effects that the MSHCP would have on the environment.
- D. The City Council concurs with the statement of overriding considerations in County Resolution No. 2003-299 and adopts the statement, and finding that the benefits of the MSHCP outweigh the adverse environmental impacts not reduced to below a level of significance.
- E. The City Council hereby approves the MSHCP and authorizes the Mayor to execute the Implementing Agreement.
- F. The City Council hereby authorizes and directs that a Notice of Determination shall be filed with the Clerk of the County of Riverside within five (5) working days of approval of the Project.

2.8 CEQA DOCUMENT TIERING

Both the *Public Resources Code* and the *CEQA Guidelines* discuss the use of “tiering” environmental impact reports by lead agencies. *Public Resources Code* Section 21068.5 defines “tiering” as:

“The coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which: (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report.”

Tiering is a method to streamline EIR preparation by allowing a Lead Agency to focus on the issues that are ripe for decision and exclude from consideration issues already decided or not yet read for decisions (*CEQA Guidelines* Sections 15152 and 15385). The concept of tiering anticipates a multi-tiered approach to preparing EIRs. The first-tier EIR covers general issues in a broader program-oriented analysis, including important program resource and mitigation commitments required to be implemented at the project-level. Subsequent tiers incorporate by reference the general discussions from the broader document, concentrating on the issues specific to the proposed action being evaluated (*CEQA Guidelines* Section 15152).



When an EIR has been prepared and certified for a program or plan consistent with CEQA's tiering requirements, a Lead Agency for a later project pursuant to or consistent with the program or plan should limit the EIR on the later project to effects that were not examined as significant effects on the environment in the prior EIR. In those situations where a programmatic document does not specifically address and analyze the impacts and mitigation measures necessary for a project-level action, the project-level environmental review can be streamlined by tiering from the program-level documents. Agencies are encouraged to tier their CEQA analysis to avoid repetition of issues and to focus on the issues for decision at each level of review. Subsequent CEQA compliance involves either the preparation of an EIR or Negative Declaration.

For purposes of tiering, significant environmental effects have been "adequately addressed" in the first-tier document if the Lead Agency determines that the significant environmental effects:

- Have been mitigated or avoided as a result of the prior EIR and adopted findings in connection with that prior EIR
- Have been examined at a sufficient detail in the prior EIR to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means with the approval of the later project; and
- Cannot be mitigated to avoid or substantially lessen the significant impacts despite the project proponent's willingness to accept all feasible mitigation measures, and the only purpose of including analysis of such effects in another EIR would be to put the agency in a position to adopt a statement of overriding considerations with respect to the effects.

In the case of this proposed project (General Plan 2035), a Final EIR/EIS was certified for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) in June 2003. The Final EIR/EIS analyzed the impacts associated with adopting the MSCHP, including the issuance of "Take" permits for certain species pursuant to Section 10(a)(1)(B) of the Federal Endangered Species Act and Section 2800 et seq. of the *California Fish and Game Code*. The MSCHP was previously described in Section 2.7, Incorporation by Reference, as were the five CEQA/NEPA (National Environmental Policy Act) topical areas reviewed in the Final EIR/EIS.

The Western Riverside County Multiple Species Habitat Conservation Plan Final EIR/EIS is considered a first-tier EIR. The EIR for this proposed project (General Plan 2035) is considered a second-tier EIR for the topic of biological resources. The analysis in this EIR has: 1) incorporated by reference the Western Riverside County Multiple Species Habitat Conservation Plan Final EIR/EIS and 2) will tier the analysis in this EIR to focus on impacts within the City of Murrieta not previously analyzed in the Final EIR/EIS.

This second-tier EIR for the topic of biological resources will be used by the Lead Agency (City) to evaluate the proposed General Plan 2035's environmental impacts, and can be further used to modify, approve, or deny the approval of the proposed General Plan 2035 based on the analysis it provides.