City of Temecula
Community Development
Planning Division

Notice of Intent to Adopt Mitigated Negative Declaration

PROJECT: Bedford Court Coffee Shop and Car Wash

APPLICANT: Matthew Fagan Consulting Services, Inc.

LOCATION: The project is generally located approximately 160 feet south of the Temecula Parkway and Bedford Court intersection in the City of Temecula, County of Riverside

DESCRIPTION: The project consists of five applications including PA23-0280, a Planned Development Overlay: PA23-0204, a Tentative Parcel Map: PA23-0197, a Development Plan to allow for the construction of two structures totaling approximately 4,546 square feet. Anticipated uses consist of a car wash and coffee shop: PA23-0198, a Conditional Use Permit to allow for a carwash: PA24-0348, a Conditional Use Permit to allow for a drive-thru.

The City of Temecula intends to adopt a Mitigated Negative Declaration for the project described above. This notice is made pursuant to Section 15072 of the California Environmental Quality Act (CEQA). Based upon the information contained in the attached Initial Environmental Study and pursuant to the requirements of CEQA; it has been determined that this project as proposed, revised or mitigated will not have a significant impact upon the environment. As a result, the City Council intends to adopt a Mitigated Negative Declaration for this project.

The mitigation measures required to reduce or mitigate the impacts of this project on the environment are included in the project design and/or the Mitigation Monitoring Program which is attached to this Notice and will be included as part of the Mitigated Negative Declaration for this project.

As required by Section 15073 of CEQA, the public review and commenting period for this proposed Mitigated Negative Declaration is January 14, 2025 to February 13, 2025. Written comments and responses to this notice should be addressed to the contact person listed below at the following address: City of Temecula, 41000 Main Street, Temecula, CA 92590. All are invited to comment on the Mitigated Negative Declaration. Written comments must be received by the Community Development Department by **5:00:00 p.m. on February 13, 2025** in order to be addressed as part of the formal review process. The document can be reviewed at the City of Temecula, 41000 Main Street, Temecula, CA 92590; Ronald H. Roberts Temecula Public Library, 30600 Pauba Road, Temecula, CA 92592; the Temecula Chamber of Commerce, 26790 Ynez Court, Ste. A, Temecula, CA 92591, and the City of Temecula Website: http://TemeculaCA.gov.

The public notice of the intent to adopt this Mitigated Negative Declaration is provided through:

☒The Local Newspaper ☒Posting the Site ☒Notice to Adjacent Property Owners

---

If you need additional information or have any questions concerning this project, please contact the Project Planner Eric Jones at (951) 506-5115 or eric.jones@TemeculaCA.gov.

Matt Peters, Interim Director of Community Development

1/8/25
(Date)

MITIGATION MONITORING AND REPORTING PROGRAM

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

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

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

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

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

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

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

Mitigation Monitoring and Reporting Program Checklist

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

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

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
work or propose other recommendations to avoid indirect impacts to nesting birds.						
BIO-3: In accordance with the Western Riverside County Multispecies Habitat Conservation Plan (MSHCP) Section 6.1.4, no species listed in Table 6-2, Plants that Should Be Avoided Adjacent to the MSHCP Conservation Area, of the MSHCP shall be used in the Project landscape plans. Prior to issuance of construction permits, the Project Applicant shall provide landscape plans demonstrating to the City of Temecula Community Development that all landscaping complies with the Western Riverside County MSHCP Section 6.1.4 relative to the use of plants.	Prior to the issuance of building permit or any construction activity	Plan review/ Prior to grading or construction activities/ Prior to issuance of any grading permits	Community Development Department Director, or designee			
CULTURAL RESOURCES						
Mitigation Measures						
CUL-1: If human remains are encountered, the Project Applicant or contractor would be required to halt all work and contact the Riverside County Coroner. California Health and Safety Code Section 7050.5, states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. The Native American Heritage Commission shall then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in these conditions.	During ground-disturbing activities	Notification of Riverside County Coroner/ Notification of Native American Heritage Commission if identified remains are Native American in origin	Community Development Department Director, or designee			

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

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
	cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis.					
TCR-2:	Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Indians for tribal monitoring. The Developer shall provide the City and the Pechanga Tribe a minimum of 30 days advance notice of all mass grading and trenching activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.	Prior to the issuance of grading permit or any ground disturbing activity	Cultural Resources Management Plan and Monitoring Agreements	Community Development Department Director, or designee			
TCR-3:	Prior to the issuance of the grading permit, a Cultural Resource Monitoring Plan (CRMP) is to be developed and approved. The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in Assembly Bill (AB) 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the Project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of	Prior to the issuance of grading permit or any ground disturbing activity	Cultural Resources Management Plan and Monitoring Agreements	Community Development Department Director, or designee			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in California Public Resources Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include: • Project description and location; • Project grading and development scheduling; • Roles and responsibilities of individuals on the Project; • The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; • The protocols and stipulations that the contractor, City, Consulting Tribe(s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resource's evaluation; • The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items; and • Contact information of relevant individuals for the Project.						
TCR-4: The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground-disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."	Prior to the issuance of grading permit or any ground disturbing activity	Grading Plan/ Prior to grading or ground disturbing activities/ Prior to issuance of any grading permits	Community Development Department Director, or designee			
TCR-5: If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental	During ground-disturbing activities	Cultural Resources Management	Community Development Department			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
assessment conducted prior to Project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s). Tribal cultural resources are excluded from the definition of unique cultural resources as those resources are defined by the tribal values ascribed to them by their affiliated communities. Treatment of tribal cultural resources inadvertently discovered during the Project's ground-disturbing activities shall be subject to the consultation process required by State law and AB 52. • All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the Project Applicant, the Project Archaeologist, the Tribal Representative(s), and the City to discuss the significance of the find. • At the meeting, the significance of the discoveries shall be discussed and after consultation with the Tribal Representative(s) and the Project Archaeologist, a decision shall be made, with the concurrence of the City, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources. • Further ground disturbance, including but not limited to grading, trenching etc., shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue		Plan and Monitoring Agreements	Director, or designee			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
outside of the buffer area and will be monitored by additional Tribal Monitors if needed. • Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through Project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition/Mitigation Measures. • 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. • Pursuant to California Public Resources Code Section 21083.2(b), avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the Project Applicant and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City for decision. The City shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall consider the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the						

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
law, the decision of the City shall be appealable to the City. Evidence of compliance with this mitigation measure, if a significant archaeological resource is found, shall be provided to City of Temecula upon the completion of a treatment plan and final report detailing the significance and treatment finding.						
TCR-6: In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries: a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Temecula: • Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources. • Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods, and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request. • If preservation in place or reburial is not feasible then the resources shall be curated in a culturally	During ground-disturbing activities	Cultural Resources Management Plan and Monitoring Agreements	Community Development Department Director, or designee			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods, and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report. Evidence of compliance with this mitigation measure, if a significant archaeological resource is found, shall be provided to City of Temecula upon the completion of a treatment plan and final report detailing the significance and treatment finding.						
TCR-7: It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 7927.000, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 7927.000	During and after ground-disturbing activities	Cultural Resources Management Plan and Monitoring Agreements	Community Development Department Director, or designee			

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