



**Mitigation Monitoring and Reporting Program
for the
Acacia Pointe Residential Project
Initial Study/Mitigated Negative Declaration
City of Perris, Riverside County, California**

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PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) and Section 15097 of the Guidelines for Implementation of the California Environmental Quality Act require a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it adopts a Mitigated Negative Declaration (MND) or Environmental Impact Report in conjunction with a project approval. The purpose of the Mitigation Monitoring and Reporting Program is to ensure compliance with the mitigation measures occurs during project implementation.

The Initial Study/MND prepared for the proposed Acacia Pointe Residential Project (proposed project) concluded that project implementation could result in potentially significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval that reduce these potential impacts to a less than significant level. This Mitigation Monitoring and Reporting Program documents how and when the mitigation measures adopted by the City of Perris, as the Lead Agency for the project, will be implemented and confirms that potential environmental impacts are reduced to less than significant levels as identified in the Initial Study/MND.

This document does not discuss those subjects that the environmental analysis demonstrates would result in less than significant impacts and for which no mitigation was proposed or necessary.

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Table 1: Acacia Pointe Residential Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
2.1 Aesthetics					
MM AES-1: Prior to issuance of grading permits, the project developer shall provide evidence to the City in the form of a construction lighting or photometric plan 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 or into the backyards of the adjacent residential areas and roadways.	Verify that this requirement is included in contractor specifications	Prior to the issuance of grading permits	City of Perris Planning Division		
2.3 Air Quality					
MM AIR-1: All off-road equipment equal to or greater than 50 horsepower shall meet either United States Environmental Protection Agency (EPA) or California Air Resources Board (ARB) Tier 4 Final off-road emission standards during all construction activities. The project applicant shall submit a Construction Management Plan to the City of Perris prior to issuance of any grading and building permits. The Construction Management Plan shall demonstrate that the off-road equipment used on-site to construct the proposed project would comply with Tier 4 off-road emission standards. Off-road equipment descriptions and information included in the Construction Management Plan may include but are not limited to equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine serial number.	Review and approval of required Construction Management Plan	Prior to the issuance of grading and building permits	City of Perris Building Division		
2.4 Biological Resources					
MM BIO-1: Burrowing Owl Pre-construction Survey The project applicant shall retain a qualified biologist to conduct a pre-construction burrowing owl survey to determine whether burrowing owls are present on-site no more than 30 days prior to	Verify that Burrowing Owl Pre-construction Survey has been completed as specified	No more than 30 days prior to commencement of initial ground-	City of Perris Planning Division		

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<p>commencement of initial ground-disturbing activities at the project site, according to the California Department of Fish and Wildlife (CDFW) guidelines and Multiple Species Habitat Conservation Plan (MSHCP) protocol. The survey shall include the project site, off-site improvement area, and all suitable burrowing owl habitat within a 500-foot buffer. The results of the survey shall be submitted to the City of Perris Planning Division prior to obtaining a grading permit. If ground-disturbing activities in these areas are delayed or suspended for more than 30 days after the pre-construction survey, the area shall be resurveyed for owls.</p> <p>If burrowing owl are not detected during the pre-construction survey, no further mitigation is required.</p> <p>If active nests are identified during the pre-construction survey, the project biologist shall send written notification to the City of Perris Planning Division and the CDFW within three days of detection of burrowing owl(s). If owl presence is difficult to determine, the biologist shall monitor the burrow(s) with motion-activated trail cameras for at least 24 hours to evaluate burrow occupancy.</p> <p>The project biologist and project proponent shall coordinate with the City of Perris Planning Division, the United States Fish and Wildlife Service (USFWS), and the CDFW to develop a Burrowing Owl Plan to be approved by the City in consultation with the CDFW and the USFWS 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</p>	<p>If burrowing owls are detected, the Project Biologist shall provide written evidence to the City Planning Division of written notification to the CDFW within three days of detection</p>	<p>disturbing activities</p>			

