



● **Board of Directors**  
***Finance and Insurance Committee***

6/11/2013 Board Meeting

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**7-4**

**Subject**

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Adopt final resolutions for annexation and impose water standby charge for the 103rd Fringe Area to Eastern Municipal Water District and Metropolitan Water District

**Executive Summary**

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This action grants final approval for the 103rd Fringe Area request and imposition of water standby charges for Eastern Municipal Water District (Eastern). There are no substantial changes from conditional board approval to this request for final terms and conditions. The total area included in this annexation is 12.547 acres (**Attachment 1** – annexation map and legal description). The new water demand from Metropolitan is approximately 50.18 acre-feet per year (AFY). Eastern is in compliance and meets the Best Management Practices of the California Urban Water Conservation Council. The charge for this annexation if completed in 2013 is \$56,611.93, which includes the \$5,000 processing fee.

**Details**

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This action authorizes a resolution granting final terms and conditions for the 103<sup>rd</sup> Fringe Area annexation request by Eastern, along with a resolution for imposition of water standby charges. On November 6, 2012, Metropolitan's Board conditionally approved the current area of the 103<sup>rd</sup> Fringe Area annexation and resolution on intent to collect standby charge. On February 6, 2013, Resolution No. 5100 of the Board of Directors of Eastern Municipal Water District (Eastern) made application to Metropolitan for final terms and conditions and imposition of water standby charge. Metropolitan's Board will conduct a public hearing on June 11, 2013, of the proposed water standby charge to maintain compliance with Proposition 218. If the levy for standby charge is approved by the property owners, Metropolitan's Board will review and approve the resolution for levying the standby charge and grant resolution for annexation.

This annexation request consists of five parcels that will be developed along with adjacent parcels of land owned by Melia Homes, Inc. The proposed development plan is for high density housing and neighborhood commercial businesses as approved by amendment to the City of Murrieta General Plan dated April 28, 2012. The proposed annexation is located in the City of Murrieta, north of Catt Road, east of Duster Road in the southwest portion of Riverside County. The total acreage included in this annexation is 12.547 acres: 0.674 acre is dedicated to public roads leaving a net area of 11.873 acres as the basis for the annexation fee (**Attachment 1**). The charge for this annexation, calculated using the 2013 per acre rate of \$4,374, is \$56,611.93, which includes the \$5,000 processing fee, if completed in 2013. If the annexation is completed later, the fee would be based on the then current annexation rate pursuant to Section 3300 of Metropolitan's Administrative Code. After annexing, Eastern will provide water service.

Metropolitan's Board also adopted a resolution of intention to impose a water standby charge within the proposed annexation area in support of the 103<sup>rd</sup> Fringe Area annexation (Resolution No. 9145) on November 6, 2012. Pursuant to Resolution 9145, the Board will hold a public hearing on June 11, 2013. Interested parties will be given the opportunity to present their views regarding the proposed charge and the Engineer's Report. In addition, pursuant to Resolution 9145 and in accordance with the requirements of Article XIII D, Section 4, of the California Constitution, the Board Executive Secretary will provide written notice by mail of the hearing to the

owners of record of the parcels identified in the Engineer's Report. Enclosed in the mailed notices are assessment ballots on which the owners could either indicate support or oppose the proposed water standby charge. This action adopts a resolution consenting to Eastern's request for annexation ([Attachment 2](#)); and Resolution Fixing and Adopting Water Standby Charge ([Attachment 3](#)), which imposes a Metropolitan water standby charge in the amount of \$6.94 per acre, or per parcel of less than one acre, within the territory of the 103<sup>rd</sup> Fringe Area, contingent upon completion of annexation. Approval of Metropolitan's water standby charge imposed elsewhere within Eastern's territory is a condition to complete this annexation. Pursuant to the terms of the attached resolution ([Attachment 3](#)), Metropolitan may levy said standby charge at the rate stated in the resolution.

## Policy

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Territory may be annexed to Metropolitan upon terms and conditions fixed by the Board and in accordance with Chapter 1, Article 1, Section 350 through Section 356 of Metropolitan's Act and Division III, Section 3100(b) of its Administrative Code.

## California Environmental Quality Act (CEQA)

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CEQA determination for Option #1:

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the Eastern Municipal Water District, acting as the Lead Agency, adopted the 103<sup>rd</sup> Fringe Area Annexation Negative Declaration (ND) on August 22, 2012 for the annexation process. Metropolitan, as Responsible Agency under CEQA, is required to certify that it has reviewed and considered the information in the ND and adopt the Lead Agency's findings prior to approval of the formal terms and conditions for the annexation. The environmental documentation is in [Attachment 4](#).

The CEQA determination is: Review and consider information provided in the adopted 2012 ND and adopt the Lead Agency's findings related to the proposed actions.

CEQA determination for Option #2:

None required

## Board Options

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### Option #1

Adopt the CEQA determination and

- a. Adopt resolution granting Eastern's request for approval of the 103<sup>rd</sup> Fringe Area concurrently to Eastern and Metropolitan and establish Metropolitan's terms and conditions for the annexation ([Attachment 2](#)), conditioned upon approval by Riverside Local Agency Formation Commission, and upon receipt of annexation fee of \$56,611.93; and
- b. Adopt resolution to impose water standby charge at a rate of \$6.94 per acre, or per parcel of less than one acre, within the proposed annexation area ([Attachment 3](#)).

