



Appendix B:

Notice of Preparation Comments



STATE OF CALIFORNIA
 Governor's Office of Planning and Research
 State Clearinghouse and Planning Unit



Arnold Schwarzenegger
 Governor

Cathleen Cox
 Acting Director

Notice of Preparation

November 22, 2010

To: Reviewing Agencies
 Re: Murrieta General Plan Update
 SCH# 2010111084

Attached for your review and comment is the Notice of Preparation (NOP) for the Murrieta General Plan Update 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:

Greg Smith
 City of Murrieta
 24601 Jefferson Ave
 Murrieta, CA 90622

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
 Director, State Clearinghouse

Attachments
 cc: Lead Agency

CITY OF MURRIETA

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**Document Details Report
State Clearinghouse Data Base**

SCH# 2010111084
Project Title Murrieta General Plan Update
Lead Agency Murrieta, City of

Type NOP Notice of Preparation
Description Comprehensive General Plan Update. Anticipated growth over existing conditions +3,346 dwelling units and +22,156,783sf of non-residential uses. The non-residential uses include: +2,655,023sf of business park uses; +14,807,287sf of professional and office uses; +3,662,446sf of commercial uses; and 2,028sf of civic and institutional uses.

Lead Agency Contact

Name Greg Smith
Agency City of Murrieta
Phone 951-461-6414 **Fax**
email
Address 24601 Jefferson Ave
City Murrieta **State** CA **Zip** 90622

Project Location

County Riverside
City Murrieta
Region

Cross Streets

Lat / Long

Parcel No.

Township	Range	Section	Base
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Proximity to:

Highways Hwy 15, 215
Airports Yes
Railways
Waterways Yes
Schools Yes
Land Use Multiple General Plan and Zoning Designations

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

Reviewing Agencies Resources Agency; Department of Conservation; California Energy Commission; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Management Agency, California; Department of Fish and Game, Region 6; Caltrans, Division of Aeronautics; Public Utilities Commission; Native American Heritage Commission; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 8; Regional Water Quality Control Board, Region 9

Date Received 11/22/2010 **Start of Review** 11/22/2010 **End of Review** 12/21/2010

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # **2010111084**

Project Title: Murrieta General Plan Update

Lead Agency: City of Murrieta Contact Person: Mr. Greg Smith
 Mailing Address: 24601 Jefferson Avenue Phone: 951.461.6414
 City: Murrieta Zip: 90622 County: Riverside

Project Location: County: Riverside City/Nearest Community: Murrieta

Cross Streets: _____ Zip Code: _____

Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: 26,852

Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: 15, 215 Waterways: Yes

Airports: Yes Railways: _____ Schools: Yes

Document Type:

- | | | | |
|---|--|------------------------------------|--|
| CEQA: <input checked="" type="checkbox"/> NOP | <input type="checkbox"/> Draft EIR | NEPA: <input type="checkbox"/> NOI | Other: <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons | <input type="checkbox"/> Supplement/Subsequent EIR | <input type="checkbox"/> EA | <input type="checkbox"/> Final Document |
| <input type="checkbox"/> Neg Dec | (Prior SCH No.) _____ | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Mit Neg Dec | Other: _____ | <input type="checkbox"/> FONSI | |

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Local Action Type:

- | | | | |
|---|---|--|---|
| <input checked="" type="checkbox"/> General Plan Update | <input type="checkbox"/> Specific Plan | <input type="checkbox"/> Rezone | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Master Plan | <input type="checkbox"/> Prezone | <input type="checkbox"/> Redevelopment |
| <input type="checkbox"/> General Plan Element | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Use Permit | <input type="checkbox"/> Coastal Permit |
| <input type="checkbox"/> Community Plan | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Land Division (Subdivision, etc.) | <input type="checkbox"/> Other: _____ |

Development Type:

- | | |
|--|--|
| <input type="checkbox"/> Residential: Units <u>3346</u> Acres _____ | <input type="checkbox"/> Transportation: Type _____ |
| <input type="checkbox"/> Office: Sq.ft. <u>14,8 M</u> Acres _____ Employees _____ | <input type="checkbox"/> Mining: Mineral _____ |
| <input type="checkbox"/> Commercial: Sq.ft. <u>3.6 M</u> Acres _____ Employees _____ | <input type="checkbox"/> Power: Type _____ MW _____ |
| <input type="checkbox"/> Industrial: Sq.ft. <u>2.6 M</u> Acres _____ Employees _____ | <input type="checkbox"/> Waste Treatment: Type _____ MGD _____ |
| <input type="checkbox"/> Educational: _____ | <input type="checkbox"/> Hazardous Waste: Type _____ |
| <input type="checkbox"/> Recreational: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Water Facilities: Type _____ MGD _____ | |

Project Issues Discussed in Document:

- | | | | |
|--|--|---|--|
| <input checked="" type="checkbox"/> Aesthetic/Visual | <input type="checkbox"/> Fiscal | <input checked="" type="checkbox"/> Recreation/Parks | <input checked="" type="checkbox"/> Vegetation |
| <input checked="" type="checkbox"/> Agricultural Land | <input type="checkbox"/> Flood Plain/Flooding | <input checked="" type="checkbox"/> Schools/Universities | <input checked="" type="checkbox"/> Water Quality |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Forest Land/Fire Hazard | <input checked="" type="checkbox"/> Septic Systems | <input checked="" type="checkbox"/> Water Supply/Groundwater |
| <input checked="" type="checkbox"/> Archeological/Historical | <input checked="" type="checkbox"/> Geologic/Seismic | <input checked="" type="checkbox"/> Sewer Capacity | <input checked="" type="checkbox"/> Wetland/Riparian |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Minerals | <input checked="" type="checkbox"/> Soil Erosion/Compaction/Grading | <input checked="" type="checkbox"/> Growth Inducement |
| <input type="checkbox"/> Coastal Zone | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Land Use |
| <input checked="" type="checkbox"/> Drainage/Absorption | <input checked="" type="checkbox"/> Population/Housing Balance | <input checked="" type="checkbox"/> Toxic/Hazardous | <input checked="" type="checkbox"/> Cumulative Effects |
| <input checked="" type="checkbox"/> Economic/Jobs | <input checked="" type="checkbox"/> Public Services/Facilities | <input checked="" type="checkbox"/> Traffic/Circulation | <input type="checkbox"/> Other: _____ |

Present Land Use/Zoning/General Plan Designation:

Multiple General Plan and Zoning Designations

Project Description: (please use a separate page if necessary)

Comprehensive General Plan Update. Anticipated growth over existing conditions: +3,346 dwelling units and +22,156,783 square feet of non-residential uses. The non-residential uses include: +2,655,023 sf of business park uses; +14,807,287 sf of professional and office uses; +3,662,446 sf of commercial uses; and 2,028 sf of civic and institutional uses.

WARREN D. WILLIAMS
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org
134606

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

December 21, 2010

Mr. Greg Smith
City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, CA 90622

Dear Mr. Smith:

Re: Notice of Preparation of a
Draft Environmental Impact Report

This letter is written in response to the Notice of Preparation of a Draft Environmental Impact Report. The purpose of the proposed project is to update the City of Murrieta's General Plan. The General Plan Update will provide the City Council, Planning Commission, City Staff and the entire community with a comprehensive and internally consistent plan to guide the City's decision-making and development processes through 2035.

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

The proposed project is located within the Murrieta Master Drainage Plan (MDP). When fully implemented, the 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 DEIR should fully evaluate any potential impacts to proposed MDP facilities. The District's MDP facility maps can be viewed online under Programs and Services at www.rcflood.org. To obtain further information on the MDP and the proposed facilities, please contact Andrew Kim at 951.955.3743 or me at 951.955.1345.

Very truly yours,

A handwritten signature in blue ink that reads "Edwin Quinonez".

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj



November 30, 2010

Greg Smith
City of Murrieta
24601 Jefferson Avenue
Murrieta, CA 90622

RE: Notice of Preparation for a Draft Environmental Impact Report for the City of Murrieta's
General Plan Update

Dear Mr. Smith:

Thank you for the opportunity to comment on your Notice of Preparation for a Draft Environmental Impact Report (DEIR) for the city's general plan update. In preparing the general plan and accompanying DEIR, the city should examine the sections of state planning law that involve potential hazards the city may face. For your information, I have underlined specific sections of state planning law where identification and analysis of hazards are discussed (see Attachment A).

Prior to the release of the draft general plan or within the DEIR, city staff or your consultants should examine each of the requirements in state planning law and determine if there are hazard issues within the community which the general plan should address. A table in the DEIR (or general plan) which identifies these specific issues and where they are addressed in the general plan would be helpful in demonstrating the city has complied with these requirements. If the DEIR determines that state planning law requirements have not been met, it should recommend that these issues be addressed in the general plan as a mitigation measure.

We note that state planning law includes a requirement for consultations with state agencies in regard to information related to hazards. Cal EMA would be happy to share all available information at our disposal to facilitate the city's ability to comply with state planning and environmental laws.

If you have any questions about these comments, please contact Andrew Rush at (916) 845-8269 or andrew.rush@calema.ca.gov.

Sincerely,

Dennis Castrillo
Environmental Officer

cc: State Clearinghouse

CITY OF MURRIETA

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Attachment A
Hazards and State Planning Law Requirements

General Plan Consistency

65300.5. In construing the provisions of this article, the Legislature intends that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.

Seven Mandated Elements

65302. 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 plan shall include the following elements:

(a) A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The location and designation of the extent of the uses of the land for public and private uses shall consider the identification of land and natural resources pursuant to paragraph (3) of subdivision (d). The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify and annually review those areas covered by the plan that are subject to flooding identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the Department of Water Resources.

The land use element shall also do both of the following:

(1) Designate in a land use category that provides for timber production those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982, Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5.

(2) Consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land, or other territory adjacent to military facilities, or underlying designated military aviation routes and airspace.

(A) In determining the impact of new growth on military readiness activities, information provided by military facilities shall be considered. Cities and counties shall address military impacts based on information from the military and other sources.

(B) The following definitions govern this paragraph:

(i) "Military readiness activities" mean all of the following:

(I) Training, support, and operations that prepare the men and women of the military for combat.

(II) Operation, maintenance, and security of any military installation.

(III) Testing of military equipment, vehicles, weapons, and sensors for proper operation or suitability for combat use.

(ii) "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States Department of Defense as defined in paragraph (1) of subsection (e) of Section 2687 of Title 10 of the United States Code.

(b) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.

(c) A housing element as provided in Article 10.6 (commencing with Section 65580).

(d) (1) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies, including flood management, water conservation, or groundwater agencies that have developed, served, controlled, managed, or conserved water of any type for any purpose in the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county.

