

**FINAL
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

TTM 38128 Project

State Clearinghouse No. 2023050729

Lead Agency:



CITY OF MENIFEE
29844 Haun Road
Menifee, California 92586
Contact: Mr. Brett Hamilton
951.723.3747

Prepared by:

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909.974.4933

June 2023

JN 190068

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1.0 INTRODUCTION

The TTM 38128 project (project) proposes the construction of 96 single-family detached residential units on an approximately 28.38-acre site located at the southwest corner of Byers Road and Troy Lane, approximately 360 feet northwest of the western terminus of Rouse Road. Amenities within the development would include an approximately 1.25-acre park in the western portion of the site and approximately 0.53-acre of additional open space throughout the site. In addition, an approximately 0.81-acre water quality basin would be constructed in the northeastern portion of the project site. Project approval would require a Tentative Tract Map, a National Pollutant Discharge Elimination System Permit, stormwater management and associated permitting, and CEQA Clearance.

The Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2023050729) was made available for public review and comment pursuant to CEQA Guidelines Section 15073. The public review commenced on June 2, 2023 and concluded on June 21, 2023. The IS/MND and supporting attachments were available for review by the general public at:

<http://www.cityofmenifee.us/325/Environmental-Notices-Documents>



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2.0 RESPONSE TO COMMENTS

During the public review period, comment letters were received on the IS/MND from interested public agencies and individuals. The following is a list of commenters on the IS/MND during the public review period.

Comment Letter No.	Person, Firm, or Agency	Letter Dated
1	Mauricio Alvarez, Planning Analyst, Riverside Transit Agency	June 14, 2023
2	Alfred Javier, Director of Environmental and Regulatory Compliance, Eastern Municipal Water District	June 15, 2023
3	Zachary Perez, Resident	June 21, 2023

Although the CEQA Guidelines do not require a lead agency to prepare written responses to comments received (see CEQA Guidelines Section 15088), the City of Menifee has elected to prepare the following written responses with the intent of conducting a comprehensive and meaningful evaluation of the proposed project. The number designations in the responses are correlated to the bracketed and identified portions of each comment letter.

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From: Mauricio Alvarez <malvarez@riversidetransit.com>
Sent: Wednesday, June 14, 2023 9:33 AM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Subject: TTM 38128 PLN22-002

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1-1

Good Morning Brett,

Thank you for including Riverside Transit Agency in the development review of Tentative Tract Map 38128 PLN22-002. After reviewing the plans, there are no recommendations to submit for this particular project at this time.

Thank you,

Mauricio Alvarez, MBA

Planning Analyst
Riverside Transit Agency
p: 951.565.5260 | e: malvarez@riversidetransit.com
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)
1825 Third Street, Riverside, CA 92507

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Response No. 1

Riverside Transit Agency
Mauricio Alvarez, Planning Analyst
June 14, 2023

- 1-1 The commenter indicates that Riverside Transit Agency has reviewed the plans for the TTM 38128 project, and does not have recommendations to provide on the project. The comment is acknowledged. Since this comment does not identify a specific concern with the adequacy of the Draft IS/MND or raise an issue or comment specifically related to the Draft IS/MND's environmental analysis under CEQA, no further response is warranted. (CEQA Guidelines Section 15088(a) requires that a lead agency only evaluate and respond to comments raised on environmental issues.)

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June 15, 2023

City of Menifee Community Development
Attention: Brett Hamilton, Senior Planner
29844 Haun Road
Menifee, CA 92586

Subject: EMWD Comments for the TTM 38128 Project Notice of Intent to Adopt a Mitigated Negative Declaration

Location: Southwest corner of Byers Road and Troy Lane within the City of Menifee, Riverside County, California.

Dear Mr. Brett Hamilton:

2-1

Eastern Municipal Water District (EMWD) thanks you for the opportunity to comment on the Notice of Intention to Adopt a Mitigated Negative Declaration for the TTM 33128 Project (project). The project proposes a subdivision for 96 detached single-family residential homes with a minimum lot size of 7,200 square feet on a 28.38-acre site with a density of 3.38 dwelling units per acre. The tract consists of 0.53-acre of open space, a 1.25-acre park, and a 0.81-acre water quality basin. Access and circulation improvements are also proposed and would be designed and constructed consistent with the City of Menifee design standards.

