

**Notice of Determination**

**Appendix D**

**To:**

Office of Planning and Research  
U.S. Mail: \_\_\_\_\_ Street Address: \_\_\_\_\_  
P.O. Box 3044 1400 Tenth St., Rm 113  
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
County of: Riverside  
Address: 2724 Gateway Dr.  
Riverside, CA 92504

**From:**

Public Agency: Western Municipal Water District  
Address: 14205 Meridian Parkway  
Riverside, California 92518  
Contact: Ryan Shaw, Director of Water Resources  
Phone: (951)-571-7100

Lead Agency (if different from above): \_\_\_\_\_  
Address: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2022020176

Project Title: Murrieta Water and Sewer Master Plan Project

Project Applicant: Western Municipal Water District

Project Location (include county): City of Murrieta, County of Riverside, California

**Project Description:**

The proposed project will construct sewer and water supply infrastructure improvements within the city of Murrieta. Construction under this project's scope is primarily within existing roads and public rights-of-way or within future planned roadways via trenching methods. Several facilities will be addressed at a programmatic level due to uncertain phasing or limited design details at this time, such as the Elsinore Valley Municipal Water District Supply Alternative, and the potential future water storage tank and associated pipelines. There are four water supply alternatives that have been provided by Western Municipal Water District (WMWD) that may be implemented.

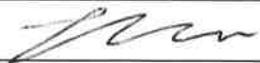
This is to advise that the Western Municipal Water District has approved the above  
 Lead Agency or  Responsible Agency)

described project on October 19, 2022 and has made the following determinations regarding the above  
(date)  
described project.

- 1. The project [ will  will not] have a significant effect on the environment.
- 2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- 3. Mitigation measures [ were  were not] made a condition of the approval of the project.
- 4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
- 5. A statement of Overriding Considerations [ was  was not] adopted for this project.
- 6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Riverside County Clerk's Office @ rivcoacr.org

Signature (Public Agency):  Title: Director of Water Resources

Date: October 19, 2022 Date Received for filing at OPR: \_\_\_\_\_



**Agenda Item: 5C**

October 19, 2022

**TO: THE BOARD OF DIRECTORS**

Brenda Dennstedt, President  
Gracie Torres, Vice President  
Mike Gardner, Secretary-Treasurer  
Fauzia Rizvi  
Laura Roughton

**FROM:** Craig D. Miller, P.E., General Manager

**Approved  
by the**

**OCT 19 2022**

**Board**

A handwritten signature in blue ink, appearing to read "James R. Ford".

**ADOPT RESOLUTION 3251 FOR THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE MURRIETA RETAIL DIVISION AND THE 2022 MASTER PLAN UPDATES**

**RECOMMENDATION:**

The Engineering, Operations, and Water Resources Committee and Staff recommend the Board of Directors:

1. Adopt Resolution 3251 for the Initial Study/Mitigated Negative Declaration for the 2022 Murrieta Water and Wastewater Master Plan updates;
2. Authorize the General Manager to sign and file the Mitigated Negative Declaration, Notice of Completion, and Notice of Determination signifying the Board's action; and
3. Adopt the 2022 Murrieta Water and Wastewater Master Plan updates.

**EXECUTIVE SUMMARY:**

The 2022 Murrieta Master Plan updates and associated Initial Study/Mitigated Negative Declaration were completed in early 2022. In order to meet build-out water demands, the Water Master Plan estimates a capital cost of approximately \$42,500,000 of new infrastructure with increasing water demands from 2,300 acre-feet per year to 4,000 acre-feet per year. In order to meet build-out wastewater demands, the Sewer Master Plan estimates a capital cost of approximately \$19,100,000 of new infrastructure with wastewater flows increasing from 1 million gallons per day to 2 million gallons per day.

The cost estimates for both the Water and Sewer Master Plans include a number of critical assumptions, such as: build-out assumes complete growth north and south of the creek, and additional water storage and wastewater treatment will require arrangements with neighboring agencies. Future decisions regarding these key assumptions will be evaluated during the development of new capacity charges, currently scheduled to come to the Board for discussion in early 2023.

The Initial Study/Mitigated Negative Declaration was circulated for public review on February 4, 2022. The public review period ended on March 5, 2022. No significant public comments were received. The environmental impacts were found to be insignificant with proper implementation of the associated Mitigation Monitoring and Reporting Program. Staff has completed the necessary California Environmental Quality Act documentation required to formally adopt the 2022 Murrieta Master Plan updates.

**BUDGET IMPACT:**

None.

**DETAIL:**

Facility master plans describe the facilities necessary to serve the needs of the community at ultimate build-out. Master plans are generally updated every five years to reflect actual growth patterns and address the corresponding impacts that growth will have on the ultimate demands of the facilities. The previous Murrieta Master Plans for water and wastewater were completed in 2014.

