

San Diego Regional Water Quality Control Board

**Amendment No. 1 to Clean Water Act Section 401  
Water Quality Certification No. R9-2017-0086**

**PROJECT: Murrieta Senior Living  
Certification Number R9-2017-0086**

**APPLICANT: Columbia Pacific Real Estate Fund II, LP  
1910 Fairview Avenue E, Suite 200  
Seattle, CA 98102**

Reg. Meas. ID: 413207  
Place ID: 835162  
Party ID: 564150  
Person ID: 564151  
WDID: 9000003175

On May 11, 2017, Clean Water Act Section 401 Water Quality Certification No. R9-2017-0086 (Certification) was issued to Columbia Pacific Real Estate Fund II, LP (Applicant) for the Murrieta Senior Living Project (Project).

By email dated June 25, 2018, Hernandez Environmental Services, on behalf of the Applicant, requested the Certification be amended to replace the rehabilitation mitigation credits required by the Certification, with vernal pool preservation credits from the Skunk Hollow Wetland Mitigation Bank (SHWMB) so there will be a mitigation component located within the Multiple Species Habitat Conservation Plan (MSHCP) boundaries and the Santa Margarita Watershed. The revised mitigation proposal for 0.02 acre of permanent impacts to ephemeral streambed waters of the United States and/or State consists of the purchase of 0.04 acre of wetland establishment/re-establishment credits from the San Luis Rey Mitigation Bank (SLRMB) and 1.02 acre of vernal pool preservation credits from the SHWMB. This will result in the purchase of establishment/re-establishment credits at a 2:1 ratio (0.02 acre of impact) and 51:1 ratio for the preservation credits.

Based on the Applicant's request, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the Certification to replace 0.30 acre of rehabilitation credits from SLRMB with 1.02 acre of vernal pool preservation credits from the SHWMB. Except as modified or superseded by the Certification modifications set forth below, all of the findings, provisions and other requirements of Certification No. R9-2017-0086 remain in full force and effect. The following changes are made to Certification No. R9-2017-0086 and are shown in underline/strikeout format to indicate added and removed language:

**Page 2, PROJECT DESCRIPTION is modified as follows:**

The Applicant reports that compensatory mitigation for the permanent loss of 0.02 acre (480 linear feet) of jurisdictional waters will be achieved through the purchase of 0.04 acre of re-established river credits and ~~0.30 acre of rehabilitated river credits from the San Luis Rey River Mitigation Bank~~ 1.02 acre of vernal pool preservation credits from the Skunk Hollow Wetland Mitigation Bank (SHWMB). Mitigation purchased from the San Luis Rey Mitigation Bank is required to be protected and maintained in perpetuity by Wildlands according to the conditions of Water Quality Certification No. R9-2013-0050. By purchasing credits: the Performance Standards; Mitigation Site Design; Long Term Management, Maintenance, and Monitoring; and Mitigation Site Preservation Mechanism for the Project will be implemented by Wildlands through San Luis Rey Mitigation Bank according to the conditions of Water Quality Certification No. R9-2013-0050. Compensatory mitigation options within the watershed were deemed inadequate. The out of watershed mitigation is reflected in the higher mitigation ratio for impacts. No waters of the United States and/or State will receive temporary discharges of fill associated with the Project. Mitigation for discharges of fill material to waters of the United States and/or State will be completed by the Applicant at San Luis Rey River Mitigation Bank located in the Bonsall hydrologic sub-area (HSA 903.12) at a minimum compensation ratio of ~~47:1~~ 2:1 (area mitigated:area impacted), and at the Barry Jones Mitigation Bank located in the Gertrudis hydrologic sub-area (HSA 902.42) at a minimum compensation ratio of 51:1 (area mitigated:area impacted).

**Page 11, PROJECT IMPACTS AND COMPENSATORY MITIGATION condition V.B is modified as follows:**

**Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to Murrieta Creek and its unnamed tributaries within the Santa Margarita Watershed must not exceed the type and magnitude of impacts described in the table below. At a minimum, compensatory mitigation required to offset unavoidable temporary and permanent Project impacts to waters of the United States and/or State must be achieved as described in the table below:

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated :area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated :linear feet impacted)
<b>Permanent Impacts</b>						
Stream Channel	0.02	480	0.04 Re-establishment <sup>1</sup>	<u>2:1</u>	NA <sup>3</sup>	NA <sup>3</sup>
			0.30 Rehabilitation <sup>2</sup>	17:1		
			1.02 Preservation <sup>2</sup>	<u>53:1</u>		

1. Purchase of 0.04-acre of re-established river credits. Mitigation purchased from the San Luis Rey Mitigation Bank is required to be protected and maintained in perpetuity by Wildlands according to the conditions of Water Quality Certification No. R9-2013-0050. The mitigation provided for Project impacts contributes to the net gain of wetlands per the State of California Net Gain Policy (Executive Order W-59-93.)
2. Purchase of 0.30-acre of rehabilitated river credits from the San Luis Rey Mitigation Bank Purchase of 1.02-acre of vernal pool preservation credits from the Skunk Hollow Wetland Mitigation Bank.
3. The amount of mitigation credits purchased is not reported in terms of linear feet of mitigation.

**Page 12, PROJECT IMPACTS AND COMPENSATORY MITIGATION condition V.C is modified as follows:**

**Mitigation Credit Purchase.** The Applicant must provide the San Diego Water Board proof of mitigation credit purchase(s) from the San Luis Rey Mitigation Bank and the Skunk Hollow Wetland Mitigation Bank prior to the start of construction.

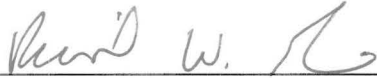
**Notification:** Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification Amendment. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

Columbia Pacific Real Estate Fund II, LP  
Murrieta Senior Living  
Certification No. R9-2017-0086

December 15, 2017  
Amended on August 20, 2018

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Amendment No. 1 to Certification No. R9-2017-0086 issued on August 20, 2018.



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DAVID W. GIBSON  
Executive Officer  
San Diego Water Board

20 August 2018  
Date

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

2375 Northside Drive, Suite.100, San Diego, CA 92108  
Phone (619) 516-1990 • Fax (619) 516-1994  
<http://www.waterboards.ca.gov/sandiego/>

Clean Water Act Section 401 Water Quality Certification  
and Waste Discharge Requirements  
for Discharge of Dredged and/or Fill Materials

**PROJECT: Murrieta Senior Living  
Certification Number R9-2017-0086  
WDID: 9000003175**

Reg. Meas. ID: 413207  
Place ID: 835162  
Party ID: 564150  
Person ID: 564151

**APPLICANT: Columbia Pacific Real Estate Fund II, LP  
1910 Fairview Avenue E, Suite 200  
Seattle, WA 98102**

**ACTION:**

<input type="checkbox"/> Order for Low Impact Certification	<input type="checkbox"/> Order for Denial of Certification
<input checked="" type="checkbox"/> Order for Technically-conditioned Certification	<input type="checkbox"/> Enrollment in Isolated Waters Order No. 2004-004-DWQ
<input checked="" type="checkbox"/> Enrollment in SWRCB GWDR Order No. 2003-017-DWQ	

**PROJECT DESCRIPTION**

An application dated May 11, 2017 was submitted by Columbia Pacific Real Estate Fund II, LP (hereinafter Applicant), for Water Quality Certification pursuant to section 401 of the Clean Water Act (United States Code (USC) Title 33, section 1341) for the proposed Murrieta Senior Living Project (Project). The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) deemed the application to be complete on September 22, 2017. The Applicant proposes to discharge dredged or fill material to waters of the United States and/or State associated with construction activity at the Project site. The Applicant has also applied for a Clean Water Act section 404 permit from the United States Army Corps of Engineers for the Project (USACE File No. SPL-2017-00329-PJB).

The Project is located within the City of Murrieta, Riverside County, California at the northwest corner of Clinton Keith Road and Greer Road, and is bound on the north by Catt Road. The Project center reading is located at latitude 33.59720 and longitude -117.18708. The Applicant has paid all required application fees for this Certification in the amount of \$3,888.00. On an annual basis, the Applicant shall also pay all active discharge fees and post discharge monitoring fees, as appropriate<sup>1</sup>. On September 26, 2017, the San Diego Water Board

<sup>1</sup> The Applicant shall pay an annual active discharge fee each fiscal year or portion of a fiscal year during which discharges occur until the regional water board or the State Water Resources Control Board (State Water Board) issues a Notice of Completion of Discharges Letter to the discharger. Dischargers shall pay an annual post-discharge monitoring fee each fiscal year or portion of a fiscal year commencing with the first fiscal year following the fiscal year in which the regional water board or State Water Board issued a Notice of Completion of Discharges Letter to the discharger, but continued water quality  
*(footnote continued on next page)*

provided public notice of the Project application pursuant to California Code of Regulations, title 23, section 3858 by posting information describing the Project on the San Diego Water Board's web site and providing a period of twenty-one days for public review and comment. No comments were received.

The Applicant proposes the construction of a 97,275 square foot assisted living facility on a currently undeveloped and vacant site. The project also includes the construction of onsite parking, drainage, and all related appurtenances. Project site grading will result in a raw cut and raw fill of approximately 49,899 cubic yards. The entire 7.0-acre Project site will be graded.

The Project will convert approximately 4.41 acres of pervious ground cover to impervious surfaces. Runoff leaving the developed Project area would be significantly greater in volume, velocity, peak flow rate, and duration than pre-development runoff from the same area without mitigation. Post-construction best management practices (BMPs) to manage and control the effects of these runoff increases will consist of minimizing impervious surface, directing runoff from development to landscape areas and two bioretention basins. These BMPs will be designed, constructed, and maintained to meet the City of Murrieta's Low Impact Development (LID) Capture Volume and hydromodification treatment requirements.

The Project application includes a description of the design objective, operation, and degree of treatment expected to be attained from equipment, facilities, or activities (including construction and post-construction BMPs) to treat waste and reduce runoff or other effluents which may be discharged. Compliance with the Certification conditions will help ensure that construction and post-construction discharges from the Project will not cause on-site or off-site downstream erosion, damage to downstream properties, or otherwise damage stream habitats in violation of water quality standards in the *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan).

Project construction will permanently impact 0.02 acre (480 linear feet) of ephemeral streambed waters of the United States and/or State. The Applicant reports that the Project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impacts to aquatic resources considering all potential practicable alternatives, such as the potential for alternate available locations, designs, reductions in size, configuration or density.

