

## Mitigation Monitoring and Reporting Program Matrix

Mitigation Measure	Monitoring Phase and Monitoring Actions <sup>1</sup>	Implementing Party	Enforcement and Monitoring Entity
<b>Impact – Air Quality</b>			
<p><b><u>AQ-1</u></b></p> <p>Prior to issuance of grading permits, the City shall confirm that the grading plan, building plans, and specifications stipulate that the following measures shall be implemented:</p> <ul style="list-style-type: none"> <li>All excavators, graders, rubber tired dozers, scrapers, and tractors/loaders/backhoes (wheeled or tracked) used during grading activities only shall meet the U.S. EPA Tier 4 Final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards, as necessary.</li> </ul>	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.	Applicant for individual project	City of Menifee, Community Development Department
<b>Impact – Biological Resources</b>			
<p><b><u>BIO-1: Coastal California Gnatcatcher Survey</u></b></p> <p>If grading and construction activities begin during the coastal California gnatcatcher breeding season (February 15 through August 31), a qualified biologist shall survey all potential nesting vegetation within and adjacent to the site for nesting coastal California gnatcatcher, prior to commencing vegetation removal. Surveys shall be conducted at the appropriate time of day. If no nesting coastal California gnatcatcher were observed, project activities may begin. Prior to the removal of vegetation on the project site, the qualified project biologist will use appropriate techniques to flush the coastal California gnatcatcher /bird(s) from the impacted area.</p> <p>If an active coastal California gnatcatcher nest is located, the nest site shall be fenced a minimum of 500 feet in all directions, and this area shall not be disturbed until after the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by the activities. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas provided the</p>	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.	Applicant for individual project	City of Menifee, Community Development Department

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qualified biologist develops a monitoring plan to prevent any impacts and obtain approval from the Resource Agencies prior to implementation.			

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<p><b><u>BIO-2: Payment of Stephen's Kangaroo Rat Mitigation Fee</u></b></p> <p>Prior to issuance of the grading permit, the Applicant shall pay the Stephen's Kangaroo Rat mitigation fee pursuant to City Ordinance No. 663. Per Ordinance No. 663, a fee of \$500 per gross acre is required.</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.</p>	<p>Applicant for individual project</p>	<p>City of Menifee, Community Development Department</p>

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<p><b><u>BIO-3: Nesting Bird Avoidance</u></b></p> <p>Prior to ground disturbances that would impact potentially suitable nesting habitat for avian species, the project Applicant shall adhere to the following:</p> <ol style="list-style-type: none"> <li>1. Vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to the extent feasible to avoid potential impacts to nesting birds and/or ground nesters.</li> <li>2. Any construction activities that occur during typical nesting season (February 15 to August 31 for songbirds; January 15 to August 31 for raptors) will require that all suitable habitat, on-site and within 300-feet surrounding the site (as feasible), be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement ground disturbances. If active nests are identified, the biologist would establish buffers around the vegetation (500 feet for raptors and sensitive species, 200 feet for non-raptors/non-sensitive species). All work within these buffers would be halted until the nesting effort is finished (i.e. the juveniles are surviving independent from the nest). The onsite biologist would review and verify compliance with these nesting boundaries and would verify the nesting effort has finished. Work can resume within these areas when no other active nests are found. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas and would develop a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.</li> </ol>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.</p>	<p>Applicant for individual project</p>	<p>City of Meniffee, Community Development Department</p>