The 2022 Murrieta Master Plan updates analyzed the most current County of Riverside and City of Murrieta General Plans that establish allowable development density within Western Municipal Water District's (Western) Murrieta retail service area, and determined what new facilities are required for ultimate water and wastewater system build-out. The analysis focused on ensuring that new retail customers can expect the same level and quality of service as existing retail customers, and existing customers will retain their current level of service as new customers are connected.

The 2022 Murrieta Water and Sewer (Wastewater) Master Plans both take a conservative approach and assume that build-out includes 100% development both north and south of the Murrieta Creek, requiring significant infrastructure and associated costs. However, it is likely that the majority of potential development south of the Murrieta Creek may not occur or new development will not require water and wastewater services from Western, as the developments may be on private well water and septic tanks.

One key piece of infrastructure the Water Master Plan identified was the need for additional water storage and contemplated a new reservoir. The location the new reservoir would need to be constructed was in an area where property acquisition and environmental protections made it significantly challenging and perhaps infeasible. Western has begun discussions with Rancho California Water District (Rancho) to grant Western the ability to “buy-in” and interconnect to Rancho’s water system, in particular storage. These discussions are ongoing and any agreement(s) will come back to Western’s Board for consideration.

The Wastewater Master Plan highlights the need for additional treatment capacity in order to not only meet build-out demands but identifies wastewater flows exceeding Western’s treatment capacity, possibly within the next 10 years. Western currently sends wastewater flows to Eastern Municipal Water District’s (Eastern) wastewater treatment plant and to Santa Rosa Regional Reclamation Authority’s (SRRRA) wastewater treatment plant. Western has begun discussions with both Eastern and SRRRA to determine if the wastewater treatment plants have available treatment capacity. These discussions are ongoing, and any agreement(s) will come back to Western’s Board for consideration.

Development and adoption of 2022 Murrieta Master Plan updates constitute a “Project” under the California Environmental Quality Act (CEQA). An Initial Study was prepared to assess the potential for any significant environmental impacts associated with the proposed adoption of the 2022 Murrieta Master Plan updates. Based on the Initial Study results, which concluded that the Project will not have significant impacts on the environment, a Mitigated Negative Declaration was prepared. As specific water and wastewater facilities are designed for construction, a project specific CEQA document will be prepared to determine what, if any, mitigation measures are necessary.

Western provided copies of the draft Initial Study/Mitigated Negative Declaration for public review and comment pursuant to Public Resource Code section 21091. Notices of availability of the documents were posted at Western’s Office, the County Clerk’s Office, and published in the Press Enterprise.

Reason for Action:

Board adopted facility master plans are needed to adequately plan for and expand the water and wastewater systems. In addition, the capital improvement projects identified in the master plans support the development of capacity charges needed for the expansion of the water and wastewater systems.

Solution:

Adopt Resolution 3251 for the Initial Study/Mitigated Negative Declaration and the 2022 Murrieta Master Plan updates.

**STRATEGIC PRIORITIES REFERENCE:**

This action aligns with Western Strategic Priorities of Financial Stewardship and Resource Management.

**LEGAL COUNSEL REVIEW:**

Legal counsel has reviewed this item.

Respectfully submitted by:

Craig D. Miller, P.E., General Manager

Attachments:

1. 2022 Murrieta Retail Area Water Master Plan Update
2. 2022 Murrieta Retail Area Sewer Master Plan Update
3. Murrieta Water and Sewer Master Plan Initial Study/Mitigated Negative Declaration
4. Murrieta Water and Sewer Master Plan Mitigation Monitoring Reporting Program
5. Resolution 3251
6. 2022 Murrieta Master Plan Updates Presentation

RESOLUTION 3251

A RESOLUTION OF THE BOARD OF DIRECTORS OF WESTERN MUNICIPAL WATER DISTRICT ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE 2022 MURRIETA WATER AND WASTEWATER MASTER PLAN UPDATES

WHEREAS, the Western Municipal Water District (Western) has prepared updates to Western's Murrieta Water and Wastewater Master Plans to assess the impact of anticipated future development on Western's existing infrastructures and analyze the need for improvements required for new development; and

WHEREAS, Western staff has determined that the Project is subject to the requirements of the California Environmental Quality Act (CEQA) and has prepared an Initial Study; and

WHEREAS, on the basis of the Initial Study, which concluded that the Project will not have significant impacts on the environment after mitigation, staff determined that a Mitigated Negative Declaration should be prepared for the Project; and

WHEREAS, a Mitigated Negative Declaration was prepared pursuant to CEQA, the State CEQA Guidelines, and Western's Local CEQA Guidelines; and

WHEREAS, Western, as the lead agency for the Project provided copies of the draft Mitigated Negative Declaration and Initial Study to the public for review and comment pursuant to Public Resources Code Section 21091; and

WHEREAS, Western's Board of Directors has carefully reviewed the final Mitigated Negative Declaration and all of the information contained in the record for the Project.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of Western Municipal Water District as follows:

1. The Mitigated Negative Declaration and Initial Study prepared for the Project contains a complete and accurate reporting of the environmental impacts associated with the

Project. The documents have been completed in compliance with CEQA, the State CEQA Guidelines and Western's Local CEQA Guidelines.

