

**PC RESOLUTION NO. 2025-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR THE BEDFORD COURT PROJECT CONSISTING OF APPROXIMATELY 1.88 ACRES GENERALLY LOCATED ON THE SOUTHWEST SIDE OF BEDFORD COURT APPROXIMATELY 160 FEET SOUTHWEST OF THE TEMECULA PARKWAY AND BEDFORD COURT INTERSECTION (APN: 922-210-042)**

Section 1. Procedural Findings. The Planning Commission of the City of Temecula does hereby find, determine and declare that:

A. On May 4, 2023, the applicant submitted Planning Application PA23-0197, a Development Plan for the construction of two structures totaling approximately 4,546 square feet, PA23-0198, a Conditional Use Permit to allow a car wash, PA23-0204, a Tentative Parcel Map to create two parcels from one existing parcel, and PA23-0280, a Zone Change/Planned Development Overlay. On September 17, 2024 the applicant submitted PA24-0348, a Conditional Use Permit to allow for a drive-thru. Taken together, the applications will permit the development and operation of a commercial center consisting of two structures that will house a car wash and coffee shop. These applications (collectively “Project”) were filed in a manner in accord with the City of Temecula General Plan and Development Code.

B. The “Project Site” is approximately 1.88 acres and generally located at the southern end of Bedford Court (APN: 922-210-042).

C. The Project was processed, including but not limited to all public notices, in the time and manner prescribed by State and local law, including the California Environmental Quality Act, Public Resources Code 21000, et seq. and the California Environmental Quality Act Guidelines, 14 Cal. Code Regs 15000 et seq. (collectively referred to as “CEQA”).

D. Pursuant to the California Environmental Quality Act (CEQA) (Pub. Res. Code § 21000, et seq.) and the State CEQA Guidelines (14 Cal. Code Regs. § 14000, et seq.), the City is the lead agency for the Project.

E. The City contracted with De Novo Planning Group (De Novo) for the independent preparation of an Initial Study to analyze the potential environmental effects of the Project. Based on the information contained in the Initial Study, De Novo and City staff concluded that the Project could have a significant effect on the environment, but that mitigation measures could be implemented to reduce such impacts to a less than significant level. Based upon this determination, De Novo prepared, and City staff concurred in, a Draft Mitigated Negative Declaration (“Draft MND”) in accordance with CEQA Section 21080(c) and Section 15070 of the State CEQA Guidelines.

F. The City circulated a Notice of Intent to Adopt the Draft MND, along with the MND and its Appendices to the public and other interested parties, for a 30-day comment period between January 14, 2025 through February 13, 2025. A Notice of Intent was also sent to adjacent property owners indicating a review period of January 14, 2025 through February 13, 2025. The City published a Notice of Intent for the Draft MND in the Press Enterprise, a newspaper of general circulation within the City. Copies of the documents have been available for public review and inspection at the offices of the Department of Community Development, located at City Hall, 41000 Main Street, Temecula, Ca 92590, Chamber of Commerce, located at 26790 Ynez Court, Suite A, Temecula CA 92591, Ronald Roberts Public Library, located at 30600 Pauba Road, Temecula, CA 92592, and on the City of Temecula website.

G. During the comment period, the City received four written comments on the Draft MND from various agencies, individuals, and organizations and a response to all the comments made therein was prepared, submitted to the Planning Commission, and incorporated into the administrative record of the proceedings..

H. The “Final Mitigated Negative Declaration” (“Final MND”) consists of the Draft MND, response to comments, and all of its appendices and the Mitigation Monitoring and Reporting Program. The Final MND was made available to the public and to all commenting agencies on April 4, 2025 , which is at least 10 days prior to certification of the Final MND, in compliance with Public Resources Code Section 21092.5(a).

I. On April 16, 2025, the Planning Commission, held a duly noticed public hearing to consider the Final MND and the Project, at which time the Planning Commission heard and considered information presented by City staff on the Project and its environmental review. In addition, all interested persons had an opportunity to and did testify regarding this matter.

