

 **MITIGATION MONITORING & REPORTING PROGRAM (MMRP)**

 **FOR CEQA COMPLIANCE**

|  |  |
| --- | --- |
| **Date**: February 13, 2019 | **Assessors Parcel Number**: 433-130-021 and 025 |
| **Case No.**General Plan Amendment No 16-1, Change of Zone Case No. 16-1, Tentative Parcel Map 37099, Planned Development Permit 18-1, Site Plan and Design Review Case No. 16-7, Minor Use Permit 16-2 (senior housing development), Minor Use Permit 16-3 (service station), and Minor Use Permit 16-4 (Drive through restaurants). The project is being processed as a Planned Development Permit pursuant to Chapter 17.620 of the San Jacinto Development Code. | **Location**:The project site is located at the northwest corner of Main Street and the Ramona Expressway in the City of San Jacinto |
| **SCH No.** N/A | **Approval Date**: March 18, 2019 |
| **Applicant:**Howard Rosenthal for KPC Latham Management Group1600 E. Florida Avenue, Suite 110Hemet, CA 92544Contact: Howard RosenthalEmail: howard@rosenthalexcell.com |  |

**THE FOLLOWING REPRESENTS THE CITY’S MITIGATION MONITORING PROGRAM FOR THE MITIGATED NEGATIVE DECLARATION FOR THE ABOVE CASE NUMBER(S)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| MITIGATION MEASURES | RESPONSIBLE PARTY | TIMING | TYPE OF VERIFICATION | VERIFIED BY | DATE |
| **I. AESTHETIC IMPACTS** |  |  |  |  |  |
| **MM AE-1** Prior to the issuance of any building permits, a photometric plan shall be prepared for review and approval by the Planning Department demonstrating that light spillage will be controlled onto adjoining residential properties pursuant to Section 17.300.080 of the Municipal Code. | Project proponent | Prior to the issuance of any building permits | Photometric plan | Planning Department |  |
| **II AGRICULTURE AND FOREST RESOURCES** |  |  |  |  |  |
| MM AG-1: AG-1: The Developer shall record a right-to-farm covenant acknowledging the use of adjoining land for agricultural use and the right for that use to continue. The text of this covenant shall be submitted to City staff for review and approval prior to recording the covenant, and shall include the following statement:1. No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes within 300 feet of a land zoned or used for agricultural purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years if it was not a nuisance at the time it began.
2. A disclosure statement shall be provided to the buyers/tenants who will be located adjacent to land that is zoned for agricultural operations, and that the noise, odors, and outdoor activity levels may be more intrusive than levels in a typical area. Each tenant shall sign the written disclosure statement acknowledging that they have received, read, and understand the disclosure statement.
 | Project Proponent | Prior to the issuance of any permits | Recordable covenant | Planning Department |  |
| **III AIR QUALITY** |  |  |  |  |  |
| **MM AQ-1** The project is required during grading to limit the daily disturbance area of 5 acres or less. | Project Proponent/ Contractor | During grading operations | Field Monitoring | Building Department |  |
| **MM AQ-2** The project applicant shall require that all building structures meet or exceed 2013 Title 24, Part 6 Standards and meet Green Building Code Standards. | Project Proponent/ Contractor | During construction | Field Monitoring | Building Department |  |
| **IV BIOLOGICAL RESOURCES** |  |  |  |  |  |
| **San Bernardino Kangaroo Rat (SBKR)****MM BIO-1** SBKR shall be relocated to RCA-owned and managed lands following the below approach. Coordination will occur with the RCA and the wildlife agencies during all stages of the relocation process.1. A suitable relocation site for SBKR on existing RCA conserved lands has been preliminarily determined (refer to Appendix 2). If it is determined that the property illustrated in Appendix 2 is not viable for relocation, it will be communicated with the RCA and wildlife agencies so that other lands can be located and evaluated. The following detailed standards regarding the characteristics and quality of the relocation site and “relocation site preparation” will be included/performed:
2. The relocation site shall be assessed for species suitability, and include suitable vegetation, cover, soils, etc. The relocation site should match as closely as possible (or better) the current habitat conditions found on the project site.
3. The relocation site shall be trapped and determined unoccupied by SBKR. If occupied, a different location shall be chosen for relocation in coordination with the RCA and wildlife agencies.
