

MITIGATED NEGATIVE DECLARATION

*Initial Study & Environmental Analysis
For:*

PW11-10 Flood Control Channel Reconstruction and Repair

April 2021

Prepared For:

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SECTION ONE – INTRODUCTION

I. PURPOSE

This document is a project level Initial Study for evaluation of potential environmental impacts resulting from the implementation of the proposed [PW11-10 Flood Control Channel Reconstruction and Repair](#) (Pala Park Sheet Pile Wall Construction) (Refer to Exhibit "A" & "B"). For purposes of this document, the [PW11-10 Flood Control Channel Reconstruction and Repair](#) (Pala Park Sheet Pile Wall Construction) will be called the "proposed project" or "project".

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS AND GUIDELINES FOR IMPLEMENTING CEQA

As defined by Section 15063 of the State of California Environmental Quality Act (CEQA) Guidelines an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to less than significant levels.

Regarding mitigation measures, it is not the intent of this document to "overlap" or restate conditions of approval that are commonly established for future projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the City's jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

This Initial Study has determined that the proposed applications will not result in any potentially significant environmental impacts and therefore, a Negative Declaration is deemed as the appropriate document to provide necessary environmental evaluations and clearance.

This Initial Study is prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.).

In accordance with Section 15050 of the CEQA Guidelines, the Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the

City. Pursuant to Section 15050 of the CEQA Guidelines, and Section 1.2 of the Temecula Environmental Review Procedures Handbook, (approved by Resolution No. 09-29 of the Temecula City Council) the City of Temecula is designated as the Lead Agency for both publicly and privately initiated projects. Consequently, the City is responsible for ensuring all projects comply with CEQA, pursuant to Section 17.01 of the Temecula Municipal Code. In addition, pursuant to Section 17.03.010 of the Temecula Municipal Code, the City of Temecula City Council, Planning Commission and/or Director of Community Development have the principal authority and responsibility for reviewing and approving projects and the necessary environmental clearances and analyses.

III. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

This Initial Study is an informational document which is intended to inform decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

IV. REVIEW PERIOD

The Initial Study, prepared for the project will be circulated for a period of 20 days (*30-days if submitted to the State Clearinghouse for a project of area-wide significance*) for public and agency review and comments. **The review period for this document will be from April 28, 2021 to May 27, 2021.**

V. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form (Section Two - II) is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. No Impact: A "No Impact" response is adequately supported if the impact simply does not apply to the proposed project.
2. Less Than Significant Impact: A "Less Than Significant Impact" is chosen when the proposed project will have the potential to impact the environment; however, the impacts will be less than significant and no additional analysis is required.
3. Less Than Significant With Mitigation Incorporated: A "Less Than Significant with Mitigation" is chosen when mitigation measures have been incorporated into the proposed project and reduced impacts to a less than significant level.
4. Potentially Significant Impact: A "Potentially Significant Impact" is chosen when the proposed project could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

VI. ENVIRONMENTAL CHECKLIST

The environmental checklist presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact. Each response checked in the environmental checklist is discussed and supported with sufficient data and analysis as

necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

VII. EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where it is available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance.

VIII. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document may be based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents may be included into this document. Tiering is defined as follows:

"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

"Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration."

Further, Section 15152(d) of the CEQA Guidelines states:

"Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

- (1) Were not examined as significant effects on the environment in the prior EIR; or
- (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation By Reference

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of

related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the "Final Environmental Impact Report and Environmental Assessment for the City of Temecula General Plan EIR.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and documents incorporated by reference are available, along with this document, at the City of Temecula Community Development Department, 41000 Main Street, Temecula, CA 92590 Ph. (951) 694-6400.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the City of Temecula Community Development Department, 41000 Main Street, Temecula, CA 92590 Ph. (951) 694-6400.
- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the City of Temecula General Plan EIR is SCH #2003061041.
- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]).
- A complete list of documents incorporated by reference can be found in Section Two - V.

SECTION TWO – CONTENTS OF AN INITIAL STUDY

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I. PROJECT SUMMARY

Project Title	PW11-10 Flood Control Channel Reconstruction and Repair
Lead Agency Name and Address	City of Temecula 41000 Main Street, Temecula, California 92590
Contact Person	Nino Abad Phone: (951) 308-6385 Email: Nino.Abad@TemeculaCA.gov
Review Period	Public Review from: April 28, 2021 to May 27, 2021
Project Location	Friendship Park (Pala Community Park) 44900 Temecula Ln Temecula, CA 92592
Project Sponsor's Name and Address	City of Temecula 41000 Main Street, Temecula, California 92590
General Plan Designation	Open Space
Zoning	Open Space and Public Park
Description of Project	The erosion of the beds and banks are damaging and encroaching on the existing Friendship Park (Pala Community Park [Pala Park]). The City is proposing to let Temecula Creek meander naturally within the vicinity of Pala Park, however, the City is also proposing to protect Pala Park and the recreational fields from future erosion. The project consists of installing a sheet pile wall, approximately 427 feet in length, and an associated anchor system along the northern boundary of the existing soccer field in Pala Park. An impact pile driver will be used to install the sheet pile wall. The sheet pile wall will be driven to a maximum depth of 35-foot below ground surface (bgs). Wall anchors will be placed subsurface to hold the sheet pile wall in place in case Temecula Creek erodes all the way to the sheet pile wall. Any excess materials will be hauled off the site. The project does not propose to remove any trees as part of the project. The project will be constructed during non-nesting season to avoid any biological resource impacts. Staging of construction equipment will be outside of Temecula Creek and located within Pala Park.
Surrounding Land Uses and Setting	The project location is within Friendship Park (Pala Community Park) and surrounded by residential communities.
Other Public Agencies Whose Approval is Required	Not Applicable.