(2) The conservation element may also cover all of the following:

(A) The reclamation of land and waters.

(B) Prevention and control of the pollution of streams and other waters.

(C) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.

(D) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(E) Protection of watersheds.

(F) The location, quantity and quality of the rock, sand and gravel resources.

(3) Upon the next revision of the housing element on or after January 1, 2009, the conservation element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.

(e) An open-space element as provided in Article 10.5 (commencing with Section 65560).

(f) (1) A noise element which shall identify and appraise noise problems in the community. The noise element shall recognize the guidelines established by the Office of Noise Control in the State Department of Health Care Services and shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

(A) Highways and freeways.

(B) Primary arterials and major local streets.

(C) Passenger and freight on-line railroad operations and ground rapid transit systems.

(D) Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.

(E) Local industrial plants, including, but not limited to, railroad classification yards.

(F) Other ground stationary noise sources, including, but not limited to, military installations, identified by local agencies as contributing to the community noise environment.

(2) Noise contours shall be shown for all of these sources and stated in terms of community noise equivalent level (CNEL) or day-night average level (Ldn). The noise contours shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for the various sources identified in paragraphs (1) to (6), inclusive.

(3) The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise.

(4) The noise element shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted noise element shall serve as a guideline for compliance with the state's noise insulation standards.

(g) (1) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction, and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wild land and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.

(2) The safety element, upon the next revision of the housing element on or after January 1, 2009, shall also do the following:

(A) Identify information regarding flood hazards, including, but not limited to, the following:

(i) Flood hazard zones. As used in this subdivision, "flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by the Federal Emergency Management Agency. The identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses permitted within flood hazard zones will be free from flooding or flood damage.

(ii) National Flood Insurance Program maps published by FEMA.

(iii) Information about flood hazards that is available from the United States Army Corps of Engineers.

(iv) Designated floodway maps that are available from the Central Valley Flood Protection Board.

(v) Dam failure inundation maps prepared pursuant to Section 8589.5 that are available from the Office of Emergency Services.

(vi) Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources.

(vii) Maps of levee protection zones.

(viii) Areas subject to inundation in the event of the failure of project or nonproject levees or floodwalls.

(ix) Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding.

(x) Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities.

(xi) Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services.

(B) Establish a set of comprehensive goals, policies, and objectives based on the information identified pursuant to subparagraph (A), for the protection of the community from the unreasonable risks of flooding, including, but not limited to:

- (i) Avoiding or minimizing the risks of flooding to new development.
 - (ii) Evaluating whether new development should be located in flood hazard zones, and identifying construction methods or other methods to minimize damage if new development is located in flood hazard zones.
 - (iii) Maintaining the structural and operational integrity of essential public facilities during flooding.
 - (iv) Locating, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities or identifying construction methods or other methods to minimize damage if these facilities are located in flood hazard zones.
 - (v) Establishing cooperative working relationships among public agencies with responsibility for flood protection.
- (C) Establish a set of feasible implementation measures designed to carry out the goals, policies, and objectives established pursuant to subparagraph (B).
- (3) After the initial revision of the safety element pursuant to paragraph (2), upon each revision of the housing element, the planning agency shall review and, if necessary, revise the safety element to identify new information that was not available during the previous revision of the safety element.
- (4) Cities and counties that have flood plain management ordinances that have been approved by FEMA that substantially comply with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall summarize and incorporate by reference into the safety element the other general plan provisions or the flood plain ordinance, specifically showing how each requirement of this subdivision has been met.
- (5) Prior to the periodic review of its general plan and prior to preparing or revising its safety element, each city and county shall consult the California Geological Survey of the Department of Conservation, the Central Valley Flood Protection Board, if the city or county is located within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code, and the Office of Emergency Services for the purpose of including information known by and available to the department, the office, and the board required by this subdivision.
- (6) To the extent that a county's safety element is sufficiently detailed and contains appropriate policies and programs for adoption by a city, a city may adopt that portion of the county's safety element that pertains to the city's planning area in satisfaction of the requirement imposed by this subdivision.

Consistency with Airport Land Use Plans

65302.3. (a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.

Review of Safety Element

65302.5. (a) At least 45 days prior to adoption or amendment of the safety element, each county and city shall submit to the Division of Mines and Geology of the Department of Conservation

one copy of a draft of the safety element or amendment and any technical studies used for developing the safety element. The division may review drafts submitted to it to determine whether they incorporate known seismic and other geologic hazard information, and report its findings to the planning agency within 30 days of receipt of the draft of the safety element or amendment pursuant to this subdivision. The legislative body shall consider the division's findings prior to final adoption of the safety element or amendment unless the division's findings are not available within the above prescribed time limits or unless the division has indicated to the city or county that the division will not review the safety element. If the division's findings are not available within those prescribed time limits, the legislative body may take the division's findings into consideration at the time it considers future amendments to the safety element. Each county and city shall provide the division with a copy of its adopted safety element or amendments. The division may review adopted safety elements or amendments and report its findings. All findings made by the division shall be advisory to the planning agency and legislative body.

(1) The draft element of or draft amendment to the safety element of a county or a city's general plan shall be submitted to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county at least 90 days prior to either of the following:

(A) The adoption or amendment to the safety element of its general plan for each county that contains state responsibility areas.

(B) The adoption or amendment to the safety element of its general plan for each city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177.

(2) A county that contains state responsibility areas and a city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177, shall submit for review the safety element of its general plan to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county in accordance with the following dates as specified, unless the local government submitted the element within five years prior to that date:

(A) Local governments within the regional jurisdiction of the San Diego Association of Governments: December 31, 2010.

(B) Local governments within the regional jurisdiction of the Southern California Association of Governments: December 31, 2011.

(C) Local governments within the regional jurisdiction of the Association of Bay Area Governments: December 31, 2012.

(D) Local governments within the regional jurisdiction of the Council of Fresno County Governments, the Kern County Council of Governments, and the Sacramento Area Council of Governments: June 30, 2013.

(E) Local governments within the regional jurisdiction of the Association of Monterey Bay Area Governments: December 31, 2014.

(F) All other local governments: December 31, 2015.

(3) The State Board of Forestry and Fire Protection shall, and a local agency may, review the draft or an existing safety element and report its written recommendations to the planning agency within 60 days of its receipt of the draft or existing safety element. The State Board of Forestry and Fire Protection and local agency shall review the draft or existing safety element and may

offer written recommendations for changes to the draft or existing safety element regarding both of the following:

(A) Uses of land and policies in state responsibility areas and very high fire hazard severity zones that will protect life, property, and natural resources from unreasonable risks associated with wildland fires.

(B) Methods and strategies for wildland fire risk reduction and prevention within state responsibility areas and very high hazard severity zones.

(b) Prior to the adoption of its draft element or draft amendment, the board of supervisors of the county or the city council of a city shall consider the recommendations made by the State Board of Forestry and Fire Protection and any local agency that provides fire protection to territory in the city or county. If the board of supervisors or city council determines not to accept all or some of the recommendations, if any, made by the State Board of Forestry and Fire Protection or local agency, the board of supervisors or city council shall communicate in writing to the State Board of Forestry and Fire Protection or to the local agency, its reasons for not accepting the recommendations.

Open Space Plans

65560. (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.



South Coast Air Quality Management District

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

December 8, 2010

Greg Smith, Associate Planner
City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, CA 90622

Notice of Preparation of a CEQA Document for the Murrieta General Plan Update

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. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF 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.

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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>.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency 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

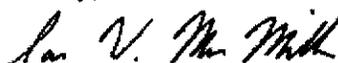
In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist 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/aqguide/aqguide.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>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. 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. If you have any questions regarding this letter, please call Ian MacMillan, Program Supervisor, CEQA Section, at (909) 396-3244.

Sincerely,



Ian MacMillan

Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

IM

RVC101123-07

Control Number



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor

December 14, 2010

Mr. Greg Smith
City of Murrieta Planning Department
One Town Square
24601 Jefferson Avenue
Murrieta, California 90622

NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT (NOP) FOR MURRIETA GENERAL PLAN UPDATE

Dear Mr. Smith:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of the Environmental Impact Report for the above-mentioned project. The following project description is stated in your document: "The General Plan Update is a comprehensive update of the 1994 General Plan. The work program includes a comprehensive update of the General Plan. The purpose of the General Plan Update is to provide the City Council, Planning Commission, City Staff, and the entire community with a comprehensive and internally consistent plan to guide the City's decision-making and development processes through 2035".

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should evaluate whether conditions within the project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).

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- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.
- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken

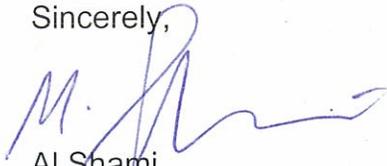
during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.

- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. 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. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 7) 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 (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 8) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

Mr. Alex Marks
December 8, 2010
Page 4

If you have any questions regarding this letter, please contact me at ashami@dtsc.ca.gov, or by phone at (714) 484-5472.

Sincerely,



Al Shami
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
ADelacr1@dtsc.ca.gov

CEQA # 3079



Riverside Transit Agency

1825 Third Street
P.O. Box 59968
Riverside, CA 92517-1968
Phone: (951) 565-5000
Fax: (951) 565-5001

December 16, 2010

Mr. Greg Smith
City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, California 90622

RE: Notice of Preparation of a Draft Environmental Impact Report for a General Plan Update

Dear Mr. Smith:

Thank you for the opportunity for the Riverside Transit Agency (RTA) to review the notice of preparation for the Draft Environmental Impact Report.

RTA provides service to five routes in Murrieta and others are planned for the future. Given that the General Plan will focus on development, global climate change and sustainability it is important that transit be considered. RTA recommends the following:

- 1) Allow bus stops the proper space for buses to board and align passengers.
 - a) A general purpose lane with a width of 20 feet allows the bus to not impede traffic when stopped (See Attachment A).
 - b) Provide a bus turnout for bus stops that do not have adequate clearance from the flow of traffic while stopped.
- 2) Assure streets are constructed to accommodate buses.
 - a) Consider vehicular line-of-sight when considering bus stop location (See Attachment B). A stop location that is on the far-side of the intersection is preferable.
 - b) Consider use of bus pads to mitigate street deterioration (See Attachment C).
- 3) Construct sidewalks that are ADA compliant so that the sidewalk connects directly with the curb for all existing and potential bus stops (See Attachment D).
- 4) Include installation of bus stop amenities at waiting locations such as shelters, benches and trash receptacles.
- 5) Provide right-of-way for pedestrian connectivity for easy access to stops and mobility throughout (See Attachment E).

