

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works/City Engineer

DATE: March 12, 2024

SUBJECT: Approve Initial Study and Adopt a Mitigated Negative Declaration for Murrieta Creek Bridge at Overland Drive Project, PW16-05

PREPARED BY: Amer Attar, Engineering Manager
Nino Abad, Senior Civil Engineer

RECOMMENDATION: That the City Council take the following actions:

1. Adopt a resolution entitled:

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE INITIAL STUDY AND ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MURRIETA CREEK BRIDGE AT OVERLAND DRIVE PROJECT, PW16-05

2. Direct the Public Works Director to file the Notice of Determination.

BACKGROUND: The Murrieta Creek Bridge at Overland Drive Project, PW16-05; includes the design, environmental, and construction of a new bridge along Overland Drive over Murrieta Creek. The bridge will connect Overland Drive to Diaz Road on the west end of the project and to Enterprise Circle West on the east end.

As required by the California Environmental Quality Act (CEQA) an Initial Study (IS) was prepared. The IS identified no impact or a less than significant impact for the following environmental areas of concern:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Energy
- Greenhouse Gas Emissions

- Hazards & Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population & Housing
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

The IS identified the following areas of potential concern that will be reduced to a less than significant impact with mitigation incorporated as summarized:

- **Biological Resources:** Require a qualified biologist to conduct pre-construction surveys, deliver training for construction personnel, and monitor construction activities to ensure practicable measures are being employed to avoid incidental disturbance of habitat and species of concern. Mitigate permanent and temporary biological resource impacts through the creation of rehabilitation/mitigation area of approximately 1.23 acres on City owned property located at Temecula Creek.
- **Cultural Resources:** Require a certified archaeologist to monitor construction in coordination with the Pechanga Tribe. Also, the implementation of recommendations for a pre-grading meeting with contractors, and a monitoring frequency approved and coordinated with the Pechanga Tribe, and cultural resources protection, avoidance, and curation as required in the event of resource discovery.
- **Geology and Soils:** Require a qualified paleontologist to provide pre-construction training for the discovery of fossils and subsequent procedures. It also requires full time paleontological monitoring for construction of bridge piers that reach below ten (10) feet in depth and bridge abutments that reach twenty-five (25) feet below the surface.

Under CEQA guidelines, an Initial Study (IS) determined a Mitigated Negative Declaration (MND) be completed for the project. The MND includes mitigation measures to reduce potential impacts to a level of less than significant. Staff recommends that the City Council approve the IS and adopt an MND for this project. A summary of the proposed mitigation measures is included within the attached Final IS/MND.

The Notice of Intent to Adopt a Mitigated Negative Declaration was posted on January 11, 2024. The corresponding public review comment period also commenced on January 11, 2024, and concluded on February 12, 2024. Notifications were mailed to all property owners within a one thousand (1,000) foot radius of each end of the proposed bridge site and a notice was also placed in the local newspaper.

The City of Temecula received a single comment letter from Riverside County Flood Control and Water Conservation District (RCFC&WCD). The letter addressed permits, studies, and mitigation requirements since the property spanned by the bridge is owned by RCFC&WCD). Staff does not foresee any issues with the comments received. The comment letter and the responses to it are in Appendix “I” of the IS/MND.

FISCAL IMPACT: The Murrieta Creek Bridge at Overland Drive Project is identified in the City’s Capital Improvement Program (CIP) budget for Fiscal Years 2024-28, and is funded with Federal Highway Bridge Program (HBP), Developer Impact Fees (DIF) – Street Improvements, and Measure S. There are sufficient funds in the project account to cover the California Environmental Quality Act (CEQA) Mitigated Negative Declaration fee of \$2,966.75 (includes \$50.00 County filing fee).

- ATTACHMENTS:**
1. Resolution
 2. Initial Study Mitigated Negative Declaration
 3. Notice of Determination
 4. Project Description
 5. Project Location