Exhibit "A"

Vicinity Map



II. ENVIRONMENTAL CHECKLIST AND ANALYSIS

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

Comments:

1.a. **No Impact.** The Project is not located near a scenic vista. The Project plans to install a sheet pile wall and associated anchors along the northern boundary of the existing soccer field of Pala Park, which will temporarily obstruct existing views during construction. Therefore, there is no impact to a scenic vista.

1.b. **No Impact.** The Project is not located within or adjacent to scenic resources. Additionally, according to the California Department of Transportation Scenic Highways Program Database, there are no designated state scenic highways located near the Project. Therefore, there is no impact to scenic resources.

1.c. **Less Than Significant Impact.** The installation of the sheet pile protection wall and associated anchors in the park does not have the potential to degrade the visual character of the site. The sheet pile wall and anchors once installed will be installed below grade and will not be seen from the ground surface. Therefore, there is no impact to visual character or quality of the site and its surroundings.

1.d. **No Impact.** Construction of the Project will take place during daylight hours. Therefore, there is no impact by creating a new source of substantial lighting and glare.

2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d	Result in the loss of forest land or conversion of forest land to non-forest use				X
e	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Comments:

2.a. **No Impact.** According to the State of California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), the Project site is not located in an area designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, there is no impact to farmland or agricultural resources.

2.b. **No Impact.** The project site is not zoned for agricultural use and is not under a Williamson Act contract. Therefore, there is no impact to land zoned for agricultural use or a Williamson Act contract.

2.c. **No Impact.** The Project location is located in land zoned for open space. The project will not conflict with existing zoning of forest land, timberland, or timberland zoned Timberland Production.

2.d. **No Impact.** The Project is not located in forest land. Therefore, there is no impact to forest land.

2.e. **No Impact.** The Project site is not on land designated for agricultural land use and will not result in conversion of Farmland to non-agricultural use or forest land to non-forest use.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Conflict with or obstruct implementation of the applicable air quality plan?			X	
b	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d	Expose sensitive receptors to substantial pollutant concentrations?			X	
e	Create objectionable odors affecting a substantial number of people?				X

Comments:

3.a. **Less Than Significant Impact.** The City of Temecula is located in the South Coast Air Quality Management District (SCAQMD) and USEPA Region 9. The following are applicable air quality plans:

- South Coast 2012 PM_{2.5} Plan and 2015 Supplement
- South Coast 1-Hour Ozone Attainment Demonstration
- South Coast PM₁₀ Redesignation Request and Maintenance Plan
- California State Implementation Plan for Carbon Monoxide in the South Coast Air Basin

Emissions were calculated using the CalEEMod, Version 2016.3.2, a model used to quantify air quality impacts from land use projects located throughout California. The following table shows the daily emissions rates output for unmitigated construction during the summer compared to SCAQMD Air Quality Significance Thresholds.

Pollutant	NO _x	PM ₁₀	PM _{2.5}	SO _x	CO
Maximum Emissions rate (lbs/day)	20.78	6.40 ^a	3.80 ^b	0.03 ^c	13.57
Mass Daily Thresholds (lbs/day)	100	150	55	150	550
Exceed Threshold?	No	No	No	No	No
^a PM ₁₀ total modeled emissions ^b PM _{2.5} total modeled emissions ^c SO ₂ modeled emissions					

During the construction phase, there will be temporary and small amounts of air pollutants emitted from construction equipment and excavation, but the effects will cease after construction is complete. The excavated soils will be wetted daily and earthwork will not occur when wind speeds are greater than 15 miles per hour. Project specifications will require the contractor to not violate air quality regulations, and compliance to those specifications will be monitored by the City on-site inspector. Therefore, there is a less than significant impact to applicable air quality plans.

3.b. **Less Than Significant Impact.** See Discussion above in 3.a. The project will not emit substantial amounts of pollutants and therefore, the project will not violate any air quality standards.

3.c. **Less Than Significant Impact.** See Discussion above in 3.a. This project will install a sheet pile protection wall and associated anchors that will not produce emissions after construction. The only emissions are from construction activities and do not exceed mass daily emission thresholds as detailed in the table above. The ozone precursors, NO_x and CO, do not exceed the mass daily thresholds and therefore will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

3.d. **Less Than Significant Impact.** See Discussion above in 3.a. The project will not emit substantial amounts of pollutants as the emissions do not exceed mass daily thresholds during construction and any emissions associated with post-construction, such as maintenance, will be less than emissions during construction. Therefore, the project will have a less than significant impact on sensitive receptors.

3.e. **No Impact.** The project area is open and nearest residences are approximately 175 feet away from the project site. Construction equipment used at the site has minimal emissions as compared to the mass daily thresholds and therefore will not create objectionable odors affecting a substantial number of people.

4. BIOLOGICAL RESOURCES. Would the project:					
Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
b	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?			X	
c	Have a substantial adverse effect of federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

Comments:

4.a. **Less Than Significant Impact.** The work area during construction consists of approximately 0.62 acres. The area consists of California rose briar patch (0.01 acre), developed (0.21 acre), disturbed (0.15 acre), ornamental (0.02 acre), ruderal (0.04 acre), and turf (0.19 acre). Chaparral sand-verbena and paniculate tarplant were observed in the survey area during the Special Status Plant Survey. The Chaparral sand-verbena species is listed in the California Rare Plant Rank CRPR) 1B.1: Plants Rare, Threatened, or Endangered in California and Elsewhere. Plants in this rank meet the definitions of the California Endangered Species Act of the California Fish and Game Code, and are eligible for state listing. The Paniculate tarplant has a CRPR of 4.2: Plant of Limited Distribution on a watch list. These species are located outside of the project construction area and therefore, will not be impacted. Prior to the initiation of the proposed project, the limits of disturbance (temporary impact area) shall be clearly defined and marked in the field with orange snow screen to prevent damage to adjacent vegetation and habitat. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas. No erodible materials will be deposited into watercourses. Brush, loose soils, or other debris material will not be stockpiled within stream channels or on adjacent banks.