4. The relocation site will need to be determined suitable, but any deficiency or factor limiting the presence of SBKR will need to be identified and resolved prior to relocation. For example, if it is determined that weed cover is the likely factor causing absence of the SBKR, weed control would need to be implemented by the applicant’s team just prior to relocation.
5. The relocation site shall be adjacent to an area with existing SBKR presence.
6. The relocation site must be conserved in perpetuity.
7. Only an approved qualified small mammal expert with experience in small mammal relocation will be contracted to handle the pre-construction on-site trapping, tagging captured individuals, noting specific details regarding distribution and spacing, relocation efforts, and monitoring.
8. Pre-construction trapping efforts will assist in gathering other pertinent details regarding SBKR distribution and thus support the relocation of individuals similar to their existing on-site distribution.
9. The implementation of soft release techniques, such as possible use of hacking cages and installation of temporary artificial burrows, shall be necessary to aid in success of the relocated individuals.

5. The applicant shall coordinate with RCA regarding the following:a. Funding of RCA’s long-term maintenance (e.g., weed control) of the relocation site.b. Funding to RCA to support long-term monitoring of the relocated SBKR.6. The project proponent shall commit to prepare a detailed “Small Mammal Relocation Site Preparation, Trapping, and Relocation Plan”, and that it will include, at a minimum, the information presented above as well as provide additional specific actions as they become known in coordination with RCA and the Wildlife Agencies. The Plan will be approved by the RCA and wildlife agencies prior to relocation efforts.7. If additional or alternate form(s) of mitigation to what is presented above for SBKR, is deemed necessary and approved by the RCA and wildlife agencies, at the completion of the mitigation a DBESP Addendum Letter will be provided to the RCA and wildlife agencies as part of the administrative record for the project. | Project proponent | Prior to site disturbance | Clearance letter by the RCA | Planning Department |  |
| **Los Angeles Pocket Mouse****MM BIO-2** Mitigation for 3.7 acres of permanent impacts to LAPM will be in the form of fee payment at $14k/acre provided to the RCA for Geller #2 Phase 3 conservation land. Geller #2 Phase 3 is a 40-acre parcel (APN 583-180-001) on upper Temecula Creek occupied by LAPM.If additional or alternate form(s) of mitigation to what is presented here for LAPM is deemed necessary and approved by the RCA and wildlife agencies, at the completion of the mitigation a DBESP Addendum Letter will be provided to the RCA and wildlife agencies as part of the administrative record for the project.  | Project proponent | Prior to site disturbance | Clearance letter by the RCA | Planning Department |  |
| **Stephens Kangaroo Rat:** **MM BIO-3** The project is required to pay the Stephens Kangaroo Rat fee required under the Long-Term Stephens Kangaroo Rat Habitat Conservation Plan. | Project proponent | Prior to issuance of a grading permit | Clearance letter or receipt by the RCA | Building Department |  |
| **V. CULTURAL RESOURCES** |  |  |  |  |  |
| **MM CR-1:** Prior to grading permit issuance the developer shall retain a qualified archaeologist and a Native American Monitor to prepare an Archaeological Mitigation and Monitoring Plan (AMMP). The AMMP shall include the monitoring of all ground disturbing activities and shall include protocol for the mitigation and significance testing of inadvertent archaeological finds.  | Project Proponent | Prior to any earthmoving activity (demolition, grading and/or construction | Provide the City with a copy of the executed agreement. | Planning Department |  |
| **MM CR-2:** In the event that any archaeological material is encountered during the monitoring, the archaeologist and Native American Monitor shall have the authority to halt and redirect earthmoving activities within 50-feet of the find, so that appropriate mitigation measures can be undertaken in order to test and evaluate the significance of the find in accordance with MM CR-1. | PlanningDepartmentProjectProponentArchaeologistNative American Monitor | During earthmoving activities | Notification to Planning Department | Planning Department |  |
| **MM CR-3:** Prior to grading permit issuance the developer shall enter into a Treatment and Disposition Agreement (TDA) with the Soboba Band of Luiseño Indians to address treatment and disposition of archaeological/cultural resources and human remains associated with Soboba Band of Luiseño Indians that may be uncovered or otherwise discovered during ground disturbing activities related to the project. The TDA may establish provisions for tribal monitors. |  Project Proponent | Prior to any earthmoving activity (demolition, grading and/or construction | Provide the City with a copy of the executed agreement | Planning Department |  |