2. The Mitigated Negative Declaration and Initial Study prepared for the Project reflect the independent judgment of Western.
3. As the decision-making body for the Project, the Board reviewed and considered the information contained in the Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, Initial Study and administrative record prior to approving the Project.
4. All environmental impacts of the Project are found to be insignificant, after mitigation. There is no substantial evidence in the record supporting a fair argument that the Project may result in significant impacts.
5. The Board hereby adopts the Mitigated Negative Declaration for the Project. The Board directs staff to file a Notice of Determination, with the County of Riverside, within five working days of the Project approval.

ADOPTED, this 19<sup>th</sup> day of October, 2022.

  
\_\_\_\_\_  
BRENDA DENNSTEDT  
President

October 19, 2022

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of Resolution 3251 adopted by the Board of Directors of Western Municipal Water District of Riverside County at its regular meeting held October 19, 2022.

  
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MIKE GARDNER  
Secretary-Treasurer

## **Mitigation Monitoring and Reporting Program**

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Murrieta Water and Sewer Master Plans

### MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
<b>BIOLOGICAL RESOURCES</b>					
<p><b>MM BIO-1:</b> All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA) and California Fish and Game Code Sections 3503, 3511 and 3513. The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. This mitigation measure shall be implemented prior to all Project activities. Compliance with the MBTA shall be accomplished by completing the following:</p> <p>Construction activities involving vegetation removal shall be conducted between September 1 and January 31 to avoid nesting season. If construction occurs inside the peak nesting season (between February 1 and August 31), a pre-construction survey by a qualified Biologist shall be conducted within 72 hours prior to construction activities to identify any active nesting locations. If the Biologist does not find any active nests, the construction work shall be allowed to proceed. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to active avian nests shall occur.</p> <p>If the Biologist finds an active nest within the pre-construction survey area and determines that the nest may be impacted, the Biologist shall delineate an appropriate buffer zone around the nest. The size of the buffer shall be determined by the Biologist and shall be based on the nesting species, its sensitivity to disturbance, expected types of disturbance, and location in relation to the construction activities. These buffers are typically 300 feet from the nests of non-listed species and 500 feet from the nests of raptors and listed species. Any active nests observed during the survey shall be mapped on an</p>	<p>Prior to project-related disturbance of soils</p>	<p>Pre-construction Nesting Survey (NBS)</p>	<p>Qualified Biologist</p>		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
aerial photograph. Only construction activities (if any) that have been approved by a Biological Monitor shall take place within the buffer zone until the nest is vacated. The Biologist shall serve as a Construction Monitor when construction activities take place near active nest areas to ensure that no inadvertent impacts on these nests occur. Results of the pre-construction survey and any subsequent monitoring shall be provided to the Property Owner/Developer and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds.					
<b>MM BIO-2:</b> Undeveloped portions of the Project area provide low to moderated quality habitat for several special-status wildlife species. Therefore, a pre-construction survey for special-status species is recommended prior to Project activities within undeveloped areas. During the survey, biologists will document observations of special-status species. If individuals or sign of are observed on or immediately adjacent to the proposed Project footprint, then coordination with the USFWS and/or CDFW will need to occur. If impacts to special-status species will occur from the Project, then the appropriate permits will need to be obtained prior to the start of Project activities, if any. The preconstruction survey should take place no more than 14 days prior to construction	Prior to project-related disturbance to special-status species	Pre-construction survey for special-status species	Qualified Biologist		
<b>CULTURAL RESOURCES</b>					
<b>MM CUL-1:</b> If human remains are encountered during activities associated with a proposed Project, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the	During ground disturbing activities	Site monitoring	Contractor, County Coroner, MLD		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.					
<b>GEOLOGY AND SOILS</b>					
<p><b>MM GEO-1:</b> Paleontological Resources. Any deep excavations into previously undisturbed soil (usually over 5 feet in depth) in the proposed Project area must be monitored by a qualified paleontologist. In the event of an inadvertent discovery, the following measures shall apply:</p> <ol style="list-style-type: none"> <li>1. Upon discovery of an unearthed fossil, earthwork within the vicinity of the discovery shall immediately halt, the District shall be notified, and a qualified paleontologist shall evaluate the discovery. Earthwork shall be diverted until the significance of the fossil discovery can be assessed by the qualified paleontologist.</li> <li>2. If the fossil discovery is deemed significant, and upon recommendation of the paleontologist and approval by the District, the fossils shall be professionally recovered using appropriate recovery techniques based on the type, size, and mode of preservation of the unearthed fossil.</li> <li>3. Earthwork may resume in the area of the fossil discovery once the fossil has been recovered, and the qualified paleontologist deems the site has been mitigated to the extent necessary. Additional earthwork following the fossil discovery may continue to be monitored for paleontological resources on an as-needed basis, at the discretion of the qualified paleontologist.</li> <li>4. Recovered fossils shall be prepared, identified, cataloged, and stored in a recognized professional repository along</li> </ol>	During ground disturbing activities	Site monitoring	Qualified Paleontologist		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
<p>with associated field notes, photographs, and compiled fossil locality data.</p> <p>5. A final summary report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils. This report shall be submitted to the District, and designated repository.</p>					
<b>TRIBAL CULTURAL RESOURCES</b>					
<p><b>MM TCR-1:</b> If, during grading or excavation, any prehistoric archaeological or historic archaeological or architectural remains over 50 years old are unearthed, construction activities in the immediate area should cease until a qualified archaeologist is brought in to assess and evaluate the significance of the resources. Recommendations as to alternative mitigation measures would then be made following consultation with the State Historic Preservation Office (SHPO) and all consulting tribes. In order to mitigate adverse effects on tribal cultural resources determined to be significant, measures would be developed and implemented, i.e., preservation in-place data recovery (including reports), reclamation, relocation, designation as environmentally sensitive areas, and other physical and administrative measures.</p>	<p>During ground disturbing activities</p>	<p>Site monitoring</p>	<p>Qualified archaeologist</p>		