To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).

Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area

necessary to complete the project and shall be specified in the construction plans. Access to sites will occur on pre-existing access routes to the greatest extent possible.

4.b. **Less Than Significant Impact.** The temporary impact area consists of riparian habitat. Eight focused surveys were conducted for the Least Bell's Vireo (*Vireo bellii pusillus*), a federally and California State listed Endangered species, between April 2019 and August 2019 to determine the presence or absence of Least Bell's Vireo on the project site. One Least Bell's Vireo was identified in May 2019, however, the individual appeared to be unpaired and migrating west. Furthermore, these surveys identified one California Species of Special Concern (SSC), a yellow warbler (*Setophaga petechia*). This individual was not detected in the survey area again, and therefore, was determined to be a migrant and not a breeding individual. Four separate surveys were conducted for the burrowing owl (*Athene cunicularia*) to identify the presence or absence of burrowing owls on the project site. The surveys were conducted in accordance with the Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Area. The four surveys were conducted between April 2019 and August 2019, and found that there were no active burrowing owl burrows in the area; therefore, burrowing owls were presumed to be absent from the survey area.

The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.

4.c. **No Impact.** According to the National Wetlands Inventory mapped by the USFWS, there is riverine wetland in the area within Temecula Creek outside of the project area and will not be impacted through direct removal, filling, hydrological interruption, or other means.

4.d. **Less Than Significant Impact.** To ensure compliance with the Migratory Bird Treaty Act and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code, all project activities shall be conducted during the non-nesting season for raptors (July 1 to January 31) and the non-nesting season for birds (September 16 to February 28) to avoid any potential disturbance of avian breeding activities. Therefore work will start effective September 16 and will finish prior to January 31.

4.e. **No Impact.** The Project will not conflict with the City's Heritage Tree Ordinance.

4.f. **Less Than Significant Impact.** The Project will have a less than significant impact on the MSHCP Criteria Cells #7445 and #7446, which would contribute toward conservation of Proposed Constrained Linkage 14 (Temecula and Pechanga Creeks) according to a Habitat Assessment performed on May 21, 2015. Recommendations provided from the Habitat Assessment, that will be implemented during construction, include conducting construction activities during non-nesting seasons for raptors (July 1 to January 31) and non-nesting season for birds (September 16 to February 28). A Joint Project Review was completed in March 2021, and required mitigation will be incorporated into the project design.

Mitigation:

BIO1: A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.

BIO2: The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.

BIO3: The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.

BIO4: Due to the presence of potentially suitable habitat, a 30-day preconstruction survey for burrowing owls is required prior to initial ground-disturbing activities (e.g., vegetation clearing, clearing and grubbing, grading, tree removal, site watering, equipment staging) to ensure that no owls have colonized the site in the days or weeks preceding the ground disturbing activities. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the project proponent will immediately inform the Regional Conservation Authority (RCA) and the Wildlife Agencies, and will need to coordinate further with RCA and the Wildlife Agencies, including the possibility of preparing a Burrowing Owl Protection and Relocation Plan, prior to initiating ground disturbance. If ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure that burrowing owl have not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above will be necessary.

5. CULTURAL RESOURCES. Would the project:					
Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?		X		
b	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
c	Disturb any human remains, including those interred outside of formal cemeteries?		X		

Comments:

5.a. **Less Than Significant with Mitigation Incorporated.** The project area was assessed through the Cultural Resources Department of the Soboba Band of Luiseño Indians and was determined that there were no specific concerns regarding known cultural resources. The area is also within the territory of the Luiseño people and was determined to not be within Rincon’s Historic Boundaries. The Pechanga Tribe states that the area is a culturally sensitive area to the Pechanga Band of Luiseño Indians. However, with incorporation of Discussion noted below in 5.b. and 5.c., the impacts to historical resources will be reduced to less than significant.

5.b. **Less Than Significant with Mitigation Incorporated.** If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appear to be evidence of cultural or archaeological resource are discovered, all further excavation or other disturbance of the affected area to immediately cease. A fully qualified specialist shall inspect the site, to assess the significance of the find. Upon determining that the discovery is not an archaeological/ cultural resource, the work can be resumed. Upon determining that the discovery is an archaeological/cultural resource, no further excavation or development shall take place until a mitigation plan or other corrective measures have been prepared and approved. A Pechanga Tribal monitor shall be present and have the authority to stop and redirect grading activities, in consultation with the project archaeologist and their designated monitors, to evaluate the significance of any potential resources discovered on the property.

5.c. **Less Than Significant with Mitigation Incorporated.** If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the “most likely descendant(s)” of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in these conditions.

Mitigation:

CUL1: At least 30 days prior to start of any ground disturbing activity, the Pechanga Tribe should be contacted to coordinate with the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of cultural resources, the designation, responsibilities, and participation of professional Pechanga Tribal Monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement; and treatment and final disposition of any cultural resource, sacred sites, and human remains discovered on the site. The Pechanga Tribal Monitor will have the authority to stop and redirect grading in the immediate area of a find to evaluate the find and determine the appropriate next steps, in consultation with the Project archaeologist. Such evaluation shall include culturally appropriate temporary and permanent treatment pursuant to the Agreement, which may include

avoidance of cultural resources, in-place preservation and/or re-burial on the project property in an area that will not be subject to future disturbances for preservation in perpetuity.

