

MITIGATION MONITORING AND REPORTING PROGRAM RIVER WALK VILLAGE PROJECT

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

River Walk Village Project Tentative Tract Map PL21-0238 and Plot Plan No. 21-0239

The program has been prepared in compliance with State law and the Mitigated Negative Declaration (MND) prepared for the project by the City of Menifee (City).

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid significant effects on the environment (Public Resource Code Section 21081.6). The law states the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

- 1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- 2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- 3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the MND.

MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project site. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If, during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

STANDARD CONDITIONS

Standard Conditions are presented in instances where the proposed Project would not create a significant impact but would be required to adhere to regulatory requirements in order to ensure impacts do not become significant. Standard Conditions outline compliance with various federal, State, and/or local acts, laws, rules, regulations, municipal codes, policies, etc.

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MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project Name: River Walk Village Project			Applicant:	AI Womble	
			Date:	May 9, 2022	
Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Biological Resources					
<p>MITIGATION MEASURE BIO-1: Within 3 days prior to the commencement of ground disturbance activities, a pre-construction burrowing owl survey shall be conducted by a qualified biologist. The results of the single one-day survey shall be submitted to the City for review prior to commencement of any ground disturbance activities on the Project site. If burrowing owl are not detected during the pre-construction survey, no further mitigation is required.</p> <p>If burrowing owl are detected during the pre-construction survey or during construction activities at the Project site, a burrowing owl protection and relocation plan shall be prepared by a qualified biologist and submitted to the California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS) for review and approval. The Applicant shall submit evidence to the City that required and applicable provisions of the burrowing owl protection and relocation program have been satisfied prior to the start of any on-site ground disturbance activity.</p>	Community Development Director or designee	Prior to the commencement of ground disturbance activities.	Evidence to the City the required pre-construction survey has been completed and, if necessary, a burrowing owl protection and relocation plan is prepared and applicable provisions of the burrowing owl protection and relocation program have been satisfied.		Issuance of a stop work order.
<p>MITIGATION MEASURE BIO-2: Prior to the issuance of any grading permit for ground disturbance in jurisdictional features, the Project Applicant shall provide to the City of Menifee evidence that a pre-construction notification has been made to the United States Army Corps of Engineers (USACE) Los Angeles District pursuant to Nationwide Permit 7 and that the USACE has issued a Federal Clean Water Act Section 404 permit and/or an Approved Jurisdictional Determination. The type, amount, and location of any</p>	Community Development Director or designee	Prior to issuance of grading permit.	<p>Evidence to the City:</p> <p>1) pre-construction notification has been made to the United States Army Corps of Engineers (USACE);</p> <p>2) USACE has issued a Federal Clean Water Act</p>		Withhold grading permit or issuance of a stop work order.

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required mitigation (including payment of fees or purchase of credits) shall be established by the USACE during the review of any required permit, and all applicable and required conditions (if any) identified by the USACE shall be implemented prior to commencing the activity. This measure shall be implemented to the satisfaction of the City of Menifee Community Development Department.			Section 404 permit and/or an Approved Jurisdictional Determination; 3) all applicable and required conditions (if any) identified by the USACE shall be implemented prior to commencing the activity.		
MITIGATION MEASURE BIO-3: Prior to the issuance of any grading permit for ground disturbance in jurisdictional features, the Project Applicant shall provide to the City of Menifee evidence that a Federal Clean Water Act Section 401 permit from the Santa Ana Regional Water Quality Control Board (RWQCB) Regional Board 8 is issued for the proposed Project. The type, amount, and location of any required mitigation (including payment of fees or purchase of credits) shall be established by the RWQCB during the review of any required permit, and all applicable and required conditions (if any) identified by the RWQCB shall be implemented prior to commencing the activity. This measure shall be implemented to the satisfaction of the City of Menifee Community Development Department.	Community Development Director or designee	Prior to issuance of grading permit.	Evidence to the City: 1) a Federal Clean Water Act Section 401 permit from the Santa Ana Regional Water Quality Control Board (RWQCB) Regional Board 8 is issued for the proposed Project; 2) all applicable and required conditions (if any) identified by the RWQCB shall be implemented prior to commencing the activity;		Withhold grading permit or issuance of a stop work order.
MITIGATION MEASURE BIO-4: Prior to the issuance of any grading permit for ground disturbance in jurisdictional features, the Project Applicant shall provide to the City of Menifee evidence that a Section 1602 Streambed Alteration Agreement is issued from the CDFW for the proposed	Community Development Director or designee	Prior to issuance of grading permit.	Evidence to the City: 1) a Section 1602 Streambed Alteration Agreement is issued from		Withhold grading permit or issuance of a stop work order.

