

MMRP\_Di Capri

# Mitigation Monitoring and Reporting Program

**Project: DEV2023-002 Di Capri Residential TPM No. PLN23-0025 (TPM38674) and PP No. PLN23-0026 Date: February 7, 2024**

Impact Category/ Mitigation Measures	Implementation Timing	Responsible Monitoring Party	Monitoring/ Reporting Method	Compliance Verification
<b>BIOLOGICAL RESOURCES</b>				
<p><b>MM-BIO-1: Nesting Bird Survey.</b> If grading or site disturbance including demolition of existing structures is to occur during the nesting season (February 15 – August 31), a nesting bird survey (including raptors) shall be conducted within ten (10) days prior to grading permit issuance or any site clearing or demolition. This survey shall be conducted by a qualified biologist holding a Memorandum of Understanding (MOU) with Riverside County. If active bird nests are found, avoidance buffers of 1,000 feet for large birds of prey, 500 feet for small birds of prey, and 250 feet for songbirds, decided by CDFW on a case-by-case basis, shall be established and observed. The biologist shall prepare a final letter report that shall be submitted to the City of Menifee Community Development Department for review and approval.</p>	<p>No more than 10 days prior to the start of any ground disturbance (if work is being done from 2/15 to 8/31)</p>	<p>City Planning Department</p>	<p>Written proof of survey prior to issuance of a grading permit</p>	
<p><b>MM-BIO-2: Burrowing Owl Survey.</b> A pre-construction survey for burrowing owl (BUOW) shall be conducted no more than 30 days prior to commencement of Project-related ground disturbance to verify that BUOW remain absent from the Project area.</p> <p>If active nests are identified on an implementing Project site during the pre-construction survey, the nests shall be avoided, or the owls actively or passively relocated. To adequately avoid active nests, no grading or heavy equipment activity shall take place within at least 250 feet of an active nest during the breeding season (February 1 through August 31), and 160 feet during the non- breeding season.</p> <p>If burrowing owls occupy any implementing Project site and cannot be avoided, active or passive relocation shall be used to exclude owls from their burrows, as agreed to by the City Planning Department and the CDFW. Relocation shall be conducted outside the breeding season or once the young are able to leave the nest and fly. Passive relocation is the exclusion of owls from their burrows (outside the breeding season or once the young are able to leave the nest and fly) by installing one-way doors in burrow entrances. These one-way doors allow the owl to exit the burrow, but not enter it. These doors shall be left in place 48 hours to ensure owls have left the burrow. Artificial burrows shall be provided nearby. The implementing Project area shall be monitored daily for one week to confirm owl use of burrows before excavating burrows in the impact area. Burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible pipe shall</p>	<p>No more than 30 days prior to the start of any ground disturbance</p>	<p>City Planning Department</p>	<p>Written proof of survey prior to issuance of a grading permit</p>	

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<p>be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.</p> <p>The CDFW shall be consulted prior to any active relocation to determine acceptable receiving sites available where this species has a greater chance of successful long-term relocation. If avoidance is infeasible, then a DBESP would be required, including associated relocation of burrowing owls. If conservation is not required, then owl relocation would still be required following accepted protocols. Take of active nests would be avoided, so it is strongly recommended that any relocation occur outside of the nesting season.</p>				
<b>NOISE</b>				
<p><b>MM-NOI-1 Reduce Potential Project Construction Noise Levels.</b> To reduce potential noise levels from Project construction activities, the Applicant shall:</p> <p><b>1) Notify Residential Land Uses of Planned Construction Activities.</b> This notice shall be provided at least two (2) weeks prior to the start of any construction activities, describe the noise control measures to be implemented by the Project, and include the name and phone number of the designated contact for the Applicant/Project representative and the City of Menifee responsible for handling construction-related noise complaints (per action #5 below). This notice shall be provided to the owner/occupants of residential dwelling units that border the Project site to the west and north of the Project site (i.e., along Chambers Avenue and Connie Lane).</p> <p><b>2) Restrict Work Hours:</b> All construction-related work activities, including material deliveries, shall be subject to the requirements of City Municipal Code Section 8.01.010. Construction activities, including deliveries, shall occur only during the hours of 6:30 AM to 7:00 PM Monday to Saturday and shall not occur at any time on Sundays and holidays. The Applicant/Project representative and/or its contractor shall post a sign at all entrances to the construction site informing contractors, subcontractors, other workers, etc. of this requirement.</p> <p><b>3) Construction Equipment Selection, Use, and Noise Control Measures:</b> The following measures shall apply to construction equipment used at the Project site:</p> <p>a. Contractors shall use the smallest size equipment capable of safely completing work activities.</p> <p>b. Construction staging shall occur as far away from residential land uses as possible given site and active work constraints.</p>	Prior to ground disturbing activities	City Engineering/Planning /Building Department	Written proof of wall installation prior to permit issuance	

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<p>c. Electric hook-ups shall be provided for stationary equipment (e.g., pumps, compressors, welding sets). This measure shall be subject to the approval of the local electric utility. If electric service is denied, the Applicant shall ensure actions 3a, 3b, and 3d are implemented.</p> <p>d. All stationary noise generating equipment shall be shielded and located as far as possible from residential land uses given site and active work constraints. Shielding may consist of a three- or four-sided enclosure provided the structure/enclosure breaks the line of sight between the equipment and the receptor and provides for proper ventilation and equipment operation.</p> <p>e. Heavy equipment engines shall be equipped with standard noise suppression devices such as mufflers, engine covers, and engine/mechanical isolators, mounts, and be maintained in accordance with manufacturer's recommendations during active construction activities.</p> <p>f. Pneumatic tools shall include a suppression device on the compressed air exhaust.</p> <p>g. No radios or other amplified sound devices shall be audible beyond the property line of the construction site.</p> <p><b>4) Install Construction Noise Barrier:</b> The following measures shall apply to Project construction activities:</p> <p>a. Site Preparation, Grading, and Foundation/Building Construction Work: During all site preparation, grading, and structural work activities, a physical noise barrier shall be installed and maintained along the western site perimeter of the Project site to the maximum extent feasible given site constraints and access requirements. The noise barrier shall extend to a height of six (6) feet above grade. Potential barrier options capable of reducing construction noise levels could include, but are not limited to:</p> <p>i. A plywood or other barrier installed at-grade (or mounted to structures located at-grade, such as a K-Rail), and consisting of a solid material (i.e., free of openings or gaps other than weep holes) that has a minimum rated transmission loss value of 20 dB.</p> <p>ii. Commercially available acoustic panels or other products such as acoustic barrier blankets that have a minimum sound transmission class (STC) or transmission loss value of 20 dB.</p> <p>iii. Any combination of noise barriers and commercial products capable of achieving required construction noise reductions during site preparation, grading, and structural work activities.</p>				

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<p>iv. The noise barrier may be removed following the completion of the structural work on the Project's eight (8) western-most units (i.e., once framing and typical vertical building construction is complete, provided no other grading, foundation, etc. work is still occurring in the western cul-de-sac).</p> <p><b>5)</b> Prepare a Construction Noise Complaint Plan: The Applicant shall prepare a Construction Noise Complaint Plan that:</p> <p>a. Identifies the name and/or title and contact information (including phone number and email) for a designated Project and City representative responsible for addressing construction-related noise issues.</p> <p>b. Includes procedures describing how the designated Project representative will receive, respond, and resolve construction noise complaints.</p> <p>c. At a minimum, upon receipt of a noise complaint, the Project representative shall notify the City contact, identify the noise source generating the complaint, determine the cause of the complaint, and take steps to resolve the complaint.</p>				