CUL2: Retention of a Qualified Archaeologist: Prior to the start of any ground disturbing activity, the City of Temecula shall retain a qualified archaeologist, defined as an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (Department of the Interior, 2012), to carry out all mitigation measures related to archaeological resources and to coordinate the archaeological program with the Pechanga Band of Luiseño Indians (Pechanga Tribe). The Project archaeologist will have the authority to stop and redirect grading in the immediate area of a find to evaluate the find and determine the appropriate next steps, in consultation with the Pechanga Tribal Monitor.

CUL3: If cultural resources are encountered during the course of ground disturbing activities, the City of Temecula shall cease any ground disturbing activities until it can be evaluated by the qualified archaeologist and the Tribe. The qualified archaeologist, in consultation with the Pechanga Tribe, shall assess the significance of discovered resources and shall take into account the religious beliefs, customs, and practices of the Pechanga Tribe. Avoidance shall be the preferred manner of mitigation pursuant to California Public Resource Code § 21083.2(b). Preservation in place may be accomplished by, but is not limited to, complete avoidance, incorporating the resource into open space or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is determined to be the only feasible mitigation option, a treatment plan shall be prepared and implemented by the qualified archaeologist, in consultation with the Pechanga Tribe. The treatment plan shall also provide for the analysis, reporting, and curation/disposition of resources in accordance with the Treatment Agreement required in CUL1.

CUL4: If human remains are uncovered during project construction, the City of Temecula shall immediately halt work and follow the procedures and protocols set forth in Section 15064.5(e) of the CEQA Guidelines, which require compliance with Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98 (as amended by AB 2641). The applicant shall immediately contact the Riverside County Coroner to evaluate the remains. If the County Coroner determines that the remains are Native American and not subject to his or her authority, the County Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall designate a Most Likely Descendant (MLD) for the remains, who shall have 48 hours from the time of being granted access to the site to provide recommendations to the landowner for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods. Until the landowner has discussed and conferred with the MLD, the landowner shall ensure that the immediate vicinity where the discovery occurred is not subject to further disturbances, is adequately protected according to generally accepted cultural and archaeological standards, and that further activities take into account the possibility of multiple burials. In the event that no MLD is identified, or if the MLD fails to make a recommendation for disposition, or if the landowner rejects the recommendation of the MLD and mediation with the NAHC fails to provide measures acceptable to the landowner, the landowner may reinter the remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance.

6. TRIBAL CULTURAL RESOURCES. Would the project:					
Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Cause a substantial adverse change in the significant of a Tribal Cultural Resource as defined in Section 21074?		X		

Comments:

6.a. **Less Than Significant with Mitigation Incorporated.** See Discussion in Section 5. The Rincon Band of Luiseño Indians, the Soboba Band of Luiseño, Morongo Band of Mission Indians, and the Pechanga Band of Luiseño Indians have been consulted. They have preliminarily deferred to the Pechanga Band of Luiseño Indians for the cultural resources in the area. In a letter response from the Pechanga Tribe, the project area is located in a culturally sensitive area affiliated with the Pechanga Band of Luiseño and specific details will be provided during consultation in regards to potential cultural resources in the area. If cultural resources are discovered during construction, all work in the area of the find shall cease, and the qualified archaeologist and the Pechanga monitor shall investigate the find, and make recommendations as to treatment. All cultural resources, including all archaeological artifacts that are found on the project area, shall be relinquished to the Pechanga Tribe for proper treatment and disposition.

Mitigation:

TRI1: If cultural resources are discovered during construction, all work in the area of the find shall cease, and the qualified archaeologist and the Pechanga monitor shall investigate the find, and make recommendations as to treatment. All cultural resources, including all archaeological artifacts that are found on the project area, shall be relinquished to the Pechanga Tribe for proper treatment and disposition. Avoidance shall be the preferred manner of mitigation pursuant to California Public Resource Code § 21083.2(b). Preservation in place may be accomplished by, but is not limited to, complete avoidance, incorporating the resource into open space or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is determined to be the only feasible mitigation option, a treatment plan shall be prepared and implemented by the qualified archaeologist, in consultation with the Pechanga Tribe. The treatment plan shall also provide for the analysis, reporting, and address all archeological and cultural artifacts that area found on the project to be relinquished to the Pechanga Tribe for proper treatment and disposition, in accordance with the Treatment Agreement required in CUL1.

7. PALEONTOLOGICAL RESOURCES. Would the project:

Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Comments:

7.a. **Less Than Significant Impact.** The project area is located in an area of low paleontological sensitivity according to the County of Riverside General Plan EIR. The project finds shall be consistent with any findings and incorporate actions discussed above in Sections 5 and 6.

8. GEOLOGY AND SOILS. Would the project:					
Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii	Strong seismic ground shaking?				X
iii	Seismic-related ground failure, including liquefaction?				X
iv	Landslides?				X
b	Result in substantial soil erosion or the loss of topsoil?				X
c	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Comments:

8.a. **No Impact.** A geotechnical investigation was conducted and determined that the project site is not located within an Alquist-Priolo Earthquake Fault Zone. Liquefaction is also not a concern because the sheet pile wall and associated anchors will not be supporting a human occupancy structure. Therefore, there is no substantial adverse effect involving rupture of a known earthquake fault, strong seismic ground shaking, liquefaction or landslides.

8.b. **No Impact.** The project is proposing to protect park facilities from natural occurring erosion in Temecula Creek. The project will not result in substantial soil erosion or loss of topsoil and there will be no negative impact.

