



CITY OF MENIFEE

SUBJECT: "Trumble Road Open Pit Restoration Project" Grading Permit No. 22-019

MEETING DATE: March 8, 2023

TO: Planning Commission

PREPARED BY: Ryan Fowler, Principal Planner

REVIEWED BY: Orlando Hernandez, Planning Manager

APPROVED BY: Cheryl Kitzerow, Community Development Director

APPLICANT: North Pacific Developments Inc. Contact: Ron Burek

RECOMMENDED ACTION

1. Adopt a resolution adopting a Mitigated Negative Declaration for Grading Permit No. 22-019, based on the findings incorporated in the Initial Study and the conclusion that the project will not have a significant effect on the environment and direct staff to file a Notice of Determination.

PROJECT DESCRIPTION

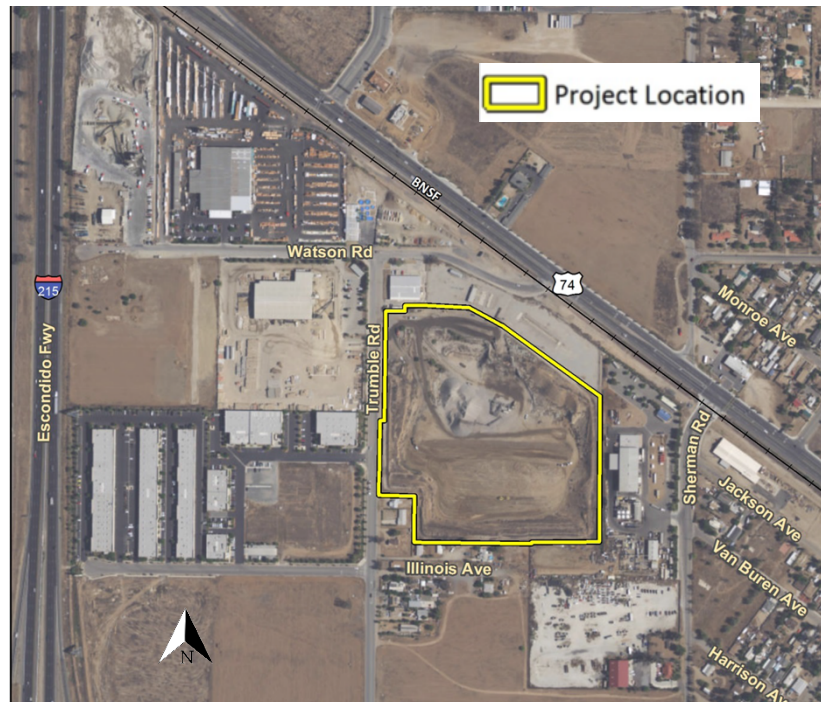
Rough Grading Permit No. 22-019 is a proposal for rough grading and restoration of 7.8 acres of an open pit located at 25675 Trumble Road. An Initial Study/Mitigated Negative Declaration (IS/MND) for grading and restoration of 9 acres of the same open pit was previously approved under Grading Permit No. 17-087R (Planning Case No. 2017-361) in 2018. Note that there is overlap of the two project footprints. The previous Grading Permit No. 17-087R included 5,000 cubic yards (cy) of cut and 207,000 cy of fill. This new proposal (GP 22-019) proposes an additional 500 cy of cut and 239,000 cy of fill. No soil would be exported from the project site.

The import of clean soil would come from unrelated projects in the area, primarily in the City of Menifee and other surrounding areas of Western Riverside County that require export of soil to a local disposal site.

The proposed project is for grading of the site only. No permanent land uses are proposed. The Applicant would not be allowed to conduct a business onsite or sell materials from the site and would not be authorized to process or crush rock on the site for export off the site. Such action would require additional review and approvals of land use entitlements.

Project Location:

The Project site is located east of Trumble Road, south of Watson Road, west of Sherman Road, and north of Illinois Avenue in the City of Menifee, California (APN 329-240-046, -048, -049, and -051).



Background

Planning Commission August 22, 2018

As stated above, an IS/MND for rough grading and restoration of 9 acres of the same open pit was previously approved under Grading Permit No. 17-087R (Planning Case No. 2017-361) on October 24, 2018 by a 4-0-1 vote.

Surface Mining Permit No. 190

The open pit was created prior to the City's incorporation when the property was under different ownership. Based on Riverside County records, the County of Riverside approved a Surface Mining Permit (SMP 190) and adopted an environmental assessment (Environmental Assessment 36362) for the mining operations. The Surface Mining Permit was voided in 2003 primarily due to the operator's failure to provide financial assurance for the reclamation of the mine.

Approval of IS/MND for Grading Only

The proposed Project is for grading of the site *only*. By adopting the IS/MND (and with subsequent administrative issuance of the grading permit), no permanent land use shall be established. The Applicant would not be allowed to conduct a business onsite or sell materials from the site and

would not be authorized to process or crush rock on the site for export off of the site. Such action would require additional review and approvals of land use entitlements.

Adoption of the IS/MND

The City of Menifee's Grading Regulations (Chapter 8.26 of the Menifee Municipal Code) state no grading permit shall be issued until all procedures under the California Environmental Quality Act (CEQA) have been completed. Grading permits to which this standard is applicable are considered discretionary and the City has the authority to add conditions or approval to mitigate environmental and public safety effects of the proposed project.

Within the IS/MND specific standard conditions of approval and mitigation measures are listed, including mitigation to offset impacts related to cultural and tribal resources. All impacts are anticipated to be reduced to a less-than-significant level with incorporation of the standard conditions of approval and mitigation measures contained in the IS/MND.

CEQA Section 15074 requires a decision-making body of a lead agency to consider and approve an IS/MND. Under the Menifee Municipal Code, the Planning Commission is the appropriate body to adopt the IS/MND for this grading plan. Chapter 9.30 of the Menifee Municipal Code gives the Planning Commission authority to adopt CEQA documents for certain types of project. The list of projects in Chapter 9.30 does not include grading plans, but it does state, "...the Planning Commission will make discretionary decisions." Therefore, it was determined the Planning Commission is the appropriate body to adopt an IS/MND for this grading plan.

ENVIRONMENTAL DETERMINATION

The City of Menifee Community Development Department has determined the above project will not have a significant effect on the environment with incorporation of standard conditions of approval and mitigation measures (as listed in the IS/MND) and has recommended adoption of the IS/MND. The twenty-day public review period for the IS/MND occurred from February 13, 2023 to March 6, 2023.

The IS/MND, as well as all its technical appendices, can be accessed for review on the City website: <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>.

FINDINGS

Findings for the IS/MND are included in the attached resolution.

PUBLIC NOTICE

Public notices were distributed on February 13, 2023 for the March 8, 2023 Planning Commission hearing. Notices were published in a newspaper of general circulation (*The Press Enterprise*, *SB Sun* and *Dailey Bulletin*) and notices were sent to owners within 500 feet of the Project site boundaries and to all relevant agencies and interested parties. On-site postings were provided.

ATTACHMENTS

1. Exhibits – GP22-019 Trumble Pit
2. Resolution – IS/MND
3. Exhibit A. Trumble Pit IS/MND
4. Exhibit B. Trumble Pit MMRP
5. Public Hearing Notice