The Applicant reports that compensatory mitigation for the permanent loss of 0.02 acre (480 linear feet) of jurisdictional waters will be achieved through the purchase of 0.04 acre of re-established river credits and 0.30 acre of rehabilitated river credits from the San Luis Rey River Mitigation Bank. Mitigation purchased from the San Luis Rey Mitigation Bank is required to be protected and maintained in perpetuity by Wildlands according to the conditions of Water Quality Certification No. R9-2013-0050. By purchasing credits: the Performance Standards;

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(footnote continued from previous page)

monitoring or compensatory mitigation monitoring is required. Dischargers shall pay the annual post-discharge monitoring fee each fiscal year until the regional water board or the State Water Board issues a Notice of Project Complete Letter to the discharger. Additional information regarding fees can be found electronically at the following location:

[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/dredgefillcalculator.xlsx](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/dredgefillcalculator.xlsx)

Mitigation Site Design; Long Term Management, Maintenance, and Monitoring; and Mitigation Site Preservation Mechanism for the Project will be implemented by Wildlands through San Luis Rey Mitigation Bank according to the conditions of Water Quality Certification No. R9-2013-0050. Compensatory mitigation options within the watershed were deemed inadequate. The out of watershed mitigation is reflected in the higher mitigation ratio for impacts. No waters of the United States and/or State will receive temporary discharges of fill associated with the Project. Mitigation for discharges of fill material to waters of the United States and/or State will be completed by the Applicant at San Luis Rey River Mitigation Bank located in the Bonsall hydrologic sub-area (HSA 903.12) at a minimum compensation ratio of 17:1 (area mitigated:area impacted).

Additional Project details are provided in Attachments 1 through 4 of this Certification.

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### Attachments:

- 1. Definitions**
- 2. Project Location Maps**
- 3. Project Site Plans**
- 4. CEQA Mitigation Monitoring and Reporting Program**



## I. STANDARD CONDITIONS

Pursuant to section 3860 of title 23 of the California Code of Regulations, the following three standard conditions apply to all water quality certification actions:

- A. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the Water Code and chapter 28, article 6 (commencing with title 23, section 3867), of the California Code of Regulations.
- B. This Certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to California Code of Regulations title 23, section 3855 subdivision (b), and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- C. This Certification action is conditioned upon total payment of any fee required under title 23, chapter 28 (commencing with section 3830) of California Code of Regulations and owed by the applicant.

## II. GENERAL CONDITIONS

- A. **Term of Certification.** Water Quality Certification No. R9-2017-0086 (Certification) shall expire upon a) the expiration or retraction of the Clean Water Act section 404 (33 USC Title 33, section 1344) permit issued by the U.S. Army Corps of Engineers for this Project, or b) five (5) years from the date of issuance of this Certification, whichever occurs first.
- B. **Duty to Comply.** The Applicant must comply with all conditions and requirements of this Certification. Any Certification noncompliance constitutes a violation of the Water Code and is grounds for enforcement action or Certification termination, revocation and reissuance, or modification.
- C. **General Waste Discharge Requirements.** The requirements of this Certification are enforceable through Water Quality Order No. 2003-0017-DWQ, *Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material that have Received State Water Quality Certification* (Water Quality Order No. 2003-0017-DWQ). This provision shall apply irrespective of whether a) the federal permit for which the Certification was obtained is subsequently retracted or is expired, or b) the Certification is expired. Water Quality Order No. 2003-0017-DWQ is accessible at:

[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/generalorders/gowdr401regulated\\_projects.pdf](http://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/gowdr401regulated_projects.pdf).

- D. Project Conformance with Application.** All water quality protection measures and BMPs described in the application and supplemental information for water quality certification are incorporated by reference into this Certification as if fully stated herein. Notwithstanding any more specific conditions in this Certification, the Applicant shall construct, implement and comply with all water quality protection measures and BMPs described in the application and supplemental information. The conditions within this Certification shall supersede conflicting provisions within the application and supplemental information submitted as part of this Certification action.
- E. Project Conformance with Water Quality Control Plans or Policies.** Notwithstanding any more specific conditions in this Certification, the Project shall be constructed in a manner consistent with the Basin Plan and any other applicable water quality control plans or policies adopted or approved pursuant to the Porter Cologne Water Quality Act (Division 7, commencing with Water Code Section 13000) or section 303 of the Clean Water Act (33 USC section 1313). The Basin Plan is accessible at:
- [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/index.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml)
- F. Project Modification.** The Applicant must submit any changes to the Project, including Project operation, which would have a significant or material effect on the findings, conclusions, or conditions of this Certification, to the San Diego Water Board for prior review and written approval. If the San Diego Water Board is not notified of a significant change to the Project, it will be considered a violation of this Certification.
- G. Certification Distribution Posting.** During Project construction, the Applicant must maintain a copy of this Certification at the Project site. This Certification must be available at all times to site personnel and agencies. A copy of this Certification shall also be provided to any contractor or subcontractor performing construction work, and the copy shall remain in their possession at the Project site.
- H. Inspection and Entry.** The Applicant must allow the San Diego Water Board or the State Water Resources Control Board, and/or their authorized representative(s) (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents as may be required under law, to:
1. Enter upon the Project or Compensatory Mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Certification;
  2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;
  3. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification; and

4. Sample or monitor, at reasonable times, for the purposes of assuring Certification compliance, or as otherwise authorized by the Clean Water Act or Water Code, any substances or parameters at any location.

- I. **Enforcement Notification.** In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
- J. **Certification Actions.** This Certification may be modified, revoked and reissued, or terminated for cause including but not limited to the following:
  1. Violation of any term or condition of this Certification;
  2. Monitoring results indicate that continued Project activities could violate water quality objectives or impair the beneficial uses of the Murrieta Creek or its tributaries;
  3. Obtaining this Certification by misrepresentation or failure to disclose fully all relevant facts;
  4. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
  5. Incorporation of any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.

The filing of a request by the Applicant for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Certification condition.

- K. **Duty to Provide Information.** The Applicant shall furnish to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Certification or to determine compliance with this Certification.
- L. **Property Rights.** This Certification does not convey any property rights of any sort, or any exclusive privilege.
- M. **Petitions.** Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

### III. CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Approvals to Commence Construction.** The Applicant shall not commence Project construction until all necessary federal, State, and local approvals are obtained.
- B. **Personnel Education.** Prior to the start of the Project, and annually thereafter, the Applicant must educate all personnel on the requirements in this Certification, pollution prevention measures, spill response measures, and BMP implementation and maintenance measures.
- C. **Spill Containment Materials.** The Applicant must, at all times, maintain appropriate types and sufficient quantities of materials on-site to contain any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the United States and/or State.
- D. **General Construction Storm Water Permit.** Prior to start of Project construction, the Applicant must, as applicable, obtain coverage under, and comply with, the requirements of State Water Resources Control Board Water Quality Order No. 2009-0009-DWQ, the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity*, (General Construction Storm Water Permit) and any reissuance. If Project construction activities do not require coverage under the General Construction Storm Water Permit, the Applicant must develop and implement a runoff management plan (or equivalent construction BMP plan) to prevent the discharge of sediment and other pollutants during construction activities.
- E. **Waste Management.** The Applicant must properly manage, store, treat, and dispose of wastes in accordance with applicable federal, state, and local laws and regulations. Waste management shall be implemented to avoid or minimize exposure of wastes to precipitation or storm water runoff. The storage, handling, treatment, or disposal of waste shall not create conditions of pollution, contamination or nuisance as defined in Water Code section 13050. Upon Project completion, all Project generated debris, building materials, excess material, waste, and trash shall be removed from the Project site(s) for disposal at an authorized landfill or other disposal site in compliance with federal, state and local laws and regulations.
- F. **Waste Management.** Except for a discharge permitted under this Certification, the dumping, deposition, or discharge of trash, rubbish, unset cement or asphalt, concrete, grout, damaged concrete or asphalt, concrete or asphalt spoils, wash water, organic or earthen material, steel, sawdust or other construction debris waste from Project activities directly into waters of the United States and or State, or adjacent to such waters in any manner which may permit its being transported into the waters, is prohibited.
- G. **Downstream Erosion.** Discharges of concentrated flow during construction or after Project completion must not cause downstream erosion or damage to properties or stream habitat.

- H. **Construction Equipment.** All equipment must be washed prior to transport to the Project site and must be free of sediment, debris, and foreign matter. All equipment used in direct contact with surface water shall be steam cleaned prior to use. All equipment using gas, oil, hydraulic fluid, or other petroleum products shall be inspected for leaks prior to use and shall be monitored for leakage. Stationary equipment (e.g., motors, pumps, generator, etc.) shall be positioned over drip pans or other types of containment.
- I. **Process Water.** Water containing mud, silt, or other pollutants from equipment washing or other activities, must not be discharged to waters of the United States and/or State or placed in locations that may be subjected to storm water runoff flows. Pollutants discharged to areas within a stream diversion must be removed at the end of each work day or sooner if rain is predicted.
- J. **Surface Water Diversion.** All surface waters, including ponded waters, must be diverted away from areas of active grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. Diversion activities must not result in the degradation of beneficial uses or exceedance of the receiving water quality objectives. Any temporary dam or other artificial obstruction constructed must only be built from materials such as clean gravel which will cause little or no siltation. Normal flows must be restored to the affected stream immediately upon completion of work at that location.
- K. **Re-vegetation and Stabilization.** All areas that have 14 or more days of inactivity must be stabilized within 14 days of the last activity. The Applicant shall implement and maintain BMPs to prevent erosion of the rough graded areas. After completion of grading, all areas must be re-vegetated with native species appropriate for the area. The re-vegetation palette must not contain any plants listed on the California Invasive Plant Council Invasive Plant Inventory, which can be accessed at <http://www.cal-ipc.org/ip/inventory/>.
- L. **Hazardous Materials.** Except as authorized by this Certification, substances hazardous to aquatic life including, but not limited to, petroleum products, unused cement/concrete, asphalt, and coating materials, must be prevented from contaminating the soil and/or entering waters of the United States and/or State. BMPs must be implemented to prevent such discharges during each Project activity involving hazardous materials.
- M. **Vegetation Removal.** Removal of vegetation must occur by hand, mechanically, or through application of United States Environmental Protection Agency (USEPA) approved herbicides deployed using applicable BMPs to minimize adverse effects to beneficial uses of waters of the United States and/or State. Discharges related to the application of aquatic pesticides within waters of the United States must be done in compliance with State Water Resources Control Board Water Quality Order No. 2004-0009-DWQ, the *Statewide General National Pollution Discharge Elimination System Permit for the Discharge of Aquatic Weed Control in Waters of the United States*, and any subsequent reissuance as applicable.

