

MITIGATION MONITORING REPORTING PROGRAM

Project: Beyond Food Mart at Ethanac & Trumble

Applicant: Beyond Food Mart

Lead Agency: City of Perris

Date: October 2024

Mitigation Measure	Responsibility for Implementation	Timing	Responsible for Ensuring Compliance/ Verification	Date Completed and Initials
Aesthetics				
<p>MM AES-1: Prior to issuance of grading permits, the Project developer shall provide evidence to the City that any temporary nighttime lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky.</p>	Applicant/Contractor	Prior to issuance of grading permits	City of Perris Development Department –Planning Division	
Biological Resources				
<p>MM BR-1: In order to avoid violation of the Migratory Bird Treaty Act and the California Fish and Game Code, site-preparation activities (ground disturbance, construction activities, staging equipment, and/or removal of trees and vegetation) for the Project shall be avoided, to the greatest extent possible, during the nesting season of potentially occurring native and migratory bird species.</p> <p>If site-preparation activities are proposed during the nesting/breeding season, a preactivity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits to determine if active nests of species protected by the Migratory Bird Treaty Act or the California Fish and Game Code are present in the construction zone.</p> <p>If active nests are not located within the Project Site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding</p>	Qualified Biologist hired by Applicant	Prior to ground disturbing activities if construction is to be scheduled to occur between April 15 th through August 31.	City of Perris Development Department -Planning Division	

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<p>season. However, if active nests are located during the pre-activity field survey, the biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The biologist shall monitor the nest at the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the biologist determines that such project activities may be causing an adverse reaction, the biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers shall be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The onsite qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.</p>				
<p>MM BR-2: If the Crotch's bumble bee is no longer a Candidate or formally Listed species under the California Endangered Species Act at the time ground-disturbing activities occur, then no additional protection measures are proposed for the species.</p> <p>If the Crotch's bumble bee is legally protected under the California Endangered Species Act as a Candidate or Listed species at the time ground-disturbing activities are scheduled to begin, preconstruction surveys shall be conducted in accordance with the California Department of Fish and Wildlife (CDFW) Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (2023) the season immediately prior to Project implementation. A minimum of three Crotch's bumble bee preconstruction surveys shall be conducted</p>	<p>Qualified Biologist hired by Applicant</p>	<p>Prior to ground disturbing activities if construction is scheduled to occur between February through October</p>	<p>City of Perris Development Department -Planning Division</p>	

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<p>at two- to four-week intervals during the colony active period (April through August) when Crotch's bumble bee is most likely to be detected. Non-lethal, photo voucher surveys shall be completed by a biologist who holds a Memorandum of Understanding to capture and handle Crotch's bumble bee (if nesting and chilling protocol is to be utilized) or by a California Department of Fish and Wildlife-approved biologist experienced in identifying native bumble bee species (if surveys are restricted to visual surveys that will provide high-resolution photo documentation for species verification). The surveyor shall walk through all areas of suitable habitat focusing on areas with floral resources. Surveys shall be completed at a minimum of one person-hour of searching per three acres of suitable habitat during suitable weather conditions (sustained winds less than eight miles per hour, mostly sunny to full sun, temperatures between 65 and 90 degrees Fahrenheit) at an appropriate time of day for detection (at least an hour after sunrise and at least two hours before sunset, though ideally between 9:00 AM and 1:00 PM).</p> <p>If Crotch's bumble bees are detected, the CDFW shall be notified by the Project biologist as further coordination may be required to avoid or mitigate certain impacts. At a minimum, two nesting surveys shall be conducted with focus on detecting active nesting colonies within one week and 24 hours immediately prior to ground disturbing activities that are scheduled to occur during the flight season (February through October). If an active Crotch's bumble bee nest is detected, an appropriately sized no disturbance buffer zone (including foraging resources and flight corridors essential for supporting the colony) shall be established around the nest to reduce the risk of disturbance or accidental take and the designated biologist shall coordinate with the CDFW to determine if an Incidental Take Permit under Section 2081 of the California Endangered Species Act will be required. Nest avoidance</p>				