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Project. The type, amount, and location of any required mitigation (including payment of fees or purchase of credits) shall be established by the CDFW during the review of any required permit, and all applicable and required conditions (if any) identified by the CDFW shall be implemented prior to commencing the activity. This measure shall be implemented to the satisfaction of the City of Menifee Community Development Department.			the CDFW for the proposed Project; 2) all applicable and required conditions (if any) identified by the CDFW shall be implemented prior to commencing the activity;		
<p>MITIGATION MEASURE BIO-5: Prior to on-site vegetation clearance, the Project applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey in accordance with the following:</p> <ul style="list-style-type: none"> The survey shall be conducted no more than three days prior to the initiation of clearance/construction work. If pre-construction surveys indicate that bird nests are not present or are inactive, or if potential habitat is unoccupied, no further mitigation is required. If active nests of birds are found during the surveys, a species-specific no-disturbance buffer zone shall be established by a qualified biologist around active nests until said qualified biologist determines that all young have fledged (i.e., are no longer reliant upon the nest). It is recommended that coordination among the developer of the site, the City of Menifee, the Project engineer, and the consulting qualified biologist consider vegetation clearance outside of the normal bird nesting season (usually February 1 through August 31) to avoid impacts to nesting birds, which would potentially violate the Migratory Bird Treaty Act. It should be noted that 	Community Development Director or designee	Prior to on-site vegetation clearance.	<p>Evidence to the City:</p> <p>1) Project applicant retains a qualified biologist to conduct a pre-construction nesting bird survey;</p> <p>2) appropriate buffers are established;</p> <p>3) installation of appropriate Storm Water Pollution Prevention Plan (SWPPP) measures;</p>		Withhold grading permit or issuance of a stop work order.

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<p>bird nesting season is increasingly less definitive for some year-round resident species, such as hummingbirds and raptors. Further, ground-dwelling birds such as burrowing owl, can be affected nearly any time of the year. It is therefore advisable to conduct a pre-construction bird survey no matter the time of year.</p> <ul style="list-style-type: none"> Removal of vegetation necessitates installation of appropriate Storm Water Pollution Prevention Plan (SWPPP) measures, particularly if grading is not undertaken immediately; therefore, careful timing of the Project schedule and implementation measures is necessary to avoid impacts to water quality. 					
CULTURAL RESOURCES					
<p>MITIGATION MEASURE CUL-1: Prior to issuance of grading permits, the City of Menifee (City) shall verify that the following note is included on all grading plans:</p> <p>“In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, Native American Tribe(s) who have expressed interest in consulting on this Project pursuant to Public Resources Code Statute 21080.3.1 shall be contacted regarding any pre-contact and/or historic-era finds so as to provide Tribal input with regards to significance and treatment.”</p>	Community Development Director or designee	Prior to issuance of grading permit.	Evidence to the City unanticipated cultural resources discovery protocol is included on all grading plans.		Withhold grading permit or issuance of a stop work order.