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<p><b><u>BIO-4: Crotch Bumble Bee</u></b></p> <p><b>Preconstruction CBB Survey During Flight Season.</b> Prior to ground disturbances during the CBB flight season (February – October) that would impact potentially suitable nectaring and nesting habitat for CBB, a flight/forage and nest search survey shall be conducted no more than 48 hours prior to initial vegetation removal and/or initial ground-disturbing activities by the CBB-qualified lead biologist and survey team. The 48-hour preconstruction surveys shall be repeated as necessary if the Project does not begin with 48 hours of completion of the preconstruction survey.</p> <p><b>Protection of Occupied CBB Habitat.</b> Occupied CBB habitat shall be defined as an active CBB nest and its 50-foot buffer including any obvious foraging/flight corridors that provide connectivity to other onsite foraging patches or connectivity to offsite foraging areas that are necessary to support the nest colony. The outer limits of the Occupied Habitat will be visibly flagged by the CBB qualified biologist upon discovery and protected in place as an Environmentally Sensitive Area (ESA). The qualified CBB biologist shall provide a notification with a map of the ESA to be protected in place to the Applicant/Contractor and CDFW within 24 hours of nest detection. The ESA shall be protected in place until the CBB nest colony is no longer active.</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.</p>	<p>Applicant for individual project</p>	<p>City of Menifee, Community Development Department</p>
<p><b><u>BIO-5: Biological Monitoring</u></b></p> <p>A biological monitor shall be present during initial vegetation removal and initial ground disturbing activities that are schedule to occur during the CBB flight season (February – October). The biological monitor shall have the authority to temporarily stop work if impacts to a CBB individual or CBB active nest are likely to occur.</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.</p>	<p>Applicant for individual project</p>	<p>City of Menifee, Community Development Department</p>

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<p><b><u>BIO-6: CDFW Reporting and Coordination</u></b></p> <p>If a CBB individual (alive or dead) is detected during preconstruction surveys or monitoring and is still protected under CESA, CDFW shall be notified within 24-hours of detection as further coordination may be required to avoid or mitigate certain impacts and an Incidental Take Permit may be required.</p>	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.	Applicant for individual project	City of Menifee, Community Development Department
<p><b><u>BIO-7: Regulatory Permits</u></b></p> <p>Prior to the issuance of any grading permit for permanent impacts in the areas designated as jurisdictional features, the Applicant shall obtain regulatory permits from the Resource Agencies.</p>	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.	Applicant for individual project	City of Menifee, Community Development Department
<p><b><u>BIO-8: Purchase of Mitigation Bank Credits</u></b></p> <p>Prior to impacts to jurisdictional waters and to mitigate for the impacts to 0.12 - acres of non-wetland drainages, the Applicant shall purchase 0.36 - acres of re-establishment and/or rehabilitation credits, with a minimum of 0.12 acres of re-establishment credits purchased to ensure no net loss of MSHCP Features, through Riverpark Mitigation Bank in-lieu fee program (or an in-lieu fee program with written approval from CDFW/RWQCB) <u>or</u> 0.96 acres of preservation credits at Barry Jones Skunk Hollow Mitigation Bank. If credits from Riverpark are not available at the time of purchase, credits will be purchased from another RWQCB- and CDFW-approved mitigation bank or in lieu fee program. The purchase of 0.36- acres of re-establishment and/or rehabilitation credits represents a 3:1 ratio of mitigation to impacts, with a minimum of 0.12 acres of re-establishment credits purchased to ensure no net loss of MSHCP Features, <u>or</u> the purchase of 0.96 acres of preservation credits at Barry Jones Skunk Hollow Mitigation Bank represents an 8:1 ratio of mitigation to impacts, <u>or</u> the purchase of credits from another Regional Water Quality Control Board and California Department of Fish and Wildlife (CDFW) approved mitigation bank or in-lieu fee program.</p>	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.	Applicant for individual project	City of Menifee, Community Development Department

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<p><b><u>BIO-9: Burrowing Owl Survey</u></b></p> <p>Prior to impacts, a pre-construction survey for burrowing owl within the Study Area (project site and surrounding 500-foot buffer) shall be conducted by a qualified biologist where suitable habitat is present within 30 days to the commencement of ground disturbing activities.</p> <p>If active burrowing owl burrows are detected during the breeding season, all work within 300 feet of any active burrow will be halted until that nesting effort is finished. The on-site biologist will review and verify compliance with these boundaries and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed.</p> <p>If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Exclusion Plan that shall be prepared by the Applicant and approved by the County of Riverside Environmental Programs Department (EPD) in consultation with CDFW. The Burrowing Owl Exclusion Plan shall be prepared in accordance with guidelines in the CDFW Staff Report on Burrowing Owl (March 2012) and MSHCP.</p> <p>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.</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.</p>	<p>Applicant for individual project</p>	<p>City of Menifee, Community Development Department</p>
<b>Impact – Cultural Resources</b>			