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## SECTION 1: AUTHORITY

This environmental Mitigation Monitoring and Reporting Program (Program) has been prepared pursuant to Section 21081.6 of the *California Environmental Quality Act* (CEQA) (Public Resources Code Section 21000 et seq.), and CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.) Sections 15091(d) and 15097, to ensure implementation of and provide for the monitoring of mitigation measures required of the Murrieta Water and Sewer Master Plan Project (Project), as set forth in the Final Environmental Impact Report (EIR) prepared for the Project. This report will be kept on file in the offices of the CEQA Lead Agency, the Western Municipal Water District (WMWD).

As noted in the EIR, the Project has been designed to avoid sensitive resources, as reflected in Project design plans and in Project Design Features. The EIR also addresses the potential environmental impacts of the Project, and, where appropriate, recommends mitigation measures to avoid or substantially lessen significant environmental impacts. The Program detailed in the following matrix table is designed to monitor and ensure implementation of all mitigation measures that are adopted for the Project.

WMWD is the lead agency for the Project and assumes ultimate enforcement responsibilities for implementation of all mitigation measures listed in this Program. WMWD may assign responsibility for implementation or monitoring to appropriate designees such as a construction manager or third-party monitor. However, as the lead agency, WMWD remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with this Program. In some cases, WMWD is required to secure permits or approvals from third-party agencies in order to implement a mitigation measure. In these cases, WMWD is responsible for verifying that such permits or approvals have been obtained in accordance with the conditions stipulated in the mitigation measure. WMWD's existing planning, engineering, operations, and procurement review and inspection processes will be used as the basic foundation for the Program procedures and will also serve to provide the documentation for the reporting program.

## SECTION 2: MONITORING SCHEDULE

Prior to construction, while detailed design plans are being prepared by WMWD staff or its agents, WMWD staff will be responsible for ensuring compliance with mitigation monitoring applicable to the Project construction, development, and design phases. Once construction has begun and is underway, monitoring of the mitigation measures associated with construction will be included in the responsibilities of WMWD staff, who shall prepare or cause to be prepared periodic monitoring reports as appropriate. Regulatory agencies will have to harmonize CEQA mitigation with regulatory permit conditions and monitoring/reporting as part of the regulatory permitting process and will likely require submittal of formal monitoring reports. Once construction has been completed, WMWD will monitor the project as specified in the mitigation measures or as otherwise deemed necessary.

### **SECTION 3: SUPPORT DOCUMENTATION**

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the Project file with the Mitigation Monitoring and Reporting Program and shall be made available to the public upon request.

### **SECTION 4: FORMAT OF MITIGATION MONITORING MATRIX**

The mitigation monitoring matrix on the following pages identifies the environmental issue areas for which monitoring is required, the required mitigation measures, the time frame for monitoring, and the responsible implementing and monitoring agencies.