Should it be needed, greater details of these items are available. Technical information on bus stops can be found on RTA's website at <http://www.riversidetransit.com/about/guidelines.htm>.

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Please do not hesitate to contact me with any questions by phone at (951)565-5130, fax at (951)565-5131 or email at mstanley@riversidetransit.com.

Sincerely,

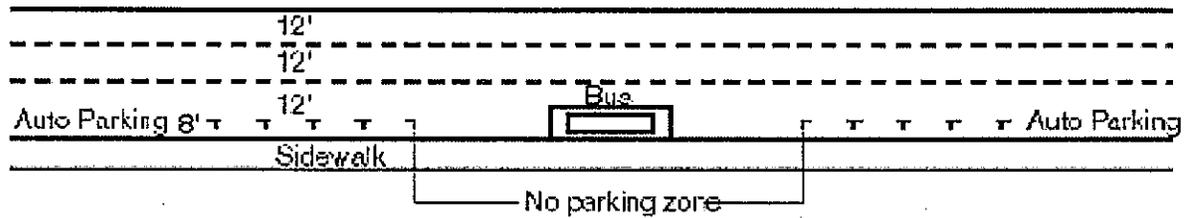
A handwritten signature in blue ink, appearing to read 'M Stanley', with a long, sweeping flourish extending to the right.

Mark Stanley
Director of Planning

MS/ar

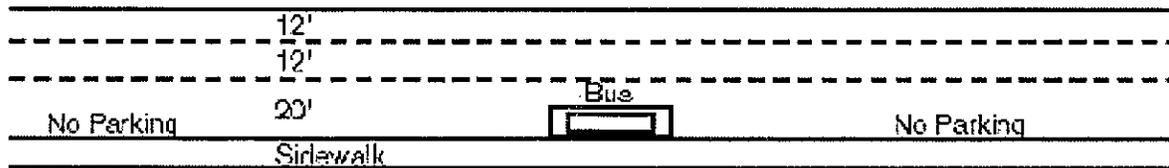
Attachment A:

FIGURE 19 – Placement of on-street bus stops – Not to scale



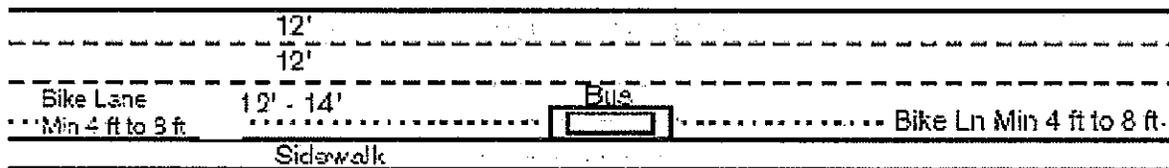
Case 1: Bus stop in parking lane

If combined width of parking and outside travel lanes is less than 20', turnout may be necessary.*



Case 2: Bus stop in extra-wide curb lane

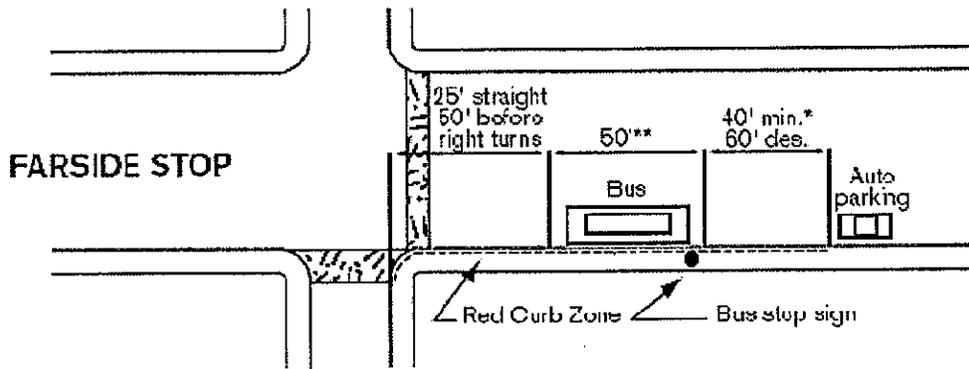
If curb lane is less than 20', turnout may be necessary.*



Case 3: Bus stop in bike lane

If combined width of bike lane and outside lane is less than 20', turnout may be necessary.*

Attachment B:



* 40' minimum for low speed and low volume streets 60' desirable for high speed and high volume streets.

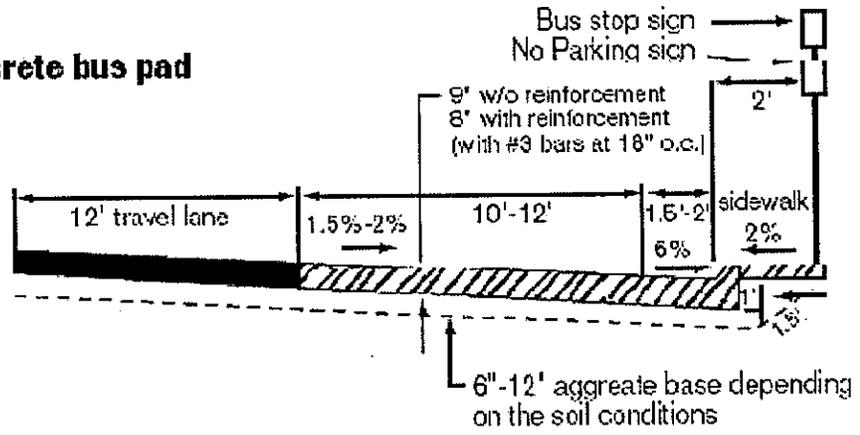
** This 50' berth is for a single large 40' long vehicle. For articulated vehicles, a 70' berth is necessary. These dimensions are for one bus position only; if more positions are required at a stop, see Figure 9 on how to estimate the length needed for multiple berths.

Attachment C:

FIGURE 15

Dimensions for concrete bus pad

Not to scale



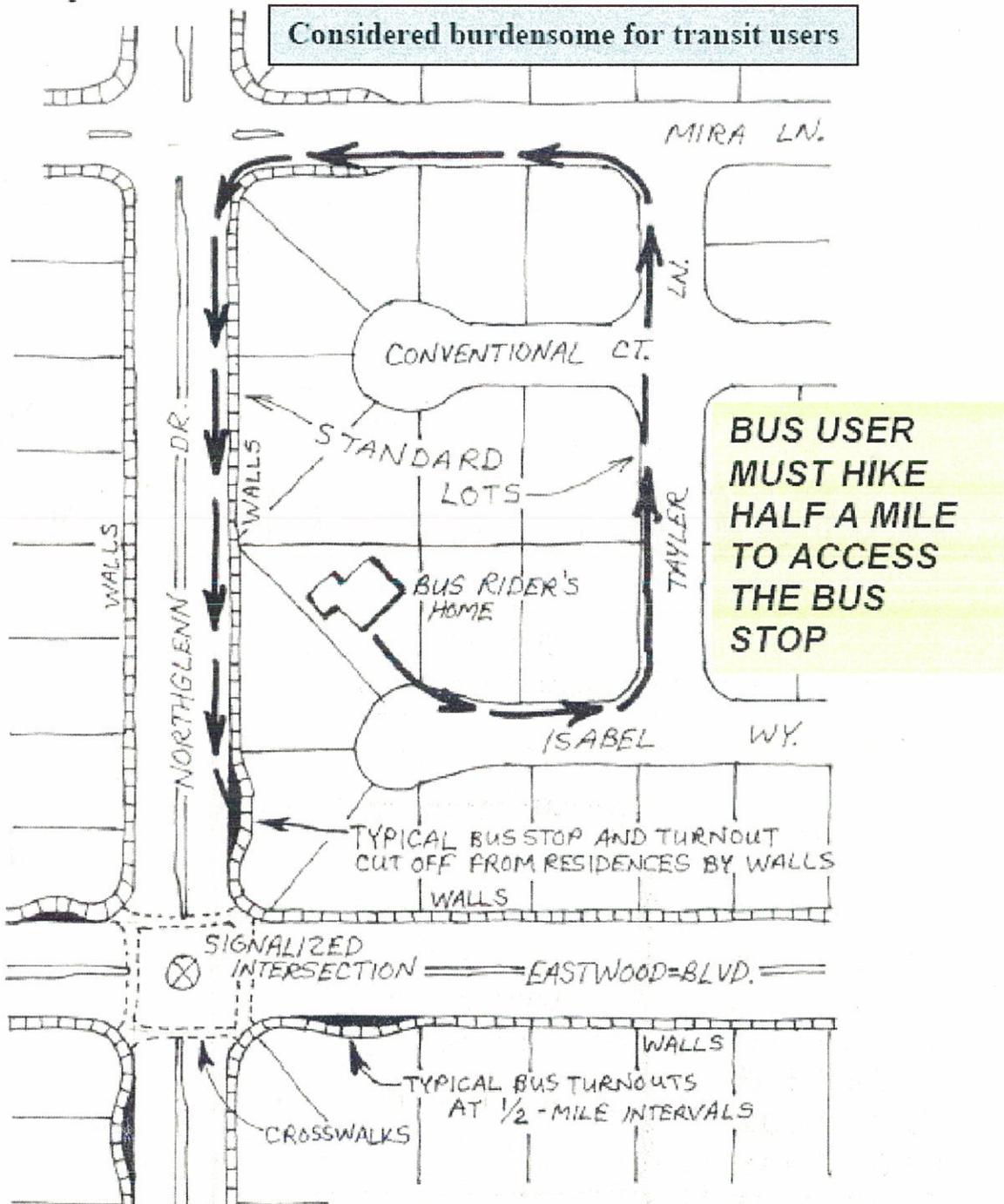
Attachment D:



(Sidewalks separated from the street by grass are not ADA compliant for bus stops)

Attachment E:

Considered burdensome for transit users



This style of conventional subdivision design requires the transit user to make a circuitous and time-wasting hike to reach the bus stop. For an easy, off-the-shelf solution, please see the modifications on the next page.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92011

FACSIMILE TRANSMITTAL FORM

Date Sent: 12/17/10 No. of Pages: 3 Time Sent: (Pacific Time)

TO: Greg Smith Fax No.: 951 698 3416

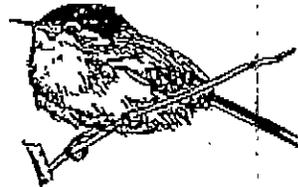
FROM: Karin Cleary-Rose Fax No.: (760) 431-5902
Phone No.: (760) 431-9440

SUBJECT: NOP for General Plan Update

COMMENTS:

If you have any have problems receiving this fax, please call (760) 431-9440, extension 284. Thank you.