J. Public Resources Code Section 21081.6 requires the City to prepare and adopt a Mitigation Monitoring and Reporting Program for any project for which mitigation measures have been imposed to assure compliance with the adopted mitigation measures. The Mitigation Monitoring and Reporting Program is attached hereto as Exhibit A, and is incorporated herein by reference.

Section 2. Findings. After due consideration of the Final MND and the Project and in the exercise of its independent judgment, the Planning Commission hereby finds and resolves that:

A. All of the above recitals are true and correct, and are hereby incorporated into this section as though set forth in full.

B. Agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Draft MND, the Final MND and on the Project. The Project has been environmentally reviewed pursuant to the provisions of CEQA and the State CEQA Guidelines.

C. The Planning Commission has reviewed and considered the administrative record before it, which is hereby incorporated by reference, and which includes the written comments on the Draft MND the Final MND and its Appendices, staff reports and presentations and all oral and written testimony.

D. The Planning Commission has reviewed the Final MND and all comments received regarding the Final MND prior to and at the April 16, 2025 public hearing, and based on the whole record before it finds that: (1) the Final MND was prepared in compliance with CEQA; (2) there is no substantial evidence that the Project will have a significant effect on the environment; and (3) the Final MND reflects the independent judgment and analysis of the Planning Commission.

E. The Planning Commission, in the exercise of its independent judgment, recommends that the City Council adopt the Final MND, and a Mitigation Monitoring and Reporting Program for the Project. The Planning Commission further recommends that the mitigation measures set forth therein be made applicable to the Project.

**PASSED, APPROVED AND ADOPTED** by the City of Temecula Planning Commission this 16<sup>th</sup> day of April, 2025.

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Lanae Turley-Trejo, Chair

ATTEST:

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Matt Peters  
Secretary

[SEAL]

STATE OF CALIFORNIA       )  
COUNTY OF RIVERSIDE    )ss  
CITY OF TEMECULA         )

I, Matt Peters, Secretary of the Temecula Planning Commission, do hereby certify that the foregoing PC Resolution No. 2025-        was duly and regularly adopted by the Planning Commission of the City of Temecula at a regular meeting thereof held on the 16<sup>th</sup> day of April 2025, by the following vote:

AYES:                    PLANNING COMMISSIONERS:

NOES:                   PLANNING COMMISSIONERS

ABSTAIN:               PLANNING COMMISSIONERS

ABSENT:                PLANNING COMMISSIONERS

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Matt Peters  
Secretary

**RESOLUTION NO. 2025-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING THE MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM IN CONNECTION THEREWITH FOR THE BEDFORD PROJECT, CONSISTING OF APPROXIMATELY 1.88 ACRES, GENERALLY LOCATED ON THE SOUTHWEST SIDE OF BEDFORD COURT APPROXIMATELY 160 FEET SOUTHWEST OF THE TEMECULA PARKWAY AND BEDFORD COURT INTERSECTION (APN 922-210-042)**

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council of the City of Temecula does hereby find, determine and declare that:

A. On May 4, 2023, the applicant submitted Planning Application PA23-0197, a Development Plan for the construction of two structures totaling approximately 4,546 square feet, PA23-0198, a Conditional Use Permit to allow a car wash, PA23-0204, a Tentative Parcel Map to create two parcels from one existing parcel, and PA23-0280, a Zone Change/Planned Development Overlay. On September 17, 2024 the applicant submitted PA24-0348, a Conditional Use Permit to allow for a drive-thru. Taken together, the applications will permit the development and operation of a commercial center consisting of two structures that will house a carwash and coffee shop. These applications (collectively “Project”) were filed in a manner in accord with the City of Temecula General Plan and Development Code.

B. The “Project Site” is approximately 1.88 acres and generally located at the southern end of Bedford Court (APN: 922-210-042).

