



# PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT

## Murrieta Creek Flood Control, Environmental Restoration and Recreation Project

**LOCATION:** The project area is located within the City of Temecula in southwestern Riverside County, California. Phase I and Phase II of the project area span approximately three miles of Murrieta Creek, from 200 feet upstream of Winchester Road to 200 feet downstream of Temecula Parkway, at the State Route 79 and Interstate 15 interchange (See Figure 1). The project was developed by the US Army Corps of Engineers (Corps) in coordination with the Riverside County Flood Control and Water Conservation District, as the non-federal local sponsors.

**PROJECT HISTORY:** The project was originally authorized on 27 October 2000 in the Energy and Water Development Appropriations Act of 2001 (PL 106-377). The 2000 Environmental Impact Statement (EIS) and Environmental Impact Report (EIR) identified the project to be completed in three Phases (I, II, and III). Per the 2000 EIS/EIR, the project intended to provide 100-year flood protection, environmental restoration, and recreation components within the study area between the upstream limit of McVicar Street, in unincorporated area of Wildomar, to 11 miles downstream one half mile north of the Murrieta Creek confluence with Temecula Creek. The 2003 Supplemental Environmental Assessment (EA) and EIR proposed modifications for Phase I and subsequently constructing remaining portions of the project in Phases II, III and IV. Phase I modifications significantly shortened the project length by approximately 3,000 feet, which consisted of less than half the length of the original Phase I, to extend from approximately 800 feet south of the 1<sup>st</sup> Street Bridge at the upstream limit to approximately one half mile north of the Murrieta Creek confluence with Temecula Creek at the downstream limit. The modification would support a wider and deeper channel in order to increase the flood flow carrying capacity and to allow for the creation of an unmaintained riparian corridor. The 2014 Supplemental EA and EIR addressed modifications to Phase II of the project, ultimately resulting in no net increase in impacts for any resource and an overall slight reduction of impacts for most resources. A more comprehensive summary of the project alternatives discussion and findings may be found in the above mentioned environmental documentation.

The majority of Phase I was completed in 2004. A small component of the downstream end of Phase I was never constructed due the discovery of an unknown utility which could not be relocated at the time. Phase I was subsequently repaired in 2007. Phase II was broken down into two additional construction phases, A and B. Phase IIA was completed in 2018. The Corps is currently re-evaluating the remaining components of the unconstructed portion of Phase I as well as Phases IIB, III and IV to determine what should be carried forward to construction.

**PROPOSED PROJECT:** The Corps is currently evaluating the sediment and vegetation removal and long-term operation and maintenance of Phases I and IIA (Proposed Project) of the Murrieta Creek Flood Control, Environmental Restoration and Recreation Project. This effort will facilitate project turnover of Phases I and IIA to the non-federal local sponsors, the Riverside County Flood Control and the Water Conservation District, and ensure implementation of long-term operation and maintenance needs. Since the completion of Phase I in 2004 and subsequent repairs in 2007, no maintenance has occurred within this section of the project. As a result, sediment build-up has restricted flows and is causing ponding of water within newly constructed Phase IIA. In addition, new species of concern have since been documented to occur throughout the Murrieta Creek Flood Control, Environmental Restoration project area, including Phase I and the basin area utilized for stockpiling and material storage. Ground disturbing activities in the Proposed Project would include one-time removal of vegetation and

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sediment by the Corps to return the project to design grade in the maintained portion of the channel; the unmaintained riparian corridor mentioned above under Project History would be avoided. Long-term operations and maintenance activities to be performed by the local sponsors may include but are not limited to: annual inspections, repairs to channel side slopes, maintenance associated with drop inlets, grade control structures, maintenance roads and access ramps and storm drain outlets, and vegetation management and sediment removal within maintained channel zone. A Supplemental EA and EIR will be developed to address the immediate need for maintenance, as well as, update the long-term operation and maintenance requirements to reflect current resources present within the project area.

**BACKGROUND AND AUTHORITY:** Congress, in the Flood Control Act of 1936, established as a nationwide policy that flood control (i.e. flood damage reduction) on navigable waters and their tributaries is in the interest of the general public welfare and is, therefore, a proper activity of the Federal Government in cooperation with the states and local entities. It provided that the Federal Government may improve streams or participate in improvements “for flood control purposes if the benefits to whomsoever they may accrue are in excess of the estimated costs, and if the lives and social security of people are otherwise adversely affected.” The 1936 Act, as amended, and more recently under the Water Resources Development Act of 1986, specifies the details for federal participation. These subsequent actions have also enlarged the scope of the federal interest to include consideration of all alternatives in controlling flood waters, reducing the susceptibility of property to flood damage, including improvements for protection from groundwater induced damages, and relieving human and financial losses.

