

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: Farm Bureau 139 Residential Project

Lead Agency: City of Moreno Valley

Contact Name: Grace Espino-Salcedo

Email: planningnotices@moval.org

Phone Number: (951) 413-3206

Project Location: City of Moreno Valley
City

Riverside County
County

Project Description (Proposed actions, location, and/or consequences).

The Applicant is requesting 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.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

Air Quality

Biological Resources

Cultural Resources

Paleontological Resources

Noise

Tribal Cultural Resources

See attachment for mitigation measure details.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

None currently known.

Provide a list of the responsible or trustee agencies for the project.

Eastern Municipal Water District (EMWD) - Water and wastewater connection permits
California Department of Fish and Wildlife 1602 Streambed Alteration Agreement
Santa Ana Regional Water Quality Control Board - Section 401/Porter Cologne Act Permit, National Pollutant
Discharge Elimination System (NPDES) Approval
State Water Resources Control Board - Stormwater Pollution Prevention Plan (SWPPP) Approval

Summary Form Attachment
Proposed Mitigation Measures

The project's significant or potentially significant effects include air quality, biological resources, cultural resources, paleontological resources, noise, and tribal cultural resources. The following mitigation measures are proposed:

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.

BIO-1: Nesting Birds. 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 or 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 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: Burrowing Owl (BUOW). 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.

BIO-3: Focused Crotch's Bumblebee Surveys. 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.

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).

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 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).

The following mitigation measure is recommended to address the temporary impacts to state and federal jurisdictional waters associated with the concrete-lined channel located at the northern site boundary:

BIO-4: State and Federal Jurisdictional Waters. Prior to ground-disturbing activities in waters potentially regulated by state and federal agencies, the Project Applicant shall confer with U.S. Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW) 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) and, unless otherwise specified by the USACE, CDFW and/or the RWQCB, shall implement best management practices specified by the USACE, CDFW and/or the RWQCB to minimize adverse impacts to streams and watersheds.

Cultural Resources: Mitigation measures are addressed in the Tribal Cultural Resources Section. Refer to Mitigation Measures TCR-6 and TCR-7.

- **TCR 6 Inadvertent Finds.** If potential historic or cultural resources are uncovered during excavation or construction activities at Moreno Valley Farm Bureau (Tentative Tract Map 38955) 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 (36 CFR 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 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 archeologists 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 CR 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 Human Remains.** 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). **No photographs are to be taken except by the coroner, with written approval by the consulting Tribe(s).**

GEO-1: Paleontological Resources. 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.

NOI-1: During project construction, the Project Contractor shall ensure that south, east and west facing windows and sliding glass doors that are installed in the first row of residential units (adjacent to Box Springs Road) shall have a Sound Transmission Class (STC) rating of at least 31.

NOI-2: The following design criteria shall also be required to ensure interior noise levels do not exceed 45 dBA CNEL.

- **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.
- **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.
- **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.

TCR 1 Archaeological Monitoring. Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground-disturbing activities at Moreno Valley Farm Bureau (Tentative Tract Map 38955). 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), Pechanga Band of Indians, Morongo Band of Mission Indians, Soboba Band of Luiseño Indians, and Rincon Band of Luiseño Indians, including the contractor, and the City, shall develop a CRMP as defined in CR-3. The Project archaeologist 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 Native American Monitoring. Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Indians, Morongo Band of Mission Indians, Soboba Band of Luiseño Indians, and Rincon 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 and cultural resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, the 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.

TCR 3 Cultural Resource Monitoring Plan (CRMP). 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 AB52 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 AB52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

- a. Project description and location;
- b. Project grading and development scheduling;
- c. Roles and responsibilities of individuals on the Project;
- d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details;
- 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;
- f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items;
- g. Contact information of relevant individuals for the Project.

TCR 4 Cultural Resource Disposition. In the event that Native American cultural resources are discovered during the course of ground disturbing activities (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 Moreno Valley Planning Department:
 - 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.
 - ii. On-site reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR 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 CR 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 The City shall verify that the following note is included on the Grading Plan:

"If any suspected archaeological and cultural 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."

TCR 6 Inadvertent Finds. If potential historic or cultural resources are uncovered during excavation or construction activities at Moreno Valley Farm Bureau (Tentative Tract Map 38955) 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 (36 CFR 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 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 archeologists 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 CR 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 Human Remains. 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). **No photographs are to be taken except by the coroner, with written approval by the consulting Tribe(s).**

TCR 8 Non-Disclosure of Reburial Locations. 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).

TCR 9 Archaeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the Project Archaeologist 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 University (SDSU), and one (1) copy shall be submitted to each of the Consulting Tribe(s) Cultural Resources Department(s).