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<p>buffers may be removed at the completion of the flight season and/or once the qualified biologist deems the nesting colony is no longer active. If no nests are found but the species is present, a full-time qualified biological monitor who is experienced in surveying for and identifying the species shall be present during vegetation or ground disturbing activities that are scheduled to occur during the queen flight period (February through March), colony active period (March through September), and/or gyne flight period (September through October). Because bumble bees move nest sites each year, two pre-construction nesting surveys shall be required during each subsequent year of construction, regardless of the previous year's findings, whenever vegetation and ground disturbing activities are scheduled to occur during the flight season if nesting and foraging habitat is still present or has re-established.</p>				
<p>MM BR-3: A pre-construction survey for resident burrowing owl shall be conducted by a qualified biologist within 30 days prior to commencement of grading and construction activities at the Project Site. The survey shall include the Project Site and all suitable burrowing owl habitat within a 500-foot buffer. The results of the survey shall be submitted to the City prior to obtaining a grading permit. In addition, if burrowing owls are observed during the nesting bird survey required by Mitigation Measure BR-1, to be conducted within three days of ground disturbance or vegetation clearance the observation shall be reported to the CDFW and RCA. If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the preconstruction survey, the area shall be resurveyed for owls. The pre-construction survey and any relocation activity would be conducted in accordance with the current Burrowing Owl Instruction for the Western Riverside MSHCP.</p> <p>If burrowing owls are detected, the CDFW and RCA shall be sent written notification within three days of detection of burrowing owls. If active nests are identified during the</p>	<p>Qualified Biologist hired by Applicant</p>	<p>Within 30 days prior to commencement of grading and construction activities.</p>	<p>City of Perris Development Department -Planning Division</p>	

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<p>preconstruction survey, the nests shall be avoided and the qualified biologist and Project proponent shall coordinate with the City of Perris Planning Department, the USFWS, the CDFW, and the RCA to develop a Burrowing Owl Plan to be approved by the City in consultation with the CDFW, USFWS, and RCA prior to commencing Project activities. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the CDFW Staff Report on Burrowing Owl (March 2012) and MSHCP. The Burrowing Owl Plan shall describe proposed avoidance, minimization, relocation, and monitoring as applicable. The Burrowing Owl Plan shall include the number and location of occupied burrow sites and details on proposed buffers if avoiding the burrowing owls and/or information on the adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls may also be required in the Burrowing Owl Plan. The Permittee shall implement the Burrowing Owl Plan following CDFW, USFWS, and RCA review and concurrence. A final letter report shall be prepared by a qualified biologist documenting the results of the Burrowing Owl Plan. The letter shall be submitted to the CDFW and RCA prior to the start of Project activities. When the qualified biologist determines that burrowing owls are no longer occupying the Project Site per the criteria in the Burrowing Owl Plan, Project activities may begin.</p>				
Cultural Resources				
<p>MM CR-1: Prior to the issuance of grading permits, the project proponent/developer shall retain a professional archaeologist meeting the Secretary of the Interior's Professional Standards for Archaeology (U.S. Department of Interior, 2012; Registered Professional Archaeologist preferred). The primary task of the consulting archaeologist shall be to monitor the initial ground-disturbing activities at both the subject site and any off-site</p>	Contractor/Qualified Archaeologist hired by Applicant	Upon discovery of historical or archaeological resources	City of Perris Development Department -Planning Division	

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<p>project-related improvement areas for the identification of any previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Director of Development Services and no ground-disturbing activities shall occur at the site or within the off-site project improvement areas until the archaeologist has been approved by the City.</p> <p>The archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment to allow time for the recording and removal of the resources.</p> <p>The project proponent/developer shall also enter into an agreement with either the Soboba Band of Luiseño Indians or the Pechanga Band of Luiseño Indians for a Luiseño tribal representative (observer/monitor) to work along with the consulting archaeologist. This tribal representative will assist in the identification of Native American resources and will act as a representative between the City, the project proponent/developer, and Native American Tribal Cultural Resources Department. The Luiseño tribal representative(s) shall be on-site during all ground-disturbing of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, etc. The Luiseño tribal representative(s) should be on-site any time the consulting archaeologist is required to be on-site. Working with the consulting archaeologist, the Luiseño representative(s) shall have the authority to halt, redirect, or divert any activities in areas where the identification, recording, or recovery of Native American resources are on-going.</p>				