California Gnatcatcher



The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish and wildlife and their habitats for the continuing benefit of the American people.

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U. S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011
(760) 431-9440
FAX (760) 431-9618



California Department of Fish and Game
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, California 91764
(909) 484-0459
FAX (909) 481-2945

In Reply Refer To:
FWS/CDFG-11B0106-11TA0167

DEC 17 2010

Mr. Greg Smith
Associate Planner
City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, California 90622

Subject: Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the city of Murrieta General Plan Update

Dear Mr. Smith:

The California Department of Fish and Game (Department) and the U.S. Fish and Wildlife Service (Service), hereafter collectively referred to as the Wildlife Agencies, have reviewed the subject notice of preparation (NOP). The City of Murrieta (City) is preparing to update its 1994 General Plan, and the City has determined an Environmental Impact Report (EIR) should be prepared. The General Plan Update will focus on guiding development of vacant land, specifically focusing on opportunities for economic development. The EIR will evaluate potential environmental impacts resulting from revisions to the City's General Plan.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). The Department is a trustee agency under the California Environmental Quality Act (CEQA) and is responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act, and administers the Natural Community Conservation Planning Program (NCCP).

On June 22, 2004, the Service issued a section 10(a)(1)(B) permit for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Department also issued Natural Community Conservation Plan Approval and Take Authorization for the MSHCP as per Section 2800, *et seq.*, of the California Fish and Game Code. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. Under the MSHCP,

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IN AMERICA 

Mr. Greg Smith (FWS/CDFG-11B0106-11TA0167)

2

Permittees conduct covered activities consistent with the MSHCP, its associated Implementing Agreement, and section 10(a)(1)(B) permit issued.

The City is an MSHCP Permittee, and the City and its Sphere of Influence are within the MSHCP Plan Area. Section 15125(d) of the Guidelines for the Implementation of the California Environmental Quality Act requires that an EIR discuss any inconsistencies between a proposed project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. The NOP did not discuss the MSHCP or identify portions of the City that are expected to contribute to MSHCP reserve assembly.

The City has identified five General Plan Update focus areas targeted for land use change. There are three important MSHCP reserve features located within the focus areas. Land use changes are proposed within the MSHCP Criteria Cells for Proposed Constrained Linkages 16, 15, and 13. The Wildlife Agencies request that the DEIR for the proposed General Plan Update address the effects of any proposed changes in land use designations within the Criteria Cells on MSHCP implementation and reserve assembly, including cost.

Proposed Constrained Linkages 13 and 15 consist of Murrieta and Warm Springs Creeks, respectively. 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. We also request that the DEIR address any potential effects from land use changes under the proposed General Plan Update to the quantity and quality of surface water available to Warm Springs and Murrieta Creeks.

We appreciate the opportunity to provide comments on the notice of preparation. If you should have any questions regarding our comments, please contact Karin Cleary-Rose at the Service (760) 431- 9440, extension 228 or Leslie MacNair of the Department (949) 458-1754.



KAC
Kennon A. Corey
Assistant Field Supervisor
U.S. Fish and Wildlife Service

Sincerely,



Leslie MacNair
Staff Environmental Scientist
California Department of Fish and Game

cc:

Charles Landry, RCA, Riverside, California



CITY OF MENIFEE

Planning Department

Carmen Cave · Community Development Director

Wallace W. Edgerton
Mayor

Fred Twyman
Mayor Pro Tem

John V. Denver
Councilmember

Darcy Kuenzi
Councilmember

Scott A. Mann
Councilmember

December 20, 2010

Greg Smith
City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, CA 90622

RE: City of Menifee Planning Department Comments on the NOP for the Draft Environmental Impact Report for the City of Murrieta General Plan

Dear Mr. Smith:

Thank you for providing an opportunity for the City of Menifee Planning Department to review the Notice of Preparation (NOP) for the EIR for the City of Murrieta General Plan.

The Planning Department is concerned with 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. The City of Menifee reserves the right to comment further on these and other portions of the EIR.

Thank you again for the opportunity to review the Notice of Preparation. Please forward any subsequent environmental documents regarding the project to my attention at this office.

Sincerely,

City of Menifee Planning Department

Lisa Gordon, Senior Planner

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Eugene Montanez
City of Corona

Jeff Stone
County of Riverside

John Tavaglione
County of Riverside

Mark Yarbrough
City of Perris

Executive Staff

Charles Landry
Executive Director

December 20, 2010

Greg Smith
City of Murrieta
Community Development Department
One Town Square
24601 Jefferson Avenue
Murrieta, California 90622

RE: CITY'S NOTICE OF PREPARATION FOR THE MURRIETA GENERAL PLAN UPDATE AND PROGRAM EIR

Dear Mr. Smith,

The Regional Conservation Authority (RCA) is aware that the City is proposing a General Plan Update. However, the RCA did not receive a copy of the Notice of Preparation (NOP) the City issued on November 19, 2010.

Since the City of Murrieta is a Permittee to the Multiple Species Habitat Conservation Plan (MSHCP), the City will need to ensure that the forthcoming Draft Environmental Impact Report (DEIR) on the proposed General Plan Update addresses consistency with the MSHCP, including Reserve Assembly and special survey requirements. Specifically, the land designations shown on Exhibit 2 of the General Plan Update Focus Areas (see attached) included with the NOP should not conflict with the Reserve Assembly Goals of the MSHCP. The City should be aware that Proposed Constrained Linkage 16 is located within areas designated as Professional and Office on Exhibit 2.

The RCA appreciates the continued efforts that the City has made to continue to implement the MSHCP, and looks forward to receiving a copy of the DEIR during its 45-day public review period.

Sincerely,


Charles Landry
Executive Director

Attachments: General Plan Update Focus Areas

CITY OF MURRIETA

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3403 10th Street, Suite 320
Riverside, California 92501

P.O. Box 1667
Riverside, California 92502-1667

Phone: (951) 955-9700
Fax: (951) 955-8873
www.wrc-rca.org



Santa Margarita Group
31915 Rancho California Road
Ste. 200-133, Temecula, Ca. 92591
(951)506-9607; fax (951)506-4497
Email: sierraclubsmg@gmail.com
www.sierraclubsmg.org

December 20, 2010

City of Murrieta
One Town Square
24601 Jefferson Street,
Murrieta, CA
90622

Attention: Mr Greg Smith, Murrieta City Associate Planner

Subject: Draft Environmental Impact Report for the City of Murrieta General Plan Update

Dear Mr Smith,

Further to our meeting with you, other members of Murrieta City staff and Councilman Alan Long, the Santa Margarita Group of the Sierra Club wishes to make some comments regarding the General Plan update currently underway. We recognize that the City's arroyos and watercourses have been protected over the years and commend the great care taken to protect species and habitats in these areas. Our comments are meant to be taken in that context.

First, we ask that the City of Murrieta's updated General Plan incorporate the recommendations made in the County City Arroyo Committee report of 2006 to ensure, as stated in the NOP, water quality and the preservation of waterways. The recommendations would comply or enhance goal CXV-4 which states "The City seeks to restore the natural function and aesthetic value of creeks while providing flood control measures and opportunities for recreation." A summary of those items follow, while the County's full report - which is not included due to length, can be found here <http://www.tlma.co.riverside.ca.us/planning/content/geninfo/CCACPolicyStudy.pdf> or on the enclosed disk.

The County of Riverside is currently in the process of adopting these same recommendations in its General Plan update, the draft of which is viewable on its website. It is our hope that the City of Murrieta, in the interests of consistency and best practices regarding water quality, preservation of valuable natural resources and hydrology, do the same.

Second, that the City of Murrieta create, as stated in the plan, a comprehensive map of the city's watercourses that would include the owners, conservation efforts and managers of all watercourses.

Third, that Murrieta develops methods to steward and protect these stretches so that HOAs, landowners, groups and youth can participate and become educated in the importance of preserving these watercourses.

A focus of our Sierra Club group is the protection of wildlife corridors. These riparian areas are an important part of these corridors. We ask that connection and protection from fragmentation should be a priority in the GP's environmental section.

Best regards,

Teri Biancardi, Executive Committee
Santa Margarita Group, Sierra Club
30400 Via Norte,
Temecula, CA 92591

1.3 ARROYO-WATERSHED POLICY AND PLANNING RECOMMENDATIONS

A watershed is a region or area bounded peripherally by a divide and draining ultimately to a particular watercourse or water body, in this case, the Santa Ana River. Watersheds are important sociological and ecological linkages between all living things and the watercourse and landscape in which they are associated. In order to protect watercourses in their natural and semi-natural state, protect water quality and wildlife, restore important overall watershed function in urbanizing areas, and to avoid the need to channelize watercourses, the CCAC makes the following recommendations.

Among the most important are the need for bridging systems and protective setbacks. Setbacks to watercourses and steep arroyos are ungraded and undeveloped buffers between development and watercourses that serve to protect watercourses, riparian areas, and adjacent slopes from a variety of negative impacts. When planning subdivisions, incorporating setbacks and bridging systems rather than culvert pipe and fill crossings over U.S. Army Corps of Engineers-delineated Waters of the U.S. and California Department of Fish and Game (CDFG)-delineated Waters of the State can avoid the need for time consuming permitting processes, and thus provide savings on construction costs.

Recommendation 1: Consistent Illegal Grading Policy

The CCAC recommends that the City and County adopt a consistent policy with respect to illegal grading. The City may wish to consider the addition of higher effective penalties, such as the land use restrictions imposed by the County, to achieve compliance with abatement requests following illegal grading of watercourses, banks, and protective vegetation. In addition, it is important to require property owners to mitigate any damage to a watercourse or its buffering riparian and upland vegetation to encourage compliance. Similarly, the County may wish to consider the addition of effective penalties for any grading begun without a permit. Penalties with a substantial deterrent effect should facilitate the job of code compliance officers in encouraging landowners to comply with existing regulations.

Recommendation 2: Watercourse Layer Preservation Tool

The CCAC is providing the City of Riverside and County of Riverside the GIS Watercourse Layer and Riparian Layer to be combined into a Watercourse Protection Map with the recommendation that this spatial information will be considered and used to “flag” projects prior to issuance of permits on parcels traversed by watercourses.

Recommendation 3: Cooperative Arroyo Planning Areas and Conservation Zoning

A Watercourse Layer that is enforced through a zoning ordinance will protect stream function and riparian habitat from new land use modifications, while providing for additional flood flow capacity unimpeded by manmade constructs. The Watercourse Layer Map can also provide a foundation for establishing County-City Cooperative Arroyo Planning Areas as well as strengthened conservation zoning in both City and County jurisdictions.

