

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>AIR QUALITY</b>				
<b>AQ-1</b> During site preparation and grading activity, all construction equipment greater than 150 horsepower shall be CARB certified tier 3 or higher.	Project Applicant/ Construction Manager	During construction	City of Menifee Building and Safety Department	
<b>BIOLOGICAL RESOURCES</b>				
<b>BIO-1:</b> <u>Burrowing Owl</u> . Pursuant to Objective 6 and Objective 7 of the Species Account for the Burrowing Owl included in the Western Riverside County Multiple Species Habitat Conservation Plan, within 30 days prior to the issuance of a grading permit, a pre-construction presence/absence survey for the burrowing owl shall be conducted by a qualified biologist and the results of this presence/absence survey shall be provided in writing to the City of Menifee Community Development Department. As long as there are fewer than 3 pairs of burrowing owls on or adjacent to the Site, passive or active relocation of the burrowing owls will occur prior to ground-disturbing activities onsite and follow standard protocols. If 3 or more pairs of burrowing owls are detected on or adjacent to the Site, the City and County will be contacted immediately to discuss appropriate actions. If construction must occur during the avian breeding season, pre-construction surveys shall be performed by a qualified biologist within 10 calendar days prior to the start of work to determine the presence or absence of nesting birds within 300 feet (500 feet for special-status species and raptors) of the impact area. If nesting birds are detected, the City, County, and Wildlife Agencies shall be contacted	Certified Biologist, applicable resource agencies	No more than 30 days prior to ground disturbance activities / prior to construction	City of Menifee Building and Safety Department	

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>to discuss the potential impact minimization measures to be implemented.</p> <p>If construction and/or disturbance of the site is suspended for a period of days (30) days or more, a new survey shall be required.</p> <p>If the 30-day pre-construction burrowing owl survey finds burrowing owls on the site, the project biologist shall notify CDFW and USFWS within two business days of discovering the occupied burrows, and shall subsequently prepare a Burrowing Owl Protection and Relocation Plan for review and approval by the California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS), and the Regional Conservation Authority (RCA) prior to initiating any ground-disturbing activities (including disking and mowing, among others).</p> <p><b>BIO-2: Raptors and Nesting Birds.</b> To avoid impacting raptors, <b>one</b> of the following must be implemented:</p> <p>Conduct grading activities from July 1 through January 31<sup>st</sup>, when raptors are not likely to be nesting on the site; <b>OR</b></p> <p>Seven days prior to the onset of construction activities during the raptor nesting season (February 1 to June 30), a qualified biologist shall survey within 500 feet of the project impact area for the presence of any active raptor nests (common or special status). Any nest found during survey efforts shall be mapped on the construction plans. If no active nests are found,</p>	<p>Certified Biologist, applicable resource agencies</p>	<p>No more than 7 days prior to ground disturbance activities / prior to construction</p>	<p>City of Menifee Building and Safety Department</p>	

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>no further mitigation would be required. Results of the surveys shall be provided to the CDFW. If nesting activity is present at any raptor nest site, the active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. To protect any nest site, the following restrictions to construction activities are required until nests are no longer active as determined by a qualified biologist: (1) clearing limits shall be established within a 500-foot buffer around any occupied nest, unless otherwise determined by a qualified biologist, and (2) access and surveying shall be restricted within 300 feet of any occupied nest, unless otherwise determined by a qualified biologist. Any encroachment into the buffer area around the known nest shall only be allowed if the biologist determines that the proposed activity will not disturb the nest occupants. Construction can proceed when the qualified biologist has determined that fledglings have left the nest. If an active nest is observed during the non-nesting season, the nest site shall be monitored by a qualified biologist, and when the raptor is away from the nest, the biologist will flush any raptor to open space areas. A qualified biologist, or construction personnel under the direction of the qualified biologist, shall then remove the nest site so raptors cannot return to a nest.</p> <p>If construction is to occur during the MBTA nesting cycle (February 15-September 15) than a nesting bird survey should be conducted by a qualified biologist. Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) may be considered take and is potentially punishable by fines or</p>				