**Fiscal Impact:** Receipt of annexation fees of \$56,611.93 for the annexation area within water sales revenue from newly annexed territory

**Business Analysis:** This annexation will provide the ability for water service and associated benefits to the property owners. The initial fixed and variable costs will be borne by the local water supplier and property owners, including processing, infrastructure, and the cost of raw and treated water. This annexation helps to meet Metropolitan's member agency request.

### Option #2

Decline the request for annexation of the 103<sup>rd</sup> Fringe Area.

**Fiscal Impact:** Unrealized annexation fee and water sales revenue from non-annexed areas

**Business Analysis:** The subject area will not receive the direct benefits of water supplied through Metropolitan and Eastern.

**Staff Recommendation**

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Option #1

  
\_\_\_\_\_  
Roy L. Wolfe  
Manager, Business Technology

5/20/2013

Date

  
\_\_\_\_\_  
Jeffrey Kightlinger  
General Manager

5/29/2013

Date

**Attachment 1 – 103<sup>rd</sup> Fringe Area Legal Description and Map**

**Attachment 2 – 103<sup>rd</sup> Fringe Area Resolution Fixing Terms and Conditions of Annexation**

**Attachment 3 – 103<sup>rd</sup> Fringe Area Resolution Imposing Water Standby Charges**

**Attachment 4 – 103<sup>rd</sup> Fringe Area Environmental Documents**

Ref# bt12624376

EXHIBIT " A "

METROPOLITAN WATER DISTRICT ANNEXATION  
(ANNEXATION NO. 103 )

LEGAL DESCRIPTION

ALL OF PARCELS 2, 3 & 4, LOTS B, C, D & E OF PARCEL MAP NO. 13561 AS SHOWN ON MAP FILED IN BOOK 70 PAGE 78 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

TOGETHER WITH PARCEL 1 AND 2, LOTS A THROUGH D, INCLUSIVE, AS SHOWN ON PARCEL MAP NO. 18409 FILED IN BOOK 128 PAGE 55 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, MORE PRECISELY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SECTION 34, TOWNSHIP 6 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, SAID POINT BEING 332.73 FEET WESTERLY OF THE THE SOUTH QUARTER CORNER OF SAID SECTION 34 AND BEING THE SOUTHEAST CORNER OF SAID PARCEL MAP NO. 18409;

THENCE CONTINUING WESTERLY ALONG THE SAID SOUTHERLY LINE OF SAID SECTION 34, NORTH 89°32'47" WEST, A DISTANCE OF 664.79 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL MAP NO. 13561;

THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID PARCEL MAP NO. 13561, NORTH 00°06'09" WEST, A DISTANCE OF 988.88 FEET TO THE NORTHWEST CORNER OF LOT "B" OF SAID PARCEL MAP NO. 13561;


THENCE EASTERLY ALONG THE NORTHERLY LINE OF LOT "B" AND PARCEL 2 OF SAID PARCEL MAP NO. 13561, SOUTH 89°31'47" EAST, A DISTANCE OF 330.69 FEET TO THE NORTHEAST CORNER OF PARCEL 2 OF SAID PARCEL MAP NO. 13561;

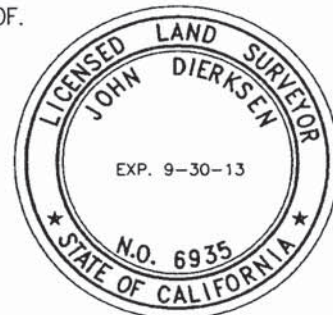
THENCE SOUTHERLY ALONG THE EASTERLY LINE OF PARCEL 2 OF SAID PARCEL MAP NO. 13561, SOUTH 00°12'39" EAST, A DISTANCE OF 329.67 FEET TO THE SOUTHEAST CORNER OF PARCEL 2 OF SAID PARCEL MAP NO. 13561 AND THE NORTHWEST CORNER OF PARCEL 1 OF SAID PARCEL MAP NO. 18409;

THENCE EASTERLY ALONG THE NORTHERLY LINE OF PARCEL 1 AND LOT "D" OF SAID PARCEL MAP NO. 18409, SOUTH 89°31'28" EAST, A DISTANCE OF 331.29 FEET TO THE NORTHEAST CORNER OF LOT "D" OF SAID PARCEL MAP NO. 18409;


THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID PARCEL MAP NO. 18409, SOUTH 00°17'36" EAST, A DISTANCE OF 659.02 FEET TO THE POINT OF BEGINNING.

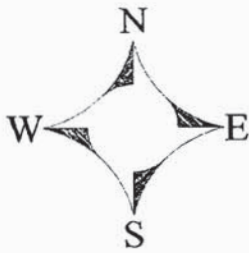
ALL AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

  
JOHN DIERKSEN LS 6935 9-18-12



12.547 AC. GROSS  
- 0.674 AC. ROAD  
11.873 AC. NET

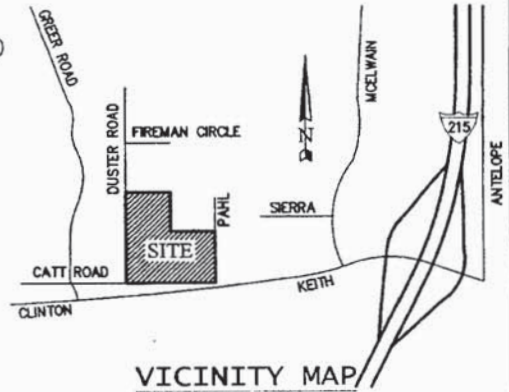
ANNEXATION - CONDITIONAL REVIEW  
The Metropolitan Water District of Southern California  
Right-of-Way Engineering Team  
Date: 09/19/12 Reviewer: 



### EXHIBIT "B"

THIS EXHIBIT IS TO BE ATTACHED TO THE LEGAL DESCRIPTION.