Recommendation 4: Model Setback Policy

The CCAC recommends that a flexible model for setback policy be included in the ordinance. The setback model needs to take into account variable topography, slope, the permeability of substrates, flow velocity, and the dynamic nature of stream meandering. The steeper the land, the higher the velocity of runoff, and the lower the filtering of chemical pollutants and sediments carried in runoff. Wildlife habitat, corridor value, and recreational uses also need to be considered. Land uses, slope, substrate type and erosion sensitivity are all important in determining appropriate setbacks.

Recommendation 5: Setbacks to Golf Courses

Adequate setbacks to arroyos and watercourses of at least 50 feet from new golf courses or modifications of existing golf courses should be required because of the copious water, fertilizer, and pesticides used to maintain greens and fairways. Too much direct runoff can also cause failure of banks. Water should not be allowed to drain directly into streams without first being cleansed and allowed to infiltrate through a bioswale or other water quality/water infiltration feature. In addition, turf grasses, including hybrid Bermuda, invade riparian banks and channels and should be setback sufficiently to deter invasion. Furthermore, golf play into riparian habitat is detrimental to sensitive wildlife.

Recommendation 6: Associating Slope, Lot Size, and Setback Distance

CCAC recommends the City and County consider zoning land along all watercourses in a way that provides a minimum lot size and a minimum setback width suitable for extended protection of watercourses. Land divisions should not be approved unless each lot has a suitable building site outside of the required setback to a watercourse and 100 year flood plain.

CCAC suggests modifying the County Land Use Ordinance using a model similar to the City of Riverside's *Title 17 Grading*. In Title 17, a minimum 50-foot protective setback to an arroyo begins at the point where the slope flattens out to less than 30% slope as determined by a **Sectional Slope Analysis** (rather than Average Natural Slope, see glossary). This could be modified so that all structures would be setback far enough so that fuel modification does not have to occur on steep slopes of arroyos or in the protective setbacks.

The CCAC recommends setback width take into consideration the overall topography and geology of arroyos and watercourses. Suggested setback and lot sizes should be determined using the **Sectional Slope Analysis (SSA)** of the parcel, as determined by a qualified engineer. CCAC recommends development of a model that varies setbacks and parcel sizes according to steepness of slope, type of watercourse, underlying substrate, and wildlife value of a watercourse and its corridor such as that presented in Table 1-1.

Table 1-1. Recommended Lot Size and Setback Schedule

Sectional Slope Analysis (% Slope)	Minimum Lot Size (acres)	Minimum Setback from 100-Year Floodplain to Graded Pads (feet)	Minimum Setback from top edge of slope to graded pad when slope > 30% (feet)	Setback w/ Unstable Substrate, Impervious Soil, or Bedrock (feet)	Setback w/ Wildlife Corridor for Terrestrial Species* (feet)	Setback w/ Fuel Modification Zone ** (feet)	Setback w/ Trail (feet)
0 to 15%	1	50	n/a	75 to 100 ft	Add 250 ft	Add 100 ft	Add 25 ft
>15 to 20%	2	50	n/a	75 to 100 ft	Add 250 ft	Add 100 ft	Add 25 ft
>20 to 25%	5	75	n/a	115 to 150 ft	Add 225 ft	Add 100 ft	Add 25 ft
>25 to 30%	10	100	n/a	150 to 200 ft	Add 200 ft	Add 100 ft	Add 25 ft
>30 to 40%	20	150	50	225 to 300 ft	Add 150 ft	Add 100 ft	Add 25 ft
>40%	No Building Allowed						
<p>*Increase from outer edge of minimum setback. If watercourse is deeply incised with steep slopes, add enough distance for wildlife to escape high storm flows even if watercourse is not targeted as major wildlife corridor.</p> <p>**Increase so that any structure is 100 ft from outer edge of vegetated setback (already adjusted for unstable or impervious substrate) to structures</p>							

Recommendation 7: Design Guidelines for Bridging Systems

Bridging systems should provide crossings over rather than within watercourses and should avoid impacts to channels and riparian resources. CCAC recommends that design guidelines for economical and ecological “bridging” systems be studied, prioritized, and incorporated by both the City and County. Crossings should be aesthetically pleasing and open to allow the free movement of water, wildlife, and watercourse maintenance teams.

Recommendation 8: Conservation Easements and Conservation Lots

Conservation lands can be easements or lots in fee title that are dedicated as open space for conservation of native plants, animals, and natural resources. Easement boundaries should conform to setback conditions to preserve the natural boundary of a watercourse and take into consideration the dynamic nature of the watercourse. Only “see through” fencing should be permitted and limited to the outside of setbacks. Fuel modification should occur only in non-sloped portions of easement outside of setback with no planting of invasive species or removal of native species. No lighting of OHV use shall occur within the watercourse area. Homeowner's Associations should employ an experienced non-profit conservation group to manage /maintain the conservation easement. Alternatively, developers can provide for a conservation lot in fee title to a conservation organization with an endowment to finance management of the conservation lot. All new developments must provide for a 100 ft fuel modification zone within the footprint of the developed portions of parcels, and shall not depend on fuel modification within conservation easement and conservation lots.

Recommendation 9: Water Quality Protection

Stormwater detention basins, recharge basins, water quality basins, or similar larger scale water capture devices should be incorporated into projects according to the conditions of the site and project scope. In the event such facilities are used, sensitive design and placement for ecological and aesthetic conditions should be required. If at all possible, such facilities should be designed for multiple purposes such as parks, playgrounds, street medians, or habitat, and so on. Facilities should treat water before entering a watercourse. They should not be in a watercourse. Biofiltration measures should also be incorporated into the site plan and site design, such as the use of engineered bio-swales that incorporate plants that slow and filter urban water runoff before entering an arroyo or watercourse.

Recommendation 10: Arroyos/Watercourses as Neighborhood Amenities

Rather than situating houses with backyards protruding into arroyos or watercourses, and allowing fire clearance on steep slopes, houses should face arroyos or watercourses with the street and trail between homes and top border of arroyo or watercourse. This scenario provides a scenic area to the public and a firebreak between homes and native vegetation while providing protection to arroyo and watercourse resources.

Recommendation 11: Stormwater Management and Runoff Reduction as a Design Element

All new and redeveloping projects in the arroyo planning areas as well as throughout the City and adjacent County areas should incorporate site specific and regional measures to improve stormwater management, increase groundwater recharge, and reduce urban runoff towards a post-development goal of “no net gain in runoff.” Some measures include:

- Use of permeable paving materials for many surfaces that require hard materials rather than traditional impervious materials.
- Relocate sidewalks away from roadways or direct their runoff into an open drainage system (vegetated swale) that leads to an infiltration area.
- Build narrower residential streets or restrict parking and sidewalk areas to one side of the road to create open pervious spaces for stormwater infiltration.
- Incorporate low, pervious areas into landscaped parking lot islands and landscaped strips to reduce runoff volume and filter pollutants.
- Use multi-functional open drainage systems in lieu of more conventional curb-and-gutter systems such as a curb and swale system, concave street medians that capture water, and cul-de-sac circles that provide a concave, landscaped circle to capture water.
- Home and public area landscape design that incorporates water capture, permeable areas with vegetation to filter water and recharge groundwater, and other measures including the use of native plant species and/or noninvasive California friendly plant species.
- Controlled irrigation systems that provide only the amount of water required and result in no overspray or runoff.
- Creative capture of rooftop runoff for irrigation and use of green roof designs.

Recommendation 12: Restrict Use of Septic Systems on the Slopes of Arroyos and Watercourses Outside of Graded Pads

CCAC recommends that the City and County require septic systems and leach fields to be located away from sensitive steep slopes of arroyos and watercourses and require generous setbacks (at least 100 feet from leach fields to edge of a watercourse) to prevent groundwater or surface water pollution. In addition, CCAC recommends the requirement of minimum lot sizes of at least two (2) acres along arroyos and other major watercourses in hilly areas and one (1) acre in areas with < 18% slope along watercourses to ensure adequate space for setbacks.

Recommendation 13: Restrict New Sewage Pump Stations Adjacent to Watercourses

To eliminate problematic overflow of sewage from malfunctioning pumping stations, CCAC recommends that all new sewage pumping stations be located away from watercourses. In the event that locations are limited to an area adjacent to a watercourse, provide appropriate Best Management Practices (BMPs) that result in strong protection for watercourses in the event of an accidental sewage overflow.

Recommendation 14: Restrict Fencing in Arroyos and Watercourse Channels

No arroyo, watercourse channel or bank should be fenced or otherwise obstructed. Free flow of water and debris is necessary. Fencing causes debris dams that can dam or divert streams. Watercourses are also important habitat and movement corridors for wildlife. Fencing obstructs free travel of many native animals. The perimeter of arroyos and watercourses should not use fencing that interferes with the free travel of most animals among the segments of networks of open spaces. To eliminate impacts from fencing in sensitive arroyo and watercourse areas, it is important to prohibit fencing across arroyos, require any residential fencing to be placed on graded pads only, and require that any security fencing for public facilities be placed immediately around the facility only considering water flow and wildlife movement needs.

Recommendation 15: Restrict New Golf Course Development within the Boundaries of Arroyos, Watercourses, and Wetlands

New golf courses need to protect wetlands and watercourses. Developers should plan projects such that housing, structures, and greens are outside of the boundaries of arroyos, watercourses and wetlands. Golf courses can have value as firebreaks between homes and native vegetation, but they are problematic to water quality and other beneficial uses. To eliminate impacts to watercourses from golf courses, the CCAC recommends the following:

- Require a minimum 50- to 100-foot setback to watercourses with riparian vegetation for all golf course activities.
- Orient fairways parallel to or away from watercourses to avoid hitting balls into riparian areas.
- Use Best Management Practices (BMPs) and water filtration and infiltration areas to capture, treat, and/or slow runoff before it enters watercourses.
- Utilize Integrated Pest Management measures that reduce the use of chemicals that impact water and habitat quality in watercourses through runoff.

- Use high-efficiency irrigation systems, regionally-appropriate non-invasive landscape species, minimal turf, and other water use efficiency BMPs to reduce on-site water usage and dry weather runoff.
- Encourage and assist existing golf courses to install water quality, stormwater, and water use efficiency Best Management Practices (BMPs) that protect riparian corridors, reduce irrigation and stormwater runoff, and treat runoff water before it enters watercourses.

Recommendation 16: Restrict Domestic Animal and Farm Livestock Keeping in Arroyos and Watercourses

Keeping domesticated animals and livestock in arroyos and watercourses results in significant loss of native vegetation, denuded landscapes that are prone to erosion, and water quality impacts due to concentrated animal wastes. The CCAC recommends that the City and County require review and permits for animal keeping near arroyos and watercourses so that the uses can be analyzed and approved according to site-specific circumstances and probable impacts.