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>imprisonment. Active bird nests should be mapped utilizing a hand-held global positioning system (GPS) and a 300' buffer will be flagged around the nest (500' buffer for raptor nests). Construction should not be permitted within the buffer areas while the nest continues to be active (eggs, chicks, etc.).</p> <p><b>BIO-3:</b> In Lieu Payment. Applicant shall pay a one-time fee for 2.19 acres for riparian and riverine habitats in-lieu fee program off-site reestablishment through Riverpark Mitigation Bank, or any other approved in-lieu fee program at time of rough grading permit issuance will be acquired for mitigation of the impacts at a minimum ratio of 2:1 or greater if required by another agency. If reestablishment credits are not available then 3.0 acres for riparian and riverine habitats in-lieu fee program off-site enhancement credits through Riverpark Mitigation Bank, or any other approved in-lieu fee program at time of rough grading permit issuance will be acquired for mitigation of the impacts if required by another agency. Notification to California Department of Fish and Wildlife, California Regional Water Quality Control Board, and U.S. Army Corps of Engineers is required regarding which type of in-lieu fee credits (reestablishment or enhancement) are being utilized. Mitigation for the impacts will be at a minimum 3:1 ratio for riverine or whatever is required<sup>1</sup> by California Department of Fish and Wildlife, California Regional Water Quality Control Board, and U.S. Army Corps of Engineers.</p> <p>Should sufficient in-lieu fee credits not be available for purchase at the time the project is implemented, or should other agencies not approve in-lieu fee credit purchase, then the Developer must prepare and submit for review and approval a Habitat Mitigation and Monitoring Plan (HMMP) for a site-specific restoration project at a minimum 3:1 mitigation to impact ratio. The</p>	<p>Project Applicant, applicable resource agencies</p>	<p>Prior to issuance of grading permit</p>	<p>City of Menifee Building and Safety Department</p>	



Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>The project paleontologist retained shall review the approved development plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the Community Development Department for review and approval prior to issuance of a Grading Permit.</p> <p>Information to be contained in the PRIMP, at a minimum and in addition to other industry standard and Society of Vertebrate Paleontology standards, are as follows:</p> <ul style="list-style-type: none"> <li>i. The project paleontologist shall participate in a pre-construction project meeting with development staff and construction operations to ensure an understanding of any mitigation measures required during construction, as applicable.</li> <li>ii. Paleontological monitoring of earthmoving activities will be conducted on an as-needed basis by the project paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The project paleontologist or his/her assign will have the authority to reduce monitoring once he/she determines the probability of</li> </ul>				

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>encountering fossils has dropped below an acceptable level.</p> <p>iii. If the project paleontologist finds fossil remains, earthmoving activities will be diverted temporarily around the fossil site until the remains have been evaluated and recovered. Earthmoving will be allowed to proceed through the site when the project paleontologist determines the fossils have been recovered and/or the site mitigated to the extent necessary.</p> <p>iv. If fossil remains are encountered by earthmoving activities when the project paleontologist is not onsite, these activities will be diverted around the fossil site and the project paleontologist called to the site immediately to evaluate the significance of the discovery, recover the remains, if deemed necessary, in accordance with GEO-2.</p> <p>v. If fossil remains are encountered, fossiliferous rock will be recovered from the fossil site and processed to allow for the recovery of smaller fossil remains. Test samples may be recovered from other sampling sites in the rock unit if appropriate.</p> <p>vi. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be</p>				

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators.</p> <p>*The City of Menifee must be consulted on the repository/museum to receive the fossil material prior to being curated.</p> <p>vii. A qualified paleontologist shall prepare a report of findings made during all site grading activity with an appended itemized list of fossil specimens recovered during grading (if any). This report shall be submitted to the Community Development Department for review and approval prior to building final inspection as described elsewhere in these conditions.</p> <p>All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (e.g., Professional Geologist, Professional Engineer, etc.), as appropriate. Two wet-signed original copies of the report shall be submitted directly to the Community Development Department along with a copy of this condition, deposit-based fee and the grading plan for appropriate case processing and tracking.</p>				

**NOISE**

<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<p><b>NOI-1</b> Limit construction activities to daytime hours, Monday through Saturday, between 6:30 AM and 6:00 PM, June through September and 7:00 AM to 6:00 PM, October through May. No construction activity shall occur on Sundays or nationally recognized holidays.</p>	<p>Project Applicant/ Construction Manager</p>	<p>During Construction</p>	<p>City of Menifee Building and Safety Department</p>	
<p><b>NOI-2</b> <u>Short-Term Construction Noise Impacts</u>. Prior to Grading Permit issuance, the project applicant shall demonstrate, to the satisfaction of the City of Menifee City Engineer that the project plan specifications comply with the following:</p> <ol style="list-style-type: none"> <li>1. During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.</li> <li>2. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise-sensitive receptors nearest the project site.</li> <li>3. Equipment shall be shut off and not left to idle when not in use.</li> <li>4. The contractor shall locate equipment staging in areas that would create the greatest distance between construction-related noise sources and sensitive receptors nearest the project site during all project construction as is feasible.</li> <li>5. The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.</li> <li>6. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.</li> </ol>	<p>Project Applicant/ Construction Manager</p>	<p>Prior to Grading Permit Issuance</p>	<p>City of Menifee Building and Safety Department</p>	