P.M. NO. 13561, P.M.B. 70/78  
P.M. NO. 18409, P.M.B. 128/55  
CITY OF MURRIETA  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

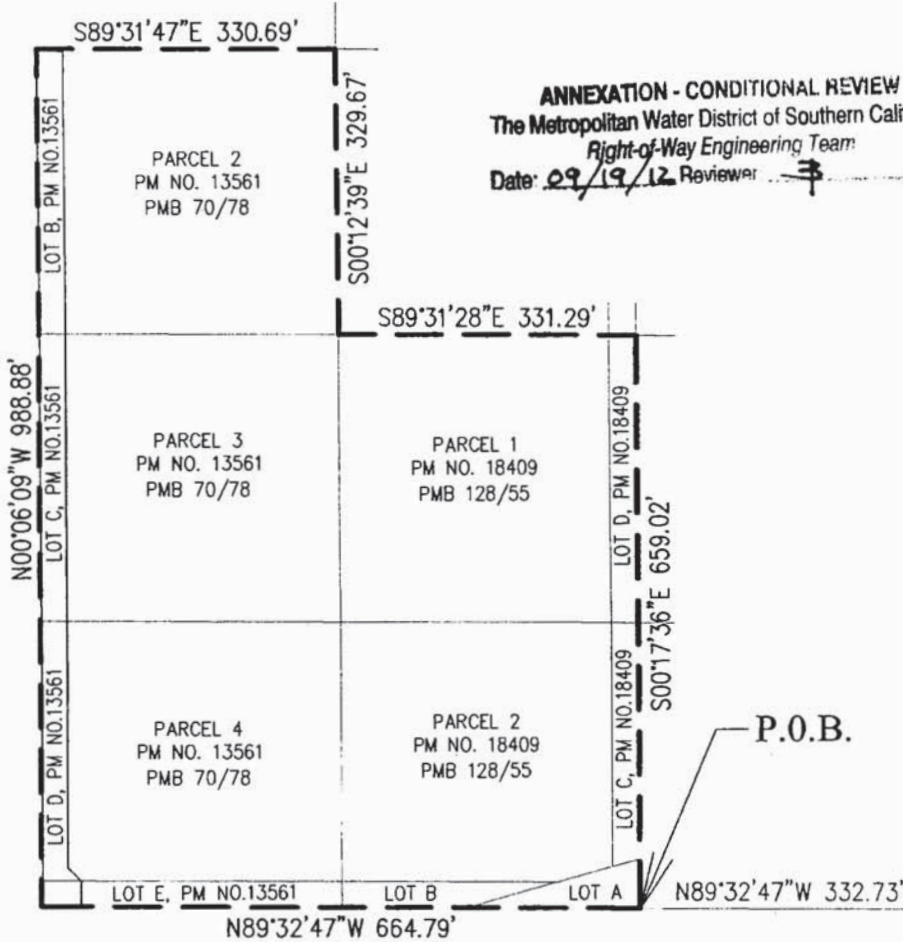


VICINITY MAP  
NTS

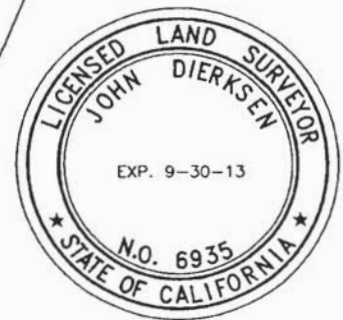
**ANNEXATION - CONDITIONAL REVIEW**  
The Metropolitan Water District of Southern California  
*Right-of-Way Engineering Team*  
Date: 09/19/12 Reviewer: [Signature]

BASIS OF BEARING  
C/L SIERRA LANE

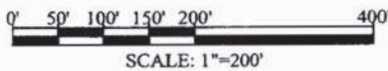
N89°30'37"W  
PER TRACT MAP NO. 29556  
M.B. 343/67-69



S 1/4 CORNER OF  
SEC 34 T6S R3W SBBM



GROSS AREA : 12.547 AC.  
ROAD AREA : 0.674 AC.  
NET AREA : 11.873 AC.



PREPARED BY:

**PHB & ASSOCIATES, INC.**  
CIVIL ENGINEERING - SURVEYING - LAND PLANNING  
1620 SOUTH GRAND AVENUE  
GLEN DORA CALIFORNIA 91740  
(626) 914-6256/FAX (626) 914-5756

**METROPOLITAN WATER DISTRICT ANNEXATION  
(ANNEXATION NO. 103)**

**EASTERN MUNICIPAL WATER DISTRICT  
103 RD FRINGE AREA (MELIA HOMES)**

**RESOLUTION****RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
CONSENTING TO EASTERN MUNICIPAL WATER DISTRICT'S  
103rd FRINGE AREA ANNEXATION  
AND FIXING THE TERMS AND CONDITIONS OF SAID ANNEXATION TO  
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