| **MM CR-4**: In the event of the discovery of human remains, the County coroner shall be immediately notified. If human remains of Native American origin are discovered during ground-disturbing activities, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the California Native American Heritage Commission and the Soboba Band of Luiseño Indians shall be notified and appropriate measures provided by State law shall be implemented to determine the most likely living descendant(s). Disposition of the remains shall be overseen by the most likely living descendants to determine the most appropriate means of treating the human remains and any associated grave artifacts. | ProjectProponentArchaeologistNative American Monitor | During earthmoving activities | Notification to the County Coroner and Planning De-partment. | Planning Department |  |
| **Paleontological Resources****MM CR-5** A Paleontological Resource monitoring Program (PRMP) shall be designed for project construction. The PRMP should include protocol for monitoring of excavations having the potential to disturb Pleistocene sediments, testing of sediments for microvertebrate fossils, preparation and curation of specimens collected, and preparation of a final report in accordance with the guidelines of Society Vertebrate Paleontology | Project proponentPaleontologist | Prior to issuance of a grading permit | Provide the City with a copy of the PRMP | Planning Department |  |
| **MM CR-6** If paleontological resources are encountered during grading, ground disturbance activities shall cease so a qualified paleontological monitor can evaluate any paleontological resources exposed during the grading activity. If paleontological resources are encountered, adequate funding shall be provided by the developer to collect, curate and report on these resources to ensure the values inherent in the resources are adequately characterized and preserved. Collected specimens will be sent to the appropriate authorities for collection. If any specimens are collected, the Western Science Center in Hemet shall be contacted for proper curation. | Project paleontologist | During grading operations | Notification to the Planning Department | Planning Department |  |
| **IX HYDROLOGY** |  |  |  |  |  |
| **HYD-1**: Prior to the approval of the grading permit, the project applicant shall be required to prepare a stormwater pollution prevention plan (SWPPP) consistent with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2010-0014-DWQ), which is to be administered through all phases of grading and project construction. The SWPPP shall incorporate best management practices (BMPs) to ensure that potential off-site water quality impacts during construction phases are minimized. The SWPPP shall be submitted for review to the Regional Water Quality Control Board and to the City of San Jacinto. A copy of the SWPPP must be kept accessible on the project site at all times. In addition, the project applicant will be required to submit, and obtain City Engineering approval of, a Water Quality Management Plan prior to the issuance of any building or grading permit in order to comply with the Areawide Urban Runoff Management Program. The project shall implement site design BMPs, source control BMPs, and treatment control BMPs as identified in the Water Quality Management Plan. Site design BMPs shall include, but are not limited to, landscape buffer areas, on-site ponding areas, roof and paved area runoff directed to vegetated areas, and vegetated swales. Treatment control BMPs shall include vegetated swales and water quality basin. |  |  |  |  |  |
| **HYD-2:** Prior to the issuance of any permits, the availability to serve the proposed development, including domestic and fire flow supply, must be reaffirmed by the Eastern Municipal Water District, and a water supply service plan shall be approved between the developer and EMWD. |  |  |  |  |  |
| **XII NOISE** |  |  |  |  |  |
| **MM N-1:** Construction operations must follow the City’s General Plan and the Noise Ordinance, which states that construction, repair or excavation work performed must occur within the permissible hours. To further ensure that construction activities do not disrupt the adjacent land uses, the following measures should be taken:1. Construction should occur during the permissible hours as defined in Section 8.40.090.2. During construction, the contactor shall ensure all construction equipment is equipped with appropriate noise attenuating devices.3. The contractor should locate equipment staging areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.4. Idling equipment should be turned off when not in use.5. Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging. | Project Proponent | During Construction | Should complaints arise the City will ask for verification of equipment | Building Department |  |
| **MM N-2:** Prior to obtaining building permits, the applicant shall provide an interior acoustic isolation analysis verifying separating assemblies (e.g. demising wall and floor/ceiling assemblies) for the senior housing and hotel meet Title 24 STC/IIC sound attenuation requirement as outlined within Chapter 12, Section 1207 of the 2013 California Building Code. | Project proponent | Prior to issuance of building permits | Submit interior acoustic isolation analysis | Building Department |  |
