

## **The Moreno Valley Farm Bureau 139 Residential Project Mitigation Monitoring and Reporting Program**

**PROJECT NAME:** The Moreno Valley Farm Bureau 139 Residential Project

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**PROJECT DESCRIPTION:** The City of Moreno Valley is processing an application for a Tentative Tract Map No. 38955 to subdivide 9.33 gross acres into airspaces for condominium purposes, a Plot Plan for the development of 139 attached multifamily residential units, and a Variance to allow a 50-foot rear yard setback to be measured between the project's northerly property line and the adjacent residential subdivision in the Residential 15 (R15) District. Proposed open space and recreational amenities within the site would include a clubhouse, pool, and gym, 1.04-acre (4,532 square feet) common open space area, and 21,165 square feet of private outdoor space consisting of decks or patios attached to each unit. The proposed project also includes demolition of the existing structures on-site.

The project site has a General Plan land use designation of Residential/Office (R/O) Use and is zoned Multi-Family, High Density Residential (R-15), which is intended as an area for development of attached residential dwelling units with a maximum allowable density of 15 dwelling units per net acre (du/ac). The density of the proposed development is 15 du/ac.

**PROJECT LOCATION:** The project site is located at 21160 Box Springs Road in the northwestern portion of the City of Moreno Valley, north of Box Springs Road, east of Morton Road, and west of Lewisia Avenue, with existing residential uses bordering the site to the north and immediately to the west. The project site consists of three parcels, identified as Assessor Parcel Numbers (APNs) 256-200-002, 256-200-003, and 256-200-004. Regional access to the project site is provided by Interstate 215 (I-215) and State Route 60 (SR-60); the I-215/SR-60 freeway interchange is located approximately 550 feet south of the project site. Local access to the project site is provided by Box Springs Road, which borders the site to the south.

**INTRODUCTION:**

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Farm Bureau 139 Residential Project. An MMRP is required for the proposed project because the Initial Study/Mitigated Negative Declaration (IS/MND) has identified significant adverse impacts, and measures have been identified to mitigate those impacts. This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and 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.”

A Mitigation Monitoring and Reporting Program is required to ensure that adopted mitigation measures are successfully implemented for the Farm Bureau 139 Residential Project. As the Lead Agency, the City of Moreno Valley is responsible for monitoring compliance with all mitigation measures. This report describes the MMRP for the project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

The Mitigation measures shall be implemented at different stages of the project development. The attached table identifies the mitigation program required to be implemented by the City for the Farm Bureau Project.

The components of the MMRP are described briefly below.

- Mitigation Number and Mitigation Measure: The mitigation measures are taken from the IS/MND, in the same order that they appear in the IS/MND.
- Responsible Party: Identifies the party responsible for mitigation monitoring.
- Monitoring Action: Describes the source of verifying mitigation
- Enforcement Agency/Monitoring Agency/Monitoring Phase: Identifies the agencies of enforcement and monitoring of mitigation measures. Identifies at which stage of the project the mitigation must be completed.
- Date of Completion and Initials: As Mitigation Measures are completed, the Responsible Party will sign and date the MMRP, indicating that the required actions have been completed.

## MITIGATION MONITORING AND REPORTING PROGRAM

The **Mitigation Monitoring and Reporting Program (MMRP)** has been prepared in accordance with § 21081.6 of the Public Resources Code and § 15097 of the California Environmental Quality Act (CEQA) Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies on a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR). The MMRP ensures the implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; Reporting generally consists of a written review of compliance that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring and/or reporting, and (4) ensure compliance with those mitigation measures that are within the responsibility of the lead agency and/or project applicant to implement.

The following table lists impacts, mitigation measures adopted by the City of Moreno Valley in connection with the approval of the proposed project, the level of significance after mitigation, the responsible and monitoring parties, and the project phase in which the measures are to be implemented. Only environmental topics for which mitigation is required are listed in this Mitigation, Monitoring, and Reporting Program.

**Table 1 - Mitigation Monitoring and Reporting Program**

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE	DATE OF COMPLETION	INITIALS
<b>4.3 Air Quality</b>						
AQ-1	During project construction, the Project Contractor shall ensure the provision and installation of minimum efficiency reporting value (MERV) 13 filtration on all residential HVAC systems within the project boundary.	Project Applicant	Field Verification	City of Moreno Valley City of Moreno Valley  During Construction		
<b>4.4 Biological Resources</b>						
BIO-1	<b>Nesting Birds.</b> If project-related activities are to be initiated during the nesting season (February 1 to August 31), a pre-construction nesting bird clearance survey shall be conducted by a qualified biologist no more than three (3) days prior to the start of any vegetation removal of ground disturbing activities. The qualified biologist shall survey all suitable nesting habitat within the project impact area, and areas within a biologically defensible buffer zone surrounding the project impact area. If no active bird nests are detected during the clearance survey, project activities may begin, and no additional avoidance and minimization measures shall be required. If an active bird nest is found, the species shall be identified, and a “no-disturbance” buffer shall be established around the active nest. The size of the “no-disturbance” buffer shall be increased or decreased based on the judgment of the qualified biologist and level of activity and sensitivity of the species. The qualified biologist shall periodically monitor any active bird	Project Applicant and qualified Biologist	Field Verification	City of Moreno Valley City of Moreno Valley  Prior to issuance of grading permit.		