8.c. **No Impact.** A geotechnical investigation was conducted and determined no features typically associated with landslides were noted during the investigation and would not cause landslides, lateral spreading, subsidence, liquefaction or collapse.

8.d. **No Impact.** The geotechnical report does not note finding expansive soils at the project site, borings consisted mainly of sand.

8.e. **No Impact.** The project will not involve the use or will require the use of septic tanks or other alternative waste water disposal systems.

9. GREENHOUSE GAS EMISSIONS. Would the project:

Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

Comments:

9.a. **Less Than Significant Impact.** See discussion in Section 3. The Project will generate criteria pollutant emissions during construction, including CO₂ and equivalents. Construction emissions are amortized over 30-years, and are not likely to result in substantive annual greenhouse gas emissions. Operations of the Project are minimal and are not expected to generate substantial levels of greenhouse gasses. Further analysis of this issue is not necessary and no mitigation measure would be required.

9.b. **No Impact.** The Project would not conflict with the State plan and policy AB 32 (California Global Warming Solutions Act of 2006) quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020 because the emissions from the project are temporary and minimal.

10. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Create a significant hazard to the public or the environment through the routine transportation, use, or disposal of hazardous materials?			X	
b	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h	Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Comments:

10.a. **Less Than Significant.** Construction activities associated with the Project are unlikely to involve the use of hazardous materials and the most likely sources of hazardous materials would be from vehicles and construction equipment at the site. Small amounts of hazardous materials, including solvents and lubricant, used to maintain construction equipment could occur during construction activities. These materials would be confined and located at the applicable staging areas for each site. Federal and state regulations that govern the storage of hazardous materials in containers (i.e., the types of materials and the size of packages containing hazardous materials), secondary confinement requirements, and the separation of containers holding hazardous materials, would limit the potential adverse impacts of contamination to a contained area. Therefore, the impacts are considered less than significant.

10.b. **No Impact.** The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment since there are no hazardous materials involved in the Project.

10.c. **No Impact.** No Schools are found within a quarter mile of the project and no hazardous materials or substances will be emitted during the construction; therefore, there is no impact to the schools nearby.

10.d. **No Impact.** The project is not located on a list of hazardous materials site.

10.e. **No Impact.** The project is not located within two miles of an airport.

10.f. **No Impact.** The project is not located within the vicinity of a private air strip.

10.g. **Less Than Significant Impact.** The Project will not interfere with any emergency response plan or emergency evacuation plan. The local emergency agencies will be notified by the project prior to construction and will be able to accommodate alternate routes if necessary.

10.h. **No Impact.** The Project will not expose people or structures to significant risk of loss, injury, or death involving wildland fires.

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

Comments:

11.a. **No Impact.** The project will not violate water quality standards, waste discharge requirements, or degrade water quality. The project will take place on the northern boundary of the existing soccer field in Pala Park, just south of Temecula Creek. Best Management Practices (BMPs) will be implemented with respect to machinery and other contaminants. During the construction activity during expectant wet-weather conditions, silt fencing will be placed around the perimeter of the construction site to prevent sediment from construction related work from entering Temecula Creek. The minimum amount of BMPs to be used may include the use of gravel bags, plastic covers, and erosion control blankets/mats consistent with the project erosion control plan.

Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities

including but not limited to applicable jurisdictional city, FWS, and CDFW, RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.

Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.

11.b. **No Impact.** The project will not deplete or interfere with groundwater recharge.

11.c. **No Impact.** The project will not alter the drainage pattern of the area in a way that would result in substantial erosion or siltation on or off-site.

11.d. **No Impact.** The project will not substantially alter the drainage pattern of the area in a way that would result in flooding on or off-site.

11.e. **No Impact.** The project will not create or contribute runoff water to exceed the capacity of existing or planned storm drain systems or provide source of polluted runoff.

11.f. **No Impact.** The project will not require a WQMP as the project is not creating impervious areas as part of the project development.

11.g. **No Impact.** The project does not involve constructing housing and will not place housing within a 100-year flood hazard area.

11.h. **No Impact.** The project will place a sheet pile wall and associated anchors that will protect park facilities for any potential future erosion along Temecula Creek. The sheet pile and anchors will be buried and are not located aboveground that may impact a 100-year flood flow.

11.i. **No Impact.** The project does not propose any dam or associated structures to be constructed as part of the project, however, Vail Lake Dam is located upstream of the Project. The Dam safety is under the jurisdiction of the Division of Safety of Dams (DSOD) and appropriate inspection and mitigation measures will be required per Assembly Bill (AB) 1270. Therefore, the project will not expose people or structures to a significant risk of loss, injury or death involving flooding.

11.j. **No Impact.** The project will not cause inundation by seiche, tsunami, or mudflow. Seiche will not be possible because Temecula Creek is not an enclosed waterbody. The City of Temecula is not located in an area subject to inundation by tsunamis, according to the Department of Conservation. The project is preventing the future potential of the Temecula Creek channel from encroaching onto park facilities, however, in a large flood event the area is currently subject to mudflows based on upstream watershed conditions. The project does not impede the channel flows and therefore any mudflows generated in the upstream watersheds will be routed in the channel as they would have during any event without the project. Therefore, the project will not have seiche, tsunami, or mudflow.

12. LAND USE AND PLANNING. Would the project:

Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Physically divide an established community?				X
b	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c	Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

Comments:

12.a. **No Impact.** The project will not physically divide an established community.

12.b. **No Impact.** The Project will not conflict with any applicable land use plan, policy, or regulation.

12.c. **Less Than Significant Impact.** See discussion in Section 4f.