- N. **Limits of Disturbance.** The Applicant shall clearly define the limits of Project disturbance to waters of the United States and/or State using highly visible markers such as flag markers, construction fencing, or silt barriers prior to commencement of Project construction activities within those areas.
- O. **On-site Qualified Biologist.** The Applicant shall designate an on-site qualified biologist to monitor Project construction activities within or adjacent to waters of the United States and/or State to ensure compliance with the Certification requirements. The biologist shall be given the authority to stop all work on-site if a violation of this Certification occurs or has the potential to occur. Records and field notes of the biologist's activities shall be kept on-site and made available for review upon request by the San Diego Water Board.
- P. **Beneficial Use Protection.** The Applicant must take all necessary measures to protect the beneficial uses of waters of Murrieta Creek and its unnamed tributaries. This Certification requires compliance with all applicable requirements of the Basin Plan. If at any time, an unauthorized discharge to surface waters (including rivers or streams) occurs or monitoring indicates that the Project is violating, or threatens to violate, water quality objectives, the associated Project activities shall cease immediately and the San Diego Water Board shall be notified in accordance with Notification Requirement VII.A of this Certification. Associated Project activities may not resume without approval from the San Diego Water Board.
- Q. **Groundwater Dewatering.** If groundwater dewatering is required for the Project, the Applicant shall enroll in and comply with the requirements of San Diego Water Board Order No. R9-2008-0002 NPDES No. CAG919002, *General Waste Discharge Requirements For Groundwater Extraction Waste Discharges From Construction, Remediation, and Permanent Groundwater Extraction Projects to Surface Waters within the San Diego Region Except for San Diego Bay or its successor permit.*

#### IV. POST-CONSTRUCTION BEST MANAGEMENT PRACTICES

- A. **Post-Construction Discharges.** The Applicant shall not allow post-construction discharges from the Project site to cause or contribute to on-site or off-site erosion or damage to properties or stream habitats.
- B. **Storm Drain Inlets.** All storm drain inlet structures within the Project boundaries must be stamped or stenciled (or equivalent) with appropriate language prohibiting non-storm water discharges.
- C. **Post-Construction BMP Design.** The Project must be designed to comply with the most current Standard Storm Water Mitigation and Hydromodification Plans for the City of Murrieta. Post-construction BMPs are described in the *Project Specific Water Quality Management Plan: Project Title: Murrieta Senior Living (WQMP)*.
- D. **Post-Construction BMP Implementation.** All post-construction BMPs must be constructed, functional, and implemented prior to completion of Project construction, occupancy, and/or planned use, and maintained in perpetuity. The post construction BMPs must include those described in the WQMP, dated March 15, 2017, prepared on

behalf of the Applicant by Leonard Urquiza; or any subsequent version of the WQMP approved by the City of Murrieta.

- E. Post-Construction BMP Maintenance.** The post construction BMPs must be designed, constructed, and maintained in accordance with the most recent California Storm Water Quality Association (CASQA)<sup>2</sup> guidance. The Applicant shall:
1. No less than two times per year, assess the performance of the BMPs to ensure protection of the receiving waters and identify any necessary corrective measures;
  2. Perform inspections of BMPs, at the beginning of the wet season no later than October 1 and the end of the wet season no later than April 1, for standing water, slope stability, sediment accumulation, trash and debris, and presence of burrows;
  3. Regularly perform preventative maintenance of BMPs, including removal of accumulated trash and debris, as needed to ensure proper functioning of the BMPs;
  4. Identify and promptly repair damage to BMPs; and
  5. Maintain a log documenting all BMP inspections and maintenance activities. The log shall be made available to the San Diego Water Board upon request.

## **V. PROJECT IMPACTS AND COMPENSATORY MITIGATION**

- A. Project Impact Avoidance and Minimization.** The Project must avoid and minimize adverse impacts to waters of the United States and/or State to the maximum extent practicable.
- B. Project Impacts and Compensatory Mitigation.** Unavoidable Project impacts to Murrieta Creek and its unnamed tributaries within the Santa Margarita Watershed must not exceed the type and magnitude of impacts described in the table below. At a minimum, compensatory mitigation required to offset unavoidable temporary and permanent Project impacts to waters of the United States and/or State must be achieved as described in the table below:

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<sup>2</sup> California Storm Water Quality Association (*California Storm Water BMP Handbook, New Development and Redevelopment 2003*), available on-line at: <http://www.cabmphandbooks.org/> [Accessed on January 15, 2012]

	<b>Impacts (acres)</b>	<b>Impacts (linear ft.)</b>	<b>Mitigation for Impacts (acres)</b>	<b>Mitigation Ratio (area mitigated :area impacted)</b>	<b>Mitigation for Impacts (linear ft.)</b>	<b>Mitigation Ratio (linear feet mitigated :linear feet impacted)</b>
<b>Permanent Impacts</b>						
Stream Channel	0.02	480	0.04 Re-establishment <sup>1</sup> 0.30 Rehabilitation <sup>2</sup>	17:1	NA <sup>3</sup>	NA <sup>3</sup>

1. Purchase of 0.04-acre of re-established river credits. Mitigation purchased from the San Luis Rey Mitigation Bank is required to be protected and maintained in perpetuity by Wildlands according to the conditions of Water Quality Certification No. R9-2013-0050. The mitigation provided for Project impacts contributes to the net gain of wetlands per the State of California Net Gain Policy (Executive Order W-59-93.)
2. Purchase of 0.30-acre of rehabilitated river credits from the San Luis Rey Mitigation Bank.
3. The amount of mitigation credits purchased is not reported in terms of linear feet of mitigation.
4. No waters of the United States and/or State shall receive temporary discharges of fill associated with the Project.

**C. Mitigation Credit Purchase.** The Applicant must provide the San Diego Water Board proof of mitigation credit purchase(s) from the San Luis Rey Mitigation Bank prior to the start of construction.

**D. Temporary Project Impact Areas.** The Applicant must restore all areas of temporary disturbance which could result in a discharge or a threatened discharge of pollutants to waters of the United States and/or State. Restoration must include grading of disturbed areas to pre-project contours and re-vegetation with native species. The Applicant must implement all necessary BMPs to control erosion and runoff from areas associated with the Project.

## **VI. MONITORING AND REPORTING REQUIREMENTS**

**A. Representative Monitoring.** Samples and measurements taken for the purpose of monitoring under this Certification shall be representative of the monitored activity.

**B. Monitoring Reports.** Monitoring results shall be reported to the San Diego Water Board at the intervals specified in section VI of this Certification.

**C. Monitoring and Reporting Revisions.** The San Diego Water Board may make revisions to the monitoring program at any time during the term of this Certification and may reduce or increase the number of parameters to be monitored, locations monitored, the frequency of monitoring, or the number and size of samples collected.



- D. Records of Monitoring Information.** Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements;
  2. The individual(s) who performed the sampling or measurements;
  3. The date(s) analyses were performed;
  4. The individual(s) who performed the analyses;
  5. The analytical techniques or methods used; and
  6. The results of such analyses.
- E. Discharge Commencement Notification.** The Applicant must notify the San Diego Water Board in writing **at least 5 days prior to** the start of Project construction.
- F. Geographic Information System Data.** The Applicant must submit Geographic Information System (GIS) shape files of the Project impact sites within 30 days of the start of project construction and GIS shape files of the Project mitigation sites within 30 days of mitigation installation. All impact and mitigation site shape files must be polygons. Two GPS readings (points) must be taken on each line of the polygon and the polygon must have a minimum of 10 points. GIS metadata must also be submitted.
- G. Annual Project Progress Reports.** The Applicant must submit annual Project progress reports describing status of BMP implementation and compliance with all requirements of this Certification to the San Diego Water Board prior to **March 1** of each year following the issuance of this Certification, until the Project has reached completion. Annual Project Progress Reports must be submitted even if Project construction has not begun. The monitoring period for each Annual Project Progress Report shall be January 1<sup>st</sup> through December 31<sup>st</sup> of each year. Annual Project Progress Reports must include, at a minimum, the following:
1. **Project Status and Compliance Reporting.** The Annual Project Progress Report must include the following Project status and compliance information:
    - a. The names, qualifications, and affiliations of the persons contributing to the report;
    - b. The status, progress, and anticipated schedule for completion of Project construction activities including the installation and operational status of best management practices project features for erosion and storm water quality treatment;
    - c. A description of Project construction delays encountered or anticipated that may affect the schedule for construction completion; and

- d. A description of each incident of noncompliance during the annual monitoring period and its cause, the period of the noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
- H. **Final Project Completion Report.** The Applicant must submit a Final Project Completion Report to the San Diego Water Board **within 30 days of completion of the Project.** The final report must include the following information:
1. Date of construction initiation;
  2. Date of construction completion;
  3. BMP installation and operational status for the Project;
  4. As-built drawings of the Project, no bigger than 11”X17”; and
  5. Photo documentation of implemented post-construction BMPs and all areas of permanent and temporary impacts, prior to and after project construction. Photo documentation must be conducted in accordance with guidelines posted at [http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/401\\_certification/docs/StreamPhotoDocSOP.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certification/docs/StreamPhotoDocSOP.pdf). In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced.
- I. **Reporting Authority.** The submittal of information required under this Certification, or in response to a suspected violation of any condition of this Certification, is required pursuant to Water Code section 13267 and 13383. Civil liability may be administratively imposed by the San Diego Water Board for failure to submit information pursuant to Water Code sections 13268 or 13385.
- J. **Electronic Document Submittal.** The Applicant must submit all reports and information required under this Certification in electronic format via e-mail to [SanDiego@waterboards.ca.gov](mailto:SanDiego@waterboards.ca.gov). Documents over 50 megabytes will not be accepted via e-mail and must be placed on a disc and delivered to:

California Regional Water Quality Control Board  
San Diego Region  
Attn: 401 Certification No. R9-2017-0086:835162:dbradford  
2375 Northside Drive, Suite 100  
San Diego, California 92108

Each electronic document must be submitted as a single file, in Portable Document Format (PDF), and converted to text searchable format using Optical Character Recognition (OCR). All electronic documents must include scanned copies of all signature pages; electronic signatures will not be accepted. Electronic documents submitted to the San Diego Water Board must include the following identification numbers in the header or subject line: Certification No. R9-2017-0086: 835162:dbradford.

**K. Document Signatory Requirements.** All applications, reports, or information submitted to the San Diego Water Board must be signed as follows:

1. For a corporation, by a responsible corporate officer of at least the level of vice president.
2. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
3. For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
4. A duly authorized representative may sign applications, reports, or information if:
  - a. The authorization is made in writing by a person described above.
  - b. The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
  - c. The written authorization is submitted to the San Diego Water Board Executive Officer.

If such authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the Project, a new authorization satisfying the above requirements must be submitted to the San Diego Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative.

**L. Document Certification Requirements.** All applications, reports, or information submitted to the San Diego Water Board must be certified as follows:

*"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."*

## VII. NOTIFICATION REQUIREMENTS

- A. **Twenty Four Hour Non-Compliance Reporting.** The Applicant shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego Water Board within **24 hours** from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The San Diego Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- B. **Hazardous Substance Discharge.** Except as provided in Water Code section 13271(b), any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the County of Riverside, in accordance with California Health and Safety Code section 5411.5 and the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.17), and immediately notify the State Water Board or the San Diego Water Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Applicant is in violation of a Basin Plan prohibition.
- C. **Oil or Petroleum Product Discharge.** Except as provided in Water Code section 13272(b), any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the California Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Government Code Title 2, Division 1, Chapter 7, Article 3.7 (commencing with section 8574.1). This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Clean Water Act section 311, or the discharge is in violation of a Basin Plan prohibition.
- D. **Anticipated Noncompliance.** The Applicant shall give advance notice to the San Diego Water Board of any planned changes in the Project or the Compensatory Mitigation project which may result in noncompliance with Certification conditions or requirements.