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	nests to determine if project-related activities occurring outside the “no-disturbance” buffer disturb the birds and if the buffer should be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, project activities within the “no-disturbance” buffer may occur following an additional survey by the qualified biologist to search for any new bird nests in the restricted area.					
BIO-2	<b>Burrowing Owl (BUOW).</b> A pre-construction clearance survey would be required to reconfirm the absence of BUOW within the project impact area and maintain compliance with the MSHCP, MBTA, and CFGC. In accordance with the MSHCP, the pre-construction clearance survey would need to be conducted by a qualified biologist no more than 30 days prior to initiating any ground disturbing activities to avoid direct take of BUOWs. Once the survey is completed, the qualified biologist should prepare and submit a final report documenting the results of the clearance survey to the City of Moreno Valley for review and file. If no BUOWs or occupied burrows are detected, project activities may begin, and no additional avoidance or minimization measures would be required. However, if an occupied burrow is found within the project impact area during the clearance survey, a DBESP report outlining specific avoidance, minimization, and compensatory mitigation methods that will be implemented to avoid impacts to BUOW would need to be prepared and submitted to the Wildlife Agencies (CDFW and USFWS) for approval prior to initiating project activities.	Project Applicant and qualified Biologist	Field Verification	City of Moreno Valley City of Moreno Valley  Prior to issuance of grading permits.		

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BIO-3	<p><b>Focused Crotch's Bumblebee Surveys.</b> If the Crotch bumble bee is no longer a candidate or listed species under the California ESA at the time ground disturbing activities, then no additional protection measures are proposed for this species.</p> <p>If the Crotch bumble bee is legally protected under the California ESA as a candidate or listed species at the time of Project construction, focused surveys shall be conducted in accordance with CDFW's Survey Considerations for CESA Candidate Bumble Bee Species (CDFW 2023d) the season immediately prior to ground disturbing activities are scheduled to occur. A minimum of three Crotch bumble bee focused surveys shall be conducted at 2 to 4 week intervals (ideally monthly) during the colony active period (April through August) when Crotch bumble bees are 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 bumble bee (if nesting and chilling protocol is to be utilized) or by a CDFW 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).</p> <p>If an active Crotch bumble bee nest is detected, an appropriate 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 CDFW to determine if an Incidental Take Permit under Section 2081 of the California</p>	Project Applicant and qualified Biologist	Field Verification	<p>City of Moreno Valley City of Moreno Valley</p> <p>In construction Plans</p> <p>Prior to issuance of grading permit.</p>		

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	ESA will be required. Nest avoidance 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 and CDFW has provided concurrence of that determination. If no nests are found but the species is present, a full-time qualified biological monitor shall be present during vegetation removal 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, three preconstruction nesting surveys shall be required during each subsequent year of construction, regardless of the previous year's findings, whenever vegetation removal and ground disturbing activities are scheduled to occur during the flight season (February through October).					
BIO-4	<b>State and Federal Jurisdictional Waters.</b> Prior to ground-disturbing activities in waters potentially regulated by the state, the Project Applicant shall confer with the California Department of Fish and Wildlife (CDFW), U.S. Army Corps of Engineers and the Regional Water Quality Control Board (RWQCB) and, if required, obtain appropriate authorization. The Applicant shall implement all conditions associated with regulatory agency agreements and authorizations including compensatory mitigation (at a minimum 1:1 ratio) through restoration of channel grade and replacement of any concrete removed during construction.	Project Applicant	Permit issuance or confirmation no permit required by CDFW, USACE and RWQCB	City of Moreno Valley City of Moreno Valley  Prior to issuance of grading permit.		
<b>4.5 Cultural Resources</b>						

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Mitigation measures are addressed in the Tribal Cultural Resources Section. Refer to Mitigation Measures TCR-6 and TCR-7.						
<b>4.7 Geology and Soils</b>						
GEO-1	<b>Paleontological Resources.</b> Applications for future development, wherein the Community Development Director or his or her designee has determined a potential for impacts to paleontological resources, shall review the underlying geology and paleontological sensitivity of the site. If it is determined that the potential exists that sensitive paleontological resources are present, the applicant shall be required to comply with the following mitigation framework. A qualified paleontological monitor shall be present during grading in project areas where a project specific geological technical study has determined that such monitoring is necessary due to the potential for paleontological resources to reside within the underlying geologic formations. The geologic technical study shall also provide specific duties of the monitor, and detailed measures to address fossil remains, if found.	Project Applicant	Prior to Grading Permit Issuance	City of Moreno Valley City of Moreno Valley  Prior to Issuance of Grading Permit		
<b>4.13 Noise</b>						
NOI-1	To satisfy the State of California's 45 dBA CNEL noise insulation standards, the proposed "first row" residential buildings (adjacent to Box Springs Road) will require a windows-closed condition and a means of mechanical ventilation (e.g. air conditioning). Additionally, all windows and sliding glass doors shall have well-fitted, well-weather-stripped assemblies and meet the required Sound Transmission Class (STC) rating of at least 31	Project Applicant	In Field Review	City of Moreno Valley City of Moreno Valley  During Construction		