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<p>buffers if avoiding the burrowing owls and/or information on the adjacent or nearby suitable habitat available to owls for relocation.</p> <p>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 and USFWS review and concurrence. A final letter report shall be prepared by the qualified biologist documenting the results of the Burrowing Owl Plan. The letter shall be submitted to the CDFW and the City prior to the issuance of grading permits. The project biologist shall verify the nesting effort has finished according to methods identified in the Burrowing Owl Plan. When the project biologist determines that burrowing owls are no longer occupying the project site per the criteria in the Burrowing Owl Plan, project grading activities may begin.</p> <p>If burrowing owl are discovered to occupy the project site after project activities have started, then construction activities shall be halted immediately. The project proponent shall notify the CDFW, the USFWS, and the City of Perris Planning Division within 48 hours of detection. A Burrowing Owl Plan, as detailed above, shall be implemented. The Burrowing Owl Plan shall be submitted to the CDFW for review</p>					
<p>MM BIO-2: Nesting Bird Pre-construction Surveys 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, and/or removal of trees and vegetation) shall be conducted outside of the nesting bird season (typically February 1 to September 15 although the nesting season may be extended due to weather and drought</p>	Verify that nesting bird pre-construction surveys have been completed as specified	Prior to ground-disturbing activities if construction is to be scheduled to occur during the nesting season of	City of Perris Planning Division		

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<p>conditions) of potentially occurring native and migratory bird species. If grading and clearing activities for the project must occur during the nesting season, the project proponent shall retain a qualified biologist to conduct a pre-activity nesting bird survey no more than seven days prior to the start of any ground-disturbing activities to determine whether any 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 season.</p> <p>However, if nesting birds are located during the pre-activity field survey, the biologist shall immediately establish a conservative avoidance buffer zone surrounding the nest based on their best professional judgment and experience. The buffer zone shall be determined by the type of nesting bird. A typical buffer zone will be 250 feet for nesting passerine birds (songbirds) and 500 feet for nesting raptors. 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 will be halted until the</p>		migratory birds (generally between April 15 through August 31 although the nesting season may be extended due to weather and/or drought conditions)			

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<p>nesting effort is finished (i.e., the juveniles are surviving independent from the nest).</p> <p>The on-site qualified biologist shall review and verify compliance with these nesting avoidance buffers and shall 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 the City of Perris Planning Division for mitigation monitoring compliance record keeping.</p>					
<p>MM BIO-3: Implement MSHCP Best Management Practices Project personnel shall implement the following standard Multiple Species Habitat Conservation Plan (MSHCP) Best Management Practices (BMPs) during the construction phase of the proposed project:</p> <ol style="list-style-type: none"> 1. A condition shall be placed on grading permits requiring a qualified Biologist to conduct Worker Environmental Awareness Program (WEAP) training for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act and the MSHCP, the need to adhere to the provisions of the Endangered Species Act and the MSHCP, the penalties associated with violating the provisions of the Endangered Species Act, the general measures that are being implemented to conserve the species of concern as they relate to the proposed project, and the access routes to and project site boundaries within which the proposed project activities must be accomplished. 2. The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible. 3. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage 	Verify that these requirements are included in contractor specifications	Prior to issuance of grading permit	City of Perris Planning Division		

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<p>into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat.</p> <p>4. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project-related spills of hazardous materials shall be reported to appropriate entities including but not limited to the City, United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and/or Regional Water Quality Control Board (RWQCB), as applicable, and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.</p> <p>5. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.</p> <p>6. The qualified project biologist shall monitor construction activities for the duration of the proposed project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.</p> <p>7. The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre existing contours and revegetated with appropriate native species.</p> <p>8. Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.</p> <p>9. To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).</p> <p>10. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the</p>					

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<p>proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the proposed project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.</p> <p>The City shall have the right to access and inspect the project site to determine its compliance with project approval conditions, including these BMPs</p>					
2.5. Cultural Resources					
<p>MM CUL-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 (United States 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 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 round-disturbing activities shall occur at the site or within 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</p>	<p>Approval of retained Archaeologist</p> <p>Submittal of report of findings</p>	<p>Prior to issuance of demolition or grading permits</p> <p>Once grading activities have ceased</p>	City of Perris Planning Division		

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<p>resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment, within a 100-foot radius, to allow time for the recording and removal of the resources.</p> <p>In the event that archaeological resources are discovered at the project site or within 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 (AB) 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 shall 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 artifacts of Native American origin are discovered, all ground-disturbing activities in the immediate vicinity of the find (within a 100-foot radius) shall stop and the project proponent and project archaeologist shall notify the City of Perris Planning Division and the Soboba Band of Luiseño Indians and the Pechanga Band of Indians. A designated Native American representative from either the Soboba Band of Luiseño Indians or the Pechanga Band of Indians shall be retained to assist the project archaeologist in the significance determination of the Native American artifacts as deemed possible. The designated Native American tribal representative will be given ample time to examine the find. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and</p>					