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This measure shall be implemented to the satisfaction of the City of Menifee's Community Development Director or designee.					
MITIGATION MEASURE CUL-2: If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to Native American Tribe(s) who have expressed interest in consulting on this Project pursuant to Public Resources Code Statute 21080.3.1 for review and comment. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. This measure shall be implemented to the satisfaction of the City of Menifee's Community Development Director or designee.	Community Development Director or designee	During construction	Evidence to the City: 1) a qualified archaeological monitor has been retained to prepare a Monitoring and Treatment Plan; 2) a qualified archaeological monitor has been retained to be present during grading and other significant ground-disturbing activities; 3) Native American Tribe(s) who have expressed interest in consulting on this Project pursuant to Public Resources Code Statute 21080.3.1 are engaged.		Issuance of a stop work order
GEOLOGY AND SOILS					
MITIGATION MEASURE GEO-1: As a portion of the Project site is located on land with a high sensitivity to paleontological resources, the Project Applicant shall retain a qualified paleontologist to monitor ground-disturbing activity during Project construction. Should any potentially significant fossil resources be discovered, no further grading shall occur around the discovery until the Community Development	Community Development Director or designee.	Prior to issuance of a grading permit and during construction.	Evidence to the City: 1) Project Applicant retains a qualified paleontologist; 2) appropriate buffer areas have been established;		Withhold grading permit and/or issuance of a stop work order.

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Director is satisfied that adequate provisions are in place to protect such discovered resources. Unanticipated discoveries shall be evaluated for significance by the retained qualified paleontologist. If significance criteria are met, then the Project applicant shall be required to perform data recovery, professional identification, radiocarbon dating, and other applicable special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers to the City of Menifee Community Development Director.			3) adequate provisions are in place to protect or retrieve/record/evaluate such discovered resources; 3) formal agreement between the project applicant and appropriate repository for fossils; 5) submittal of required evaluation and report by a qualified paleontologist to the City.		

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STANDARD CONDITIONS

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Standard Condition No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
ENERGY					
STANDARD CONDITION E-1: Prior to issuance of grading and building permits, the City of Menifee shall verify that the Project Applicant and his/her contractor(s) submit plans to the City indicating incorporation of Best Available Control Measures during construction of the Project. Best Available Control Measures include, but are not limited to, requirements that the Project Applicant utilize only low-sulfur fuel having a sulfur content of 15 parts per million by weight or less; ensure off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on road) limit vehicle idling to five minutes or less; register and label vehicles in accordance with the California Air Resources Board (CARB) Diesel Off-Road Online Reporting System; restrict the inclusion of older vehicles into fleets; and retire, replace, or repower older engines or install Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). Additionally, the construction contractor must recycle/reuse at least 65 percent of the construction material (including, but not limited to, proposed aggregate base, soil, mulch, vegetation, concrete, lumber, metal, and cardboard) and use "Green Building Materials," such as those materials that are rapidly renewable or resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project, in accordance with CALGreen regulations. This condition shall be implemented to the satisfaction of the City of Menifee Community Development Director or designee,	Community Development Director or designee, and/or Building Official, or designee.	Prior to the issuance of grading and building permits.	Evidence of incorporation of Best Available Control Measures during construction of the Project.		Withhold grading or building permit.

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and/or Building Official, or designee.					
GEOLOGY AND SOILS					
<p>STANDARD CONDITION G-1: Prior to issuance of grading and/or building permits, the Project Applicant shall provide evidence to the City for review and approval that proposed structures, features, and facilities have been designed and will be constructed in conformance with applicable provisions of the most current edition of the California Building Code in effect at the time of development application submittal.</p> <p>The City may require additional studies and/or engineering protocols to meet its requirements prior to issuance of grading and/or building permits. This condition shall be implemented to the satisfaction of the City Community Development Director or designee.</p> <p>Additionally, the Project Applicant shall provide evidence to the City that the recommendations cited in the project-specific Geotechnical Investigations and any additional studies/protocols are incorporated into project plans and/or implemented as deemed appropriate by the City. Geotechnical recommendations may include, but are not limited to, removal of existing vegetation, structural foundations, floor slabs, utilities, and any other surface and subsurface improvements that would not remain in place for use with the new development. Remedial earthwork, overexcavation, and ground improvement shall occur to depths specified in the geotechnical investigations to provide a sufficient layer of engineered fill or densified soil beneath the structural footings/foundations, as well as proper surface</p>	Director of Building and Safety or designee.	Prior to the issuance of grading and/or building permits.	<p>Evidence to the City:</p> <p>1) design-level plans comply with California Building Code in effect at the time of development application submittal;</p> <p>2) design-level geotechnical/soils/geologic report has been prepared and recommendations are incorporated as applicable.</p>		Withhold grading and/or building permits.