E. **Transfers.** This Certification is not transferable in its entirety or in part to any person or organization except after notice to the San Diego Water Board in accordance with the following terms:

1. **Transfer of Property Ownership:** The Applicant must notify the San Diego Water Board of any change in ownership of the Project area. Notification of change in ownership must include, but not be limited to, a statement that the Applicant has provided the purchaser with a copy of the Section 401 Water Quality Certification and that the purchaser understands and accepts the certification requirements and the obligation to implement them or be subject to liability for failure to do so; the seller and purchaser must sign and date the notification and provide such notification to the San Diego Water Board **within 10 days of the transfer of ownership.**
2. **Transfer of Mitigation Responsibility:** Any notification of transfer of responsibilities to satisfy the mitigation requirements set forth in this Certification must include a signed statement from an authorized representative of the new party (transferee) demonstrating acceptance and understanding of the responsibility to comply with and fully satisfy the mitigation conditions and agreement that failure to comply with the mitigation conditions and associated requirements may subject the transferee to enforcement by the San Diego Water Board under Water Code section 13385, subdivision (a). Notification of transfer of responsibilities meeting the above conditions must be provided to the San Diego Water Board **within 10 days of the transfer date.**
3. **Transfer of Post-Construction BMP Maintenance Responsibility:** The Applicant assumes responsibility for the inspection and maintenance of all post-construction structural BMPs until such responsibility is legally transferred to another entity. At the time maintenance responsibility for post-construction BMPs is legally transferred the Applicant must submit to the San Diego Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer specifications. The Applicant must provide such notification to the San Diego Water Board within **10 days** of the transfer of BMP maintenance responsibility.

Upon properly noticed transfers of responsibility, the transferee assumes responsibility for compliance with this Certification and references in this Certification to the Applicant will be interpreted to refer to the transferee as appropriate. Transfer of responsibility does not necessarily relieve the Applicant of responsibility for compliance with this Certification in the event that a transferee fails to comply.

## VIII. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

- A. The City of Murrieta is the Lead Agency under the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) section 21067, and CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.) section 15367, and has filed a Notice of Determination dated October 2, 2017 for the Final Mitigated Negative Declaration (FMND) titled Murrieta Senior Living Facility, Murrieta, CA: Initial Study/Mitigated Negative Declaration (State Clearing House Number 2017081036). The Lead Agency has determined the Project will have a significant

effect on the environment and mitigation measures were made a condition of the Project.

- B. The San Diego Water Board is a Responsible Agency under CEQA (Public Resources Code section 21069; CEQA Guidelines section 15381). The San Diego Water Board has considered the Lead Agency's FMND and finds that the Project as proposed will have a significant effect on resources within the San Diego Water Board's purview.
- C. The San Diego Water Board has required mitigation measures as a condition of this Certification to avoid or reduce the environmental effects of the Project to resources within the Board's purview to a less than significant level.
- D. The Lead Agency has adopted a mitigation monitoring and reporting program pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15097 to ensure that mitigation measures and revisions to the Project identified in the FMND are implemented. The Mitigation Monitoring and Reporting Program (MMRP) is included and incorporated by reference in Attachment 4 to this Certification. The Applicant shall implement the Lead Agency's MMRP described in the FMND, as it pertains to resources within the San Diego Water Board's purview. The San Diego Water Board has imposed additional MMRP requirements as specified in sections V and VI of this Certification.
- E. As a Responsible Agency under CEQA, the San Diego Water Board will file a Notice of Determination in accordance with CEQA Guidelines section 15096 subdivision (i).

#### **IX. SAN DIEGO WATER BOARD CONTACT PERSON**

Darren Bradford, Environmental Scientist  
Telephone: (619) 521-3356  
Email: [darren.bradford@waterboards.ca.gov](mailto:darren.bradford@waterboards.ca.gov)

#### **X. WATER QUALITY CERTIFICATION**

I hereby certify that the proposed discharge from the **Murrieta Senior Living** (Certification No. R9-2017-0086) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "*Statewide General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification (General WDRs)*," which requires compliance with all conditions of this Water Quality Certification. Please note that enrollment under Order No. 2003-017-DWQ is conditional and, should new information come to our attention that indicates a water quality problem, the San Diego Water Board may issue individual waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited to, and all proposed mitigation being completed in strict compliance with, the applicants' Project description and/or the description in this Certification, and (b) compliance with all applicable requirements of the Basin Plan.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Certification No. R9-2017-0086 issued on December 15, 2017.



---

DAVID W. GIBSON  
Executive Officer  
San Diego Water Board

15 December 2017

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Date

# ATTACHMENT 1

## DEFINITIONS

**Activity** - when used in reference to a permit means any action, undertaking, or project including, but not limited to, construction, operation, maintenance, repair, modification, and restoration which may result in any discharge to waters of the state.

**Buffer** - means an upland, wetland, and/or riparian area that protects and/or enhances aquatic resource functions associated with wetlands, rivers, streams, lakes, marine, and estuarine systems from disturbances associated with adjacent land uses.

**California Rapid Assessment Method (CRAM)** - is a wetland assessment method intended to provide a rapid, scientifically-defensible and repeatable assessment methodology to monitor status and trends in the conditions of wetlands for applications throughout the state. It can also be used to assess the performance of compensatory mitigation projects and restoration projects. CRAM provides an assessment of overall ecological condition in terms of four attributes: landscape context and buffer, hydrology, physical structure and biotic structure. CRAM also includes an assessment of key stressors that may be affecting wetland condition and a "field to PC" data management tool (eCRAM) to ensure consistency and quality of data produced with the method.

**Compensatory Mitigation Project** - means compensatory mitigation implemented by the Applicant as a requirement of this Certification (i.e., applicant -responsible mitigation), or by a mitigation bank or an in-lieu fee program.

**Discharge of dredged material** – means any addition of dredged material into, including redeposit of dredged material other than incidental fallback within, the waters of the United States and/or State.

**Discharge of fill material** – means the addition of fill material into waters of the United States and/or State.

**Dredged material** – means material that is excavated or dredged from waters of the United States and/or State.

**Ecological Success Performance Standards** – means observable or measurable physical (including hydrological), chemical, and/or biological attributes that are used to determine if a compensatory mitigation project meets its objectives.

**Enhancement** – means the manipulation of the physical, chemical, or biological characteristics of an aquatic resource to improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

**Establishment** – means the manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist. Creation results in a gain in aquatic resource area.



**Fill material** – means any material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of a water body.

**Isolated wetland** – means a wetland with no surface water connection to other aquatic resources.

**Mitigation Bank** – means a site, or suite of sites, where resources (e.g., wetlands, streams, riparian areas) are restored, established, enhanced, and/or preserved for the purpose of providing mitigation for impacts authorized by this Certification.

**Preservation** - means the removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

**Re-establishment** - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/ historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

**Rehabilitation** - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/ historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

**Restoration** - means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

**Start of Project Construction** - For the purpose of this Certification, "start of Project construction" means to engage in a program of on-site construction, including site clearing, grading, dredging, landfilling, changing equipment, substituting equipment, or even moving the location of equipment specifically designed for a stationary source in preparation for the fabrication, erection or installation of the building components of the stationary source within waters of the United States and/or State.

**Uplands** - means non-wetland areas that lack any field-based indicators of wetlands or other aquatic conditions. Uplands are generally well-drained and occur above (i.e., up-slope) from nearby aquatic areas. Wetlands can, however, be entirely surrounded by uplands. For example, some natural seeps and constructed stock ponds lack aboveground hydrological connection to other aquatic areas. In the watershed context, uplands comprise the landscape matrix in which aquatic areas form. They are the primary sources of sediment, surface runoff, and associated chemicals that are deposited in aquatic areas or transported through them.

**Water quality objectives and other appropriate requirements of state law** – means the water quality objectives and beneficial uses as specified in the appropriate water quality control plan(s); the applicable provisions of sections 301, 302, 303, 306, and 307 of the Clean Water Act; and any other appropriate requirement of state law.

Columbia Pacific Real Estate Fund II, LP  
Murrieta Senior Living Project  
Certification No. R9-2017-0086