A. WHEREAS, the Board of Directors of the Eastern Municipal Water District (Eastern), a municipal water district, situated in the county of Riverside, state of California, pursuant to Resolution No. 5100, in accordance with the provisions of the Metropolitan Water District Act, has applied to the Board of Directors of The Metropolitan Water District of Southern California (Metropolitan) for consent to annex thereto certain uninhabited territory situated in the county of Riverside referred to as 103rd Fringe Area Annexation, more particularly described in an application to the Riverside County Local Agency Formation Commission (LAFCO), concurrently with the annexation thereof to Eastern, such annexation to Metropolitan to be upon such terms and conditions as may be fixed by the Board of Directors of Metropolitan; and

B. WHEREAS, completion of said annexation shall be conditioned upon approval by LAFCO; and

C. WHEREAS, pursuant to the provisions of the California Environmental Quality Act (CEQA), Eastern Municipal Water District, and acting as the Lead Agency, adopted a Negative Declaration (ND) on August 22, 2012 for the proposed annexation process (also known as 103rd Fringe Area Annexation Project). Also pursuant to CEQA, Metropolitan, as Responsible Agency, is required to certify that it has reviewed and considered the information in the ND and adopt the Lead Agency's findings prior to approval of the formal terms and conditions for the 103rd Fringe Area Annexation; and

D. WHEREAS, it appears to this Board of Directors that such application should be granted, subject to the terms and conditions hereinafter set forth; and

E. NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Metropolitan, acting as Responsible Agency, has reviewed and considered the information in the ND and adopts the Lead Agency's findings prior to approval of the formal terms and conditions for the 103rd Fringe Area Annexation; and subject to the following terms and conditions, does hereby grant the application of the governing body of Eastern Municipal Water District for consent to annex the 103rd Fringe Area Annexation to Metropolitan and does hereby fix the terms and conditions of such annexation:

F. BE IT FURTHER RESOLVED that the Board of Directors of Metropolitan, subject to the following terms and conditions, does hereby grant the application of the governing body of Eastern for consent to annex 103rd Fringe Area Annexation to Metropolitan and does hereby fix the terms and conditions of such annexation:

**Section 1.** The annexation of said area to Eastern shall be made concurrently with the annexation thereof to Metropolitan, and all necessary certificates, statements, maps, and other documents required to be filed by or on behalf of Eastern to effectuate the annexation shall be filed on or before December 31, 2015.

**Section 2.** Prior to filing a request for a Certificate of Completion of the annexation proceedings with LAFCO, Eastern shall submit a certified copy of LAFCO’s resolution approving the annexation to the member agency, and shall pay to Metropolitan in cash approximately \$56,611.93, if the annexation is completed by December 31, 2013. The annexation fee of \$5,000 for processing this annexation was received prior to approval. The annexation charge is calculated by the per-acre method based on the net acreage. If the annexation is completed during the 2014 calendar year, the annexation charge will be calculated based on the then current rate, in accordance with Metropolitan’s Administrative Code Section 3300.

- Section 3.**
- a. Metropolitan shall be under no obligation to provide, construct, operate, or maintain feeder pipelines, structures, connections, and other facilities required for the delivery of water to said area from works owned or operated by Metropolitan.
  - b. Eastern shall not be entitled to demand that Metropolitan deliver water to Eastern for use, directly or indirectly, within said area, except for domestic or municipal use therein.
  - c. The delivery of all water by Metropolitan, regardless of the nature and time of use of such water shall be subject to the water service regulations, including rates promulgated from time to time by Metropolitan.
  - d. Except upon the terms and conditions specifically approved by the Board of Directors of Metropolitan, water sold and delivered by Metropolitan shall not be used in any manner which intentionally or avoidably results in the direct or indirect benefit of areas outside Metropolitan, including use of such water outside Metropolitan or use thereof within Metropolitan in substitution for other water outside Metropolitan.

G. BE IT FURTHER RESOLVED that the Board Executive Secretary is directed to transmit forthwith to the governing body of Eastern a certified copy of this resolution.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California at its meeting held June 11, 2013.

\_\_\_\_\_  
 Secretary of the Board of Directors  
 of the Metropolitan Water District  
 of Southern California

**RESOLUTION****RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE METROPOLITAN WATER DISTRICT OF  
SOUTHERN CALIFORNIA  
FIXING AND ADOPTING WATER STANDBY CHARGE  
CONTINGENT UPON EASTERN MUNICIPAL WATER DISTRICT'S  
103rd FRINGE AREA ANNEXATION**

WHEREAS, pursuant to Resolution 9145, The Metropolitan Water District of Southern California's ("Metropolitan") Resolution of Intention to Impose Water Standby Charge, adopted by the Board of Directors (the "Board") of Metropolitan at its meeting held November 6, 2012, the Board gave notice to the public and to each member public agency of Metropolitan of the intention of the Board to consider and take action on the General Manager's recommendation to impose a water charge for fiscal year 2013/14 on the property described in the Engineer's Report, dated September 2012 (the "Engineer's Report"), which was prepared by a registered professional engineer certified by the state of California and was attached to Resolution 9145;

WHEREAS, the owner of the parcel identified in the Engineer's Report has applied for annexation into the Eastern Municipal Water District ("Eastern") and Metropolitan;

WHEREAS, upon annexation, Metropolitan water will be available to such property and such parcels will receive the benefit of the projects provided in part with proceeds of Metropolitan water standby charges, as described in the Engineer's Report;

WHEREAS, Eastern has requested that Metropolitan impose water standby charges on such property at the rate specified in the Engineer's Report and provided herein, following annexation of such property into Metropolitan;