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<p>The agreement between the proponent/developer and the Luiseño tribe shall include, but not be limited to:</p> <ul style="list-style-type: none"> • An agreement that artifacts will be reburied on-site and in an area of permanent protection; • Reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist; • Native American artifacts that cannot be avoided or relocated at the project site shall be prepared for curation at an accredited curation facility in Riverside County that meets federal standards (per 36 CFR Part 79) and available to archaeologists/researchers for further study; and • The project archaeologist shall deliver the Native American artifacts, including title, to the identified curation facility within a reasonable amount of time, along with applicable fees for permanent curation. <p>The project proponent/developer shall submit a fully executed copy of the agreement to the City of Perris Planning Division to ensure compliance with this condition of approval. Upon verification, the City of Perris Planning Division shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.</p> <p>In the event that archaeological resources are discovered at the project site or within the off-site project improvement areas, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for Native American/tribal</p>				

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<p>cultural/archaeological resources. However, it is understood that all artifacts, with the exception of human remains and related grave goods or sacred/ceremonial/religious objects, belong to the property owner. The property owner will commit to the relinquishing and curation of all artifacts identified as being of Native American origin. All artifacts, Native American or otherwise, discovered during the monitoring program shall be recorded and inventoried by the consulting archaeologist.</p> <p>If any Native American artifacts are identified when Luiseño tribal representatives are not present, all reasonable measures will be taken to protect the resource(s) <i>in situ</i> and the City Planning Division and Luiseño tribal representative will be notified. The designated Luiseño tribal representative will be given ample time to examine the find. If the find is determined to be of sacred or religious value, the Luiseño tribal representative will work with the City and project archaeologist to protect the resource in accordance with tribal requirements. All analysis will be undertaken in a manner that avoids destruction or other adverse impacts.</p> <p>In the event that human remains are discovered at the project site or within the off-site project improvement areas, mitigation measure CULT-2 shall immediately apply and all items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.</p> <p>Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation, as deemed appropriate, or returned to the property owner.</p>				

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<p>Once grading activities have ceased and/or the archaeologist, in consultation with the designated Luiseño tribal representative, determines that monitoring is no longer warranted, monitoring activities can be discontinued following notification to the City of Perris Planning Division.</p> <p>A report of findings, including an itemized inventory of artifacts, shall be prepared upon completion of the tasks outlined above. The report shall include all data outlined by the Office of Historic Preservation guidelines, including a conclusion of the significance of all recovered, relocated, and reburied artifacts. A copy of the report shall also be filed with the City of Perris Planning Division, the University of California, Riverside, Eastern Information Center (EIC) and the Luiseño tribe(s) involved with the project.</p>				
<p>MM CR-2: In the event that human remains (or remains that may be human) are discovered at the Project Site or within the off-site Project improvement areas during ground-disturbing activities, the construction contractors, project archaeologist, and/or designated Native American tribal representative shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).</p> <p>If the coroner determines that the remains are of Native American origin, the coroner would notify the Native American Heritage Commission, which will identify the "Most Likely Descendent" (MLD). Despite the affiliation with any Native American tribal representative(s) at the site, the Native American Heritage Commission's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery</p>	Contractor	Upon discovery of human remains	City of Perris Development Department -Planning Division	

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<p>of Native American human remains and may recommend to the project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be determined in consultation between the Project proponent and the MLD. In the event that there is disagreement regarding the disposition of the remains, State law will apply and median with the Na7tive American Heritage Commission will make the applicable determination (see Public Resources Code Section 5097.98I and 5097.94(k)).</p> <p>The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings will be filed with the Eastern Information Center (EIC).</p>				
Geology and Soils				
<p>MM GS-1: Prior to the issuance of grading permits, the Project applicant shall submit to and receive approval from the City of Perris Planning Division, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision of a qualified professional paleontologist (or his or her trained paleontological monitor representative) during all onsite and offsite subsurface excavation. Selection of the paleontologist shall be subject to approval of the City of Perris Planning Manager and no grading activities shall occur at the Project site or within offsite Project improvement areas until the paleontologist has been approved by the City.</p>	Applicant/Qualified Paleontologist	Prior to issuance of grading permit	City of Perris Development Department-Planning Division	
Tribal Cultural Resources				
<p>MM TCR-1:Prior to the issuance of grading permits, the project proponent/developer shall retain a professional archaeologist</p>	Qualified Archaeologist	Upon discovery of historical or	City of Perris	