**ATTACHMENT 2**  
**PROJECT LOCATION MAPS**

Figure 1 – Location Map

Figure 2 – Vicinity Map

Page 6 – Historical Topography Map

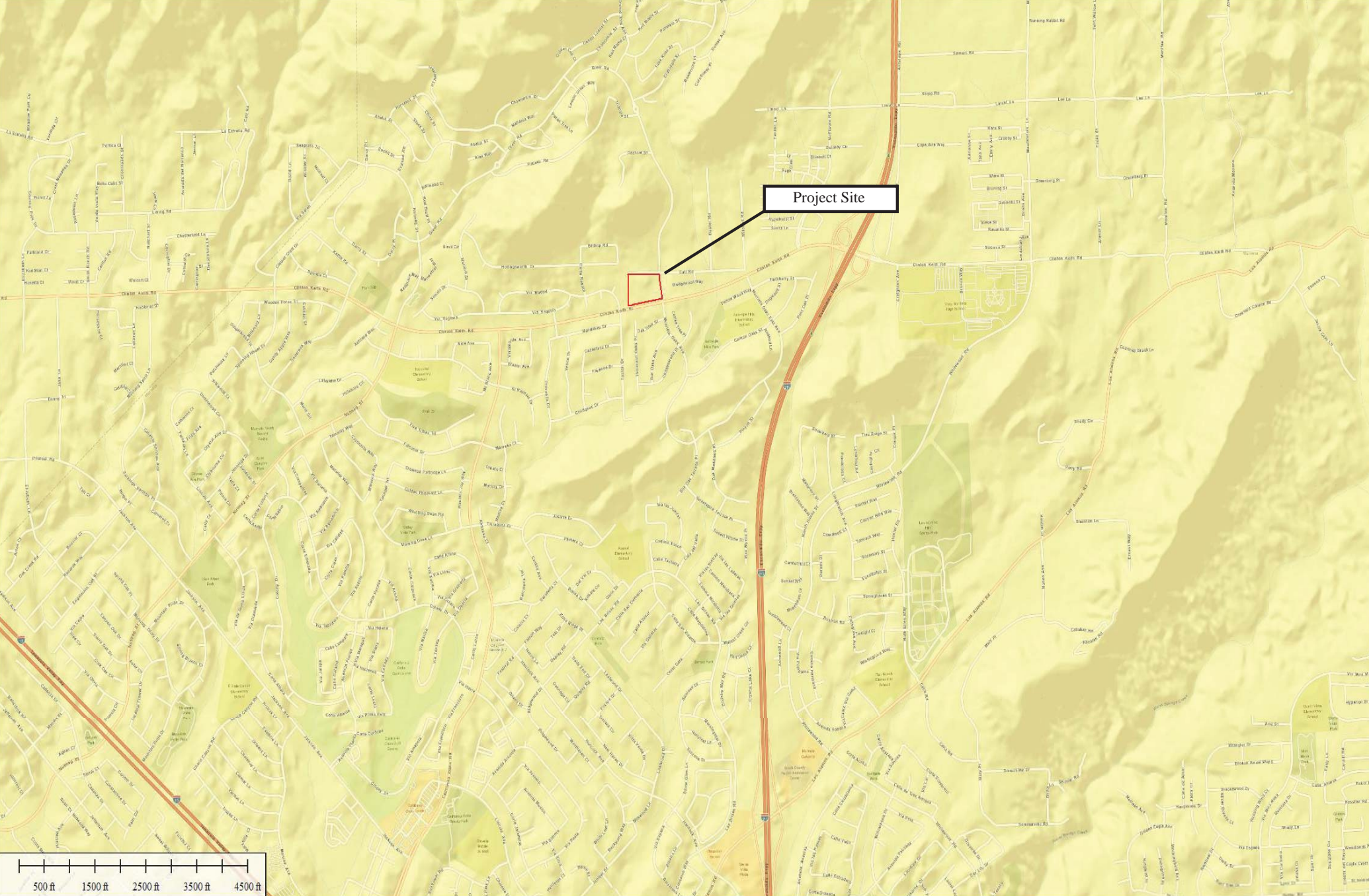
Figure 5 – Hydrologic Flow Map



**Figure 1**  
 Location Map  
 APN 900-040-001  
 City of Murrieta  
 Riverside County, California

**Legend**  
 Project Site Boundary

**N**  
  
 Hernandez  
 Environmental  
 Services

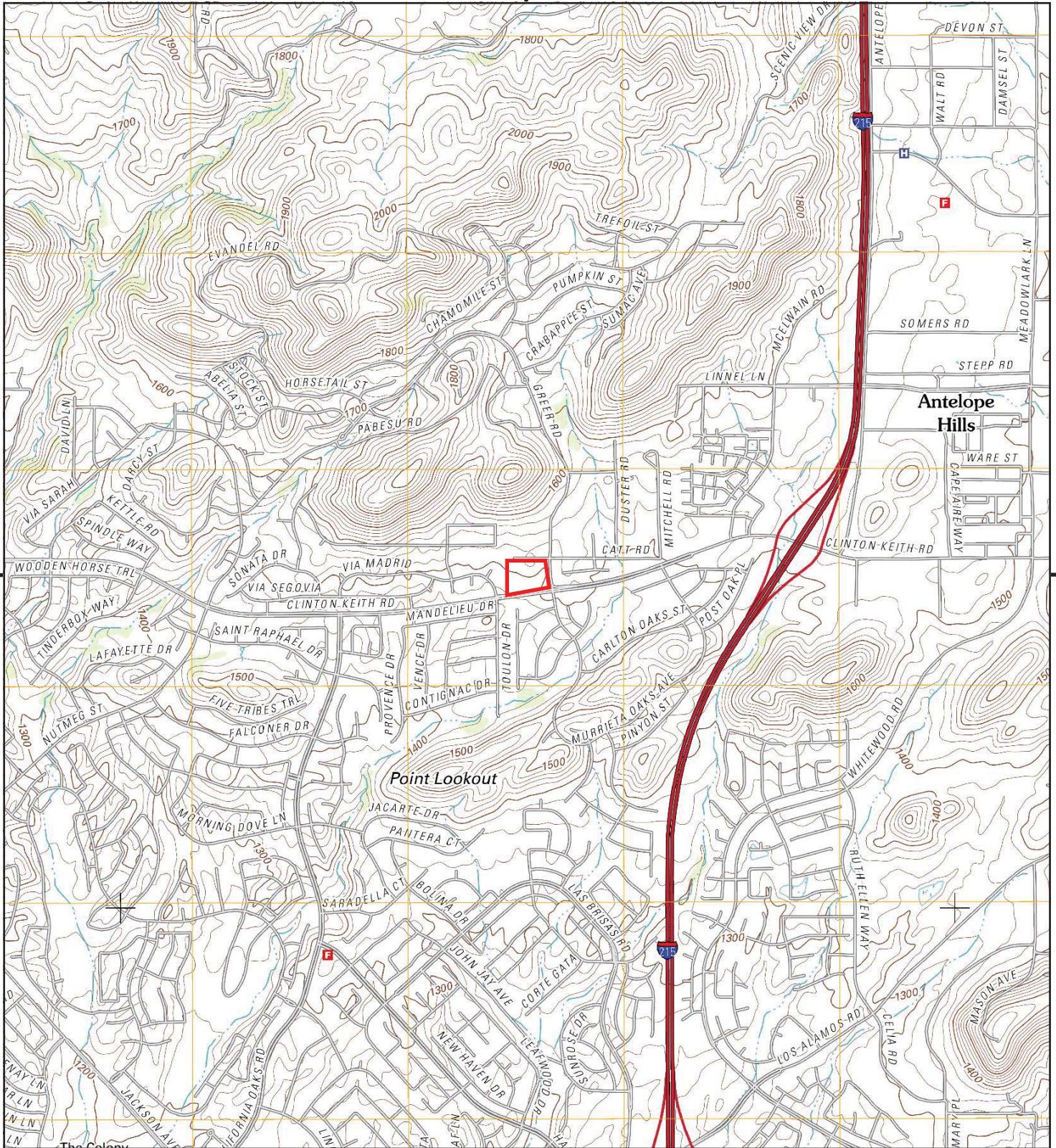


**Figure 2**  
 Vicinity Map  
 APN 900-040-001  
 City of Murrieta  
 Riverside County, California

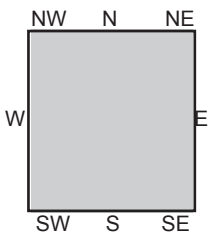
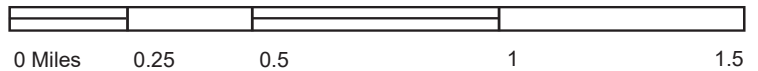
**Legend**

 Project Site Boundary





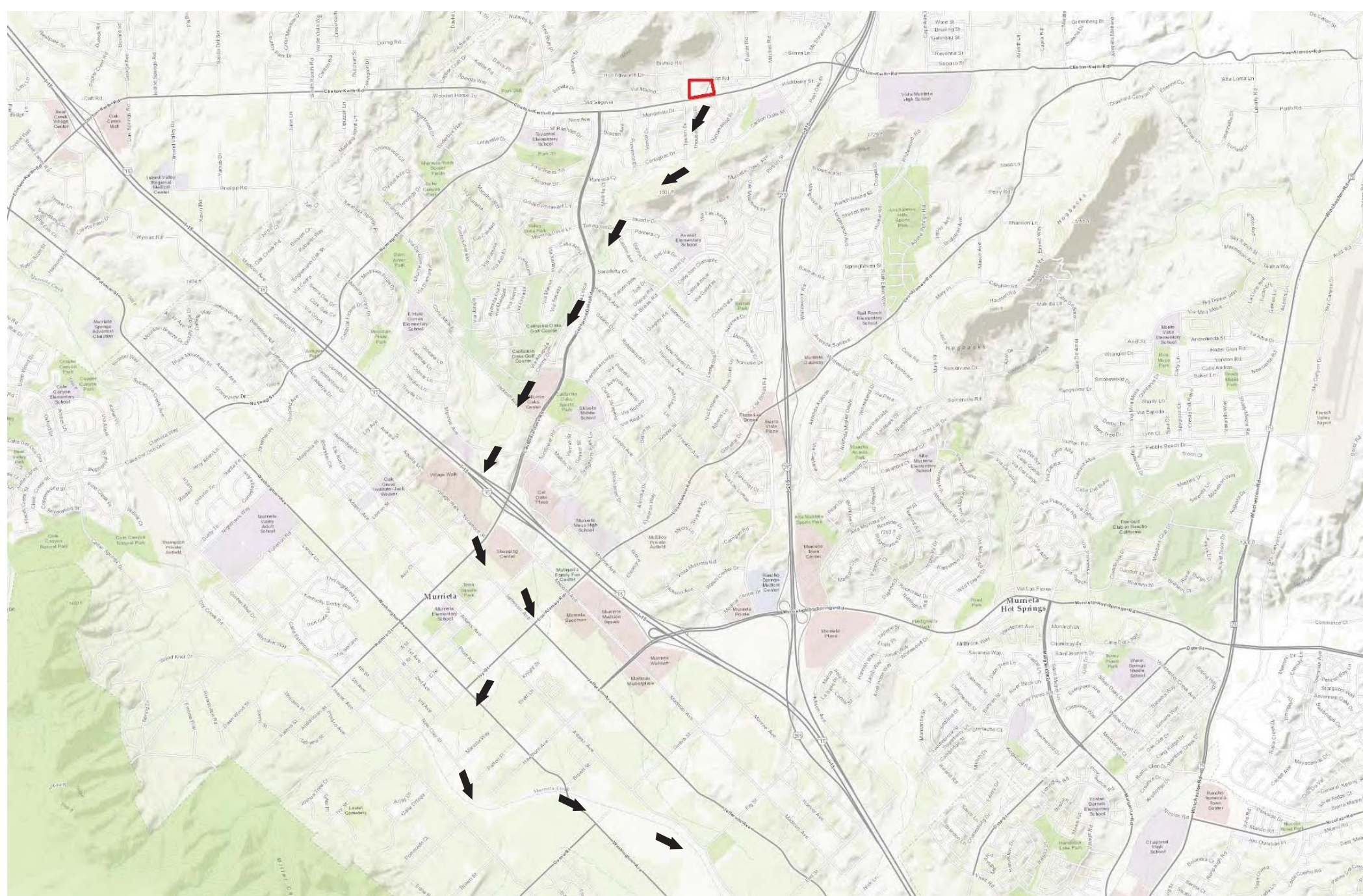
This report includes information from the following map sheet(s).



TP, Murrieta, 2012, 7.5-minute

**SITE NAME:** CP Murrieta Assisted Living  
**ADDRESS:** NWC of Clinton Keith Road and Greer Rd  
 Murrieta, CA 92562  
**CLIENT:** Geocon Env. Consultants, Inc.