The Feasibility Study for the Murrieta Creek Flood Control, Environmental Restoration and Recreation Project was authorized by the U.S. Senate Resolution, dated 28 March 1996, which directed the Secretary of the Army to:

“Review the report of the Board of Engineers for Rivers and Harbors dated 31 December 1985, San Diego Streams, California, for the purpose of watershed management, including flood control, environmental restoration, stormwater retention, water conservation and supply, and related purposes, and with a specific focus on the Santa Margarita Watershed, including Murrieta Creek, San Diego and Riverside Counties, California.”

The Murrieta Creek Flood Control, Environmental Restoration and Recreation Project was authorized for construction in the Energy and Water Development Appropriations Act of 2001 (P.L. 106-377), on 27 October 2000.

**NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE:** Since the initial approval of the Final EIS/EIR for the Murrieta Creek Flood Control, Environmental Restoration and Recreation Project in September 2000, impacts to the majority of resources have remained unchanged and the original findings remain consistent. An exception to this is the evaluation of biological resources. When conducting construction related surveys and monitoring, it was documented that a previously unrecorded endangered species, the Least Bell’s vireo (*Vireo bellii pusillus*), was present within the project area. This was addressed in 2014 Supplemental EA and EIR for Phase II and associated Biological Opinion (BO) issued by the U.S. Fish and Wildlife Service. The sediment and vegetation removal and long-term operations and maintenance documentation associated with Phase I will be updated to reflect the presence of the species, including further coordination with the U.S. Fish and Wildlife Service.

**Biological Resources:** The Least Bell’s vireo (*Vireo bellii pusillus*) is the only Endangered Species Act (ESA) protected species known to occur within the Phase I and/or Phase IIA of the project. Though no designated or proposed critical habit for the species occurs within the project area, suitable habitat is present.



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Vegetation in the channel of Phase I consists of a blend of native riparian and emergent vegetation as well as patches of invasive species and weeds. Riparian vegetation consists predominantly of willow, mulefat, and cottonwood with other species intermixed. Emergent vegetation consists of cattails and various rush/sedge species. Generally, the unmaintained corridor consists of more mature riparian vegetation while the maintained portion of the channel consists of riparian vegetation in an earlier successional stage with intermixed patches of emergent vegetation, weeds, and accumulation of wrack and debris.

The interior portions of the basin, where the material would be stockpiled and equipment would be staged, has limited vegetation. Much of this area includes small trees, weeds, and shrubs, including a mix of both native and invasive species. Portions of vegetation were removed in the basin during previous construction activities as preparation for potential use of the site. The Water Conservation District also periodically mows the interior portion of the basin as part of their maintenance program. As a result, no habitat for the vireo exists within the interior of the basin. The only suitable habitat for the vireo that occurs in the basin is a strip of marginal quality riparian vegetation along the drainage ditch adjacent to Cherry Street.

The Least Bell's vireo (*Vireo bellii pusillus*) did not occur in the Phase I project area at the time of construction but moved into the project area sometime after construction completion. Surveys for vireo activity in Phase I were performed in 2016 and 2017 by RECON Environmental on behalf of the Corps. During the two years of surveys and incidental observations, vireo use was documented throughout Phase I. Vireo observations in 2016 were limited to a single individual during each survey. Based on the pattern of vireo use observed during 2016 surveys, it is unlikely that any vireo nesting occurred. In 2017, one location at the far southern end of the Phase I area had recurring observations of a vireo throughout the first half of the survey season. Other vireo observations within the Phase I area during 2017 were spread throughout the channel and did not show a consistent pattern of repeated observations at the same location over multiple consecutive surveys. No nests were identified during the 2017 survey season.

Based on survey data and the 2014 Supplemental EA and EIR for Phase II and associated BO issued by the U.S. Fish and Wildlife Service, the Corps anticipates the impacts and finding would be similar in nature for the Proposed Project, as well as, consistent with the long-term operations and maintenance associated Phase II. Therefore, the Corps proposes to prepare a Supplemental Environmental Assessment for the Operations and Maintenance of Phase I and Phase IIA.

**SUBMITTING COMMENTS:** The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; and other interested parties. Comments will be accepted from August 14, 2019 to September 3, 2019.

Comments should be mailed to:

U.S. Army Corps of Engineers  
Los Angeles District  
Planning Division  
Attn: Emily Lester  
3636 N. Central Avenue, Suite 900  
Phoenix, AZ 85012

Alternatively, comments can be sent electronically to: [emily.a.lester@usace.army.mil](mailto:emily.a.lester@usace.army.mil)