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<p>meeting the Secretary of the Interior's Professional Standards for Archaeology (U.S. Department of Interior, 2012; Registered Professional Archaeologist preferred).</p> <p>The primary task of the consulting archaeologist shall be to monitor the initial ground-disturbing activities at both the subject site and any off-site project-related improvement areas for the identification of any previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Director of Development Services and no ground-disturbing activities shall occur at the site or within the off-site project improvement areas until the archaeologist has been approved by the City.</p> <p>The archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment to allow time for the recording and removal of the resources.</p> <p>The project proponent/developer shall also enter into an agreement with either the Soboba Band of Luiseño Indians or the Pechanga Band of Luiseño Indians for a Luiseño tribal representative (observer/monitor) to work along with the consulting archaeologist. This tribal representative will assist in the identification of Native American resources and will act as a representative between the City, the project proponent/developer, and Native American Tribal Cultural Resources Department. The Luiseño tribal representative(s) shall be on-site during all ground-disturbing of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, etc. The Luiseño tribal representative(s)</p>	<p>hired by Applicant</p>	<p>archaeological resources</p>	<p>Development Department-Planning Division</p>	

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<p>should be on-site any time the consulting archaeologist is required to be on-site. Working with the consulting archaeologist, the Luiseño representative(s) shall have the authority to halt, redirect, or divert any activities in areas where the identification, recording, or recovery of Native American resources are on-going.</p> <p>The agreement between the proponent/developer and the Luiseño tribe shall include, but not be limited to:</p> <ul style="list-style-type: none"> • An agreement that artifacts will be reburied on-site and in an area of permanent protection; • Reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist; • Native American artifacts that cannot be avoided or relocated at the project site shall be prepared for curation at an accredited curation facility in Riverside County that meets federal standards (per 36 CFR Part 79) and available to archaeologists/researchers for further study; and • The project archaeologist shall deliver the Native American artifacts, including title, to the identified curation facility within a reasonable amount of time, along with applicable fees for permanent curation. <p>The project proponent/developer shall submit a fully executed copy of the agreement to the City of Perris Planning Division to ensure compliance with this condition of approval. Upon verification, the City of Perris Planning Division shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.</p>				

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<p>In the event that archaeological resources <u>are discovered</u> at the project site or within the off-site project improvement areas, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for Native American/tribal cultural/archaeological resources. However, it is understood that all artifacts, with the exception of human remains and related grave goods or sacred/ceremonial/religious objects, belong to the property owner. The property owner will commit to the relinquishing and curation of all artifacts identified as being of Native American origin. All artifacts, Native American or otherwise, discovered during the monitoring program shall be recorded and inventoried by the consulting archaeologist.</p> <p>If any Native American artifacts are identified when Luiseño tribal representatives are not present, all reasonable measures will be taken to protect the resource(s) <i>in situ</i> and the City Planning Division and Luiseño tribal representative will be notified. The designated Luiseño tribal representative will be given ample time to examine the find. If the find is determined to be of sacred or religious value, the Luiseño tribal representative will work with the City and project archaeologist to protect the resource in accordance with tribal requirements. All analysis will be undertaken in a manner that avoids destruction or other adverse impacts.</p> <p>In the event that human remains are discovered at the project site or within the off-site project improvement areas, mitigation measure CR-2 shall immediately apply and all items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.</p>				

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<p>Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation, as deemed appropriate, or returned to the property owner.</p> <p>Once grading activities have ceased and/or the archaeologist, in consultation with the designated Luiseño tribal representative, determines that monitoring is no longer warranted, monitoring activities can be discontinued following notification to the City of Perris Planning Division.</p>				
<p>MM TCR-2: In the event that human remains (or remains that may be human) are discovered at the project site or within the off-site project improvement areas during ground-disturbing activities, the construction contractors, project archaeologist, and/or designated Luiseño tribal representative shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).</p> <p>If the coroner determines that the remains are of Native American origin, the coroner would notify the Native American Heritage Commission (NAHC), which will identify the "Most Likely Descendent" (MLD). Despite the affiliation with any Luiseño tribal representative(s) at the site, the NAHC's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of Native American human remains and may recommend to the project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations</p>	Contractor	Upon discovery of human remains	City of Perris Development Department-Planning Division	

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<p>or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be determined in consultation between the project proponent and the MLD. In the event that there is disagreement regarding the disposition of the remains, State law will apply and median with the NAHC will make the applicable determination (see Public Resources Code Section 5097.98(e) and 5097.94(k)).</p> <p>The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings will be filed with the Eastern Information Center (EIC).</p>				