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drainage devices and erosion control. Retaining wall parameters shall be in accordance with the geotechnical investigations to protect against lateral spreading and landslides. Construction of concrete structures in contact with subgrade soils determined to be corrosive shall include measures to protect concrete, steel, and other metals. Verification testing must be performed upon completion of ground improvements to confirm that the compressible soils have been sufficiently densified. The structural engineer must determine the ultimate thickness and reinforcement of the building floor slabs based on the imposed slab loading. This condition shall be implemented to the satisfaction of the Director of Building and Safety or designee.					
HYDROLOGY AND WATER QUALITY					
<p>STANDARD CONDITION H-1: Prior to construction, the Project Applicant shall prepare and implement a Final Storm Water Pollution Prevention Plan (SWPPP), meeting Construction General Permit requirements (Santa Ana Regional Water Quality Control Board Order Number R8-2010-0033, National Pollutant Discharge Elimination System Permit No. CAS618033, as amended) and designed to reduce potential adverse impacts to surface water quality through the Project construction period. The Final SWPPP shall be submitted to the Planning Manager of the City of Menifee Planning Department for review and approval prior to the issuance of any permits for ground-disturbing activity.</p> <p>The Final SWPPP shall be prepared by a qualified SWPPP Developer in accordance with the requirements of the Construction General Permit. Requirements include Best Management Practices (BMPs) for erosion and sediment</p>	Planning Manager of the City of Menifee Planning Department.	Prior to the issuance of grading permits	Submittal to the City of a Storm Water Pollution Prevention Plan (SWPPP).		Withhold grading permit and/or issuance of a stop work order.

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<p>control, site management/housekeeping/waste management, management of non-storm water discharges, run-on and runoff controls, and BMP inspection/maintenance/repair activities. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association <i>Stormwater Best Management Handbook-Construction</i>.</p> <p>The Final SWPPP shall include a construction site monitoring program that identifies requirements for dry weather visual observations of pollutants at all discharge locations and, as appropriate (depending on the Risk Level), sampling of the site effluent and receiving waters. A Qualified SWPPP Practitioner shall be responsible for implementing the BMPs at the site and performing all required monitoring and inspection/maintenance/repair activities.</p>					
<p>STANDARD CONDITION H-2: The Project Applicant shall comply with the Santa Ana Regional Water Quality Control Board Storm Water permit requirements, including the Chapter 15.01 (Storm Water/Urban Runoff) of the Menifee Municipal Code. The Project Applicant shall prepare and implement a Final Water Quality Management Plan (FWQMP) for the Project. The FWQMP shall be submitted to the Planning Manager of the City of Menifee Planning Department for review and approval prior to issuance of any permits for ground disturbing activities. The FWQMP would act as the overall program document designed to provide measures to mitigate potential water quality impacts associated with the operation of the proposed Project. At a minimum, the FWQMP for the Project shall include:</p>	<p>Planning Manager of the City of Menifee Planning Department.</p>	<p>Prior to the issuance of grading permit.</p>	<p>Submission to City of a Final Water Quality Management Plan (Final WQMP).</p>		<p>Withhold grading permit and/or issuance of a stop work order.</p>