WHEREAS, Resolution 9145 provided that the Board would meet in regular session to hold a public protest hearing at which interested parties could present their views regarding the proposed water standby charges and the Engineer's Report;

WHEREAS, pursuant to the terms of Resolution 9145, the Board Executive Secretary provided written notice in accordance with the requirements of Article XIII D, Section 4 of the California Constitution of the proposed water standby charge by mail to the record owner of the property identified in the Engineer's Report of such public hearing, and the notice included an assessment ballot whereby the owner could indicate his or her name, reasonable identification of his or her parcel, and his or her support for or opposition to the proposed water standby charge;

WHEREAS, the Board conducted in conformance with Resolution 9145 a public hearing. The hearing was held June 11, 2013 at which interested parties were given the opportunity to present their views regarding the proposed water standby charge and the Engineer's Report and to protest the charges, if they so desired, and the Board duly considered any such protests and other views presented to it at the public hearing; and

WHEREAS, prior to the conclusion of the public hearing the Board Executive Secretary reviewed the assessment ballots submitted, and it was found that no majority protest (as defined in Article XIII D, Section 4 of the California Constitution) exists;



NOW THEREFORE, the Board of Directors of The Metropolitan Water District of Southern California does hereby resolve, determine and order as follows:

**Section 1.** That the Board of Metropolitan, pursuant to the Engineer's Report, finds that the land described in said Engineer's Report upon annexation to Metropolitan will be benefited as described in such report and on that basis, hereby fixes and adopts a water standby charge for fiscal year 2013/14 on such lands to which Metropolitan water is made available for any purpose, whether water is actually used or not.

**Section 2.** That the water standby charge per acre of land, or per parcel of land less than an acre, as shown in the Engineer's Report, shall be \$6.94 which is equal to the amount of Metropolitan's existing water standby charge on other properties located within the territory of Eastern.

**Section 3.** That no water standby charge on any parcel exceeds the reasonable cost of the proportional special benefit conferred on that parcel, as shown in the Engineer's Report. The Engineer's Report separates the special benefits from the general benefits and identifies each of the parcels on which a special benefit is conferred.

**Section 4.** That the water standby charge shall be collected on the tax rolls, together with the ad valorem property taxes, which are levied by Metropolitan for the payment of pre-1978 voter-approved indebtedness. Any amounts so collected shall be applied as a credit against Eastern's obligation to pay its readiness-to-serve charge for fiscal year 2013/14. After such member agency's readiness-to-serve charge allocation is fully satisfied, any additional collections shall be credited to other outstanding obligations of such member agency to Metropolitan or future readiness-to-serve obligations of such agency.

**Section 5.** That the water standby charge is fixed and adopted contingent upon completion of annexation of the land described in the Engineer's Report. If such annexation is not completed in time to permit imposition of standby charges for fiscal year 2013/14, Metropolitan may levy standby charges at the rate stated in this resolution beginning in a subsequent fiscal year.

**Section 6.** That in the event that the water standby charge, or any portion thereof, is determined to be an unauthorized or invalid fee, charge or assessment by a final judgment in any proceeding at law or in equity, which judgment is not subject to appeal, or if the collection of the water standby charge shall be permanently enjoined and appeals of such injunction have been declined or exhausted, or if Metropolitan shall determine to rescind or revoke the water standby charge, then no further water standby charge shall be collected within the territory described in the Engineer's Report and Eastern shall pay its readiness-to-serve charge obligation to Metropolitan in full, as if imposition of such water standby charges had never been sought.

**Section 7.** That pursuant to the provisions of the California Environmental Quality Act (CEQA), Eastern Municipal Water District and acting as the Lead Agency, adopted a Negative Declaration (ND) on August 22, 2012 for the proposed annexation process. Also pursuant to CEQA, Metropolitan, as Responsible Agency, is required to certify that it has reviewed and considered the information in the ND and adopts the Lead Agency's findings prior to approval of fixing and adopting water standby charges for the 103rd Fringe Area Annexation.

**Section 8.** That the General Manager is hereby authorized and directed to take all necessary action to secure the collection of the water standby charges by the appropriate county officials, including payment of the reasonable cost of collection.

**Section 9.** That the General Manager and General Counsel are hereby authorized to do all things necessary and desirable to accomplish the purposes of this resolution, including, without limitation, the commencement or defense of litigation.

**Section 10.** That if any provision of this resolution or the application to any member agency, property or person whatsoever is held invalid, that invalidity shall not affect the other provisions or applications of this resolution which can be given effect without the invalid portion or application, and to that end the provisions of this resolution are severable.

I HEREBY CERTIFY that the foregoing is a full, true and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California, at its meeting held on June 11, 2013.

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Secretary of the Board of Directors  
of the Metropolitan Water District  
of Southern California



**Initial Study  
and  
Negative Declaration  
  
for the  
  
103<sup>rd</sup> Fringe Area Annexation**

**August 2012**

**By**

***Eastern Municipal Water District  
P.O. Box 8300  
2270 Trumble Road  
Perris, California 92572-8300***

**ENVIRONMENTAL CHECKLIST FORM****1. Project title:**

103<sup>rd</sup> Fringe Area Annexation

**2. Project sponsor's name and address:**

Eastern Municipal Water District  
22270 Trumble Road  
P.O. Box 8300  
Perris, CA 92572-8300

**3. Lead agency name and address:**

Eastern Municipal Water District  
22270 Trumble Road  
P.O. Box 8300  
Perris, CA 92572-8300

**4. Contact person and phone number:**

Helen Stratton  
Conservation Analyst  
Eastern Municipal Water District  
Engineering and Planning Department  
(951) 928-3777 ext. 4545

**5. Project location and setting:**

Approximately 12.547 acres located north of Clinton Keith Road and Catt Road, and west of Mitchell (Pahl) road within the City of Murrieta in Section 34, Township 6 South, Range 3 West, SBB&M. (APNs 392-230-018, 019, 020, 023, 024) See Exhibit A.