2-2

EMWD offers the following comments:

To define the impact(s) on the environment and on existing EMWD facilities, and as development within this area occurs over time, the proponents of implementing development projects shall consult EMWD's Development Services Department to compare proposed and existing water demands and sewer flows, and prepare a Design Conditions report (DC), formally known as the Plan of Service (POS), to detail all pertinent facilities necessary to serve such implementing development projects, resulting in an approved DC, prior to final design and plan check of such facilities.

Board of Directors

Philip E. Paule, *President* Stephen J. Corona, *Vice President* Jeff Armstrong Randy A. Record David J. Slawson

2270 Trumble Road • P.O. Box 8300 • Perris, CA 92572-8300

T 951.928.3777 • F 951.928.6177 www.emwd.org

2-3

To help define EMWD’s Design Conditions, EMWD requires beginning dialogue with project proponents at an early stage in the site design and development, via a one-hour complementary Due Diligence meeting. To set up this meeting the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our web page www.emwd.org, then select the “Developer” link, then select the “New Development Process Forms” link. This meeting will offer the following benefits:

1. Describe EMWD’s development process.
2. Identify project scope and parameters.
3. Provide a preliminary review of the project within the context of existing infrastructure.
4. Discuss potential candidacy for recycled water service.
5. Identify project submittal requirements to start the Design Conditions review.

2-4

Following the Due Diligence meeting, and to proceed with a project, the Design Conditions will need to be developed by the developer’s engineer and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The DC process and approval will provide the following:

1. Technical evaluation of the project’s demands and existing system capacities.
2. Identification of impacts to existing facilities.
3. Identification of additional on-site and off-site facilities, necessary to serve the project.
4. Identification of easement requirements, if necessary.
5. Identification of potential EMWD’s cost participation in facility oversizing, if applicable.

If you have questions or concerns, please do not hesitate to contact Maroun El-Hage at (951) 928-3777, extension 4468 or by e-mail at El-hagem@emwd.org.

Sincerely,

Alfred Javier
Director of Environmental and Regulatory Compliance

ARJ: hs

Response No. 2

Eastern Municipal Water District
Alfred Javier, Director of Environmental and Regulatory Compliance
June 15, 2023

- 2-1 This comment provides a general introduction, summarizing the project description of TTM 38128. Responses to specific comments are provided below.
- 2-2 The commenter states that the project applicant should consult with the Eastern Municipal Water District (EMWD) Development Services Department in order to define project impacts to the environment and EMWD facilities. This would consist of comparing proposed and existing water demand and sewer flows, and preparing a Design Conditions report. The comment is acknowledged. As described in Section 4.19, *Utilities and Service Systems*, of the Draft IS/MND, in addition to compliance with EMWD design requirements, payment of standard water connection fees and ongoing user fees would ensure that the project's impacts on existing water facilities are adequately offset.
- 2-3 The commenter states that EMWD requires a one-hour due diligence meeting with the project applicant to help define the Design Conditions, and provides instructions to initiate the meeting. The instructions provided are noted. Since the comment does not identify a concern with the adequacy or environmental analysis of the Draft IS/MND, no further response is warranted. (CEQA Guidelines Section 15088(a) requires that a lead agency only evaluate and respond to comments raised on environmental issues.)
- 2-4 The commenter states that the Design Conditions will need to be developed by the applicant's engineer and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. In addition, the process for the Design Conditions and approval is described. Contact information is also provided. The comment is noted. Since the comment does not identify a concern with the adequacy or environmental analysis of the Draft IS/MND, no further response is warranted. (CEQA Guidelines Section 15088(a) requires that a lead agency only evaluate and respond to comments raised on environmental issues.)

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From: [Zachary Perez](#)
To: [Brett Hamilton](#)
Subject: Comments on tentative tract 38128
Date: Wednesday, June 21, 2023 9:36:22 PM

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Good Evening,

3-1

I have a couple comments on this project as a close Nieghbor who has been living in the peaceful serenity of the area for many years Below are my bullet points of what should be noted when approving this project as a concerned resident.

