

**City of Temecula**  
**Community Development**  
**Planning Division**

**Notice of Intent to Adopt Mitigated Negative Declaration**

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**PROJECT:** Paradise Chevrolet Truck Dealership Project

**APPLICANT:** 4M Engineering & Development, Inc.

**LOCATION:** 42105 DLR Drive, City of Temecula, County of Riverside

**DESCRIPTION:** The Project would result in the development of an approximately 64,051-square-foot structure for commercial truck sales and service uses within a two-story building that includes rooftop parking (approximately 44,879 square feet). The proposed building would have a building footprint of 57,662 square feet and a maximum height of 38 feet. The building would be surrounded by a parking lot for customer and employee parking, service and repair, and vehicle storage and display. The Project would require approval of a Development Plan and Conditional Use Permit.

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The City of Temecula intends to adopt a Mitigated Negative Declaration for the project described above. This notice is made pursuant to Section 15072 of the California Environmental Quality Act (CEQA). Based upon the information contained in the attached Initial Environmental Study and pursuant to the requirements of CEQA; it has been determined that this project as proposed, revised or mitigated will not have a significant impact upon the environment. As a result, the Planning Commission intends to adopt a Mitigated Negative Declaration for this project.

The mitigation measures required to reduce or mitigate the impacts of this project on the environment are included in the project design and/or the Mitigation Monitoring Program which is attached to this Notice and will be included as part of the Mitigated Negative Declaration for this project.

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As required by Section 15073 of CEQA, the public review and commenting period for this proposed Mitigated Negative Declaration is **July 2 to August 1, 2024**. Written comments and responses to this notice should be addressed to the contact person listed below at the following address: City of Temecula, 41000 Main Street, Temecula, CA 92590

The public notice of the intent to adopt this Mitigated Negative Declaration is provided through:

The Local Newspaper       Posting the Site       Notice to Adjacent Property Owners

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If you need additional information or have any questions concerning this project, please contact the Project Planner Scott Cooper, at (951) 506-5137 or [scott.cooper@TemeculaCA.gov](mailto:scott.cooper@TemeculaCA.gov).

  
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Matt Peters  
Acting Director of Community Development

7/2/24  
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(Date)

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## 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 program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6). Specifically, Public Resources Code Section 21081.6 states:

- (a) *When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:*
- (1) *The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.*
  - (2) *The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.*

This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide the mechanism by which to monitor mitigation measures outlined in the Paradise Chevrolet Truck Dealership Project Initial Study/Mitigated Negative Declaration (IS/MND). The Paradise Chevrolet Truck Dealership Project MMRP has been prepared in conformance with Public Resources Code Section 21081.6 and City of Temecula (City) monitoring requirements.

State CEQA Guidelines Section 15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation. The City of Temecula is the Lead Agency for the Paradise Chevrolet Truck Dealership Project and is therefore responsible for ensuring MMRP implementation. This MMRP has been drafted to meet Public Resources Code Section 21081.6 requirements as a fully enforceable monitoring program.

The MMRP Checklist is intended to provide verification that all applicable mitigation measures 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 Paradise Chevrolet Truck Dealership Project file.

This 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 MMRP Checklist. If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

The numbering system in the following table corresponds with the IS/MND's numbering system. The MMRP table "Verification" column will be used by the parties responsible for documenting when the mitigation measure has been completed. The City of Temecula will complete ongoing documentation and mitigation compliance monitoring. The completed MMRP and supplemental documents will be kept on file at the City of Temecula Community Development Department.