13. MINERAL RESOURCES. Would the project:					
Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Comments:

13.a. **No Impact.** The project area is located in a Mineral Resource Zone where mineral deposits are likely to exist; however, the significance of the deposit is undetermined per the County of Riverside general plan. The project site is a riverine channel and procuring any mineral resources will be subject to all local and environmental regulations. The project does not impact the procurement of any available mineral resources and therefore, will not result in the loss of value of mineral resources to the region and the residents of the state.

13.b. **No Impact.** See discussion in 13.a. and there is no known locally-important mineral resource recovery site at the Project site identified by the general plan.

14. NOISE. Would the project:					
Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b	Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e	If located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f	If located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Comments:

14.a. **Less Than Significant Impact.** The construction equipment will increase the ambient noise around the residential area. Due to the proximity of the residential communities, the contractor will be required to monitor noise levels and use construction muffler devices, sound blankets or other means to reduce to ambient noise levels. In Section 9.20.030 of the Temecula Municipal Code, capital improvement projects are exempt from the City noise ordinances and the increased noise levels are temporary and only during construction. The excessive noise is associated with the excavation phase with the driving of the sheet pile wall and construction of the associated anchors, during weekdays and between the hours of 7 am and 4:30 pm, and will cease after construction. Additionally, the project will have to comply with Section 9.20.060.D of the Temecula Municipal Code. The closest school is approximately 2,000 feet away and the construction noise will not significantly increase the ambient noise within the area. Pile drivers at 50 feet have a 101 decibel (dB) noise level and at a 2,000 feet of unrestricted distance would have a noise level of 69 dB. For comparison, according to a Decibel Level Comparison Chart from Yale Environmental Health and Safety Department, a chainsaw at 3 feet will have a noise level of 110 dB and a vacuum cleaner at 3 feet will have a noise level of 75 dB.

14.b. **Less Than Significant Impact.** The Project construction will create some groundborne vibrations from the pile driving activities as part of construction. Construction vibration levels were predicted using methodologies described in the CalTrans and Federal Transit Administration (FTA) Noise and Vibration Guidance Manual. The Guidance Manual suggests a limit of 0.5 in/sec Peak Particle Velocity (PPV) for the type of equipment used in this project. The minimum distance for no impact from vibrations while using an impact pile driver is 52 feet, assuming the limit of 0.5 in/sec PPV is used. The nearest sensitive receptor is over 175 feet away. Therefore, groundborne vibrations generated by the construction of this project will not exceed vibration limits and no damage is expected with the equipment used on this project, as long as the minimum distance to buildings and structures is followed for no impact to occur. However, once construction is complete, all groundborne vibration or groundborne noise levels will cease.

14.c. **No Impact.** The Project will temporarily cause an increase in noise levels during the construction phase and will not be permanent.

14.d. **Less Than Significant Impact.** See discussion above in parts 14a. and 14c. The construction contractor will have to monitor noise levels and use construction muffler devices, sound blankets or other means to reduce to ambient noise levels per City ordinances.

14.e. **No Impact.** The Project is not located in an area designated as airport land use.

14.f. **No Impact.** The Project is not located in the vicinity of a private airstrip.

15. POPULATION AND HOUSING. Would the project:

Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Comments:

15.a. **No Impact.** The Project will not induce substantial population growth in the area.

15.b. **No Impact.** The Project will not displace substantial number of existing housing.

15.c. **No Impact.** The Project will not displace substantial number of people.

16. PUBLIC SERVICES. Would the project:

Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a	Fire protection?				X
b	Police protection?				X
c	Schools?				X
d	Parks?				X
e	Other public facilities?				X

Comments:

16.a. **No Impact.** No adverse impacts to these services are anticipated. During construction, portions of Pala Park may not be accessible, but that will be limited to the staging and construction area and will be temporary.

17. RECREATION. Would the project:

Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b	Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Comments:

17.a. **No Impact.** The project will not increase the use of existing neighborhood, regional parks, or other recreational facilities.

17.b. **No Impact.** The project does not include recreational facilities.

18. TRANSPORTATION/TRAFFIC. Would the project:					
Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?			X	
b	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
c	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e	Result in inadequate emergency access?				X
f	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

Comments:

18.a. **Less Than Significant Impact.** The project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The construction hours will strictly be followed by the contractor which is between 7:00 a.m. and 4:30 p.m. Monday through Friday, excluding holidays. Deviation from these hours will not be permitted without the prior consent of the City. Construction workers trips generated are minimal for the project with a vehicle miles travelled of approximately 100 miles per day. All transportation of construction equipment and materials will follow California Department of Transportation and the City guidelines for vehicles use. Therefore, this will be a less than significant impact to the circulation patterns within the project vicinity.

18.b. **No Impact.** The project will not conflict with the Riverside County Congestion Management Program. Per the Riverside County Congestion Management Program, the Level of Service for Temecula Parkway near the project vicinity is "B". The minimal amount of construction trips generated during traffic times is limited to the construction workers commuting to the site. The number of trips generated from the construction of the Project is limited and temporary, and will not adversely impact the traffic patterns. All equipment will be delivered at non-peak hours and per California Department of Transportation guidance.

18.c. **No Impact.** The project will not result in a change in air traffic patterns.

18.d. **No Impact.** The project will not substantially increase hazards due to a design feature.

18.e. **No Impact.** The project would not result in inadequate emergency access. The project does not anticipate closing any streets or intersections that may impact emergency access to the area. There are alternative routes that can be taken during any street closures. The Contractor will be required to notify all emergency agencies of planned closures.

18.f. **No Impact.** The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:					
Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g	Comply with federal, state, and local statutes and regulations related to solid waste?				X

Comments:

19.a. **No Impact.** The project is not a wastewater treatment type project and therefore, associated requirements of the Regional Water Quality Control Board will not be exceeded.