3-2

1) Requiring more open space or parks when removing 28 acres of nature from earth seems logical. At least give nature more then 10%.

3-3

2) Construct a Stop sign intersection at Troy Lane and Byers road. Without stop signs on this long newly paved road speeds will reach 50mph consistently.

3-4

3) Construct paving gap from Byers road to Rouse Road, should be required. Otherwise traffic will flow all one way. Also heavy dust will be created by those who decide to go over dirt roads. Dust is major environmental issue.

Thank you for your time
Zachary Perez
Sent from my iPhone

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Response No. 3

Zachary Perez, Resident
June 21, 2023

3-1 This comment provides a general introduction. Responses to specific comments are provided below.

3-2 The commenter states that more open space or parks should be required for the project since it “removes 28 acres of nature.” However, the project site is not designated open space or parks by the City of Menifee General Plan and is consistent with its General Plan Land Use designation of 2.1-5 dwelling units per acre (du/ac) Residential (2.1-5 R) and its zoning designation of Low Density Residential-2 (LDR-2) (7,200 SF).

As discussed in Section 4.15, *Public Services*, of the Draft IS/MND, the project would include approximately 1.25-acre park to be maintained for through homeowner’s association fees and is not anticipated to result in substantial unplanned population growth in the City; refer also to Draft IS/MND Section 4.14, *Population and Housing*. The project would incorporate approximately 0.53-acre of additional open space throughout the site. In addition, an approximately 0.81-acre water quality basin would be constructed in the northeastern portion of the project site.

Lastly, the City would collect a one-time development impact fee in accordance with Municipal Code Chapter 8.02, which is imposed on all new development to help pay its fair share of costs in maintaining and upgrading park facilities, as needed. Payment of these fees would help fund the acquisition, design, and construction of new park and recreation facilities and would minimize the project’s operational impacts to parks and recreation facilities to the greatest extent practicable. Impacts would be less than significant in this regard, and no additional open space or park land would be warranted in this regard.

3-3 The commenter states that a stop sign intersection should be constructed at Troy Lane and Byers Road, to reduce vehicle speeds. As noted in Appendix I1, *Traffic Impact Analysis*, of the Draft IS/MND, it is expected that the Cimarron Ridge Project will construct Byers Road from Troy Lane to McLaughlin Road. This project is separate from the TTM 38128 project and thus these improvements were not identified as transportation improvements in the Draft IS/MND. Nonetheless, it should be noted that the majority of project generated trips are anticipated to travel south on Byers Road towards Rouse Road; refer to Exhibit 5-1 of Draft IS/MND Appendix I1.

Section 2B.07 of the California Manual on Uniform Traffic Control Devices (CA MUTCD) provides guidance on the installation of multi-way stops. In summary, multi-way stop installation should be considered if one or more of the following conditions apply:

- (1) As an interim condition when a traffic signal has been warranted.
- (2) If the intersections has a collision history of 5 or more collisions in a 12 month period.
- (3) If the intersection meets certain volume thresholds:
 - (a) At least 300 vehicles per hour for 8 hours on the major street.

(b) At least 200 vehicles per hour for 8 hours on the minor street.

Currently, there are only approximately 65 vehicles travelling on Byers Road between McLaughlin Road and the project; refer to Appendix I1, Table 4-1. In the Opening Year scenario, approximately 320 daily vehicles are forecast on Byers Road between the project (Refer to Appendix I1, Table 8-2). Neither of these scenarios meet the 300 vehicle per hour, for 8 hours, CA MUTCD condition for the application of a multi-way stop. Additionally, given the low daily traffic along Byers Road, the collision history condition is not expected to be satisfied. Thus, intersection improvements to Troy Lane and Byers Road are not anticipated to be necessary or required in this regard.

3-4 The commenter states that paving gaps from Byers Road to Rouse Road should be required. They express concern about traffic flowing all in one direction. Refer to Response 3-3.