C. The Project was processed, including but not limited to all public notices, in the time and manner prescribed by State and local law, including the California Environmental Quality Act, Public Resources Code 21000, et seq. and the California Environmental Quality Act Guidelines, 14 Cal. Code Regs 15000 et seq. (collectively referred to as “CEQA”).

D. Pursuant to CEQA, the City is the lead agency for the Project because it is the public agency with the authority and principal responsibility for approving the Project.

E. The City contracted with De Novo Planning Group (De Novo) for the independent preparation of an Initial Study to analyze the potential environmental effects of the Project. Based on the information contained in the Initial Study, De Novo and City staff concluded that the Project could have a significant effect on the environment, but that mitigation measures could be implemented to reduce such impacts to a less than significant level. Based upon this determination, De Novo prepared, and City staff concurred in, a Draft Mitigated Negative Declaration (“Draft

MND”) in accordance with CEQA Section 21080(c) and Section 15070 of the State CEQA Guidelines.

F. The City circulated a Notice of Intent to Adopt the Draft MND, along with the Draft MND and its Appendices, to the public and other interested parties, for a 30-day comment period between January 14, 2025 through February 13, 2025. A Notice of Intent to Adopt the MND was also sent to adjacent property owners indicating a review period of January 14, 2025 through February 13, 2025. The City published a Notice of Intent for the Draft MND in The Press Enterprise a newspaper of general circulation within the City. Copies of the documents have been available for public review and inspection at the offices of the Department of Community Development, located at City Hall, 41000 Main Street, Temecula, Ca 92590, Chamber of Commerce, located at 26790 Ynez Court, Suite A, Temecula CA 92591, Ronald Roberts Public Library, located at 30600 Pauba Road, Temecula, CA 92592, and on the City of Temecula website.

G. During the comment period, the City received four written comments on the Draft MND from various agencies and entities. A response to all of the comments made therein was prepared, submitted to the Planning Commission, and incorporated into the administrative record of the proceedings.

H. The “Final Mitigated Negative Declaration” (“Final MND”) consists of the Draft MND, all of its appendices and the Mitigation Monitoring and Reporting Program, the four comments received on the Draft MND, responses to those comments, and an Errata to address minor corrections and clarifications that do not change any of the analysis or conclusion in the MND. The Final MND was made available to the public and to all commenting agencies on April 4, 2025, which is at least 10 days prior to adoption of the Final MND, in compliance with Public Resources Code Section 21092.5(a).

I. On April 16, 2025, the Planning Commission held a duly noticed public hearing to consider the Final MND and the Project, at which time the Planning Commission heard and considered information presented by City staff on the Project and its environmental review. In addition, interested persons had an opportunity to and did testify regarding this matter.

J. Public Resources Code Section 21081.6 requires the City to prepare and adopt a Mitigation Monitoring and Reporting Program for any project for which mitigation measures have been imposed to assure compliance with the adopted mitigation measures. The Mitigation Monitoring and Reporting Program is attached hereto as Exhibit “A”, and is incorporated herein by reference.

K. Following consideration of the entire record of information received at the public hearing and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 25-\_\_ recommending that the City Council adopt the Final MND and a Mitigation Monitoring and Reporting Program for the Project. The Planning Commission also adopted Resolution Nos. 25-\_\_, thereby recommending that the City Council take various actions, including adoption of a Zone Change/Planned Development Overlay, Tentative Parcel Map, a Development Plan, and two Conditional Use Permits.

L. Prior to taking action at the noticed City Council public hearing held on May \_\_\_\_\_ 2025, the City Council has heard, been presented with, reviewed, and considered the information and data in the administrative record, as well as oral and written testimony presented to it during meetings and hearings. No comments or any additional information submitted to the City have produced any substantial new information to support a fair argument requiring additional environmental review or re-circulation of the Final MND under CEQA because no new significant environmental impacts were identified, nor was any substantial increase in the severity of any previously disclosed environmental impacts identified.

Section 2. Substantive Findings. The City Council of the City of Temecula, California does hereby find, determine and declare that:

A. All of the above recitals are true and correct, and are hereby incorporated into this section as though set forth in full.

B. Agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Final MND and on the Project. The Project has been environmentally reviewed pursuant to the provisions of CEQA and the State CEQA Guidelines.

C. The City Council has independently considered the administrative record before it, which is hereby incorporated by reference and which includes the Final MND and all documents therein, the Mitigation Monitoring and Reporting Program, staff reports and presentations, and all oral and written testimony.

D. The City Council has reviewed the Final MND and all comments received regarding the Final MND prior to and at the May \_\_\_, 2025 public hearing, and based on the whole record before it finds that: (1) the Final MND was prepared in compliance with CEQA; (2) there is no substantial evidence that the Project will have a significant effect on the environment following imposition of the mitigation that has been proposed and is included in the Mitigation Monitoring and Reporting Program attached hereto as Exhibit "A" and incorporated herein by this reference; and (3) the Final MND reflects the independent judgment and analysis of the City Council.

E. Based on the findings set forth in the Resolution, the City Council hereby adopts the Final MND and the Mitigation Monitoring and Reporting Program attached hereto as Exhibit "A" and incorporated herein by this reference.

F. The City Council hereby directs staff to file a Notice of Determination as set forth in Public Resources Code section 21152(a).

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Temecula  
this       day of       , 2025.

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Brenden Kalfus, Mayor

ATTEST:

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Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE   ) ss  
CITY OF TEMECULA        )

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2025-       was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the       day of       ,       , by the following vote:

AYES:                    COUNCIL MEMBERS:

NOES:                   COUNCIL MEMBERS:

ABSTAIN:               COUNCIL MEMBERS:

ABSENT:                COUNCIL MEMBERS:

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Randi Johl, City Clerk



## MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6). Specifically, Public Resources Code Section 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:*
  - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.*
  - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.*

This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide the mechanism by which to monitor mitigation measures outlined in the Bedford Court Coffee Shop and Car Wash Project Initial Study/Mitigated Negative Declaration (IS/MND). The Bedford Court Coffee Shop and Car Wash Project MMRP has been prepared in conformance with Public Resources Code Section 21081.6 and City of Temecula (City) monitoring requirements.

State CEQA Guidelines Section 15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation. The City of Temecula is the Lead Agency for the Bedford Court Coffee Shop and Car Wash Project and is therefore responsible for ensuring MMRP implementation. This MMRP has been drafted to meet Public Resources Code Section 21081.6 requirements as a fully enforceable monitoring program.

The MMRP Checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the Bedford Court Coffee Shop and Car Wash Project file.

This MMRP delineates responsibilities for monitoring the Project, but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the MMRP Checklist. If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

The numbering system in the following table corresponds with the IS/MND's numbering system. The MMRP table "Verification" column will be used by the parties responsible for documenting when the mitigation measure has been completed. The City of Temecula will complete ongoing documentation and mitigation compliance monitoring. The completed MMRP and supplemental documents will be kept on file at the City of Temecula Community Development Department.

### Mitigation Monitoring and Reporting Program Checklist

| Mitigation Measures  | Implementation Timing   | Monitoring/ Reporting Methods   | Responsible for Approval/ Monitoring                   | Verification |      |         |
|--|---|---|--|--------------|------|---------|
|  |   |   |  | Initials     | Date | Remarks |
| BIOLOGICAL RESOURCES   |   |   |  |              |      |         |
| Mitigation Measures  |   |   |  |              |      |         |
| BIO-1: To avoid or minimize impacts on burrowing owl populations, a pre-construction survey for burrowing owl shall be completed within the Project site within 30 days prior to ground disturbance, in accordance with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). If the results of the survey indicate that no burrowing owls are present on site, then construction activities shall be allowed to commence, and no avoidance or minimization measures would be required. If burrowing owl is observed during the pre-construction survey, the Project proponent shall immediately inform the California Department of Fish and Wildlife (CDFW) and the Western Riverside County Regional Conservation Association (RCA). A Burrowing Owl Protection and Relocation Plan (plan) shall be prepared by a qualified biologist, which must be sent for approval by RCA prior to initiating ground disturbance. The plan shall detail avoidance measures that shall be implemented during construction and passive or active relocation methodology. Relocation shall only occur outside of the nesting season (September 1 through January 31). The RCA may require translocation sites to be created within the MSHCP Conservation Area for the establishment of new colonies. If required, the translocation sites must take into consideration unoccupied habitat areas, presence of burrowing mammals, existing colonies, and effects to other MSHCP Covered Species in order to successfully create suitable habitat for burrowing owl. The translocation sites must be developed in consultation with RCA. If required, | Prior to the issuance of grading permit or any ground disturbing activity | Pre-Construction Burrowing Owl Survey/ Prior to grading or ground disturbing activities/ Prior to issuance of any grading permits | Community Development Department Director, or designee |              |      |         |