**Figure 5**  
 Hydrologic Flow Map  
 APN 900-040-001  
 City of Murrieta  
 Riverside County, California

**Legend**  
 Project Site Boundary



Columbia Pacific Real Estate Fund II, LP  
Murrieta Senior Living Project  
Certification No. R9-2017-0086

**ATTACHMENT 3  
PROJECT SITE PLANS**

Figure 5 – Impacts Map

Figure 3 – Site Plan

Figure 3 – WQMP Site Plan

Sheet No. 1 – Conceptual Drainage Plan



**Figure 5**

Impacts Map

APN 900-040-001

City of Murrieta

Riverside County, California

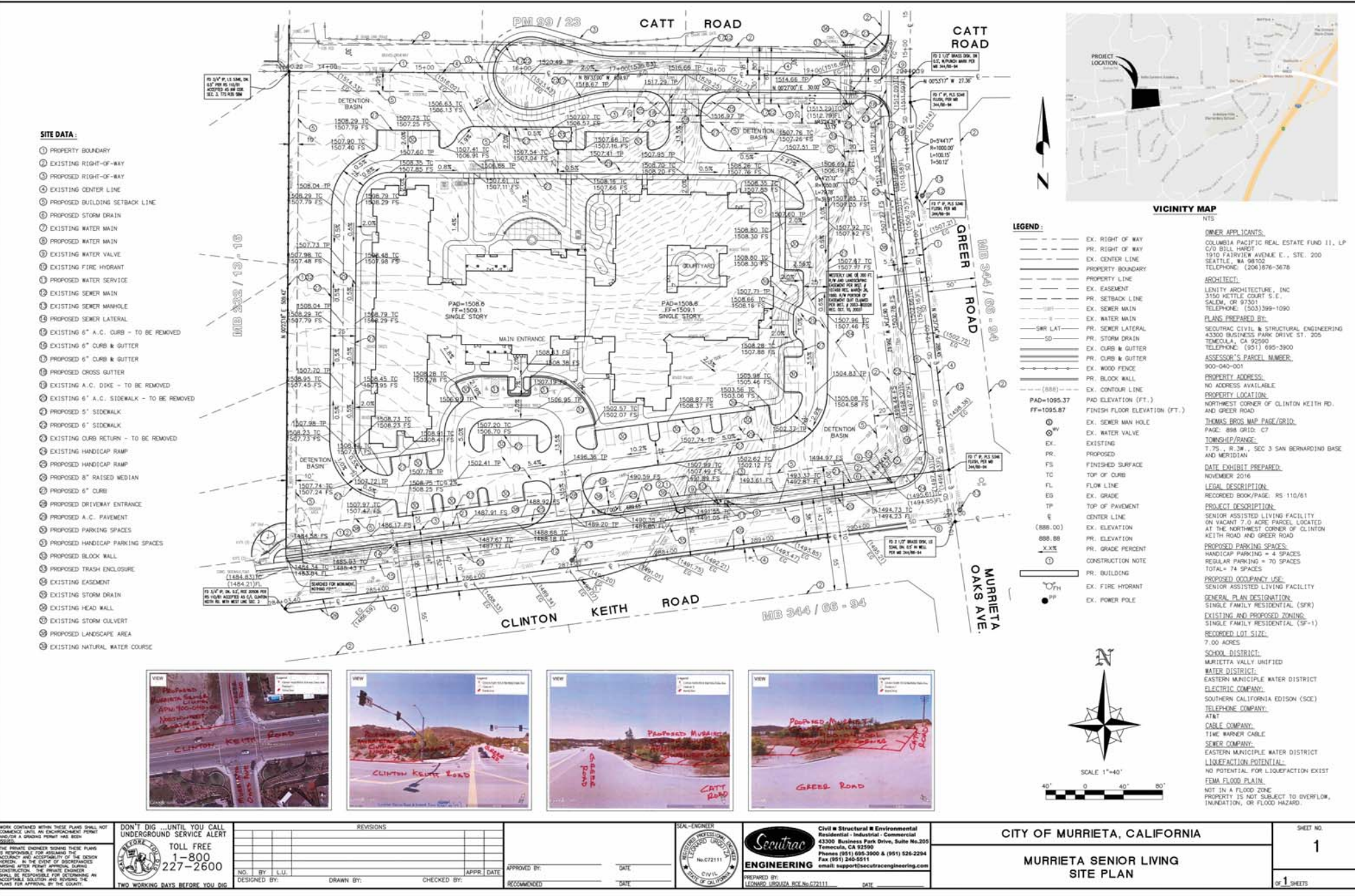
**Legend**

- Project Site Boundary
- CDFW Jurisdiction Impacts (0.17 Acre)
- Waters of the U.S. Impacts (0.02 Acre)

**N**



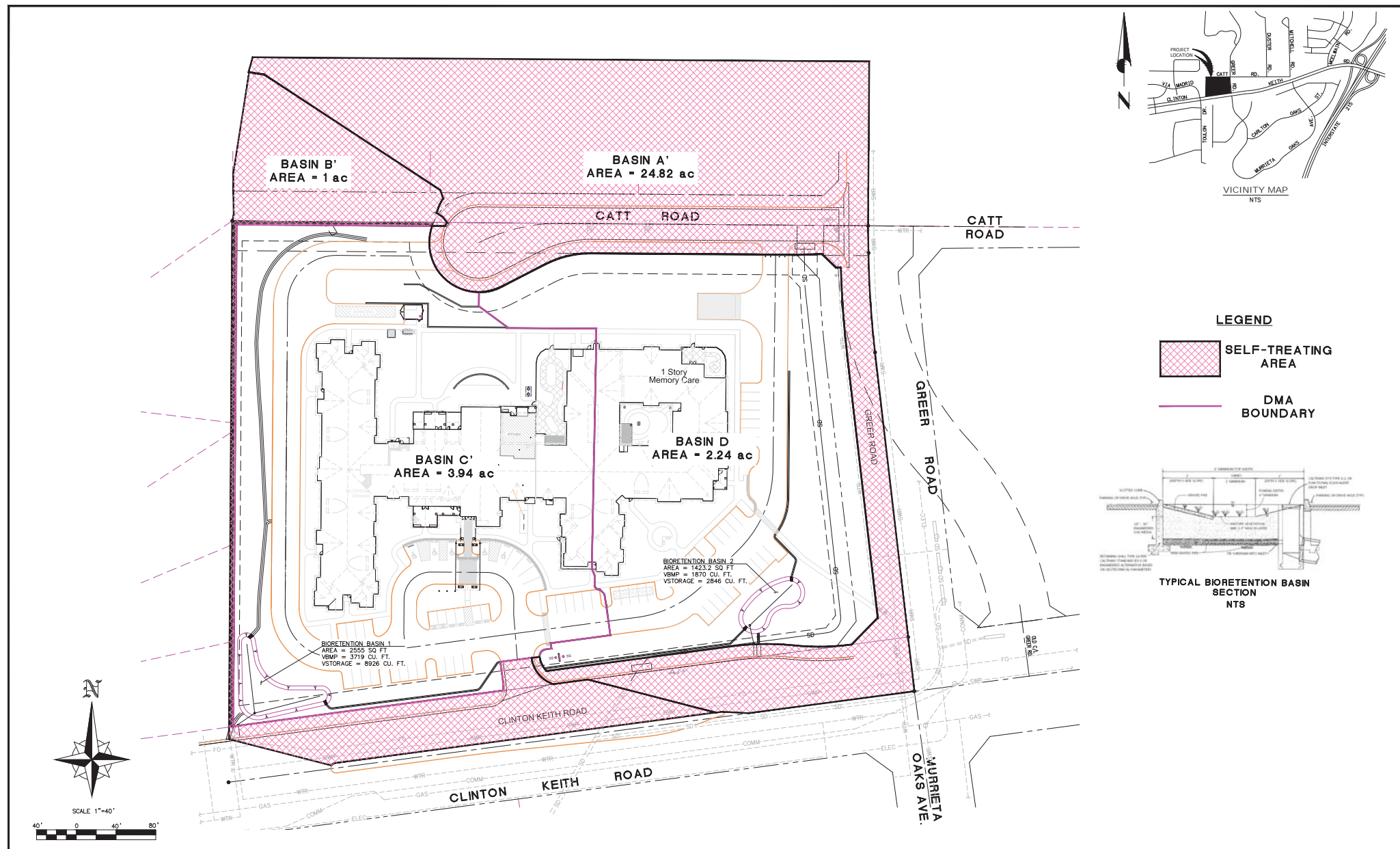




**Figure 3**  
Site Plan  
APN 900-040-001  
City of Murrieta  
Riverside County, California



<p>WORK CONTAINED WITHIN THESE PLANS SHALL NOT BE CONSIDERED VALID UNLESS THE EXPIRATION PERIOD AND/OR A GRADING PERMIT HAS BEEN OBTAINED.</p> <p>THE PRIVATE ENGINEER SIGNING THESE PLANS IS RESPONSIBLE FOR ASSURING THE ACCURACY AND ADEQUACY OF THE DESIGN WORK, IN THE EVENT OF DISCREPANCIES ARISING AFTER PERMIT APPROVAL DURING CONSTRUCTION, THE PRIVATE ENGINEER SHALL BE RESPONSIBLE FOR OBTAINING AN ACCEPTABLE SOLUTION AND PROVIDING THE PLANS FOR APPROVAL BY THE COUNTY.</p>	<p><b>DON'T DIG ...UNTIL YOU CALL UNDERGROUND SERVICE ALERT</b></p> <p><b>TOLL FREE</b> 1-800-227-2600</p> <p>TWO WORKING DAYS BEFORE YOU DIG</p>	<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>BY</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	BY	DATE	DESCRIPTION					<p>APPROVED BY: _____ DATE: _____</p> <p>RECOMMENDED: _____ DATE: _____</p>	<p>SEAL-ENGINEER</p> <p><b>Secutrac ENGINEERING</b></p> <p>Civil &amp; Structural &amp; Environmental Residential - Industrial - Commercial 43300 Business Park Drive, Suite No.205 Temecula, CA 92590 Phones: (951) 695-2900 &amp; (951) 526-2294 Fax: (951) 246-5511 email: support@secutracingeering.com</p> <p>PREPARED BY: LEONARD_URQUIZA, REG. No. C27111 DATE: _____</p>	<p><b>CITY OF MURRIETA, CALIFORNIA</b></p> <p><b>MURRIETA SENIOR LIVING SITE PLAN</b></p>	<p>SHEET NO. <b>1</b></p> <p>OF 1 SHEETS</p>
NO.	BY	DATE	DESCRIPTION											



WORK CONTAINED WITHIN THESE PLANS SHALL NOT COMMENCE UNTIL AN ENCROACHMENT PERMIT AND/OR A GRADING PERMIT HAS BEEN ISSUED.

THE PRIVATE ENGINEER SIGNING THESE PLANS IS RESPONSIBLE FOR ASSURING THE ACCURACY AND ACCEPTABILITY OF THE DESIGN HEREON. IN THE EVENT OF DISCREPANCIES ARISING AFTER PERMIT APPROVAL, DURING CONSTRUCTION, THE PRIVATE ENGINEER SHALL BE RESPONSIBLE FOR DETERMINING AN ACCEPTABLE SOLUTION AND REVISING THE PLANS FOR APPROVAL BY THE COUNTY.