Regarding the commenter's concerns about dust generation, Draft IS/MND Section 4.3, *Air Quality* assesses potential air quality impacts associated with the project. All air quality impacts were found to be less than significant, including those associated with fugitive dust emissions and coarse particulate matter (PM₁₀), which can arise from road dust. Draft IS/MND Section 4.10, *Hydrology and Water Quality*, analyzes the project's potential to result in substantial erosion or siltation. As concluded in Draft IS/MND Section 4.10, although the project would result increase impervious surfaces compared to existing conditions, long-term operation of the project would not have the potential to result in substantial erosion or siltation given the nature of proposed use and the urbanized project setting. The project site would not include any large areas of exposed soils that would be subject to runoff. Rather, any unpaved areas would be landscaped to minimize the potential for erosion or siltation on- or off-site. The proposed project would include operational best management practices (BMPs) in conformance with Municipal Code Chapter 15.01, *Storm Water/Urban Runoff*, in order to reduce long-term water quality impacts to less than significant levels. To further minimize potential for dust generation, Mitigation Measure TRA-2 requires for project plans to indicate that Byers Road would be developed as a two-lane collector from the project's southern boundary to Rouse Road; refer to Draft IS/MND Section 4.17, *Transportation*. Impacts related to the effects of dust generation would be less than significant in this regard.

3.0 MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, Table 1, *Mitigation Monitoring and Reporting Checklist*, and Table 2, *Standard Conditions and Requirements Checklist*, have been prepared for the TTM 38128 Project (the “project”). This Checklist is intended to provide verification that all applicable Conditions of Approval relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the City of Menifee TTM 38128 Project file.

This Mitigation Monitoring and Reporting Program (MMRP) delineates responsibilities for monitoring the project, but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the Mitigation Monitoring and Reporting Checklist and Standard Conditions and Requirements Checklist (Table 1 and Table 2). If an adopted mitigation measure or standard condition is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Initial Study/Mitigated Negative Declaration, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the City as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the City with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.

- The City prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.
- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City. Such changes could include reassignment of monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162. No change will be permitted unless the MMRP continues to satisfy the requirements of Public Resources Code Section 21081.6.

Table 1
Mitigation Monitoring and Reporting Checklist

Mitigation Number	Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
BIOLOGICAL RESOURCES							
BIO-1	<p>Pre-Construction Survey for Nesting Birds and Coastal California Gnatcatcher. Ground-disturbing activities shall be conducted during the non-breeding season for birds (approximately September 1 through January 31) to avoid violations of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code § § 3503, 3503.5 and 3513.</p> <p>If grading or construction activities, including vegetation removal with the potential to disrupt nesting birds, including burrowing owl and coastal California gnatcatcher, are scheduled to occur during the bird breeding season (February 1 through August 31), a pre-construction survey for nesting birds and coastal California gnatcatcher shall be conducted by a qualified Designated Biologist who is experienced in the identification of avian species and conduction nesting bird surveys using appropriate survey methodology. The nest survey shall include the project site and any adjacent areas (i.e., construction site entrances and/or staging areas) where the project activities have the potential to cause nest failure. The pre-construction survey shall be conducted no more than three days prior to the start of ground-disturbing activities within the bird breeding season at the appropriate time of day/night, and during appropriate</p>	Designated Biologist	Community Development Department - Planning Division/ Designated Biologist	Within Three Days Prior to the Start of Ground-Disturbing Activities/ During Construction			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
	<p>weather conditions. If no nesting bird or gnatcatchers are observed during the survey, site preparation and construction activities may begin. If nesting birds (including nesting raptors) or gnatcatchers are found to be present, avoidance or minimization measures shall be undertaken to avoid potential project-related impacts. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.</p> <p>If an active avian nest is confirmed, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on the nest based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance</p>						