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NOI-2	<p>The following design criteria shall also be required to ensure interior noise levels do not exceed 45 dBA CNEL.</p> <ul style="list-style-type: none"> <li>Exterior Walls: At any penetrations of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar to form an airtight seal.</li> <li>Roof: Roof sheathing of wood construction shall be per manufacturer's specification or caulked plywood of at least one-half inch thick. Ceilings shall be per manufacturer's specification or wellsealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.</li> <li>Ventilation: Exterior vents installed on first-row residential buildings shall be oriented away from roadway. If such an orientation cannot be avoided, then an acoustical baffle shall be placed in the attic space behind the vents.</li> </ul>	Project Applicant	In Field Review	City of Moreno Valley City of Moreno Valley During Construction		
<b>4.18 Tribal Cultural Resources</b>						
TCR-1	<p><b>Archaeological Monitoring.</b> Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground-disturbing 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 Archaeologist, in consultation with the Consulting Tribe(s) including the Morongo Band of Mission</p>	Project Applicant and qualified archeologist	In Field Review	City of Moreno Valley City of Moreno Valley Prior to issuance of grading permits and throughout site disturbing activities.		

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	Indians, Rincon Band of Cahuilla Indians, Soboba Band of Luiseño Indians, and Pechanga Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in TCR-3. The Project archeologist 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 archaeological monitor 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.					
TCR-2	<b>Native American Monitoring.</b> Prior to the issuance of a grading permit, the Developer shall secure agreements with the Morongo Band of Mission Indians, Rincon Band of Cahuilla Indians, Soboba Band of Luiseño Indians, and Pechanga Band of Luiseño Indians, for tribal monitoring. The Developer is also required to provide a minimum of 30 days advance notice to the tribes of all ground-disturbing 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. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.	Project Applicant and qualified Native American Monitor	In Field Review	City of Moreno Valley City of Moreno Valley  Prior to issuance of grading permits and throughout site disturbing activities.		
TCR-3	<b>Cultural Resource Monitoring Plan (CRMP).</b> The Project Archaeologist, in consultation with the	Project Applicant and	Plan Approval by City and	City of Moreno Valley		

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	<p>Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in 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 the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> <li>a. Project description and location</li> <li>b. Project grading and development scheduling</li> <li>c. Roles and responsibilities of individuals on the Project</li> <li>d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details</li> <li>e. 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 resources evaluation</li> <li>f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items</li> </ul>	qualified Archeologist	Consulting Tribes	<p>City of Moreno Valley</p> <p>Prior to issuance of grading permits.</p>		

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	g. Contact information of relevant individuals for the project					
TCR-4	<p><b>Cultural Resource Disposition.</b> In the event that Native American cultural resources are discovered during the course of ground-disturbing activities (inadvertent discoveries), 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 Moreno Valley Planning Department:</p> <p>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 Moreno Valley Planning Department.</p> <p>i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.</p> <p>ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure TCR-1. This shall include 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. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in Mitigation</p>	Project Applicant and qualified archeologist	In Field Review	<p>City of Moreno Valley City of Moreno Valley</p> <p>During project excavation, grading or construction.</p>		

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	Measure TCR-3. The location for the future reburial area shall be identified on a confidential exhibit on file with the City and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.					
TCR-5	<p>The City shall verify that the following note is included on the Grading Plan:</p> <p>"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."</p>	Project Applicant and qualified archeologist	In Field Review	<p>City of Moreno Valley City of Moreno Valley</p> <p>Construction and grading plans.</p>		
TCR-6	<b>Inadvertent Finds.</b> If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, all ground-disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (Code of Federal Regulations, Title 36, Section 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the	Project Applicant and qualified archeologist	In Field Review	<p>City of Moreno Valley City of Moreno Valley</p> <p>During project excavation, grading or construction.</p>		

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	discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in TCR-2 before any further work commences in the affected area. 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.					
TCR-7	<b>Human Remains.</b> If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA). <b>No photographs are to be taken except by the</b>	Project Applicant and qualified archeologist	In Field Review	City of Moreno Valley City of Moreno Valley  During project excavation, grading or construction.		

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	coroner, with written approval by the consulting Tribe[s].					
TCR-8	<b>Non-Disclosure of Reburial Locations.</b> 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 6254 (r), 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 6254 (r).	Project Applicant and qualified archeologist	In Field Review	City of Moreno Valley City of Moreno Valley  During project excavation, grading or construction.		
TCR-9	<b>Archeology Report - Phase III and IV.</b> Prior to final inspection, the Developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development 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 Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the South Coastal Information Center (SCIC) at the San Diego State	Project Applicant and qualified archeologist	Monitoring Report Submittal	City of Moreno Valley City of Moreno Valley  Prior to Final Inspection		

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	University (SDSU) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).					