**DON'T DIG ...UNTIL YOU CALL UNDERGROUND SERVICE ALERT**

**1-800-227-2600**

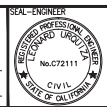
**TWO WORKING DAYS BEFORE YOU DIG**

REVISIONS			
NO.	BY	L.U.	APPR. DATE

DESIGNED BY: \_\_\_\_\_ DRAWN BY: \_\_\_\_\_ CHECKED BY: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

RECOMMENDED: \_\_\_\_\_ DATE: \_\_\_\_\_



**Securum ENGINEERING**

Civil ■ Structural ■ Environmental  
Residential - Industrial - Commercial  
43300 Business Park Drive, Suite 60-209  
Temecula, CA 92590  
Phone: (951) 695-2900 & (951) 626-2294  
Fax: (951) 240-5511  
email: support@securumengineering.com

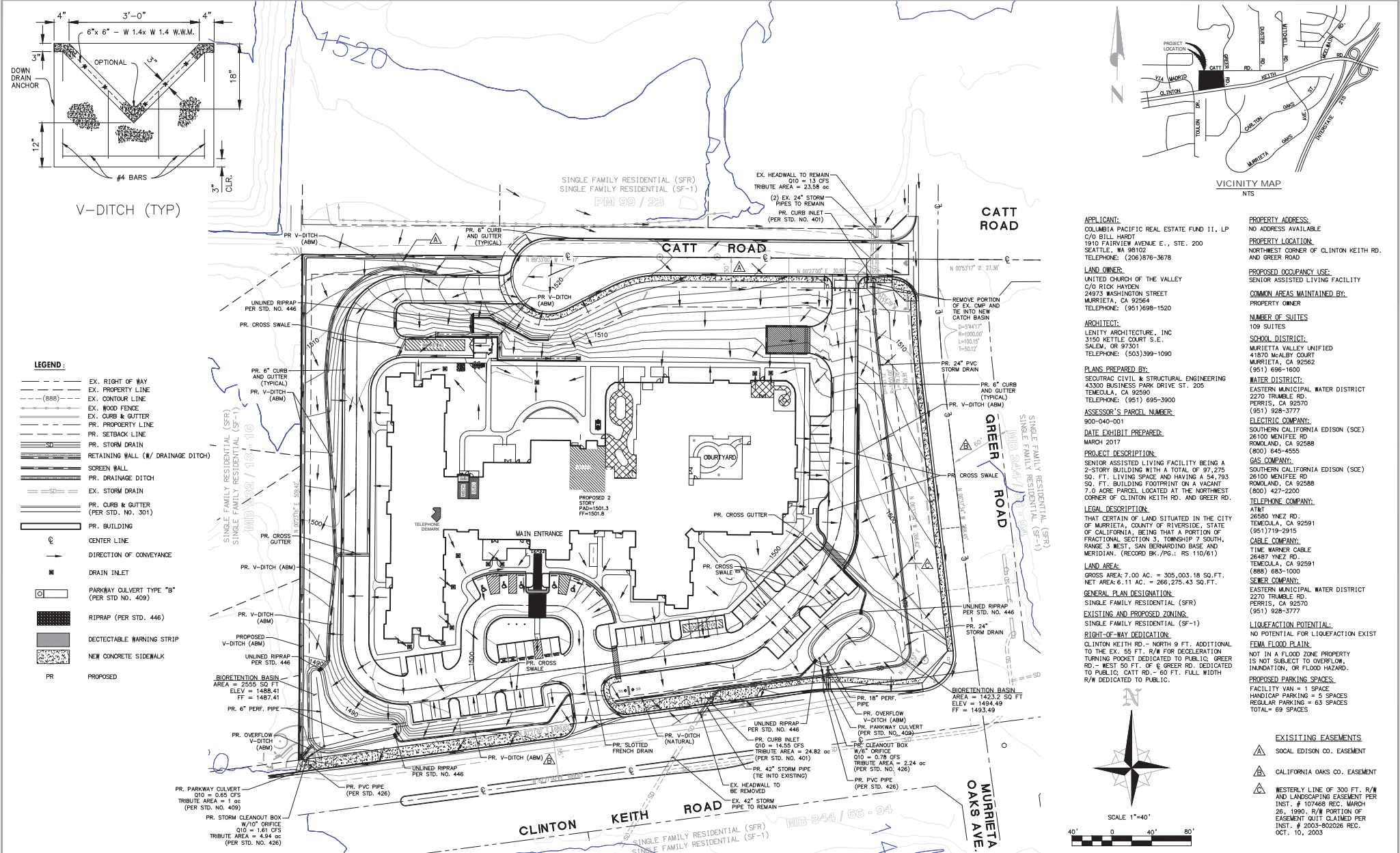
PREPARED BY: LEONARD URSUOVA, P.E. No. C72111 DATE: \_\_\_\_\_

**CITY OF MURRIETA, CALIFORNIA**

**FIGURE 3 WOMP SITE PLAN**

SHEET NO. **1**

of **1** SHEETS



WORK CONTAINED WITHIN THESE PLANS SHALL NOT CONSTITUTE AN ENDORSEMENT PERMIT AND/OR A GRADING PERMIT HAS BEEN ISSUED.

THE PRIVATE ENGINEER SIGNING THESE PLANS IS NOT PROVIDING ANY GUARANTEE OF THE ACCURACY AND ACCEPTABILITY OF THE DESIGN HEREON. IN THE EVENT OF DISCREPANCIES ARISING AFTER PERMIT APPROVAL, DURING CONSTRUCTION, THE PRIVATE ENGINEER WILL ACCEPTABLE SOLUTION AND REVISING THE PLANS FOR APPROVAL BY THE COUNTY.

**DON'T DIG ...UNTIL YOU CALL UNDERGROUND SERVICE ALERT**

800-4-A-SHIELD  
TOLL FREE  
1-800-227-2600

TWO WORKING DAYS BEFORE YOU DIG

NO.	BY	L.U.	DESIGNED BY:	DRAWN BY:	CHECKED BY:	APPR. DATE	APPROVED BY:	DATE



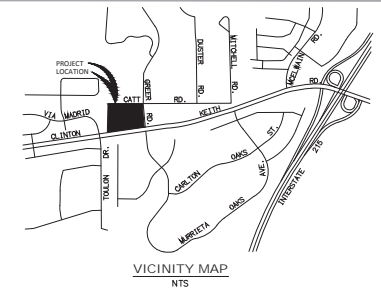
**Civil Structural Environmental Residential - Industrial - Commercial**  
 43300 Business Park Drive, Suite No. 205  
 Temecula, CA 92590  
 Phone: (951) 695-2900 & (951) 526-2294  
 Fax: (951) 240-5511  
 email: support@sectracengineering.com

SECTRAC ENGINEERING  
 PREPARED BY: EDWARD URRUTIA, P.E. No. C72111  
 DATE: \_\_\_\_\_

**CITY OF MURRIETA, CALIFORNIA**  
**MURRIETA SENIOR LIVING**  
**CONCEPTUAL DRAINAGE PLAN**

SHEET NO.  
**1**

of 1 SHEETS



**APPLICANT:**  
 COLUMBIA PACIFIC REAL ESTATE FUND II, LP  
 C/O BILL HAROT  
 1910 FAIRVIEW AVENUE E., STE. 200  
 SEATTLE, WA 98102  
 TELEPHONE: (206) 876-3678

**PROPERTY ADDRESS:**  
 NO ADDRESS AVAILABLE

**PROPERTY LOCATION:**  
 NORTHWEST CORNER OF CLINTON KEITH RD.  
 AND GREER ROAD

**LAND OWNER:**  
 UNITED CHURCH OF THE VALLEY  
 C/O RICK HAYDEN  
 24973 WASHINGTON STREET  
 MURRIETA, CA 92564  
 TELEPHONE: (951) 698-1520

**ARCHITECT:**  
 LENITY ARCHITECTURE, INC  
 3150 KETTLE COURT S.E.  
 SALEM, OR 97301  
 TELEPHONE: (503) 399-1090

**PLANS PREPARED BY:**  
 SECTRAC CIVIL & STRUCTURAL ENGINEERING  
 43300 BUSINESS PARK DRIVE ST. 205  
 TEMECULA, CA 92590  
 TELEPHONE: (951) 695-2900  
 ASSESSOR'S PARCEL NUMBER:  
 900-040-001

**DATE EXHIBIT PREPARED:**  
 MARCH 2017

**PROJECT DESCRIPTION:**  
 SENIOR ASSISTED LIVING FACILITY BEING A 2-STORY BUILDING WITH A TOTAL OF 97,275 SQ. FT. LIVING SPACE AND HAVING A 54,793 SQ. FT. BUILDING FOOTPRINT ON A VACANT 7.0 ACRE PARCEL LOCATED AT THE NORTHWEST CORNER OF CLINTON KEITH RD. AND GREER RD.

**LEGAL DESCRIPTION:**  
 THAT CERTAIN OF LAND SITUATED IN THE CITY OF MURRIETA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING THAT A PORTION OF FRACTIONAL SECTION 3, TOWNSHIP 7 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN. (RECORD BK./PG.: RS 110/61)

**LAND AREA:**  
 GROSS AREA: 7.00 AC. = 305,003.18 SQ. FT.  
 NET AREA: 6.11 AC. = 266,275.43 SQ. FT.

**GENERAL PLAN DESIGNATION:**  
 SINGLE FAMILY RESIDENTIAL (SFR)

**EXISTING AND PROPOSED ZONING:**  
 SINGLE FAMILY RESIDENTIAL (SF-1)

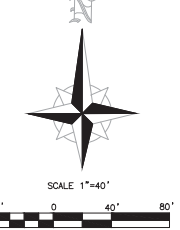
**RIGHT-OF-WAY DEDICATION:**  
 CLINTON KEITH RD. - NORTH 9 FT. ADDITIONAL TO THE EX. 55 FT. R/W FOR DECLARATION TURNING POCKET DEDICATED TO PUBLIC. GREER RD. - WEST 50 FT. OF E GREER RD. DEDICATED TO PUBLIC. CATT RD. - 60 FT. FULL WIDTH R/W DEDICATED TO PUBLIC.

**LIQUEFACTION POTENTIAL:**  
 NO POTENTIAL FOR LIQUEFACTION EXIST

**FEMA FLOOD PLAIN:**  
 NOT IN A FLOOD ZONE PROPERTY IS NOT SUBJECT TO OVERFLOW, INUNDATION, OR FLOOD HAZARD.

**PROPOSED PARKING SPACES:**  
 FACILITY VAN = 1 SPACE  
 HANDICAP PARKING = 5 SPACES  
 REGULAR PARKING = 63 SPACES  
 TOTAL = 69 SPACES

**EXISTING EASEMENTS**  
 SOCIAL EDISON CO. EASEMENT  
 CALIFORNIA OAKS CO. EASEMENT  
 WESTERLY LINE OF 300 FT. R/W AND LANDSCAPING EASEMENT PER INST. # 107468 REC. MARCH 26, 1990. R/W PORTION OF EASEMENT QUIT CLAIMED PER INST. # 2003-802026 REC. OCT. 10, 2003



Columbia Pacific Real Estate Fund II, LP  
Murrieta Senior Living Project  
Certification No. R9-2017-0086

**ATTACHMENT 4**  
**CEQA MITIGATION MONITORING AND REPORTING PROGRAM**

## **7.0 MITIGATION MONITORING AND REPORTING PROGRAM**

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the California Environmental Quality Act Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR). The MMRP ensures implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified, through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to: (1) provide a framework for documenting implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those mitigation measures that are within the responsibility of the City to implement.