**6. General Plan and Zoning Designations**

City of Murrieta Draft General Plan 2035  
Multi-Family 1 (MF-1), Multi-Family 2 (MF-2), Neighborhood Commercial (NC)

**7. Project description**

The proposed project consists of the annexation of approximately 12.547 acres of land belonging to the Melia Homes, Inc. to Eastern Municipal Water District (Eastern) and the Metropolitan Water District of Southern California (Metropolitan), to allow for future provision of domestic water, recycled water, and sewer services by Eastern. While no domestic water, recycled water, and sewer services are proposed for the property at this time, such annexation is necessary for services to be provided.

**8. Surrounding land uses and setting:**

The annexation site surrounding land uses consist of single family residences to the west and north, Clinton Keith road and single family residences to the south, and a retail shopping center and multi-family residential homes to the east.

**9. Other Public Agencies whose approval is required:**

Metropolitan Water District of Southern California  
Riverside Local Agency Formation Commission (LAFCO)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- Aesthetics
- Agricultural Resources
- Air Quality / GHG Emissions
- Biological Resources
- Cultural Resources
- Geology / Soils
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Service
- Recreation
- Transportation / Traffic
- Utilities / Service Systems
- Mandatory Findings of Significance

**Determination:**

On the basis of the initial evaluation:

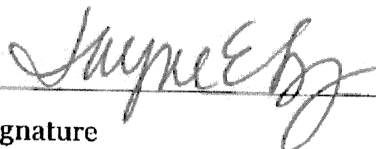
I find that the proposed project **COULD NOT** have a significant effect on the environment, and the **NEGATIVE DECLARATION** will be prepared ■

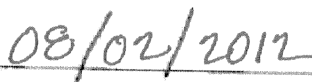
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. □  
**A MITIGATED NEGATIVE DECLARATION** will be prepared

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required □

I find that the proposed project **MAY** have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. □

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. □

  
\_\_\_\_\_  
Signature  
Jayne Joy, Director of Environmental  
and Regulatory Compliance

  
\_\_\_\_\_  
Date  
For: Eastern Municipal Water District

## EVALUATION OF ENVIRONMENTAL IMPACTS

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS – would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create new source of substantial light or glare which would adversely affect day or nighttime views of the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>II. AGRICULTURAL AND FOREST RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources code section 12220(g)), timberland (as defined by public resources code 4526), or timberland zoned Timberland Production (as defined by Government Code section 511104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY/GREENHOUSE GAS EMISSIONS –</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to any existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Generate Greenhouse Gas Emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>IV. BIOLOGICAL RESOURCES –</b> Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy of ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>V. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>VI. GEOLOGY AND SOILS – Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of know fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in, on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				

**VII. HAZARDS AND HAZARDOUS MATERIALS** – would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions, involving the release of hazardous material into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VIII. HYDROLOGY AND WATER QUALITY – Would the project:**

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, or substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area, structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death, involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. LAND USE AND PLANNING – Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>X. MINERAL RESROUCES – Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XI. NOISE – Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located with an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. POPULATION AND HOUSING – Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses), or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XIII. PUBLIC SERVICES – Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XIV. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. TRANSPORTATION/TRAFFIC – Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersection, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### XVII. MANDATORY FINDING OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effect on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**EXPLANATIONS OF RESPONSES TO ENVIRONMENTAL IMPACT CHECKLIST**

- I. **AESTHETICS.** The annexation site is vacant land located north of Clinton Keith and Catt Roads, east of Duster Road, and west of Mitchell (Pahl) Road in the City of Murrieta; not identified as scenic corridors or highway by the City of Murrieta General Plan. No development is proposed by the annexation. Future development will require evaluation of potential aesthetic impacts at that time, with regard to a previous 2010 Initial Study and Mitigated Negative Declaration (IS/MND) prepared for the site. No aesthetic impacts will result from this annexation. No mitigation is required or proposed.
- II. **AGRICULTURAL AND FORESTRY RESOURCES.** The subject property is vacant land, not currently used for agricultural purposes. The proposed annexation does not involve any changes to agricultural lands. Therefore, no impacts to agricultural resources will result from this annexation. No mitigation is required or proposed.
- III. **AIR QUALITY / GREENHOUSE GAS EMISSIONS.** The proposed annexation has no potential to obstruct the air quality plan, or result in the increase of a criteria pollutant. As stated in the previously prepared 2010 IS/MND regarding future development, "When specific development projects are submitted, they will be evaluated to determine whether they are consistent with the development factors assumption used in this document. If it is determined that they are not consistent, additional environmental review might be necessary." However, no impacts are anticipated as a result of this annexation. No mitigation is required or proposed.
- IV. **BIOLOGICAL RESOURCES.** The proposed annexation is currently vacant land. As previously stated, specific future developments may require further environmental review beyond the previously prepared 2010 IS/MND. However, no adverse effects on biological resources are expected to result from this annexation. No mitigation is required or proposed.
- V. **CULTURAL RESOURCES.** The proposed annexation does not include any ground disturbing activities. Future development, including ground disturbing construction activities, will require an appropriate evaluation. No impacts to cultural resources are anticipated at this time from this proposed annexation. No mitigation is required or proposed.
- VI. **GEOLOGY AND SOILS.** As stated previously, the proposed annexation will not involve any onsite development. Specific future development will trigger the requirement to comply with standard conditions of approval to ensure adequate construction. Therefore, no impacts to geology and soils are anticipated from this proposed annexation. No mitigation is required or proposed.
- VII. **HAZARDS AND HAZARDOUS MATERIALS.** The proposed annexation does not involve development. Future development proposed for the subject property will require the enforcement of federal and local regulations regarding the use, storage, and disposal of any hazardous material to be used or stored at the site. There are no impacts to hazards and hazardous materials from the proposed annexation. No mitigation is required or proposed.
- VIII. **HYDROLOGY AND WATER QUALITY.** The proposed project is annexation of vacant land, and is not located within a flood hazard area. The site is not subject to seiche, tsunami, or mudflows. According to the previously prepared 2010 IS/MND, future development will be subject to the State Water Resources Control Board's General Permit for Storm Water Discharges associated with construction activities, as well as City and County conditions for new development.