| Mitigation Measures   | Implementation Timing  | Monitoring/ Reporting Methods   | Responsible for Approval/ Monitoring                   | Verification |      |         |
|---|--|---|--|--------------|------|---------|
|   |  |   |  | Initials     | Date | Remarks |
| translocation sites would also be described in the agency-approved plan.  |  |   |  |              |      |         |
| <p>BIO-2: To the extent possible, construction activities (i.e., earthwork, clearing, and grubbing) shall occur outside of the general bird nesting season for migratory birds (February 1 to August 31). If construction activities (i.e., earthwork, clearing, and grubbing) occur during the general bird nesting season for migratory birds (February 1 to August 31), a qualified biologist shall be retained to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and California Fish and Game Code. The pre-construction survey shall be performed no more than three days prior to the commencement of construction activities. The results of the pre-construction survey shall be documented by a qualified biologist.</p> <p>If the qualified biologist determines that no active migratory bird or raptor nests occur, the biologist shall document a negative survey and construction activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, the biologist shall establish a no-disturbance buffer. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. No impacts within the no-disturbance buffer shall occur until the young have fledged the nest, and the nest is confirmed to no longer be active, or as determined by the qualified biologist. The biological monitor may modify the buffer as applicable for the specific bird species and type of</p> | Prior to the issuance of grading permit or any construction activity | Pre-Construction Nesting Bird Survey/ Prior to construction or grading activities/ Prior to issuance of any grading permits | Community Development Department Director, or designee |              |      |         |

| Mitigation Measures   | Implementation Timing   | Monitoring/ Reporting Methods   | Responsible for Approval/ Monitoring                   | Verification |      |         |
|---|---|---|--|--------------|------|---------|
|   |   |   |  | Initials     | Date | Remarks |
| work or propose other recommendations to avoid indirect impacts to nesting birds.   |   |   |  |              |      |         |
| BIO-3: In accordance with the Western Riverside County Multispecies Habitat Conservation Plan (MSHCP) Section 6.1.4, no species listed in Table 6-2, Plants that Should Be Avoided Adjacent to the MSHCP Conservation Area, of the MSHCP shall be used in the Project landscape plans. Prior to issuance of construction permits, the Project Applicant shall provide landscape plans demonstrating to the City of Temecula Community Development that all landscaping complies with the Western Riverside County MSHCP Section 6.1.4 relative to the use of plants.  | Prior to the issuance of building permit or any construction activity | Plan review/ Prior to grading or construction activities/ Prior to issuance of any grading permits  | Community Development Department Director, or designee |              |      |         |
| <b>CULTURAL RESOURCES</b>   |   |   |  |              |      |         |
| <b>Mitigation Measures</b>  |   |   |  |              |      |         |
| CUL-1: If human remains are encountered, the Project Applicant or contractor would be required to halt all work and contact the Riverside County Coroner. California 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 California Public Resources 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 24 hours. The Native American Heritage Commission shall then immediately identify the “most likely descendant(s)” of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in these conditions. | During ground-disturbing activities                                   | Notification of Riverside County Coroner/ Notification of Native American Heritage Commission if identified remains are Native American in origin | Community Development Department Director, or designee |              |      |         |