19.b. **No Impact.** The project will not result in the construction of a new water or wastewater treatment facility.

19.c. **No Impact.** The project will not result in the construction of new stormwater drainage facilities.

19.d. **No Impact.** The project will not increase the use of water in the area. The existing site is within Temecula Creek and any irrigation necessary for the park will be an ongoing use.

19.e. **No Impact.** The project will not require the use of wastewater.

19.f. **No Impact.** The project will excavate soil along the embankment and reuse it as fill and any remaining soil will be properly disposed of. The contractor may use the soil for disposal and the soils can be used as daily cover at the landfill, or the soils may be used as fill for other projects in the area.

19.g. **No Impact.** The project will comply with federal, state, and local statutes relating to solid waste.

20. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:

Issues and Supporting Information Sources		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a	Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b	Have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c	Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Comments:

20.a. **No Impact.** The Project is not anticipated to affect the quality of the environment, habitat, fish, wildlife, and plant populations.

20.b. **No Impact.** The Project does not have impacts that are individually limited, but cumulatively considerable.

20.c. **No Impact.** The Project is not anticipated to cause substantial adverse effects on human beings.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

III. EARLIER ANALYSIS

Earlier analysis may be used where, pursuant to the tiering program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration pursuant to Section 15063(c)(3)(D) of the CEQA guidelines. In this case a discussion should identify the following on attached sheets.

1. Earlier Analysis Used.
2. Impacts adequately addressed.
3. Mitigation measures. Not Applicable.

IV. PERSONS AND ORGANIZATIONS CONSULTED

Luke Watson, Director of Community Development
Stuart Fisk, AICP, Senior Planner
Morongo Band of Mission Indians
Pechanga Cultural Resources Department
Rincon Band of Luiseño Indians
Soboba Band of Luiseño Indians

V. REFERENCES

1. City of Temecula General Plan, April 2005
2. City of Temecula General Plan Final Environmental Impact Report
3. South Coast Air Quality Management District CEQA Air Quality Handbook
4. City of Temecula Environmental Review Procedures Handbook (2009)
5. Consultation with Rincon Band of Indians and Soboba Band of Luiseño Indians
6. Habitat Assessment for Pala Park Stabilization Project: Geotechnical Exploration, BonTerra Psomas
7. California Native Plant Society: Ranking System
8. Department of Conservation: Important Farmland Finder
9. Department of Conservation: California Geological Survey Information Warehouse: Tsunami
10. U.S. Fish and Wildlife Service: National Wetlands Inventory, Wetlands Mapper
11. City of Temecula Municipal Code: Title 8. Chapter 8.48 and Title 9 Chapter 9.20
12. Regional Conservation Authority Western Riverside County: Multiple Species Habitat Conservation Plan
13. Geotechnical Investigation, Flood Control Channel Slope Stabilization Pala Community Park, CTE, South, Inc.
14. South Coast Air Quality Management District Air Quality Significance Thresholds
15. County of Riverside Environmental Impact Report No. 521, Section 4.9 Cultural and Paleontological Resources and Section 4.14 Mineral Resources
16. 2011 Riverside County Congestion Management Program
17. Attenuation of ground vibrations from pile driving - Ground Engineering
18. City of Temecula Flood Control Channel Reconstruction and Repair Concept for Pala Park
19. Yale Environmental Health and Safety: Decibel Level Comparison Chart
20. Focused Presence/Absence Surveys for Burrowing Owl for Pala Park Stabilization Project, Psomas
21. Focused Presence/Absence Surveys for Least Bell's Vireo for Pala Park Stabilization Project, Psomas

22. Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis, Psomas
23. Geotechnical Engineering Report, Temecula Flood Control Channel Recon and Repair, Terracon Consultants, Inc.
24. Transit Noise and Vibration Impact Assessment, Federal Transit Administration
25. Western Riverside County Regional Conservation Authority

VI. MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsibility for Implementation	Mitigation Timing	Enforcement Responsibility	Monitoring Responsibility	Actions/ Verification of Compliance
BIO1: A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.	City of Temecula	Prior to excavation and grading activities	City of Temecula	City of Temecula	
BIO2: The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.	City of Temecula	During construction	City of Temecula	City of Temecula	
BIO3: The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.	City of Temecula	Prior to start of construction activities	City of Temecula	City of Temecula	
BIO4: Due to the presence of potentially suitable habitat, a 30-day preconstruction survey for burrowing owls is required prior to initial ground-disturbing activities (e.g., vegetation clearing, clearing and grubbing, grading,	City of Temecula	Prior to start of construction	City of Temecula	City of Temecula	

Mitigation Measure	Responsibility for Implementation	Mitigation Timing	Enforcement Responsibility	Monitoring Responsibility	Actions/ Verification of Compliance
<p>tree removal, site watering, equipment staging) to ensure that no owls have colonized the site in the days or weeks preceding the ground disturbing activities. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the project proponent will immediately inform the Regional Conservation Authority (RCA) and the Wildlife Agencies, and will need to coordinate further with RCA and the Wildlife Agencies, including the possibility of preparing a Burrowing Owl Protection and Relocation Plan, prior to initiating ground disturbance. If ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure that burrowing owl have not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above will be necessary.</p>					
<p>CUL1: At least 30 days prior to start of any ground disturbing activity, the Pechanga Tribe should be contacted to coordinate with the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of cultural resources, the designation, responsibilities, and participation of professional Pechanga Tribal Monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of</p>	<p>City of Temecula</p>	<p>During excavation and grading activities</p>	<p>City of Temecula</p>	<p>City of Temecula Pechanga Tribal Council</p>	