Specific development will also be subject to project-specific conditions related to Section 401(c) Water Quality Certification. This proposed annexation will not impact water quality. No mitigation is required or proposed.

- IX. **LAND USE AND PLANNING.** The proposed annexation site will be developed in compliance with existing zoning regulations. According to the previously prepared 2010 IS/MND, future development will have a less than significant impact on land use and planning. This proposed annexation will not impact land use and planning. No mitigation is required or proposed.
- X. **MINERAL RESOURCES.** The proposed annexations site is not an important resource site according to the City of Murrieta General Plan. Future development is not considered to represent any unique demand on mineral resources according to the previously prepared 2010 IS/MND. The proposed annexation will not impact mineral resources. No mitigation is required or proposed.
- XI. **NOISE.** The proposed annexation will not result in any additional noise in the area. Future development will require that potential noise impacts be evaluated with regard to impacts in the previously prepared 2010 IS/MND. No noise impacts are anticipated as a result this annexation. No mitigation is required or proposed.
- XII. **POPULATION AND HOUSEING.** The proposed annexation is not considered to be growth inducing, will not result in additional employment at this time, and will not displace existing population or housing units. According to the previously prepared 2010 IS/MND, future site development has been determined not to exceed projected population growth. No impacts to population and housing are anticipated from this proposed annexation. No mitigation is required or proposed.
- XIII. **PUBLIC SERVICES.** The proposed annexation will not result in the need for additional public services. Future development was determined by the previously prepared 2010 IS/MND to minimally impact public services. Future impact to public services will require re-evaluation when specific development is proposed. No public service impacts are anticipated as a result of this proposed annexation. No mitigation is required or proposed.
- XIV. **RECREATION.** The proposed annexation does not include development of new residential uses, and will not result in any additional needs for recreation or park facilities. Future development will require evaluating impacts on recreation facilities, and possibly require recreation facilities. The proposed annexation is not anticipated to impact recreation. No mitigation is required or proposed.
- XV. **TRANSPORTATION / TRAFFIC.** The proposed annexation will not result in any increased traffic to or from the site. Future development will require evaluating impacts to traffic, with respect to traffic impacts analyzed in the previously prepared 2010 IS/MND. No potential traffic/transportation impacts are anticipated as a result of this proposed annexation. No mitigation is required or proposed.
- XVI. **UTILITIES AND SERVICE SYSTEMS.** The proposed annexation will result in future additional demand on utilities and service systems. Eastern Municipal Water District (Eastern) provides essential water services to the City of Murrieta. Future facilities may be constructed to provide satisfactory services for all properties located within Eastern's Sphere of Influence. Eastern is a member agency of the Metropolitan Water District of Southern California (Metropolitan). Annexation to Eastern and Metropolitan is necessary before water service is established for the subject property. A condition of annexation is the imposition of Stand-by Charges for Eastern and

Metropolitan. Other service providers for this site include Southern California Edison (electricity), The Gas Company (natural gas), and various communications entities. No impacts to utilities and service systems are anticipated with imposition of the required conditions of approval. No mitigation is required or proposed.

- XVII. **MANDATORY FINDINGS OF SIGNIFICANCE.** The proposed annexation has neither the potential to degrade the quality of the environment; nor will it have incremental effects that are considerable when viewed in connection with the effect of past, other current projects, and probable future projects. The proposed annexation will not have environmental effects either directly or indirectly on other humans. No impacts are anticipated as a result of this proposed annexation.