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<ul style="list-style-type: none"> An inventory and accounting of existing and proposed impervious areas. Low Impact Development (LID) design details incorporated into the Project. Specific LID design may include, but is not limited to using pervious pavements and green roofs, dispersing runoff to landscaped areas, and/or routing runoff to the storm water detention/retention chamber system that would be developed on site as part of the Project design. Measures to address potential storm water contaminants. These may include measures to cover or control potential sources of storm water pollutants at the Project site. <p>A Final Storm Water Facility Operation and Maintenance Plan for the Project site, which shall include periodic inspection and maintenance of the storm water drainage system. Persons responsible for performing and funding the requirements of this plan shall be identified. This plan must be finalized prior to issuance of building permits for the Project.</p>					
STANDARD CONDITION H-3: Prior to issuance of grading and building permits, the Project Applicant must show proof that Project plans incorporate on-site drainage, anchoring methods to prevent floating structures, elevation of buildings above flood levels, and flood proofing, which requires buildings to be inspected and certified by a professional engineer, surveyor or building inspector in accordance with National Flood Insurance Program Section 60.3. Verification of compliance with National Flood Insurance Program Section 60.3 is	City of Menifee Building and Safety Department.	Prior to the issuance of grading, building, and occupancy permits.	Evidence to City of compliance with National Flood Insurance Program Section 60.3.		Withhold grading, building, or occupancy permits.

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required prior to issuance of occupancy permits. This condition shall be implemented to the satisfaction of the City of Menifee Building and Safety Department.					
STANDARD CONDITION H-4: Prior to issuance of grading and building permits, the Project Applicant shall provide evidence to the City that the grading and building plans show the lowest floor (including basement) shall be built above a predetermined base flood elevation (BFE) for Flood Zone AE. Prior to grading plan approval, the Project Applicant shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA). Prior to issuance of the first building permit, the Project Applicant shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. In accordance with California Civil Code Section 1103, notification must occur to those potentially affected of the risk involved in locating within a flood hazard or dam inundation area. This condition shall be implemented to the satisfaction of the City of Menifee Building and Safety Department.	City of Menifee Building and Safety Department.	Prior to the issuance of grading, and building permits.	<p>Evidence to City:</p> <p>1) grading and building plans show the lowest floor (including basement) shall be built above a predetermined base flood elevation (BFE) for Flood Zone AE;</p> <p>2) Applicant obtains a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA);</p> <p>3) Project Applicant obtains a Letter of Map Revision based on Fill (LOMR-F) from FEMA;</p> <p>4) Notification occurs to those potentially affected of the risk involved in locating within a flood hazard or dam inundation area.</p>		Withhold grading, or building permits.

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TRANSPORTATION					
STANDARD CONDITION T-1: Prior to issuance of the first occupancy permit, the Project Applicant shall install a four-way traffic signal at the Bradley Road/Project Driveway-Rio Vista Drive intersection and enter into a reimbursement agreement with the City of Menifee to receive credits for this improvement since it is part of the City's Development Impact Fee Program.	City of Menifee Engineering Department.	Prior to issuance of the first occupancy permit.	Evidence to City Project Applicant installs a four-way traffic signal at the Bradley Road/Project Driveway-Rio Vista Drive intersection.		Withhold occupancy permit.
STANDARD CONDITION T-2: Prior to issuance of the first occupancy permit, the Project Applicant shall add a northbound through lane at Bradley Road/Lazy Creek Road and convert the southbound right-turn lane to a southbound through-right lane. The Project Applicant shall enter into a reimbursement agreement with the City of Menifee to receive credits for this improvement since it is part of the City's Development Impact Fee Program.	City of Menifee Engineering Department.	Prior to issuance of the first occupancy permit.	Evidence to City Project Applicant adds a northbound through lane at Bradley Road/Lazy Creek Road and converts the southbound right-turn lane to a southbound through-right lane.		Withhold occupancy permit.
STANDARD CONDITION T-3: Prior to issuance of the first occupancy permit, the Project Applicant shall add a northbound and southbound through lane at Bradley Road/Park Avenue. The Project Applicant shall enter into a reimbursement agreement with the City of Menifee to receive credits for this improvement since it is part of the City's Development Impact Fee Program.	City of Menifee Engineering Department.	Prior to issuance of the first occupancy permit.	Evidence to City Project Applicant adds a northbound and southbound through lane at Bradley Road/Park Avenue.		Withhold occupancy permit.
STANDARD CONDITION T-4: Prior to issuance of the first occupancy permit, the Project Applicant shall add a second eastbound left-turn lane and optimize the signal timing at the intersection of Bradley Road/Newport Road and enter into a reimbursement agreement with the City of Menifee to be reimbursed the cost of this improvement minus the fair-share amount of 10.38 percent as identified in the Traffic Study for the Project.	City of Menifee Engineering Department.	Prior to issuance of the first occupancy permit.	Evidence to City Project Applicant adds a second eastbound left-turn lane and optimizes the signal timing at the intersection of Bradley Road/Newport Road.		Withhold occupancy permit.