Recommendation 17: Restrict Animal Grazing Farm Stock

Under limited conditions, the grazing of farm stock such as horses, cattle, sheep, and goats or other farm stock (not including hogs) can be acceptable but would require large parcels of land (open range areas, hundreds of acres). Grazing animals compact soils and reduce vegetative cover on slopes of watercourses leading to a decrease in infiltration and increase erosion potential. The CCAC recommends that the City and County require review and permits for animal grazing near arroyos and watercourses so that the uses can be analyzed and approved according to site-specific circumstances and probable impacts.

Recommendation 18: Restrict Nurseries and Agriculture from Placement in Arroyos and Watercourses

Agricultural uses including nurseries, orchards, and other crops often result in significant impacts such as cleared lands, erosion, introduction of non-native invasive species, and runoff water containing pesticides and fertilizers. Placement of these uses should not jeopardize watercourses. Agricultural uses should be avoided or should be very limited in and next to arroyos and watercourses to limit runoff of pesticides and require review and permits for new agricultural land adjacent to arroyos and watercourses so that the uses can be analyzed and approved according to site-specific circumstances and probable impacts. The CCAC also recommends that the City and County encourage existing agricultural uses to install agricultural Best Management Practices (BMPs) that protect riparian corridors, reduce agricultural runoff, and treat runoff water before it enters watercourses.

Recommendation 19: Restrict Telecommunications Towers and Utility Infrastructure within Arroyos and Watercourses

Watercourses are often used inappropriately as conduits for telecommunication and utility infrastructure. Such uses result in increased, inappropriate access to watercourses, habitat damage, and facilities in floodplains that require special flood protection measures. The CCAC recommends that the City and County prohibit telecommunications and utility agency equipment and facilities from being placed in or along arroyos and watercourses and prohibit any new

access to existing or future telecommunication or utility facility or corridor from being placed through or in an arroyo or watercourse. Fuel modification areas should be placed away from watercourses and adjacent slopes and locations of occupied structures should be restricted in accordance with fuel modification requirement of State and Local Governments.

1.4 ARROYO, WATERCOURSE, AND WATERSHED MANAGEMENT NEEDS

- **Development a comprehensive Riverside Arroyo Watershed Management Plan (Plan).** The plan should address the connection between land use decisions and habitat, water quality, stormwater management, and overall watershed function. The necessary challenge will be to incorporate these approaches into the long-term general plan and zoning process within the City and County of Riverside. This should be a multi-objective, stakeholder-based Plan to identify short-term actions and long-term strategies for effective and responsible watershed management.
- **Conduct an “at-risk assessment” regarding planned and potential land use conversions from open space to a developed purpose.** The assessment should take into account potential impacts of such conversions to existing conditions regarding stormwater runoff, water quality, habitat and open space, and recreation needs of the City of Riverside and adjacent County unincorporated areas.
- **Establish various levels of governance and coordination on a watershed basis.** This could include the creation of a decision tree, a multi-agency involvement task force, and the establishment of a stakeholder watershed council
- **Conduct an objective evaluation of the effectiveness of existing protection measures and their implementation.** Assess the City of Riverside’s existing grading ordinance, Proposition R, and Measure C, and the County of Riverside’s protection measures in protecting arroyo, hillside, and watershed resources in the project area

1.5 NEXT STEPS FOR CCAC

According to the goals in establishing the CCAC, next steps and immediate future roles include:

- Work with City and County staff to refine policy recommendations that further the goal of establishing consistent policies for land use and watershed management in areas that affect both jurisdictions.
- Refine GIS program and documentation and provide to City and County.
- Implementation of Riparian Vegetation Layer within GIS Mapping Project.
- Develop GIS models for delineating watercourse setbacks and riparian buffers.
- Promote programs and educational materials to enhance community awareness about the importance watercourse preservation and methods to achieve a healthy watershed.

Johnson & Sedlack

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December 21, 2010

Mr. Greg Smith, Associate Planner
City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, CA 90622

Dr. Mr. Smith:

This firm submits the following NOP Comments on behalf of the Elsinore Murrieta Anza Resource Conservation District and the Sierra Club.

The EIR for the project should provide a range of alternatives, specifically for those areas where substantial changes are proposed from existing land uses as well as for changes to existing policies. We are particularly concerned with changes to the implementation of the MSHCP as well as maintaining connectivity of natural areas.

The General Plan and EIR should also include a climate action plan with the requirements of the climate action plan providing land use and development alternatives to be analyzed in the alternatives section.

The EIR should consider not just the “natural beauty” of natural areas but also their functionality for wildlife, wildlife corridors and functional riparian areas. The EIR should also discuss plans for recharge of aquifers and methods of preventing overdraft of existing aquifers.

The EIR and General Plan should evaluate the health effects of diesel particulates and develop strategies to maintain adequate buffers between areas of high diesel emission concentration, e.g. freeways and warehouse areas, and residential areas.

The General Plan and EIR should evaluate policies designed to ensure that there will be adequate funding for development of transportation resources within the City including those facilities within the Jurisdiction of CALTRANS.

The General Plan and EIR should provide policies to ensure that noise emissions, including during construction, do not exceed thresholds including the requirement for the use of temporary sound walls during construction.

Johnson & Sedlack

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Thank you for your consideration.

Sincerely,

Johnson & Sedlack

A handwritten signature in black ink, appearing to read "Raymond W. Johnson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

By:

Raymond W. Johnson, Esq. AICP



COUNTY OF RIVERSIDE
TRANSPORTATION AND
LAND MANAGEMENT AGENCY
Transportation Department



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

December 21, 2010

Greg Smith, Associate Planner
City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, CA 90622

RE: Notice of Preparation of Environmental Impact Report for the General Plan Update

Dear Mr. Smith:

Thank you for sending the Riverside County Transportation Department the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the City of Murrieta General Plan Update.

The General Plan Update could result in the intensification of land uses, which in turn could lead to increases in traffic volumes. The Transportation Department would request that the traffic study for the General Plan Update address potential impacts and mitigation measures on all roadways in the County General Plan that might be affected.

If a modeling process is to be used for the traffic analysis, model inputs and assumptions should be thoroughly documented. Please be aware that the recently developed Riverside County Traffic Analysis Model (RIVTAM) is the suggested model for transportation planning purposes countywide.

Thank you again for the opportunity to review the NOP. We look forward to receiving the Draft EIR and the traffic analysis for the General Plan Update.

Sincerely,

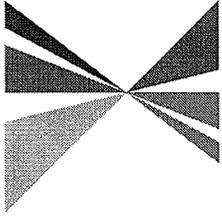
Farah Khorashadi
Engineering Division Manager

FK:rg

CITY OF MURRIETA

DEC 22 2010

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PLANNING DEPT



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December 21, 2010

Mr. Greg Smith
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24601 Jefferson Avenue
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gsmith@murrieta.org

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the City of Murrieta General Plan Update [I20100348]

Dear Mr. Smith,

Thank you for submitting the **Notice of Preparation of a Draft Environmental Impact Report for the City of Murrieta General Plan Update [I20100348]** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impact Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) under California Government Code Section 65080 and 65082.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project is an update of the City of Murrieta General Plan, a policy document designed to guide the City of Murrieta in achieving its social, physical, and economic goals.

Policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Visioning (CGV) that may be applicable to your project are outlined in the attachment. The RTP, CGV, and table of policies can be found on the SCAG web site at: <http://scag.ca.gov/igr>. For ease of review, we would encourage you to 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 a table format (example attached).

The attached policies are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. **When available, please send environmental documentation ONLY to SCAG's main office in Los Angeles and provide a minimum of 45 days for SCAG to review.** If you have any questions regarding the attached comments, please contact Bernard Lee at (213) 236-1895 or leeb@scag.ca.gov. Thank you.

Sincerely,

Jacob Lieb, Manager
Environmental and Assessment Services

**COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL
IMPACT REPORT FOR THE CITY OF MURRIETA GENERAL PLAN UPDATE
[I20100348]**

PROJECT LOCATION

The City of Murrieta is located in southeastern Riverside County, and is comprised of 26,851 acres (41.96 square miles) of which 21,511 acres (33.61 square miles) is located within the City Limits and 5,341 acres (8.34 square miles) is located within the City's Sphere of Influence. Surrounding cities include Menifee to the north, Temecula to the south and east, Wildomar to the west, and unincorporated Riverside County to the north, south, and east. The San Diego County border is just south of Temecula, and Orange County lies on the other side of the Santa Ana Mountains to the west. Regional access to the City is provided by the Interstates 15 and 215.

PROJECT DESCRIPTION

The Murrieta General Plan is a policy document designed to guide the City of Murrieta in achieving its social, physical, and economic goals. This General Plan places particular emphasis on economic development and addresses both current and emerging planning and community topics, such as Global Climate Change, Sustainability, and Healthy Communities. These topics will be developed with the preparation of a Climate Action Plan and a Healthy Community Element.

The General Plan is Murrieta's fundamental policy document regarding community and economic development of the City. The General Plan describes Murrieta's goals and policies regarding land use, economic development, circulation, conservation, recreation and open space, air quality, noise, infrastructure, safety, and healthy community. Along with these goals and policies is an implementation program to guide the execution of the goals and policies.

The General Plan supersedes the 1994 Murrieta General Plan, which consists of the following eight State mandated and optional elements:

- Land Use
- Housing
- Circulation
- Conservation and Open Space
- Safety
- Noise
- Air Quality
- Economic Development

This update to the General Plan may contain similar goals, policies, or other components of the previous plan; however, this version has been tailored to meet the issues and needs of the City at the present time and foreseeable future. The Murrieta General Plan is not a static reflection of general goals and policies; it is a dynamic, practical document with strategies for community development and enhancement, specifically focused on economic development and achieving the overall vision identified by the community.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The DEIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion and city are as follows:

Adopted SCAG Regionwide Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted WRCOG Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	1,735,426	1,918,962	2,096,544	2,262,992	2,414,256	2,550,867
Households	546,047	609,219	671,933	727,622	780,743	828,547
Employment	588,523	691,260	797,626	901,163	1,005,923	1,098,233

Adopted City of Murrieta Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	103,726	109,715	114,370	119,689	123,549	127,961
Households	34,744	36,664	37,564	39,078	40,391	41,895
Employment	21,019	23,008	25,181	27,364	29,616	31,540

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

The **2008 Regional Transportation Plan (RTP)** also has goals and policies that may be pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*
- RTP G6** *Encourage land use and growth patterns that complement our transportation investments.*
- RTP G7** *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions

regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

- GV P1.1 *Encourage transportation investments and land use decisions that are mutually supportive.*
- GV P1.2 *Locate new housing near existing jobs and new jobs near existing housing.*
- GV P1.3 *Encourage transit-oriented development.*
- GV P1.4 *Promote a variety of travel choices*

Principle 2: Foster livability in all communities.