Mitigation Measure	Responsibility for Implementation	Mitigation Timing	Enforcement Responsibility	Monitoring Responsibility	Actions/ Verification of Compliance
<p>compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement; and treatment and final disposition of any cultural resource, sacred sites, and human remains discovered on the site. The Pechanga Tribal Monitor will have the authority to stop and redirect grading in the immediate area of a find to evaluate the find and determine the appropriate next steps, in consultation with the Project archaeologist. Such evaluation shall include culturally appropriate temporary and permanent treatment pursuant to the Agreement, which may include avoidance of cultural resources, in-place preservation and/or re-burial on the project property in an area that will not be subject to future disturbances for preservation in perpetuity.</p>					
<p>CUL2: Retention of a Qualified Archaeologist: Prior to the start of any ground disturbing activity, the City of Temecula shall retain a qualified archaeologist, defined as an archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards for archaeology (Department of the Interior, 2012), to carry out all mitigation measures related to archaeological resources and to coordinate the archaeological program with the Pechanga Band of Luiseño Indians (Pechanga Tribe). The Project archaeologist will have the authority to stop and redirect grading in the</p>	<p>City of Temecula</p>	<p>During excavation and grading activities</p>	<p>City of Temecula</p>	<p>City of Temecula Pechanga Tribal Council</p>	

Mitigation Measure	Responsibility for Implementation	Mitigation Timing	Enforcement Responsibility	Monitoring Responsibility	Actions/ Verification of Compliance
immediate area of a find to evaluate the find and determine the appropriate next steps, in consultation with the Pechanga Tribal Monitor.					
<p>CUL3: If cultural resources are encountered during the course of ground disturbing activities, the City of Temecula shall cease any ground disturbing activities until it can be evaluated by the qualified archaeologist and the Tribe. The qualified archaeologist, in consultation with the Pechanga Tribe, shall assess the significance of discovered resources and shall take into account the religious beliefs, customs, and practices of the Pechanga Tribe. Avoidance shall be the preferred manner of mitigation pursuant to California Public Resource Code § 21083.2(b). Preservation in place may be accomplished by, but is not limited to, complete avoidance, incorporating the resource into open space or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is determined to be the only feasible mitigation option, a treatment plan shall be prepared and implemented by the qualified archaeologist, in consultation with the Pechanga Tribe. The treatment plan shall also provide for the analysis, reporting, and curation/disposition of resources in accordance with the Treatment Agreement required in CUL1.</p>	City of Temecula	During excavation and grading activities	City of Temecula	City of Temecula Pechanga Tribal Council	

Mitigation Measure	Responsibility for Implementation	Mitigation Timing	Enforcement Responsibility	Monitoring Responsibility	Actions/ Verification of Compliance
<p>CUL4: If human remains are uncovered during project construction, the City of Temecula shall immediately halt work and follow the procedures and protocols set forth in Section 15064.5(e) of the CEQA Guidelines, which require compliance with Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98 (as amended by AB 2641). The applicant shall immediately contact the Riverside County Coroner to evaluate the remains. If the County Coroner determines that the remains are Native American and not subject to his or her authority, the County Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall designate a Most Likely Descendant (MLD) for the remains, who shall have 48 hours from the time of being granted access to the site to provide recommendations to the landowner for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods. Until the landowner has discussed and conferred with the MLD, the landowner shall ensure that the immediate vicinity where the discovery occurred is not subject to further disturbances, is adequately protected according to generally accepted cultural and archaeological standards, and that further activities take into account the possibility of multiple burials. In the event that no MLD is identified, or if the</p>	<p>City of Temecula</p>	<p>During excavation and grading activities</p>	<p>City of Temecula</p>	<p>City of Temecula Pechanga Tribal Council</p>	

Mitigation Measure	Responsibility for Implementation	Mitigation Timing	Enforcement Responsibility	Monitoring Responsibility	Actions/ Verification of Compliance
<p>MLD fails to make a recommendation for disposition, or if the landowner rejects the recommendation of the MLD and mediation with the NAHC fails to provide measures acceptable to the landowner, the landowner may reinter the remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance.</p>					
<p>TRI1: If cultural resources are discovered during construction all work in the area of the find shall cease, and the qualified archaeologist and the Pechanga monitor shall investigate the find, and make recommendations as to treatment. All cultural resources, including all archaeological artifacts that are found on the project area, shall be relinquished to the Pechanga Tribe for proper treatment and disposition. Avoidance shall be the preferred manner of mitigation pursuant to California Public Resource Code § 21083.2(b). Preservation in place may be accomplished by, but is not limited to, complete avoidance, incorporating the resource into open space or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is determined to be the only feasible mitigation option, a treatment plan shall be prepared and implemented by the qualified archaeologist, in consultation with the Pechanga Tribe.</p>	<p>City of Temecula</p>	<p>During excavation and grading activities</p>	<p>City of Temecula</p>	<p>City of Temecula Pechanga Tribal Council</p>	

Mitigation Measure	Responsibility for Implementation	Mitigation Timing	Enforcement Responsibility	Monitoring Responsibility	Actions/ Verification of Compliance
The treatment plan shall also provide for the analysis, reporting, and address all archeological and cultural artifacts that area found on the project to be relinquished to the Pechanga Tribe for proper treatment and disposition, in accordance with the Treatment Agreement required in CUL1.					

SECTION THREE – NOTICES

SECTION 3. – NOTICES

- I. Notice of Intent (NOI) to Adopt a Negative Declaration or Mitigated Negative Declaration
- II. Notice of Determination (NOD) for a Negative Declaration or Mitigated Negative Declaration