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<p><b><u>CUL-1: Obtaining a Qualified Archaeologist</u></b></p> <p>Prior to the issuance of the grading permit, the applicant shall provide written verification that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the lead agency.</p>	During grading/construction: field as needed, field verify that work is halted to assess possible resources and avoidance buffers are demarcated and enforced; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.	Applicant for individual project	City of Menifee, Community Development Department
<p><b><u>CUL-2: Native American Monitoring</u></b></p> <p>The project applicant shall provide Native American monitoring during grading. The Native American monitor shall work in concert with the archaeological monitor to observe ground disturbances and search for cultural materials. The certified archaeologist shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.</p>	During grading/construction: field as needed, field verify that work is halted to assess possible resources and avoidance buffers are demarcated and enforced; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.	Applicant for individual project	City of Menifee, Community Development Department
<p><b><u>CUL-3: Bedrock Milling Features Relocation</u></b></p> <p>Prior to the start of grading, prehistoric milling features within the grading envelope shall be reviewed to identify which features can be relocated and preserved. Although these features are not evaluated under CEQA as significant, the Native American tribal groups from this area consider these features as important links to their ancestors. Therefore, where feasible, an attempt should be made to relocate bedrock milling features from sites RIV-7733 and RIV-7734, which may fall within the grading envelope, into an available open space or landscaping area within the project site.</p>	During grading/construction: field as needed, field verify that work is halted to assess possible resources and avoidance buffers are demarcated and enforced; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.	Applicant for individual project	City of Menifee, Community Development Department



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<p><b><u>CUL-4 Archaeologist and Tribal Monitor Inspections</u></b></p> <p>During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and tribal representative shall be on-site, as determined by the consulting archaeologist, to perform periodic inspections of the excavations. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated. Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed.</p>	<p>During grading/construction: field as needed, field verify that work is halted to assess possible resources and avoidance buffers are demarcated and enforced; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.</p>	<p>Applicant for individual project</p>	<p>City of Menifee, Community Development Department</p>

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<p><b><u>CUL-5 Unanticipated Discovery of Archaeological Resources</u></b></p> <p>In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the lead agency at the time of discovery. The archaeologist, in consultation with the lead agency, shall determine the significance of the discovered resources. The lead agency must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the lead agency before being carried out using professional archaeological methods. If any human bones are discovered, the county coroner and lead agency shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the NAHC, shall be contacted in order to determine proper treatment and disposition of the remains.</p> <p>Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The project archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis. All cultural material collected during the grading monitoring program shall be processed and curated or re-buried according to the current professional repository standards. If curated, the collections and associated records shall be transferred, including title, to an appropriate curation facility, to be accompanied by payment of the fees necessary for permanent curation. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the lead agency prior to the issuance of any building permits. The report will include Department of Park and Recreation Primary and Archaeological Site Forms.</p>	<p>During grading/construction: field as needed, field verify that work is halted to assess possible resources and avoidance buffers are demarcated and enforced; subject to inspection by CDD; enforcement of violations available through MMC at City discretion.</p>	<p>Applicant for individual project</p>	<p>City of Menifee, Community Development Department</p>
<b>Geology and Soils</b>			

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<p><b><u>GEO-1 Paleontological Resource Impact Mitigation Program</u></b></p> <p>A city-qualified paleontologist or paleontological monitor shall monitor mass grading and excavation activities full-time, starting at five feet below the surface, in areas of grading or excavation in undisturbed Pleistocene very old alluvial fan deposits.</p> <p>Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.</p> <p>Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils shall be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes are taken on the map location and stratigraphy of the site, which shall be photographed before it is vacated and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites shall be protected by flagging to prevent them from being overrun by earthmovers (scrapers) before salvage begins. Fossils shall be collected in a similar manner, with notes and photographs being taken before removing the fossils. Precise location of the site shall be determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.</p> <p>Isolated fossils shall be collected by hand, wrapped in paper, and placed in temporary collecting flats or five-gallon buckets. Notes shall be taken on the map</p>	<p>Prior to project approval: verify that the applicant has conducted surveys and searches of databases and records and as needed, identified methods to avoid impacts to significant paleontological resources; measures on plans.</p>	<p>Applicant for individual project</p>	<p>City of Menifee, Community Development Department</p>