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<p>shall consider the religious beliefs, customs, and practices of the Native American Tribe. If the find is determined to be of sacred or religious value, the Native American tribal representative will work with the City and consulting archaeologist to protect the resource in accordance with tribal requirements. All analysis shall 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 off-site project improvement areas, mitigation measure MM CUL-3 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>Native American artifacts that are relocated/reburied at the project site would be subject to a fully executed relocation/reburial agreement with the assisting Native American Tribe. This shall include, but not be limited to, an agreement that artifacts will be reburied on-site and in an area of permanent protection, and that reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist.</p> <p>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. 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>					

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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 Native American 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 South Coastal Information Center, affiliated with San Diego State University, and the Native American Tribe involved with the project.</p>					
<p>MM CUL-2: Prior to the initiation of ground-disturbing activities at the project site and off-site improvement area, the consulting archaeologist retained, as required by mitigation measure MM CUL-1, shall conduct Worker Environmental Awareness Program (WEAP) training for archaeological resources for all construction personnel directly involved with project-related ground disturbance. The training should include visual aids, a discussion of applicable laws and statutes relating to archaeological resources, types of resources that may be found within the project site, and procedures to be followed in the event such resources are encountered.</p>	Confirmation that WEAP training has occurred	Prior to initiation of ground-disturbing activities	City of Perris Planning Division		

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<p>MM CUL-3: 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 area 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 will notify the Native American Heritage Commission (NAHC), which will identify the “Most Likely Descendant” (MLD). Despite the affiliation with any Native American 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 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 South Coastal Information Center.</p>	Confirmation of Coroner and NAHC contact and submittal of report of findings, if applicable	Upon discovery of human remains	City of Perris Planning Division		

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2.7 Geology and Soils					
<p>MM GEO-1: Prior to the issuance of grading permits, construction and site plans shall incorporate all recommendations in the Geotechnical and Infiltration Evaluation prepared by GeoTek, Inc., on January 12, 2021, including grading recommendations. Incorporation of recommended measures shall be confirmed by the City Engineer.</p>	<p>Verify that all recommendations in the Geotechnical and Infiltration Evaluation are incorporated in all construction and site plans</p>	<p>Prior to the issuance of grading permits</p>	<p>City of Perris Engineering Department</p>		
<p>MM GEO-2: Prior to the issuance of grading permits, the project proponent/developer shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision for a qualified professional paleontologist (or his or her trained paleontological representative) to be on-site for any project-related excavations that exceed 5 feet below the pre-grade surface. 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 the off-site project improvement areas until the paleontologist has been approved by the City.</p> <p>Monitoring shall be restricted to undisturbed subsurface areas of older Quaternary alluvium. The approved paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.</p> <p>Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently</p>	<p>Review and approval of the PRIMMP</p> <p>Submittal of report of Findings</p>	<p>Prior to the issuance of grading permits</p> <p>Once grading activities have ceased</p>	<p>City of Perris Planning Division</p>		

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<p>preserved. Specimens shall be identified and curated and placed into an accredited repository (such as the Western Science Center or the Riverside Metropolitan Museum) with permanent curation and retrievable storage.</p> <p>A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.</p>					
<p>MM GEO-3: Prior to the start of any ground-disturbing activities, the Qualified Paleontologist shall conduct pre-construction worker paleontological resources sensitivity training. The Qualified Paleontologist shall contribute to any construction worker cultural resources sensitivity training either in person or via a training module. The training shall include information on what types of paleontological resources could be encountered during excavations, what to do in case an unanticipated discovery is made by a worker, and laws protecting paleontological resources. All construction personnel shall be informed of the possibility of encountering fossils and instructed to immediately inform the construction foreman or supervisor if any bones or other potential fossils are unexpectedly unearthed in an area where a paleontological monitor is not present. The applicant shall ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance.</p>	Confirmation that pre-construction paleontological sensitivity training has occurred	Prior to the start of any ground-disturbing activities	City of Perris Planning Division		

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2.13. Noise					
MM NOI-1: Prior to the issuance of grading permits, noise barriers rated to achieve a noise attenuation of at least 10 dBA shall be installed to shield the sensitive residential receptors to the south and east of the project site from noise generated by the proposed project's on-site construction activities. The noise barriers shall be installed prior to grading activities and shall be maintained until all site preparation and grading activity (or the operation of heavy construction equipment) is complete, at a minimum.	Verify that this requirement is included in contractor specifications	Prior to the issuance of grading permits	City of Perris Planning Division		