Mitigation Number	Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
	and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The onsite qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to the City for mitigation monitoring compliance record keeping.						
BIO-2	Pre-Construction Surveys for Burrowing Owl. A qualified biologist shall conduct a pre-construction survey for burrowing owl within the project site within 30 days prior to the start of ground-disturbing activities. The surveys shall follow the methods described in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Burrowing Owl Survey Instructions (RCTLMA 2006). Once the survey is completed, the designated biologist shall prepare and submit a final report documenting the results of the clearance survey to the City of Menifee for review and file. If no burrowing owls or occupied burrows are detected, project construction may begin, and no additional avoidance or minimization measures would be required. If at any time there is a lapse of project activities for 30 days or more, another burrowing owl survey shall be conducted.	Applicant/ Designated Biologist	Designated Biologist/ Community Development Department - Planning Division	Within 30 Days Prior to the Start of Ground- Disturbing Activities/ During Construction			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
	If an occupied burrow is found within the project impact area during the pre-construction clearance survey, the onsite biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgment and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with the California Department of Fish & Wildlife (CDFW), or the construction contractor shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer active. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens.						
GEOLOGY AND SOILS							
GEO-1	Paleontological Resources. Prior to issuance of grading permits, the project applicant shall retain a qualified paleontologist to evaluate the site and prepare and implement a paleontological resource mitigation program (PRMP). The project paleontologist would review the grading plan and conduct any preconstruction work necessary to	Qualified Paleontologist	Qualified Paleontologist/ Community Development Department - Planning Division	Prior to Issuance of Grading Permits/ During Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
	<p>render appropriate monitoring and mitigation requirements, to be documented in the PRMP. During ground disturbing activities, the qualified paleontologist shall monitor ground disturbing activity within Pleistocene alluvial deposits. If evidence of subsurface paleontological resources is found during construction, excavation and other construction activity in that area shall cease and the qualified paleontologist shall contact the City of Menifee Community Development Director in writing within four hours. Unanticipated discoveries shall be evaluated for significance by the qualified paleontologist before the City of Menifee Community Development Director allows for construction activities to recommence. If significance criteria are met, the qualified paleontologist shall collect and catalogue the resource in accordance with the Society of Vertebrate Paleontology (SVP) guidelines.</p> <p>The PRMP shall be submitted to the City prior to issuance of a grading permit. Information contained in the PRMP would minimally include:</p> <ol style="list-style-type: none"> 1. Description of the project site and proposed grading operations 2. Description of the level of monitoring required for earth-moving activities 3. Identification and qualifications of the paleontological monitor to be employed during earth moving 4. Identification of personnel with authority to temporarily halt or divert grading to allow recovery of large specimens 						

Mitigation Number	Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
	5. Direction for fossil discoveries to be reported to the developer and the City 6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils to minimize construction delays 7. Sampling methods for sediments that are likely to contain small fossil remains, if any. 8. Procedures and protocol for collecting and processing of samples and specimens, as necessary 9. Fossil identification and curation procedures 10. Identification of the repository to receive fossil material 11. All pertinent maps and exhibits 12. Procedures for reporting of findings 13. Acknowledgment of the developer for content of the PRMP and acceptance of financial responsibility for monitoring, reporting, and curation						
TRANSPORTATION							
TRA-1	Intersection No. 6 (Chambers Avenue and Murrieta Road). Prior to ground disturbing activities, the City of Menifee Traffic Engineer shall verify that the project applicant has contributed a onetime fair-share contribution of \$21,210 or 7.07 percent of the estimated cost of a traffic signal at the intersection of Chambers Avenue and Murrieta Road (Intersection No. 6).	Applicant	City of Menifee Traffic Engineer	Prior to Ground Disturbing Activities			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
TRA-2	Byers Road (Southern Project Boundary to Rouse Road). Prior to ground disturbing activities, the City of Menifee Traffic Engineer shall verify that project plans indicate that Byers Road would be developed as a two-lane collector from the project's southern boundary to Rouse Road.	Applicant	City of Menifee Traffic Engineer	Prior to Ground Disturbing Activities			
TRA-3	Byers Road and Rouse Road Intersection. Prior to ground disturbing activities, the City of Menifee City Engineer shall verify that project plans indicate the construction of an intersection at Byers Road and Rouse Road. The design of the intersection shall consider future connection to the west by other developments.	Applicant	City of Menifee Traffic Engineer	Prior to Ground Disturbing Activities			
TRA-4	Traffic Management Plan. Prior to issuance of grading permits, the project applicant shall prepare a Traffic Management Plan (TMP) for approval by the City of Menifee Traffic Engineer. The TMP shall include measures to minimize potential safety impacts during the short-term construction process if partial or full lane closures are required. The TMP shall specify that one direction of travel in each direction on adjacent roadways (i.e., Byers Road and Troy Lane) must always be maintained during project construction activities. If full lane closures are required and one direction of travel in each direction cannot be maintained, the TMP shall identify planned detours. The TMP shall include measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and use of construction flagperson(s) to direct traffic during heavy equipment use. The	Applicant	City of Menifee Traffic Engineer	Prior to Issuance of Grading Permits			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
	TMP shall be incorporated into project specifications for verification prior to final plan approval.						
TRA-5	No Parking Restrictions for Emergency Vehicle Access. Prior to issuance of grading permits, the City of Menifee Traffic Engineer shall verify that project plans identify a minimum of five feet of red "No Parking" curb on each side of the emergency vehicle driveway from the dual cul-de-sacs between lots 18 and 19 to prohibit parking near to the driveway pan. If there is less than 25 feet between the emergency vehicle access driveway and a residential driveway for the nearby lots, the red "No Parking" curb shall continue to the next residential driveway.	Applicant	City of Menifee Traffic Engineer	Prior to Issuance of Grading Permits			