Mitigation Monitoring and Reporting Program Checklist

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
<b>BIOLOGICAL RESOURCES</b>						
<b>Mitigation Measures</b>						
<p>BIO-1: To avoid or minimize impacts on burrowing owl populations, a pre-construction survey for burrowing owl shall be completed within the Project site within 30 days prior to ground disturbance, in accordance with the Western Riverside MSHCP burrowing owl survey guidelines. If the results of the survey indicate that no burrowing owls are present on site, then construction activities shall be allowed to commence and no avoidance or minimization measures would be required. If burrowing owl is observed during the pre-construction survey, the Project proponent shall immediately inform the California Department of Fish and Wildlife (CDFW) and the Western Riverside Regional Conservation Association (RCA). A Burrowing Owl Protection and Relocation Plan (plan) shall be prepared by a qualified biologist, which must be sent for approval by RCA prior to initiating ground disturbance. The plan shall detail avoidance measures that shall be implemented during construction and passive or active relocation methodology. Relocation shall only occur outside of the nesting season (September 1 through January 31). The RCA may require translocation sites to be created within the MSHCP Conservation Area for the establishment of new colonies. If required, the translocation sites must take into consideration unoccupied habitat areas, presence of burrowing mammals, existing colonies, and effects to other MSHCP Covered Species in order to successfully create suitable habitat for burrowing owl. The translocation sites must be developed in</p>	<p>Prior to the issuance of grading permit or any ground disturbing activity</p>	<p>Pre-Construction Burrowing Owl Survey/ Prior to grading or ground disturbing activities/ Prior to issuance of any grading permits</p>	<p>Community Development Department Director, or designee</p>			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
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consultation with RCA. If required, translocation sites would also be described in the agency-approved plan.						
BIO-2: Prior to construction activities, a qualified biologist shall determine if any retention basins or road ruts within the Project site meet the U.S. Fish and Wildlife Service definition of suitable fairy shrimp habitat requiring protocol surveys. "Appropriate habitat is considered to be inundated when it holds greater than three (3) centimeters of standing water 24 hours after a rain event." If suitable fairy shrimp habitat is present, wet and dry seasonal surveys shall be conducted in accordance with US Fish and Wildlife Service protocols by a qualified biologist. If the surveys determine the presence of fairy shrimp, the Project proponent shall immediately inform the Western Riverside Regional Conservation Association (RCA).	Prior to the issuance of grading permit or any construction activity	Plan review/ Prior to grading or construction activities/ Prior to issuance of any grading permits	Community Development Department Director, or designee			
BIO-3: To the extent possible, construction activities (i.e., earthwork, clearing, and grubbing) shall occur outside of the general bird nesting season for migratory birds, which is March 15 through August 31 for songbirds and January 15 to August 31 for raptors. If construction activities (i.e., earthwork, clearing, and grubbing) occur during the general bird nesting season for migratory birds (March 15 to August 31) and raptors (January 15 to August 31), a qualified biologist shall be retained to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Reform Act and California Fish and Game Code. The pre-construction survey shall be performed no more than seven days prior to the commencement of construction activities. The results of the pre-construction survey shall be documented by a qualified biologist. If construction is	Prior to the issuance of grading permit or any construction activity	Pre-Construction Nesting Bird Survey/ Prior to construction or grading activities/ Prior to issuance of any grading permits	Community Development Department Director, or designee			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
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<p>inactive for more than seven days, an additional survey shall be conducted.</p> <p>If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements.</p> <p>If the qualified biologist determines that an active migratory bird or raptor nest is present, no impacts within 300 feet (500 feet for raptors) of the active nest shall occur until the young have fledged the nest, and the nest is confirmed to no longer be active, or as determined by the qualified biologist. The biological monitor may modify the buffer as applicable for the specific bird species and type of work or propose other recommendations to avoid indirect impacts to nesting birds.</p>						
<p>BIO-4: In accordance with the Western Riverside County Multispecies Habitat Conservation Plan (MSHCP) Section 6.1.4, no species listed in Table 6-2, Plants that Should Be Avoided Adjacent to the MSHCP Conservation Area, of the MSHCP shall be used in the Project landscape plans. Prior to issuance of construction permits, the Project Applicant shall provide landscape plans demonstrating to the City of Temecula Community Development that all landscaping complies with the Western Riverside County MSHCP Section 6.1.4 relative to the use of plants.</p>	<p>Prior to the issuance of building permit or any construction activity</p>	<p>Plan review/ Prior to grading or construction activities/ Prior to issuance of any grading permits</p>	<p>Community Development Department Director, or designee</p>			
<b>CULTURAL RESOURCES</b>						
<b>Mitigation Measures</b>						
<p>CUL-1: If human remains are encountered, the Project Applicant or contractor would be required to halt all work and contact the Riverside County Coroner. California Health and Safety Code Section 7050.5, states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code</p>	<p>During ground-disturbing activities</p>	<p>Notification of Riverside County Coroner/ Notification of Native American</p>	<p>Community Development Department Director, or designee</p>			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
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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 24 hours. The Native American Heritage Commission shall then immediately identify the “most likely descendant(s)” of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in these conditions.		Heritage Commission if identified remains are Native American in origin				
<i>Refer to Mitigation Measures TCR-1 through TCR-4.</i>	--	--	--			
<b>GEOLOGY AND SOILS</b>						
<b>Mitigation Measures</b>						
GEO-1: If fossils or fossil-bearing deposits are encountered during ground-disturbing activities, work within a 25-foot radius of the find shall halt, the City of Temecula Community Development Department shall be notified, and a professional vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be contacted immediately to evaluate the find. The paleontologist shall have the authority to stop or divert construction, as necessary. Documentation and treatment of the discovery shall occur in accordance with Society of Vertebrate Paleontology standards. The significance of the find shall be evaluated pursuant to the State CEQA Guidelines. If the discovery proves to be significant, before construction activities resume at the location of the find, additional work such as data recovery excavation may be warranted, as deemed necessary by the paleontologist.	During ground-disturbing activities	Assessment of resources by a professional vertebrate paleontologist/ If significant under CEQA, verify additional work, such as data recovery excavation, has been implemented	Community Development Department Director, or designee			