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<p>location and stratigraphy of the site, which shall be photographed before it is vacated and the fossils are removed to a safe place.</p> <p>Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, multiple five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment.</p> <p>In accordance with the “Microfossil Salvage” section of the SVP guidelines, bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil “microvertebrates” to evaluate the feasibility of the deposit to yield fossil bones and teeth.</p> <p>In the laboratory, individual fossils shall be cleaned of extraneous matrix, any breaks shall be repaired, and the specimen, if needed, shall be stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).</p> <p>Recovered specimens shall be prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than accumulation of invertebrate fossils.</p> <p>Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the WSC) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (the City of Menifee) shall be consulted on the repository/museum to receive the fossil material.</p> <p>A final report of findings and significance shall be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their</p>			

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original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.			
<b>Impact – Hazards and Hazardous Materials</b>			
<p><b><u>HAZ-1: Subsurface Investigation</u></b></p> <p>Prior to issuance of a grading permit, the project applicant shall submit a Phase II Environmental Site Assessment to City of Menifee Community Development Department – Planning Division for review and approval. The Phase II Environmental Site Assessment shall be submitted to the Santa Ana Regional Water Board for review of potential chemicals of concern. The Phase II Environmental Site Assessment shall be prepared and conducted by a qualified environmental consultant (Professional Geologist or Professional Engineer). The Phase II Environmental Site Assessment shall conform to the recommended guidelines established by the American Society for Testing and Materials in Standard E1903-11. The Phase II Environmental Site Assessment shall include a subsurface investigation targeting near surface soils where a historical release is suspected. The subsurface investigation may include, but is not limited to, completion of soil, soil vapor, and/or groundwater sampling and analysis for pesticides currently considered a health risk.</p> <p>The Professional Geologist or Professional Engineer shall prepare a subsurface investigation report, which shall be submitted to the City of Menifee Community Development Department – Planning Division for review and approval. As part of the subsurface investigation, analytical results shall be compared to California Human Health Screening Levels (CHHSLs). The CHHSLs are risk-based screening levels defined to estimate the degree of effort that may be necessary to remediate a contaminated site. The subsurface investigation report shall include recommendations to address identified hazards and indicate when to apply those recommended actions in relation to proposed project activities.</p> <p>If contaminants are detected at the project site, the project applicant shall implement the recommendations specified in the subsurface investigation report, and appropriate steps shall be undertaken by the project applicant to protect site workers during construction. This will include the preparation of a Soil</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgement by owner and notice to contractors; subject to inspection by CDD; enforcement of violations available through MMC at City discretion. Prior to issuance of grading, excavation, or building permits: review and approve the soil samples submitted documenting levels of lead and arsenic on site. If no recognized elevated levels are identified, no further documentation is required. If the soil sample results indicate the need for remediation, review and approve a remediation plan. If oversight or approval from a regulatory agency is required, verify agency sign off on remediation plan and that a No Further Action letter has been issued.</p>	<p>Applicant for individual project</p>	<p>City of Menifee, Community Development Department</p>

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Management Plan and remediation, if required. The project applicant shall provide documentation demonstrating implementation of the recommendations to the City of Menifee Community Development Department – Planning Division prior to issuance of a grading permit.			

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Impact – Tribal Cultural Resources			
CUL 1 through CUL-5	Prior to project approval: verify that the applicant has conducted surveys and searches of databases and records and as needed, identified methods to avoid impacts to significant paleontological resources; measures on plans.	Applicant for individual project	City of Menifee, Community Development Department