Table 2
Standard Conditions and Requirements

Condition Number	Standard Conditions and Requirements	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
CULTURAL RESOURCES							
SC-CUL-1	Archeologist Retained. Prior to issuance of a grading permit, the project applicant shall retain a Riverside County qualified archaeologist to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources. The project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each	Qualified Archaeologist/ Tribal Monitor	Community Development Department - Planning Division	Prior to the Issuance of a Grading Permit/ During Ground Disturbing Activities			

Condition Number	Standard Conditions and Requirements	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
	<p>portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The project Archaeologist and the Tribal monitor(s), shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors.</p> <p>The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition.</p> <p>In addition, the project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the project, has not opted out of the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:</p>						

Condition Number	Standard Conditions and Requirements	Implementation Responsibility	Monitoring Responsibility	Timing	Verification of Compliance		
					Initials	Date	Remarks
	<p>a. Project grading and development scheduling;</p> <p>b. The project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis; and</p> <p>c. The protocols and stipulations that the contractor, City, Consulting Tribe(s) and project archaeologist will follow in the event of inadvertent cultural resources discoveries,</p>						

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	including any newly discovered cultural resource deposits that shall be subject to a cultural resources' evaluation.						
SC-CUL-2	Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254(r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).	Contractor	Community Development Department - Planning Division	During Ground Disturbing Activities			
SC-CUL-3	Inadvertent Archeological Find. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s). i. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal	Contractor/ Qualified Archaeologist/ Tribal Monitor	Community Development Department - Planning Division	During Ground Disturbing Activities			

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	<p>representative(s) and the Community Development Director to discuss the significance of the find.</p> <p>ii. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.</p> <p>iii. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.</p> <p>iv. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the project property so they are not subject to further</p>						

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	<p>disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.</p> <p>v. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council.</p>						
SC-CUL-4	<p>Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p>	Qualified Archaeologist/ Tribal Monitor	Community Development Department - Planning Division	During Ground Disturbing Activities			

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	<p>a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department:</p> <p>i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.</p> <p>ii. Reburial of the resources on the project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.</p>						

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	<p>iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.</p>						
SC-CUL-5	<p>Native American Monitoring (Pechanga). Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal</p>	Pechanga Tribal Monitor	Community Development Department - Planning Division	During Ground Disturbing Activities			

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	monitor(s) from the Pechanga Band of Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribe and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.		and Engineering Department				
SC-CUL-6	Native American Monitoring (Soboba). Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Soboba Band of Luiseno Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribe and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the project Archaeologist.	Soboba Tribal Monitor	Community Development Department - Planning Division and Engineering Department	During Ground Disturbing Activities			
SC-CUL-7	Archeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the project) and the Phase IV Cultural Resources	Qualified Archaeologist	Community Development Department - Planning Division	Prior to Final Inspection			

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	Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).						
SC-CUL-8	Human Remains. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation	Contractor	Community Development Department - Planning Division	During Ground Disturbing Activities			



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	concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.						