| Mitigation Measures  | Implementation Timing   | Monitoring/ Reporting Methods  | Responsible for Approval/ Monitoring                   | Verification |      |         |
|--|---|--|--|--------------|------|---------|
|  |   |  |  | Initials     | Date | Remarks |
| <i>Refer to Mitigation Measures TCR-1 through TCR-8.</i>   | --  | --   | --   |              |      |         |
| <b>GEOLOGY AND SOILS</b>   |   |  |  |              |      |         |
| <b>Mitigation Measures</b>   |   |  |  |              |      |         |
| GEO-1: If fossils or fossil-bearing deposits are encountered during ground-disturbing activities, work within a 25-foot radius of the find shall halt, the Temecula Community Development Department shall be notified, and a professional vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be contacted immediately to evaluate the find. The paleontologist shall have the authority to stop or divert construction, as necessary. Documentation and treatment of the discovery shall occur in accordance with Society of Vertebrate Paleontology standards. The significance of the find shall be evaluated pursuant to the State CEQA Guidelines. If the discovery proves to be significant, before construction activities resume at the location of the find, additional work such as data recovery excavation may be warranted, as deemed necessary by the paleontologist. | During ground-disturbing activities                                       | Assessment of resources by a professional vertebrate paleontologist/ If significant under CEQA, verify additional work, such as data recovery excavation, has been implemented | Community Development Department Director, or designee |              |      |         |
| <b>TRIBAL CULTURAL RESOURCES</b>   |   |  |  |              |      |         |
| <b>Mitigation Measures</b>   |   |  |  |              |      |         |
| TCR-1: Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all mass grading and trenching activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project archeologist 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   | Prior to the issuance of grading permit or any ground disturbing activity | Project Archaeologist monitoring/ Cultural Resources Worker Sensitivity Training   | Community Development Department Director, or designee |              |      |         |

| Mitigation Measures   | Implementation Timing   | Monitoring/ Reporting Methods                                | Responsible for Approval/ Monitoring                   | Verification |      |         |
|---|---|--|--|--------------|------|---------|
|   |   |  |  | Initials     | Date | Remarks |
| 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 make themselves available to provide the training on an as-needed basis. |   |  |  |              |      |         |
| TCR-2: Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Indians for tribal monitoring. The Developer shall provide the City and the Pechanga Tribe a minimum of 30 days advance notice of all mass grading and trenching activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.  | Prior to the issuance of grading permit or any ground disturbing activity | Cultural Resources Management Plan and Monitoring Agreements | Community Development Department Director, or designee |              |      |         |
| TCR-3: Prior to the issuance of the grading permit, a Cultural Resource Monitoring Plan (CRMP) is to be developed and approved. The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in Assembly Bill (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  | Prior to the issuance of grading permit or any ground disturbing activity | Cultural Resources Management Plan and Monitoring Agreements | Community Development Department Director, or designee |              |      |         |

| Mitigation Measures   | Implementation Timing   | Monitoring/ Reporting Methods  | Responsible for Approval/ Monitoring                   | Verification |      |         |
|---|---|--|--|--------------|------|---------|
|   |   |  |  | Initials     | Date | Remarks |
| <p>the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in California Public Resources Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> <li>• Project description and location;</li> <li>• Project grading and development scheduling;</li> <li>• Roles and responsibilities of individuals on the Project;</li> <li>• The pre-grading meeting and Cultural Resources Worker Sensitivity Training details;</li> <li>• 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 resource's evaluation;</li> <li>• The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items; and</li> <li>• Contact information of relevant individuals for the Project.</li> </ul> |   |  |  |              |      |         |
| TCR-4: The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground-disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."  | Prior to the issuance of grading permit or any ground disturbing activity | Grading Plan/ Prior to grading or ground disturbing activities/ Prior to issuance of any grading permits | Community Development Department Director, or designee |              |      |         |
| TCR-5: If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental  | During ground-disturbing activities                                       | Cultural Resources Management  | Community Development Department                       |              |      |         |