The following table lists impacts and mitigation measures for adoption by the City in connection with approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

❖ Section 7.0 - Mitigation Monitoring & Reporting Program ❖

**Table 7.0-1  
MITIGATION MONITORING AND REPORTING PROGRAM**

TOPICAL AREA/IMPACT	MITIGATION MEASURE (MM)	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
<b>AIR QUALITY</b>				
Construction of the proposed project would generate short-term and intermittent emissions.	<b>AQ-1:</b> The construction manager will conduct watering as necessary to prevent visible emissions from extending more than 100 feet beyond the active grading area.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction
Construction of the proposed project would generate short-term and intermittent emissions.	<b>AQ-2:</b> For completed grading areas, the construction manager will apply soil stabilizer or apply water to at least 80 percent of all inactive disturbed surface areas daily when there is evidence of wind driven fugitive dust.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction
<b>BIOLOGICAL RESOURCES</b>				
Construction of the proposed project may affect candidate, sensitive, or special status species.	<b>General Wildlife Avoidance and Protection Measures</b> <b>BIO-1:</b> To assure that lighting on the site does not discourage animal movement within the drainage, no night work will be permitted during any phases of the project.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction
Construction of the proposed project may affect candidate, sensitive, or special status species.	<b>Pre-Construction Breeding Bird Surveys</b> <b>BIO-2:</b> All native breeding birds, (except game birds) regardless of their listing status, are protected under the Migratory Bird Treaty Act (MBTA) and State Fish and Wildlife Codes. Potential impacts to the breeding birds are considered significant under CEQA. In order to comply with these regulations all future clearing, grubbing, tree trimming, tree removals and demolition must be conducted outside the bird nesting season. The typical nesting season is considered February 15th to August 31st however these dates are not a legal definition and may vary by weather and food availability. A nest is protected during any time of the year when eggs or young are present. If grading/grubbing/demolition must occur during the nesting bird season, a pre-construction nesting bird survey should be conducted by a qualified biologist no more than 5 days prior to the work.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta Pre-Construction

❖ Section 7.0 - Mitigation Monitoring & Reporting Program ❖

TOPICAL AREA/IMPACT	MITIGATION MEASURE (MM)	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Construction of the proposed project may affect candidate, sensitive, or special status species.	<p><b><u>Pre-Construction BUOW Clearance Survey</u></b></p> <p><b>BIO-3:</b> As a prudent measure, conduct a one-time preconstruction burrowing owl clearance survey to verify absence no more than 30-days prior to any grading or grubbing of the site following the County of Riverside Burrowing Owl Survey Protocol.</p>	City of Murrieta	Field Verification	City of Murrieta City of Murrieta Pre-construction
Construction of the proposed project may affect candidate, sensitive, or special status species.	<p><b><u>Construction Minimization Measures</u></b></p> <p><b>BIO-4:</b> Construction guidelines will be implemented during project construction as follows:</p> <ul style="list-style-type: none"> <li>a. The workspace should be clearly delineated prior to any work.</li> <li>b. Appropriate erosion control measures (e.g., straw wattles, sandbags or silt fence) should be installed along the western portion of the project footprint as well as along both sides of the access road to prevent impacts to the feature.</li> <li>c. Access points to the project site should also be clearly delineated and limited to those shown on the construction drawings.</li> <li>d. No grading or other earth-moving activity shall occur during measurable rain events.</li> <li>e. No dirt or other debris shall be stored within 50 feet of the drainage feature.</li> <li>f. Other BMP's recommended by the State of California can be found as a downloadable PDF file at: <a href="https://www.casqa.org/resources/bmp-handbooks/new-development-redevelopment-bmp-handbook">https://www.casqa.org/resources/bmp-handbooks/new-development-redevelopment-bmp-handbook</a>. Where appropriate to the project, these BMP's should be followed.</li> </ul>	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction
Construction of the proposed project may affect candidate, sensitive, or special status species.	<p><b><u>Project Landscaping</u></b></p> <p><b>BIO-5:</b> Onsite landscaping will use drought-tolerant, pest resistant vegetation, preferably using native species and avoiding invasive plant species. Examples are given in Appendix C of <i>MSHCP Compliance Analysis &amp; Focused Habitat Assessment For The Burrowing Owl &amp; 6 Narrow Endemic Plants</i> Report. (Kidd Biological, 2016).</p>	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction and Operation

❖ Section 7.0 - Mitigation Monitoring & Reporting Program ❖

TOPICAL AREA/IMPACT	MITIGATION MEASURE (MM)	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Construction of the proposed project may affect riparian habitat or other sensitive natural community	<p><b><u>Mitigation for Impacts on Jurisdictional Waters and the Associated Sensitive Habitats</u></b></p> <p><b>BIO-6:</b> Impacts to approximately 0.17 acre of waters of the State and WRCMSHCP riverine areas located on the project site will be mitigated at a 2:1 ratio through the purchase of approximately 0.34 acre of off-site credits at a mitigation bank approved by the wildlife agencies. Impacts to approximately 0.02 acre of waters of the U.S. located on the project site will be mitigated at a 2:1 ratio through the purchase of 0.04 acre of off-site credits at a mitigation bank approved by the U.S. Army Corps of Engineers and RWQCB.</p> <p>The project proponent shall consult with the CDFW, U.S. Army Corps of Engineers, and RWQCB to determine the need for permits that must be obtained for impacts to jurisdictional areas prior to the initiation of construction of the proposed project. In addition, a DBESP report shall be prepared as required by the WRCMSHCP for impacts to riverine areas located on the project site.</p>	City of Murrieta	Field Verification	<p>City of Murrieta</p> <p>City of Murrieta</p> <p>Prior to any land disturbance or permit issuance approval, permits from Responsible Agencies shall be submitted to the City.</p>
<b>CULTURAL RESOURCES</b>				
Construction of the proposed project may affect historical or unique archaeological resources discovered during construction.	<p><b>CUL-1:</b> An archaeological monitor shall be present during all ground disturbing activities. If historical or unique archaeological resources are discovered during construction activities, the contractor shall halt construction activities in the immediate area and notify construction supervisor. The developer's on-call qualified archaeologist shall be notified and afforded the necessary time to recover, analyze, and curate the find. The qualified archaeologist shall recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area and afforded the necessary time and funds to recover, analyze, and curate the find(s). Construction activities may continue on other parts of the project site while evaluation and treatment of historical or unique archaeological resources takes place.</p>	City of Murrieta	Field Verification	<p>City of Murrieta</p> <p>City of Murrieta</p> <p>During Construction</p>
Construction of the proposed project may affect undiscovered resources discovered during construction activities.	<p><b>CUL-2:</b> If paleontological resources are uncovered during construction activities, the contractor shall halt construction activities in the immediate area and notify the City. The on-call paleontologist shall be notified and afforded the necessary time and funds to recover, analyze, and curate the find(s). Subsequently, the monitor shall remain on-site for the duration of the ground disturbance to ensure the protection of any other resources that may be in the area.</p>	City of Murrieta	Field Verification	<p>City of Murrieta</p> <p>City of Murrieta</p> <p>During Construction</p>



❖ Section 7.0 - Mitigation Monitoring & Reporting Program ❖

TOPICAL AREA/IMPACT	MITIGATION MEASURE (MM)	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Construction of the proposed project may affect undiscovered human remains during excavation at the project site.	<b>CUL-3:</b> If human remains are encountered during excavations associated with this project, all work shall stop within a 30-foot radius of the discovery and the Riverside County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLDS (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction
Construction of the proposed project may affect undiscovered human remains during excavation at the project site.	<b>CR-4:</b> In the event if cultural resources are discovered: The Project Applicant shall retain a Riverside County certified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Prior to grading, the Project Applicant shall provide to the city verification that a certified archaeological monitor has been retained. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation. A final report documenting the monitoring activity and disposition of any recovered resources shall be submitted to the City of Murrieta, Eastern Information Center and the appropriate tribe within 60 days of completion of monitoring.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction
Construction of the proposed project may affect undiscovered human remains during excavation at the project site.	<b>CR-5:</b> In the event if cultural resources are discovered: Professional Native American Tribal monitors representing indigenous Luiseño interests shall also participate in monitoring of ground-disturbing activity. At least 30 days prior to issuance of grading permits, agreements between the Developer/Applicant and a Native American Monitor representing the Luiseño Indian Tribe shall be developed regarding prehistoric and historic cultural resources and shall identify any monitoring requirements and treatment of cultural resources so as to meet both the requirements of CEQA and those of the Luiseño Indian Tribe. The monitoring agreement shall address the treatment of known cultural resources; the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred site, and human remains discovered on the site.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction

❖ Section 7.0 - Mitigation Monitoring & Reporting Program ❖

TOPICAL AREA/IMPACT	MITIGATION MEASURE (MM)	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Construction of the proposed project may affect undiscovered human remains during excavation at the project site.	<b>CR-6:</b> In the event if cultural resources are discovered: Tribal and archaeological monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the authority to stop and redirect grading activities. If potentially significant features or sites are discovered, all ground disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated by the archaeologist and the tribal monitor. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for tribal cultural resources and archeological resources and shall be assessed in accordance with MM CR-5. Consultation between the archaeologist, the tribal representative, the City and the Developer/Applicant shall occur within 24 hours of the find to determine the best method for managing the identified resource(s).	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction
Construction of the proposed project may affect undiscovered human remains during excavation at the project site.	<b>CR-7:</b> 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 descendants(s)" for purposes of receiving notification of discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98 and the agreement described in MM CR-5.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction
Construction of the proposed project may affect undiscovered human remains during excavation at the project site.	<b>CR-8:</b> In the event if cultural resources are discovered: All cultural materials collected during the grading monitoring program, with the exception of sacred items, burial goods and human remains which will be addressed in the agreement required in MM CR-7, shall be curated according to the current professional federal repository standards (36 CFR Part 79). The collections and associated records shall be transferred, including title, to the curation facility. All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction
<b>LAND USE</b>				

❖ Section 7.0 - Mitigation Monitoring & Reporting Program ❖

TOPICAL AREA/IMPACT	MITIGATION MEASURE (MM)	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Project development occurs within the Western Riverside county Multi-Species Habitat Conservation Plan (MSHCP) and may impact certain plan species.	<b>LU-1:</b> With implementation of biological resource mitigation measures <b>BIO-1</b> through <b>BIO-6</b> included in Section 4.4 Biological Resources, no impact would occur to these species (i.e., Munz's onion, San Diego ambrosia, Many-stemmed dudleya, Spreading navarretia, California Orcutt grass, and Wright's trichocoronis), as a result of project implementation within the Western Riverside county Multi-Species Habitat Conservation Plan (MSHCP).	City of Murrieta	Field Verification	City of Murrieta City of Murrieta During Construction
<b>UTILITIES AND SERVICE SYSTEMS</b>				
Construction of the proposed project may affect capacity demand.	<b>USS-1: Issuance of Wastewater Permit.</b> Prior to issuance of a wastewater permit for the proposed project, the Project Applicant shall pay applicable connection and/or user fees to EMWD.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta Prior to Issuance of a Wastewater Permit
Construction of the proposed project may affect capacity demand.	<b>USS-2: Issuance of Building Permit – Sewer Systems.</b> Prior to issuance of a building permit for the proposed project, the Project Applicant shall prepare an engineering study to support the adequacy of the sewer systems and submit the engineering study to the City for review and approval. Any improvements recommended in the engineering study shall be installed prior to the certificate of occupancy for the proposed project.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta Prior to Issuance of a Building Permit
Construction of the proposed project may affect capacity demand.	<b>USS-3: Issuance of Wastewater Permit – Wastewater Transmission and Treatment Plant.</b> Prior to issuance of a building permit for the proposed project, the Project Applicant shall provide evidence that the EMWD has sufficient wastewater transmission and treatment plant capacity to accept sewage flows from the proposed project.	City of Murrieta	Field Verification	City of Murrieta City of Murrieta Prior to Issuance of a Building Permit