| **MM N-3**: An exterior post-construction acoustical study shall be prepared for review and approval by staff to assure that noise from the proposed car wash into adjoining property will comply with the Section 8.40.090 of the Municipal Code. Appropriate noise attenuation measures shall be recommended and incorporated into the project design to maintain a noise level of 65 dba or less extending off site. | Project proponent | Prior to issuance of building permits | Acoustical analysis | Building Department |  |
| **XIII POPULATION AND HOUSING** |  |  |  |  |  |
| **MM PH 1:** Prior to the issuance of any permits, an improvement plan shall be submitted for City review and approval that addresses the termination and landscaping design of Cornflower Avenue and Poppy Street in compliance with City standards. | Project proponent | Prior to issuance of any permits | Termination plan | Planning and Engineering Departments |  |
| **IV PUBLIC SERVICES** |  |  |  |  |  |
| **MM PS-1:** Prior to the issuance of any permits, the availability to serve the proposed development, including domestic and fire flow supply, must be confirmed through a water supply service agreement with the Eastern Municipal Water District. | Project proponent | Prior to issuance of any permits | Service agreement with EMWD. | Planning and Public Works Departments. |  |
| **XV RECREATION** |  |  |  |  |  |
| **MM R-1:** Prior to the issuance of any permits, detailed landscape and improvements plans shall be submitted for staff review and approval encompassing the exterior recreation and open space serving the senior residential area. These plans shall address fencing locations and materials as well as amenities serving the senior housing and commercial center in accordance with the conditions of approval. | Project proponent | Prior to issuance of any permits | Landscape and irrigation improvement plans | Planning Department |  |
| **MM R-2:** Prior to the issuance of any permits, floor plans and any interior common amenities within the hotel shall be submitted for staff review and approval to demonstrate compliance with Section 17.430.310 of the Development Code. | Project Proponent | Prior to issuance of any permits | Interior amenity plan | Planning Department |  |
| **XVI TRANSPORTATION** |  |  |  |  |  |
| **MM T-1** Sanderson Avenue/Ramona Expressway: The proposed SR-79 realignment project, currently in the environmental review phase, will realign SR-79 between Domenigoni Parkway and Gilman Springs Road as a freeway facility, which will reduce traffic volumes at the Sanderson Avenue/Ramona Expressway intersection and supersede the need for any further widening of the intersection. This project is funded in part with TUMF fees. Therefore, compliance with Mitigation Measure T-4 will reduce this impact to a level of insignificance. | RCTC and City of San Jacinto | Prior to occupancy of hotel | SR-79 construction schedule | Engineering Department |  |
| **MM T-2** San Jacinto Avenue/Ramona Expressway: Improve the westbound Ramona Expressway approach from one left-turn lane and two through lanes to two left-turn lanes and two through lanes. Improve the northbound San Jacinto Avenue approach from one left-turn lane and one right-turn lane to two left-turn lanes and one right-turn lane with overlap signal phasing. Improve the eastbound right-turn approach to include right-turn overlap signal phasing. These improvements shall be constructed by the developer prior to the issuance of any building permits. | Project proponent | Prior to building permits | Improvements constructed | Engineering Department |  |
| **MM T-3** San Jacinto Avenue/Main Street-Ramona Boulevard: Improve the eastbound Main Street approach from one shared left-through-right-turn lane to one left-turn lane and one through/right-turn lane. Improve the westbound Main Street approach from one shared left-through-right turn lane to one left-turn lane and one through/right-turn lane. Improve the northbound San Jacinto Avenue approach from one left-turn lane and one through/right-turn lane to one left-turn lane, one left turn/through lane and one through/right-turn lane. Improve the southbound San Jacinto Avenue approach from one left-turn/through lane and one right-turn lane to one left-turn/through lane, one through lane and one right-turn lane. Improve southbound San Jacinto Avenue south of the intersection to allow for two receiving lanes for the recommended westbound dual left-turn lane. These improvements shall be constructed by the developer prior to the issuance of any building permits. | Project proponent | Prior to building permits | Improvements constructed | Engineering Department |  |
| **MM T-4:** The applicant shall participate in the funding or construction of regional improvements, including the SR 79 freeway upgrade, that are needed to serve cumulative traffic conditions through the payment of the Transportation Uniform Mitigation Fees (TUMF) and City of San Jacinto Development Impact Fees (DIF) or a fair share contribution as directed by the City. These fees are collected prior to the issuance of occupancy permits as part of a funding mechanism aimed at ensuring that regional highways and arterial expansions keep pace with projected population increases. | Project proponent | Prior to building permits | Payment of fees | Engineering Department |  |