- GV P2.1 *Promote infill development and redevelopment to revitalize existing communities.*
- GV P2.2 *Promote developments, which provide a mix of uses.*
- GV P2.3 *Promote "people scaled," walkable communities.*
- GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

Principle 3: Enable prosperity for all people.

- GV P3.1 *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
- GV P3.2 *Support educational opportunities that promote balanced growth.*
- GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
- GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
- GV P3.5 *Encourage civic engagement.*

Principle 4: Promote sustainability for future generations.

- GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
- GV P4.2 *Focus development in urban centers and existing cities.*
- GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4 *Utilize "green" development techniques*

CONCLUSION

As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here:

http://www.scaq.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

SUGGESTED SIDE BY SIDE FORMAT - COMPARISON TABLE OF SCAG POLICIES

For ease of review, we would encourage the use of a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or not applicable of the policy and supportive analysis in a table format. All policies and goals must be evaluated as to impacts. Suggested format is as follows:

The complete table can be found at: <http://www.scag.ca.gov/igr/>

- Click on **“Demonstrating Your Project’s Consistency With SCAG Policies”**
- Scroll down to **“Table of SCAG Policies for IGR”**

SCAG Regional Transportation Plan Goals and Compass Growth Visioning Principles		
Regional Transportation Plan Goals		
Goal/ Principle Number	Policy Text	Statement of Consistency, Non-Consistency, or Not Applicable
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
RTP G3	Preserve and ensure a sustainable regional transportation system.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
Etc.	Etc.	Etc.



PECHANGA CULTURAL RESOURCES

Temecula Band of Luiseño Mission Indians

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

December 22, 2010

Chairperson:
Germaine Arenas

Vice Chairperson:
Mary Bear Magee

Committee Members:
Evie Gerber
Darlene Miranda
Bridgett Barcello Maxwell
Aurelia Marruffo
Richard B. Searce, III

Director:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Anna Hoover

Monitor Supervisor:
Jim McPherson

VIA E-Mail and USPS

Mr. Greg Smith
City of Murrieta, Project Planner
One Town Square
24601 Jefferson Avenue
Murrieta, CA 90622

Re: Pechanga Tribe Comments on the Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the General Plan Update Project

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 NOP of a DEIR dated November 19, 2010 from the City of Murrieta. The Tribe formally requests, 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"), and that these comments be part of the record of approval for this Project. If you have not already done so, please add the Tribe to your distribution list(s) for public notices and 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 and requests that these comments be made part of the record of approval for this Project.

CITY OF MURRIETA MUST INCLUDE INVOLVEMENT OF AND CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL REVIEW PROCESS

It has been the intent of the Federal Government¹ and the State of California² that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This

¹ See Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments; Executive Order 13175 of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments; and Executive Memorandum of September 23, 2004 on Government-to-Government Relationship with Tribal Governments.

² See California Public Resource Code §5097.9 et seq.; California Government Code §§65351,65352,65352.3 and 65352.4

arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the City and the Project Applicant consult with the Tribe in order to guarantee an adequate basis of knowledge for an appropriate evaluation of the project effects, as well as generating adequate mitigation measures.

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe has a legal and cultural interest in the proper treatment of sacred places and all Luiseño cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as sacred sites, Luiseño village sites and archaeological items which would be displaced by development, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of development and improvements within the City.

The Pechanga Tribe asserts that the entirety of the City of Murrieta is within the Tribe's, aboriginal territory as evidenced by the existence of Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs), and extensive Luiseño artifact records. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area as well as extensive history on projects within the City. From our knowledge, the Pechanga Tribe has traditionally been the City's consulting and lead-designated Tribe.

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 that communicated to the Pechanga people by our elders. While historic accounts and anthropological and linguistic theories are important in determining traditional Luiseño territory, the most critical sources of information used to define our traditional territories are our songs, creation accounts, and oral traditions.

Luiseño history originates with the creation of all things at *'éxva Teméeku*, the present day City of Temecula, and dispersing out to all corners of creation (what is today known as Luiseño territory). It was at Temecula that the Luiseño deity *Wuyóot* lived and taught the people, and here that he became sick, finally expiring at Lake Elsinore. Many of our songs relate the tale of the people taking the dying *Wuyóot* to the many hot springs at Elsinore, where he died (DuBois 1908). He was cremated at *'éxva Teméeku*. It is the Luiseño creation account that connects Elsinore to Temecula, and thus to the Temecula people who were evicted and moved to

the Pechanga Reservation, now known as the Pechanga Band of Luiseño Mission Indians (the Pechanga Tribe). This connection between Elsinore and Temecula also includes Murrieta as an important location for passage between these Cities as well as a known location for subsistence resources and a system of significant villages.

While only briefly outlined here, the Tribe has specific information about the lands within the City of Murrieta and its sphere of influence, based upon our songs and stories, and our indigenous place names, which cannot be found in sources outside the Tribe. We also maintain further information gathered from academic works that demonstrate that the Luiseño people who occupied what we know today as Murrieta are ancestors of the present-day Luiseño/Pechanga people, and as such, Pechanga is culturally affiliated to this geographic area.

The Tribe has a specific interest in this Project because of our cultural ties to this geographic area and has a long modern day history of involvement with projects in the City. The Tribe has been involved with almost all development projects throughout the City of Murrieta including the existing Golden City Specific Plan and Physicians Hospital Project; Linnel Lane; Lincoln Ranch; Copper Canyon; Greer Ranch; the Ivy Street and Guava Street Bridge Projects; the Wynfield Projects; the Murrieta Hot Springs Road Widening; Murrieta 18 and 30; Murrieta Vista High School; Murrieta Fire Station #5 and North Murrieta Business Park Projects. Moreover, Pechanga was named MLD for discovery of human remains on at least two projects in west Murrieta and has been the designated/lead Tribe exclusively within the City boundaries for many years.

The Tribe welcomes the opportunity to meet with the City to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction.

CULTURAL RESOURCES SHOULD BE EVALUATED IN THE DEIR

The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Luiseño village sites, sacred sites and archaeological items which would be displaced by ground disturbing work conducted within Luiseño territory, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work. Given the extensive, well-documented evidence of Luiseño ancestors within the City and its sphere of influence, inadvertent discoveries are foreseeable impacts and thus need to be appropriately mitigated for within the confines of the Project.

Because the City is rich in cultural resources, CEQA requires a thorough evaluation of the possible impacts to cultural resources that may occur from proposed policies and development decisions. Any lack of investigation regarding the entire study area is contrary to the mandates of CEQA to evaluate potential project impacts. The Tribe contends that a thorough and current cultural resources assessment should be required as part of the EIR for the Project. Further, the

Tribe requests to continue to be involved in all assessment and evaluation done by the City and to participate as a partner in interpreting the results and updating as necessary any policies based upon those results.

The Pechanga Tribe requests that the City take steps for the protection of future inadvertent finds as well as known sites in the process of preparing the DEIR. Additional surveys may reveal significant archaeological resources and sites which may be eligible for inclusion in the historic site register, may contain human remains and/or may be sacred Luiseño sites. The Pechanga Tribe believes that only after the completion of more extensive surveys by both the City and the Pechanga Tribe will a complete assessment of impacts be accurate. Further, we believe that such assessments must include the Tribe as our traditional knowledge is invaluable in assisting the City and its consultants regarding the meaning and importance of places and cultural items. As such, we request that the City require tribal monitors to be present during any surveys or archaeological testing that might be required as part of the environmental review of this update.

PECHANGA TRIBAL INVOLVEMENT

The 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 continue this consultation, the Tribe requests copies of all available documents pertaining to the cultural resource and archaeological impacts of this Project, including environmental documents, archaeological reports, proposed mitigation measures and conditions of approval. The Pechanga Tribe may request that the City adopt specific procedures and policies concerning the protection, preservation and mitigation of sacred places once we have had an opportunity to review the potential environmental impacts.

The Pechanga Tribe will itself be engaging in further assessments, in consultation with tribal elders, to identify more specific information about resources within the City boundaries. The Tribe may also offer additional proposed language as consultation and the project progresses.

The Pechanga Tribe looks forward to working together with the City of Murrieta in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8100 X8104 if you have any questions or concerns. Thank you.

Sincerely,



Anna M. Hoover

Pechanga Comment Letter to the City of Murrieta
Re: Pechanga Tribe Comments on the NOP for a DEIR for the GP Update
December 22, 2010
Page 5

Cultural Analyst

cc: Pechanga Office of the General Counsel

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

CITY OF MURRIETA

DEC 20 2010

RECEIVED
PLANNING DEPT

City Of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, CA 90622

Attn: Mr. Greg Smith

RE: NOP response for Murrieta General Plan Update

December 20, 2010

Dear Sir:

It should be made clear that the Vacant Land percentage shown in NOP Table 2 (p. 3) includes as a major part land that has been set aside for environmental protection, and agreed to by the participants in the MSHCP process. The whole purpose of that process was not only to protect valuable environment but also **to remove the uncertainty and painful process** that had previously dogged the heels of those who wished to develop land.

As one of the three-dozen persons who worked for three years on the MSHCP Committee, and as one of the twelve persons who occupied a seat on the Coordinating Committee, which oversaw the three large committees of the RCIP, I oppose any attempt to go back to the old system. Murrieta appears to be heading in that very expensive and cumbersome direction, judging by the reception being expressed for the Proposed Los Alamos General Plan Goals and Policies for the Los Alamos Specific Plan, submitted by the (citizens') Committee for Quality Life in Murrieta (CQLM), October 20, 2010.

The reasoning behind the Proposal is specious as described by Goal 2 and Policies 2.01, 2.02, 2.03, 2.04, and 2.08. The land west of the Hogbacks is not in general contention, but the land to the east certainly is. That land is in the heart of one of the MSHCP Core Areas, and is not only distinguished by the riparian corridor of Warm Springs Creek but also by the non-riparian lands in the area, which are hosts to a variety of protected animals and plants.

Before the City of Murrieta embodies the concepts of the Specific Plan Proposal in its General Plan, they should give careful thought to the consequences of abandoning the system that was devised through so much care, consideration, argument, and painful grinding work. Though some may think it is possible to have your cake and eat it too, most of us know that is not really possible.

