

Exhibit "B"

TR38652 Oak Hills West Mitigation, Monitoring and Reporting Plan

Mitigation Measure	Monitoring Phase and Monitoring Actions	Implementing Party	Enforcement and Monitoring Entity
MM BIO-1: Nesting Birds. There is suitable avian nesting habitat on the Project Site. If the clearance of vegetation occurs during the avian nesting season (February to August), it is recommended that a preconstruction nesting bird survey be conducted prior to any vegetation disturbance activities. If passerine birds are found to be nesting or there is evidence of nesting behavior inside or within 250-feet of the impact area, a 250-foot buffer will be required around the nest where no vegetation disturbance would be permitted. For raptor species (birds of prey, such as hawks and owls), this buffer is expanded to 500 feet. A qualified biologist would be required to monitor the nest closely until it is determined that the nest is no longer active, at which time vegetation removal could continue. All construction activity within the vicinity of active nests must be conducted in the presence of a qualified biological monitor. Construction activity may encroach into the buffer area at the discretion of the biological monitor.	Prior To Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department
MM BIO-2: Burrowing Owl. A qualified biologist will conduct a preconstruction presence/absence survey for burrowing owls within 30 days prior to site disturbance. If burrowing owls are documented on-site, the owls will be relocated/excluded from the site outside of the breeding season following accepted protocols as specified in the Multiple Species Habitat Conservation Plan (MSHCP).	Prior to Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department
MM BIO-3: Urban/Wildlands Interface. To address MSHCP guidelines pertaining to the Urban/Wildlands Interface, the Project should incorporate the following: <ol style="list-style-type: none"> 1. Untreated surface runoff from developed and paved areas into the Public/Quasi Public (PQP) lands will be avoided; 2. Manufactured slopes will not extend into the PQP lands; 	Prior to Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department and Engineering/Public

Exhibit B

<ul style="list-style-type: none"> 3. A stone wall barrier will be erected adjacent to development on the Project's norther border; 4. Landscaping will avoid the use of invasive species listed on Table 6-2 of the MSHCP; 5. No lighting will be use; and 6. Pre-and post-construction best management practices will be implemented. 			Works Department
MM BIO-4: Stephen's Kangaroo Rat. The Project Site contains marginally suitable habitat for SKR and is located within the boundaries of the Habitat Conservation Plan (HCP) for Stephen's Kangaroo Rat in Western Riverside County. With adherence to the HCP's implementation agreement (IA) and payment of the County's per-acre mitigation fee for this species, no further action is required.	Prior to Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department
MM BIO-5: The Project Site contains drainage features totaling 0.39-acres of CDFW and RWQCB jurisdiction. Due to impacts that will occur to the jurisdictional features, regulatory permits will be required from CDFW and RWQCB.	Prior to Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department
MM BIO-6: Crotch's Bumblebee. Crotch's bumblebee is a CDFW candidate endangered species, and it will be surveyed for prior to construction. An Incidental Take Permit (ITP) would be processed prior to grading with CDFW should the species be present if the Fish and Game Commission (FGC) continues to list the species.	Prior to Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department
MM CUL-1: Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist and Tribal monitor(s) (if requested pending Tribal consultation) to conduct monitoring of all mass grading and trenching activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Monitoring Plan (CRMP) to	Prior to Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department

Exhibit B

<p>address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the Project study area. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a. Project grading and development scheduling: b. The Project Archaeologist and the Consulting Tribe(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. 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, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. 			
<p>MM CUL-2: 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> <ul style="list-style-type: none"> a. One or more of the following treatments, in order of preference, shall be employed with the Tribe(s). Evidence of such shall be provided to the City of Menifee. <ul style="list-style-type: none"> • Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the 	<p>Prior to Grading Permit Issuance</p>	<p>Project Applicant</p>	<p>City of Menifee Community Development Department</p>

Exhibit B

<p>resources, leaving them in the place they were found with no development affecting the integrity of the resources.</p> <ul style="list-style-type: none"> On-site reburial of the discovered items. This shall include 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. A confidential exhibit will be prepared. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments. 			
<p>MM-CUL-3: If potential historic or cultural resources are uncovered during excavation or construction activities at the Project study area, work in a 100-foot radius around the find must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic or prehistoric resource. Determinations and recommendations by the consultant shall be immediately submitted for consideration, and implemented as deemed appropriate by the City, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in MM-CUL-1 before any further work commences in the affected area.</p>	Prior to Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department
<p>MM-CUL-4: A final monitoring report will be prepared that describes the results of the monitoring program, assesses any discoveries, and makes any additional recommendations. The monitoring report shall be prepared by the Project Archaeologist in conjunction with the Tribe(s) and approved by the City of Menifee.</p>	Prior to Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department

Exhibit B

<p>MM-CUL-5: Prior to the issuance of grading permits, the Applicant shall retain a qualified paleontologist to observe ground disturbing activities and recover fossil resources as necessary. The Paleontologist will attend the pre-grade conference where they will establish procedures for paleontological monitoring and, through the preparation of a mitigation plan, shall establish procedures and protocols to temporarily halt ground disturbing activities to permit sampling, evaluation, and recovery of any discovery. Excavations that impact older Quaternary deposits may encounter fossil vertebrates. Any substantial excavations below the uppermost layers of the surface should be monitored. Sediment samples should also be recovered to determine the small-fossil potential of the site. If a discovery is determined to be significant, additional excavations and salvage of the fossil may be necessary to ensure that any impacts to it are mitigated to a less than significant level. A final monitoring report shall be prepared that describes the results of the monitoring program and evaluates any fossil resources recovered.</p>	Prior to Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department
<p>MM NOISE-1: The Project applicant shall require that all construction contractors restrict the operation of any large bulldozers that is powered by a greater than 150 horse power engine from operating within 10 feet of any off-site structure. The Project applicant shall require the use of a small bulldozer (i.e., D1, D2, or D3 dozers) or other type of equipment that is less than 150 horsepower to perform all demolition and grading activities that are located within 10 feet of any off-site structure.</p>	Prior to Grading Permit Issuance	Project Applicant	City of Menifee Community Development Department