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<b>HAZARDS AND HAZARDOUS MATERIALS</b>						
<b>Mitigation Measures</b>						
HAZ-1: Prior to the issuance of a grading permit, the Project Applicant shall submit a Soils Management Plan (SMP) to the City of Temecula Public Works Department that addresses the proper characterization and handling of potential impacted soils, and other contaminants of concern that may be present. The SMP shall require that, as grading, excavation, and trenching are performed, exposed soil shall be monitored for stained or discolored soil, wet or saturated soils, or odors. If impacted soil is encountered, the soil shall be analyzed to identify and characterize the impact and determine if soil remediation is required. Soil samples shall be analyzed by an appropriate State-certified laboratory using appropriate methods based on the parameters to be analyzed. When a new area of contamination is identified, it shall be characterized to assess its lateral and vertical extent. Likely excavation of impacted soil shall be followed by segregated stockpiling or direct-loading, waste profiling, and offsite disposal or recycling, which shall be performed in accordance with applicable federal, State, and local regulations.	Prior to the issuance of grading permit or any ground disturbing activity	Soil Management Plan/ Prior to grading or ground disturbing activities/ Prior to issuance of any grading permits	Public Works Department Director, or designee			
<b>TRIBAL CULTURAL RESOURCES</b>						
<b>Mitigation Measures</b>						
TCR-1: Prior to issuance of a grading permit, the following text shall be included in the Notes Section of the Grading Plan, as confirmed by the Temecula Community Development Department: "If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appears to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such	Prior to the issuance of grading permit or any ground disturbing activity	Grading Plan/ Prior to grading or ground disturbing activities/ Prior to issuance of any grading permits	Community Development Department Director, or designee			



Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
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and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Director of Community Development at their sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining that the discovery is not an archaeological/cultural resource, the Director of Community Development shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Director of Community Development shall notify the property owner that no further excavation or development may take place until a mitigation plan or other corrective measures have been approved by the Director of Community Development.”						
TCR-2: Prior to issuance of a grading permit, the following text shall be included in the Notes Section of the Grading Plan, as confirmed by the Temecula Community Development Department: “If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease, and the qualified archaeologist and the Pechanga monitor shall investigate the find, and make recommendations as to treatment.”	Prior to the issuance of grading permit or any ground disturbing activity	Grading Plan/ Prior to grading or ground disturbing activities/ Prior to issuance of any grading permits	Community Development Department Director, or designee			
TCR-3: Prior to issuance of a grading permit, the following text shall be included in the Notes Section of the Grading Plan, as confirmed by the Temecula Community Development Department: “The landowner agrees to relinquish ownership of all cultural resources, including all archaeological artifacts that are found on the project	Prior to the issuance of grading permit or any ground disturbing activity	Grading Plan/ Prior to grading or ground disturbing activities/ Prior to issuance of	Community Development Department Director, or designee			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
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area, to the Pechanga Tribe for proper treatment and disposition.”		any grading permits				
<p>TCR-4: 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).</p> <ul style="list-style-type: none"> <li>• 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 representative(s) and the Community Development Director to discuss the significance of the find.</li> <li>• 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.</li> <li>• 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.</li> <li>• Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural</li> </ul>	During ground-disturbing activities	Cultural Resources Management Plan and Monitoring Agreements	Community Development Department Director, or designee			

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<p>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 disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.</p> <ul style="list-style-type: none"> <li>• If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the project archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</li> <li>• Pursuant to California Public Resources 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.</li> </ul>						

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
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TCR-5: Prior to issuance of a grading permit, the following text shall be included in the Notes Section of the Grading Plan, as confirmed by the Temecula Community Development Department: "All sacred sites are to be avoided and preserved."	Prior to the issuance of grading permit or any ground disturbing activity	Grading Plan/ Prior to grading or ground disturbing activities/ Prior to issuance of any grading permits	Community Development Department Director, or designee			
TCR-6: 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: <ul style="list-style-type: none"> <li>• 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 Temecula Community Development Department: <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ Reburial of the resources on the Project property (as identified on Burial Area Exhibit). 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</li> </ul> </li> </ul>	During ground-disturbing activities	Cultural Resources Management Plan and Monitoring Agreements	Community Development Department Director, or designee			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
shall be filed with the City under a confidential cover and not subject to Public Records Request.						