| Mitigation Measures   | Implementation Timing | Monitoring/ Reporting Methods  | Responsible for Approval/ Monitoring | Verification |      |         |
|---|-----------------------|--------------------------------|--------------------------------------|--------------|------|---------|
|   |                       |                                |                                      | Initials     | Date | Remarks |
| <p>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). Tribal cultural resources are excluded from the definition of unique cultural resources as those resources are defined by the tribal values ascribed to them by their affiliated communities. Treatment of tribal cultural resources inadvertently discovered during the Project's ground-disturbing activities shall be subject to the consultation process required by State law and AB 52.</p> <ul style="list-style-type: none"> <li>• All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the Project Applicant, the Project Archaeologist, the Tribal Representative(s), and the City to discuss the significance of the find.</li> <li>• At the meeting, the significance of the discoveries shall be discussed and after consultation with the Tribal Representative(s) and the Project Archaeologist, a decision shall be made, with the concurrence of the City, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.</li> <li>• Further ground disturbance, including but not limited to grading, trenching etc., shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue</li> </ul> |                       | Plan and Monitoring Agreements | Director, or designee                |              |      |         |

| Mitigation Measures  | Implementation Timing | Monitoring/<br>Reporting<br>Methods | Responsible<br>for Approval/<br>Monitoring | Verification |      |         |
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|  |                       |                                     |  | Initials     | Date | Remarks |
| <p>outside of the buffer area and will be monitored by additional Tribal Monitors if needed.</p> <ul style="list-style-type: none"> <li>Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan 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 re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition/Mitigation Measures.</li> <li>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 their review and approval prior to implementation of the said plan.</li> <li>Pursuant to California Public Resources Code Section 21083.2(b), avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the Project Applicant 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 for decision. The City shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall consider the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the</li> </ul> |                       |                                     |  |              |      |         |

| Mitigation Measures   | Implementation Timing               | Monitoring/ Reporting Methods                                | Responsible for Approval/ Monitoring                   | Verification |      |         |
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| law, the decision of the City shall be appealable to the City. Evidence of compliance with this mitigation measure, if a significant archaeological resource is found, shall be provided to City of Temecula upon the completion of a treatment plan and final report detailing the significance and treatment finding.   |                                     |  |  |              |      |         |
| <p>TCR-6: In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries: 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 Temecula:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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 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.</li> <li>• If preservation in place or reburial is not feasible then the resources shall be curated in a culturally</li> </ul> | During ground-disturbing activities | Cultural Resources Management Plan and Monitoring Agreements | Community Development Department Director, or designee |              |      |         |

| Mitigation Measures   | Implementation Timing                         | Monitoring/ Reporting Methods                                | Responsible for Approval/ Monitoring                   | Verification |      |         |
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| 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, burial goods, and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report. Evidence of compliance with this mitigation measure, if a significant archaeological resource is found, shall be provided to City of Temecula upon the completion of a treatment plan and final report detailing the significance and treatment finding. |   |  |  |              |      |         |
| TCR-7: 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 7927.000, 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 7927.000  | During and after ground-disturbing activities | Cultural Resources Management Plan and Monitoring Agreements | Community Development Department Director, or designee |              |      |         |

| Mitigation Measures   | Implementation Timing     | Monitoring/ Reporting Methods                                | Responsible for Approval/ Monitoring                   | Verification |      |         |
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|   |                           |  |  | Initials     | Date | Remarks |
| TCR-8: Prior to final inspection, the Project Archeologist is to submit two (2) copies of the Phase IV Cultural Resources Monitoring Report that complies with the Planning 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 City shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the City shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Pechanga Cultural Resources Department. | Prior to final inspection | Cultural Resources Management Plan and Monitoring Agreements | Community Development Department Director, or designee |              |      |         |
| <i>Refer to Mitigation Measure CUL-1</i>  | --                        | --   | --   |              |      |         |