The second issue I want to raise is this. The central and overwhelmingly important issue for Southern California is water, both its quality and its supply. The views I heard expressed by Murrieta and others at the November 10, 2010, hearing held in Temecula by the San Diego Regional Water Quality Control Board, and regarding the new Municipal Stormwater (MS4) Permit, suggest irresponsible thinking that is twenty years out of date

and certainly out of contact with the reality of our problems in the Santa Margarita Watershed. I do not see where in the new General Plan is the focus and importance the water issue deserves.

Respectfully yours,

A handwritten signature in black ink that reads "Robert D. Wheeler". The signature is written in a cursive style with a large, stylized initial "R".

Robert D. Wheeler, Ph.D. (Economics)
29071 Calle del Buho
Murrieta, CA 92563

CITIZENS for QUALITY LIFE in MURRIETA-CQLM

Max Miller, Chairman; Mike O'Donnell, Co-Chairman; Gayle Vergara, Secretary; Shawn Horwitz, Recording Treasurer; MaryAnn S. Miller, Reporting Treasurer; Joyce Dodd, Historian - FACE BOOK -Citizens for Quality Life in Murrieta-CQLM cqlm.2010@yahoo.com WEB SITE Citizens for Quality Life in Murrieta-cqlm www.cqlm.net (951) 505-7428

December 20, 2010

Greg Smith, Associate Planner
City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, CA 90622

RE: Notice of Preparation – General Plan Update

Dear Mr. Smith:

We appreciate the opportunity to comment on the Notice of Preparation for the Environmental Impact Report (EIR) associated with the City's General Plan Update. This letter represents the collective thoughts of the Citizens for Quality of Life in Murrieta (CQLM). Our group is comprised primarily of residents and property owners in the Los Alamos Hills area of the City. Individual members of the community may submit additional letters.

Our group and community have long advocated that the City develop and adopt a Specific Plan for our community that reflects its unique qualities. The General Plan and associated EIR should reflect the needs of our community. Specifically, Los Alamos Hills is a rural community surrounded by suburban development and the accompanying issues such as traffic, noise, air pollution, and public safety. We believe development and implementation of a Specific Plan for Los Alamos Hills will address these issues while preserving private property rights. The group has received verbal commitments from the City and staff that inclusion of a Specific Plan for Los Alamos Hills is acceptable and will be included in both the General Plan Update and the associated EIR.

Draft Policies and Goals for the Specific Plan (attached) have been developed that articulate the future growth patterns and objectives of the Los Alamos Hills community. We request these be formally included in the General Plan Update and the EIR. We have also attached a Specific Plan Land Use Map. We have received verbal commitments from the City for its inclusion in the General Plan Update and EIR and want to reiterate our request that the Los Alamos Hills Specific Plan area be designated as such in the General Plan Land Use Map

We recently became aware of the City's effort to update the City Housing Element which includes locating two (2) VERY HIGH density projects within our community. This type of density is entirely inconsistent with our rural community! We strongly request that staff remove these VERY HIGH density areas from the General Plan Update and exclude them from the EIR analysis of the General Plan Update. Neither of these sites, known as five (5) and six (6), are logical applications of land planning principles. High-density development should be located adjacent to the urban core of the community or similar high intensity areas, rather than a rural community such as Los Alamos Hills. Portions of each appear to be located in environmentally sensitive wetland areas of Adobe Creek and Warm Springs Creek. Further, these sites are within the airport influence area for take-off and landings and likely conflict with the Airport's Land Use Compatibility Plan.

As part of the broader General Plan Update review and in anticipation of the Specific Plan for the area, we request that the EIR analysis considers how the City's growth will 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. These issues must be analyzed, especially in light of the General Plan Update including the Specific Plan designation for the Los Alamos Hills community. Further, including the Specific Plan designation in the General Plan assists staff and the decision-makers in evaluating these issues!

To date, Los Alamos Hills has provided nearly 45% of its community as public open space; therefore, consideration should be given to impact on private property rights and distribution of the City's open space requirement to other portions of the City.

The City's General Plan Update and EIR should include a thorough analysis of the financial impacts of implementing the goals and policies of the General Plan. Given the extremely difficult economic times that our nation and community are experiencing, it is extremely important that our citizens be provided information relative to the cost of implementing the General Plan. This analysis should occur on a neighborhood-by-neighborhood basis, including Los Alamos Hills.

Further, the analysis should 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 Update. Analysis and consideration should be given to establishing capital accounts for collecting funds needed to implement General Plan goals and policies, by neighborhood. Finally, 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.

We respectfully request that each of the issues be included in the City's General Plan Update and the associated EIR and thoroughly analyzed for review and comment by the citizens of Murrieta. We appreciate your attention to these issues and look forward to reviewing the General Plan Update and EIR.

Sincerely,

Citizens for Quality of Life in Murrieta - CQLM



Max Miller - Chairman

Cc: Randon Lane, Mayor
Doug McAlliser, Mayor Pro-tem
Rick Gibbs, City Council
Kelly Bennett, City Council
Alan Long, City Council
Rick Dudley, City Manager

MaryAnn Shushan Miller

35510 Los Alamos Rd., Murrieta, CA 92563 (951) 505-7428

December 20, 2010

Greg Smith, Associate Planner
City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, A 90622

Re: Notice of Preparation – General Plan Update

Dear Mr. Smith:

I appreciate this opportunity to comment on the Notice of Preparation for the Environmental Impact Report (EIR) associated with the City's General Plan Update.

I reside in the Los Alamos Hills Specific Plan Area. I believe that the implementation of the Los Alamos Hills Specific Plan will help preserve our personal property 5th amendment rights, "fair compensation".

I request analysis of the impacts regarding the following:

- A) Multi-species Habitat Conservation Plan (MSHCP) was adopted by the City of Murrieta in 2003.
- B) The MSHCP is integral to the General Plan as it acts as another de facto zoning and entitlement.
- C) The City has approximately 40% of the Los Alamos Hills Specific Plan community in conservation covering a geographical area shown on Exhibit A.
- D) The City and the RCA report on the status of conservation under the City and RCA MSHCP reporting requirements.
- E) The City has designated approximately 2/3 of the City's state mandate for (subsidized) Affordable Housing in the Los Alamos Hills Specific Plan Area.

In specific, an analysis of the impact to Los Alamos Hills Community caused by the contribution of conservation land as reported by the RCA in the Los Alamos Hills community. This conservation has benefitted development of land in the greater Murrieta City as a whole, and there is measurable impact of the MSHCP on the Los Alamos Hills Community.

- 1) What is the range of conservation lands required in the agreement between the RCA and the City of Murrieta?
- 2) How many acres are currently under conservation in the City of Murrieta?
- 3) Of the acres currently under conservation, how many of those acres are from the Los Alamos Specific Plan area as shown in Exhibit A?
- 4) Of the balance of the low range of the requirement for conservation land, where does the City in its "home rule" propose acquiring the land to fulfill this requirement?

- 5) How many private property buildable lots will be available for participation in an infrastructure base pro-rata contribution with the balance of the acres available for full development?
- 6) To compensate for the Los Alamos Hills infrastructure for lost funding base and loss of ground water from area wells due to overburdening of conservation land coupled with adjacent, approved higher density housing, how will the City pursue funding to mitigate and replace these losses?
- 7) Funds collected from entitlement fees within the Los Alamos Hills SP area, Development Agreements, Federal, State, Special District and other funding vehicles should be deposited in a Los Alamos Hills infrastructure Capital Acct for exclusive use in the Los Alamos Hills' core Specific Plan area.

B) Analysis should be done in the EIR regarding the subsidized, affordable, low income housing designation in Los Alamos Hills Specific Plan rural area. The State Senate Bill mandating this requirement, states that the goal of this mandate is to relocate over 300,000 homeless individuals from inner cities to other communities. The stated causes for this homelessness is, prison release, drug addiction and mental illness. The cost of overburdening of services in the inner cities is to be shared by other urban areas. This burden of clustering by the possible addition of 1600 dwelling units in the Los Alamos Specific Plan area will have a severe impact as follows:

- 1) Analysis of the impact on roads, conservation lands, infrastructure (roads and water) and public safety in the Los Alamos Hills Specific Plan area should be included.
- 2) Analysis of the impact to the rural, 2 ½ acre , 1 acre, and 5-10 DU to the acre home sites' air quality, noise levels, peaceful life style, including natural beauty, and property values in the Los Alamos Hills Specific Plan area should be included.

I respectfully request that each of these issues be included in the City's General Plan Update and the associated EIR and thoroughly analyzed for review and comment by the Citizens of Murrieta. I appreciate your attention to these issues and look forward to reviewing the General Plan Update and EIR.

Very truly yours,



MaryAnn Shushan Miller

Cc: Randon Lane, Mayor

Doug McAllister, Mayor Pro-tem

Rick Gibbs, Councilman

Kelly Bennett, Councilwoman

Alan Long, Councilman

Rick Dudley, City Manager

Mary Lanier, Community Development Director



Jim Kelly
10650 Treena Street, Suite 111
San Diego, CA 92131

December 20, 2010

Greg Smith, Associate Planner
City of Murrieta
One Town Square
24601 Jefferson Avenue
Murrieta, CA 90622

RE: Notice of Preparation – General Plan Update

Dear Mr. Smith:

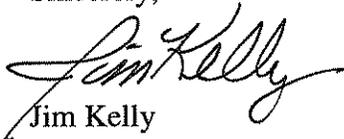
Thank you for the opportunity to comment on the Notice of Preparation for the Environmental Impact Report (EIR) associated with the City's General Plan Update. I own property located on Porth Road and Liberty Road in the City of Murrieta.

I recently became aware of the City's effort to update the City Housing Element which proposes to locate two (2) VERY HIGH density projects, one (Site #6) which is literally next door to my property and the other (Site #5) which is less than half a mile southeast of my property. This type of density is entirely inconsistent with existing development and with the development proposed by the proposed Specific Plan being advocated by residents and property owners of the Los Alamos Hills area.

I strongly request that staff remove these VERY HIGH density areas from the Housing Element and General Plan Update. Neither of these sites (#5 and #6) makes sense from a land planning perspective. High-density development should be located adjacent to the urban core of the community or similar high intensity areas. Portions of each appear to be located in environmentally sensitive wetland areas of Adobe Creek and Warm Springs Creek. Further, these sites are within the airport influence area for take-off and landings and likely conflict with the Airport's Land Use Compatibility Plan. Finally, housing product of this type and density would require huge City and state subsidies and would devastate the value of adjacent properties and undermine the quality of life for the entire community.

Thank you for your attention to this issue.

Sincerely,



Jim Kelly

cc: Mary Lanier
City Council