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STANDARD CONDITION T-5. Prior to issuance of the first occupancy permit, the Project Applicant shall optimize the signal timing at Haun Road/Newport Road and enter into a reimbursement agreement with the City of Menifee to be reimbursed the cost of this improvement minus the fair-share amount of 6.22 percent as identified in the Traffic Study for the Project.	City of Menifee Engineering Department.	Prior to issuance of the first occupancy permit.	Evidence to City Project Applicant optimizes the signal timing at Haun Road/Newport Road.		Withhold occupancy permit.
STANDARD CONDITION T-6. Prior to issuance of the first occupancy permit, the Project Applicant shall convert Bradley Road to a four-lane secondary road between Rio Vista Drive and Lazy Creek Road. The Project includes development of the Project site frontage and will complete the second southbound through lane between the intersections of Bradley Road/Project Driveway-Rio Vista Drive and Bradley Road/Lazy Creek Road.	City of Menifee Engineering Department.	Prior to issuance of the first occupancy permit.	Evidence to City Project Applicant converts Bradley Road to a four-lane secondary road between Rio Vista Drive and Lazy Creek Road and completes the second southbound through lane between the intersections of Bradley Road/Project Driveway-Rio Vista Drive and Bradley Road/Lazy Creek Road.		Withhold occupancy permit.
STANDARD CONDITION T-7. Prior to issuance of the first occupancy permit, the Project Applicant shall convert Bradley Road to a four-lane secondary road between Lazy Creek Road and Park Avenue and enter into a reimbursement agreement with the City of Menifee to receive credits for this improvement since it is part of the City's Development Impact Fee Program.	City of Menifee Engineering Department.	Prior to issuance of the first occupancy permit.	Evidence to City Project Applicant converts Bradley Road to a four-lane secondary road between Lazy Creek Road and Park Avenue.		Withhold occupancy permit.
STANDARD CONDITION T-8. Prior to issuance of the first occupancy permit, the Project Applicant shall restripe Bradley Road north of Newport Road to accommodate two northbound lanes up to a point where the existing taper requires a merge back to one lane. The specific design shall be approved by the City Engineer in the final	City of Menifee Engineering Department.	Prior to issuance of the first occupancy permit.	Evidence to City Project Applicant restripes Bradley Road north of Newport Road to accommodate two northbound lanes up to a point where the existing		Withhold occupancy permit.

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engineering phase. Additionally, the Project applicant shall pay the fair-share amount of 19.02 percent as identified in the Traffic Study for the Project to convert Bradley Road to a four-lane secondary road between Park Avenue and Newport Road.			taper requires a merge back to one lane.		
TRIBAL CULTURAL RESOURCES					
<p>STANDARD CONDITION TCR-1: Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of ground-disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <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</p>	City of Menifee Community Development Department.	During construction.	Evidence to City unanticipated discovery protocol is implemented for Tribal Cultural Resources.		Issuance of a stop work order.