### **References**

*City of Murrieta General Plan*

*City of Murrieta General Plan Update Final EIR 07 07 11.pdf*

*Initial Study and Mitigated Negative Declaration, Mitchell Crossing Project, City of Murrieta, California, Michael Brandman Associates, Amended August 17, 2010*

*City of Murrieta IS MND Amended 08 2010.pdf*

CEQA-7

**NOTICE OF DETERMINATION**

To:  Office of Planning and Research  
1400 Tenth Street  
P. O. Box 3044  
Sacramento, CA 95812-3044

From: Eastern Municipal Water District  
2270 Trumble Road  
P. O. Box 8300  
Perris, CA 92572-8300

County Clerk  
County of Riverside  
2724 Gateway Drive  
P. O. Box 751  
Riverside, CA 92502-0751

FILED  
RIVERSIDE COUNTY

AUG 23 2012

LARRY W WARD, CLERK

By *m. meyer* M. Meyer  
Deputy

**Subject:** Filing of the Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

**Project Title:** 103<sup>rd</sup> Fringe Area Annexation

**State Clearinghouse Number:** N/A

**Contact Person:** Helen Stratton

**Phone Number/Ext.:** (951) 928-3777, Extension 4545

COUNTY CLERK  
Neg Declaration/Ntc Determination  
Filed per P.R.C. 21152  
POSTED

AUG 23 2012

Removed: *9.28.14*  
By: *[Signature]*  
County of Riverside Dept. of California

**Project Location:** The proposed project will be located north of Clinton Keith road and Catt Road, and west of Mitchell (Pahl) road within the City of Murrieta in Section 34, Township 6 South, Range 3 West, SBB&M. (APNs 392-230-018, 019, 020, 023, 024)

**Project Description:** The proposed project consists of the annexation of parcels belonging to Melia Homes, Inc. to Eastern Municipal Water District and the Metropolitan Water District of Southern California. The purpose of the annexation is to allow for future provision of domestic water, recycled water, and sewer services by Eastern Municipal Water District for approximately 12.547 acres. While no domestic water, recycled water, and sewer services are proposed for the property at this time, such annexation is necessary for services to be provided.

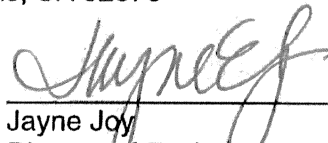
**This is to advise that the Eastern Municipal Water District has approved the described project on August 22, 2012 and has made the following determinations regarding the above described project:**

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

**This is to certify that the Final Negative Declaration with comments and responses and/or record of project approval is available to the General Public at:**

Eastern Municipal Water District  
2270 Trumble Road  
Perris, CA 92570

Date: 8/22/2012



Jayne Joy  
Director of Environmental Regulatory Compliance

**Date received for filing at OPR:**



California Natural Resources Agency  
 DEPARTMENT OF FISH AND GAME  
 Inland Deserts Region  
 3602 Inland Empire Blvd, Suite C-220  
 Ontario, Ca 91764  
[www.dfg.ca.gov](http://www.dfg.ca.gov)

*EDMUND G. BROWN, Jr., Governor*  
*CHARLTON H. BONHAM, Director*



## CEQA Filing Fee No Effect Determination Form

**Applicant Name:** Eastern Municipal Water District      **Date Submitted:** 07/19/2012

**Applicant Address:** P.O. Box 8300, Perris, CA 92572-8300

**Project Name:** 103<sup>rd</sup> Fringe Area Annexation

**CEQA Lead Agency:** City of Murrieta

**CEQA Document Type:** Negative Declaration

**SCH Number and/or Local Agency ID Number:** N/A

**Project Location:** North of Clinton Keith and Catt Roads, and west of Mitchell (Pahl) Road within the City of Murrieta (APNs: 392-230-018, 019, 020, 023, 024)

**Brief Project Description:** The project is a proposal for annexation of approximately 12.547 acres of land generally located within the City of Murrieta. The proposed annexation will allow future provision of domestic water, recycled water and sewer services. No development is identified or proposed in conjunction with this request.

**Determination:** Based on a review of the Project as proposed, the Department of Fish and Game has determined that for the purposes of the assessment of CEQA filing fees [F&G Code 711.4(c)] the project has no potential effect on fish, wildlife and habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original documentation for your records; you are required to file a copy of this determination with the County Clerk after your project is approved and at the time of filing of the CEQA lead agency's Notice of Determination (NOD). If you do not file a copy of this determination with the County Clerk at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid No Effect Determination Form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code Section 711.4(c)(3).

DFG Approval By: David Orr      Date: 8/2/2012

Title: Environmental Scientist

STATE OF CALIFORNIA - THE RESOURCES AGENCY  
DEPARTMENT OF FISH AND GAME  
**ENVIRONMENTAL FILING FEE CASH RECEIPT**

**Receipt #: 201200560**

**State Clearinghouse # (if applicable):** \_\_\_\_\_

*Lead Agency:* EASTERN MUNICIPAL WATER DISTRICT *Date:* 08/23/2012

*County Agency of Filing:* Riverside *Document No:* 201200560

*Project Title:* 103rd FRINGE AREA ANNEXATION

*Project Applicant Name:* EASTERN MUNICIPAL WATER DISTRICT *Phone Number:* \_\_\_\_\_

*Project Applicant Address:* 2270 TRUMBLE ROAD; P.O. BOX 8300 PERRIS CA 92572-8300

*Project Applicant:* Local Public Agency

CHECK APPLICABLE FEES:

- Environmental Impact Report \_\_\_\_\_
  - Negative Declaration \_\_\_\_\_
  - Application Fee Water Diversion (State Water Resources Control Board Only) \_\_\_\_\_
  - Project Subject to Certified Regulatory Programs \_\_\_\_\_
  - County Administration Fee \$64.00
  - Project that is exempt from fees (DFG No Effect Determination (Form Attached))
  - Project that is exempt from fees (Notice of Exemption)
- Total Received** \$64.00

*Signature and title of person receiving payment:* \_\_\_\_\_ 

*Notes:*