MITIGATION MONITORING AND REPORTING PROGRAM

RIVER WALK VILLAGE PROJECT

Project Name: River Walk Village Project

Applicant: Al Womble

Date: May 9, 2022

Standard Condition No. / Implementing Action	Responsible for Monitoring	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
<p>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> <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, items of Native American Cultural Patrimony, burial goods, and Native American human remains. Results concerning finds of any inadvertent</p>					

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discoveries shall be included in the Phase IV monitoring report.					
<p>STANDARD CONDITION TCR-2: Inadvertent Archaeological 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).</p> <p>A. 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.</p> <p>B. 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>C. 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</p>	City of Menifee Community Development Department.	During construction.	Evidence to City unanticipated discovery protocol is implemented for Tribal Cultural Resources.		Issuance of a stop work order.

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<p>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>D. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan (CRMP) 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 reburial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.</p> <p>E. 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 review and approval prior to implementation of the said plan.</p> <p>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</p>					

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resources, recommendations of the Project archaeologist 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.					
STANDARD CONDITION TCR-3: 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 concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.	Community Development Director or designee	During ground-disturbing activities	Evidence to the City: 1) Appropriate buffer areas have been established as applicable; 2) Coordinate with County Coroner as necessary.		Issuance of a stop work order.
STANDARD CONDITION TCR-4: 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	Community Development Director or designee	Throughout Project construction.	Evidence to the City 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		Issuance of a stop work order.

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(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).			Act.		
<p>STANDARD CONDITION TCR-5: Archaeologist 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.</p> <p>The Project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground-disturbing activities and excavation of each portion of the Project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition, 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</p>	Community Development Director or designee	Prior to issuance of grading permit and during ground disturbing activities.	<p>Evidence to the City:</p> <ol style="list-style-type: none"> 1) Project applicant retains a Riverside County qualified archaeologist to monitor all ground-disturbing activities; 2) 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; 3) Preparation of a Cultural Resources Management Plan (CRMP); 		Withhold Grading Permit or issuance of a stop work order.

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<p>(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> <p>A. Project grading and development scheduling.</p> <p>B. The Project archaeologist 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</p>					

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make themselves available to provide the training on an as-needed basis.					
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.					
STANDARD CONDITION TCR-6: Native American Monitoring (Pechanga Band of Luiseño Indians). 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 Pechanga Band of Luiseño Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-named 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.	Community Development and Engineering Directors or designees.	Prior to issuance of a grading permit and during all ground-disturbing activities.	Evidence to the City land divider/permit holder retains a qualified tribal monitor(s) from the Pechanga Band of Luiseño Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-named Tribe and the land divider/permit holder for the monitoring of the Project to the Community Development Department and to the Engineering Department.		Withhold grading permit or issuance of a stop work order.
STANDARD CONDITION TCR-7: Native American Monitoring (Soboba Band of Luiseño Indians). 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	Community Development and Engineering Directors or designees.	Prior to issuance of a grading permit and during all ground-disturbing activities.	Evidence to the City land divider/permit holder retains a qualified tribal monitor(s) from the Soboba Band of Luiseño Indians. Prior to issuance of a		Withhold grading permit or issuance of a stop work order.

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monitor(s) from the Soboba Band of Luiseño Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-named 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.			grading permit, the developer shall submit a copy of a signed contract between the above-named Tribe and the land divider/permit holder for the monitoring of the Project to the Community Development Department and to the Engineering Department.		
STANDARD CONDITION TCR-8: Archaeology Report – Phase III and IV. Prior to final inspection, the developer/ permit holder shall prompt the Project Archaeologist to submit two copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources 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 copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).	Community Development Director or designee.	Prior to final inspection.	<p>Submittal to the City two copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department’s requirements for such reports.</p> <p>Two copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>		Issuance of a stop work order.