

RESOLUTION NUMBER R- 297086

ADOPTED ON SEP 24 2002

WHEREAS, on March 13, 2001, Pardee Homes submitted an application to the City of San Diego for a site development permit, planned development permit, vesting tentative map with street and easement vacations, and an MHPA boundary line adjustment for the Pacific Highlands Ranch Units 5-11; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council on SEP 24 2002; and

WHEREAS, the City Council considered the issues discussed in Master Environmental Impact Report No. 41-0185; NOW, THEREFORE,

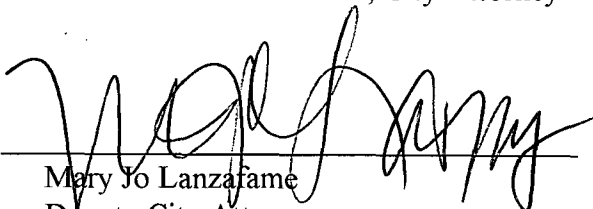
BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Master Environmental Impact Report No. 41-0185, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the site development permit, planned development permit, vesting tentative map with street and easement vacations, and an MHPA boundary line adjustment for the Pacific Highlands Ranch Units 5-11 project.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091, the City Council adopts the findings made with respect to the project, a copy of which is on file in the office of the City Clerk and incorporated herein by reference.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

MJL:pev
8/21/02
Or.Dept:DSD
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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM PACIFIC HIGHLANDS RANCH UNITS 5-11 - PROJECT NO. 1409 SITE DEVELOPMENT PERMIT, VESTING TENTATIVE MAP WITH STREET AND EASEMENT VACATIONS, MHPA BOUNDARY LINE ADJUSTMENT, AND PLANNED DEVELOPMENT PERMIT

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (LDR No. 41-0481) shall be made conditions of the Coastal Development Permit, Planned Development Permit/la Jolla Planned District Permit, Tentative Map and Street Action No. 1097 as may be further described below.

General Measures

1. After project approval and prior to recordation of the permit, the owner/permittee shall deposit \$7,200.00 with the Environmental Analysis Section (EAS) of the Development Services Department to cover the City's costs associated with ensuring the implementation of the Mitigation, Monitoring and Reporting Program (MMRP).
2. Prior to issuance of any grading permits, the Environmental Review Manager (ERM) of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading, *Environmental Requirements*: "The Pacific Highlands Ranch-Units 5-11 Project is subject to a Mitigation Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the environmental document Findings to Master EIR (LDR No. 41-0185). The project is conditioned to include the monitoring of grading operations by a biologist, a qualified expert (in erosion control), and a paleontologist, as outlined in said document."
3. Prior to issuance of any grading permits, the owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the City Field Resident Engineer (RE), the monitoring biologist and paleontologist, and staff from the City's Mitigation Monitoring and Coordination (MMC) Section.

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Transportation/Circulation

4. Prior to issuance of any building permit, the project shall conform to the Subarea III/Pacific Highlands Ranch Transportation Phasing Plan and the approved Traffic Study/final EIR.
5. Prior to the recordation of the first final map, the applicant shall assure the construction of Del Mar Heights Road from Old Carmel Valley Road to Carmel Valley Road as a four lane modified major street. The applicant shall dedicate 122 feet of right-of-way, and shall provide 102 feet of pavement, curb, gutter and a 5-foot sidewalk within a 10-foot curb to property line distance, satisfactory to the City Engineer.
6. Prior to the recordation of the first final map, the applicant shall assure the construction of Carmel Valley Road from SR-56 to Subarea IV/Torrey Highlands boundary as a six-lane/four-lane modified major street with a minimum curb to curb width of 126 feet within 146 feet of right-of-way then transitioning to a minimum curb to curb width of 102 feet within 128 feet of right-of-way east of Del Mar Heights Road, satisfactory to the City Engineer.
7. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Carmel Valley Road and Street "A", satisfactory to the City Engineer.
8. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Carmel Valley Road and Del Mar Heights Road, satisfactory to the City Engineer.
9. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Carmel Valley Road and Street "B", satisfactory to the City Engineer.
10. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Carmel Valley Road and Street "C", satisfactory to the City Engineer.
11. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Carmel Valley Road and Rancho Santa Fe Farms Road, satisfactory to the City Engineer.
12. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Old Carmel Valley Road and Del Mar Heights Road, satisfactory to the City Engineer.

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13. Prior to the recordation of the first final map, the applicant shall assure construction of the traffic signal at the intersection of Street "A" and Elementary School access, satisfactory to the City Engineer.
14. Prior to the recordation of the first final map, the applicant shall assure construction of Street "A" from Carmel Valley Road to private drive "A" as a modified 4-lane collector street. The applicant shall dedicate 148 feet of right-of-way and shall provide 78 feet of pavement including curb, gutter and a 5-foot sidewalk with a 15-50-foot curb to property line distance, satisfactory to the City Engineer.
15. Prior to the recordation of the first final map, the applicant shall assure construction of Street "B" from Carmel Valley Road for a of 150 feet as a two-lane collector street. The applicant shall dedicate 60 feet of right-of-way and shall provide 40 feet of pavement including curb, gutter and a 5-foot sidewalk with a 10-foot curb to property line distance, satisfactory to the City Engineer.
16. Prior to the recordation of the first final map, the applicant shall assure construction of Street "C" from Carmel Valley Road to Street "S" as a modified two-lane collector street. The applicant shall dedicate 100 feet of right-of-way and shall provide 60 feet of pavement including curb, gutter and a 5-foot sidewalk with a 6-34-foot curb to property line distance, satisfactory to the City Engineer.
17. Prior to the recordation of the first final map, the applicant shall assure the construction of the cul-de-sac at the northern end of Street "A" with a minimum pavement radius of 50 feet within a right-of-way radius of 60 feet satisfactory to the City Engineer.
18. The applicant shall provide a minimum of 100-foot curve radius for all the proposed residential streets, satisfactory to the City Engineer.
19. The applicant shall construct the private driveways of Units 9A and 9B with a minimum pavement width of 28 feet within 45 feet of parkway, satisfactory to the City Engineer.
20. The applicant shall provide a 20 feet triangular area at the corner of an intersection of two alleys, satisfactory to the City Engineer.
21. Prior to the recordation of the first final map, the applicant shall design Street "A" as a two-lane modified collector street north of private drive A . The applicant shall provide 70 feet curb to curb width within 140 feet of right-of-way, satisfactory to the City Engineer.

22. Prior to the recordation of the first final map, the applicant shall assure construction of Street "A" north of the urban amenity, Street "B" north of private driveway "G" , Street "C", Street "D", Street "E", Street "F" , Street "G", Street "I", Street "J", Street "K", Street "L", Street "M", Street "N", Street "O" , Street "P", Street "Q", Street "R", Street "S", Street "T", Street "U", Street "V", and Street "X" as a two lane residential street. The applicant shall dedicate 54 feet of right-of-way and shall provide 34 feet of pavement.
23. The applicant shall provide a physical delineation between public streets and private drives per Exhibit "A".
24. Prior to the recordation of the first final map, the applicant shall assure construction of Street "G" from Street "A" to Street "D" as a modified two-lane collector with a minimum pavement width of 50 feet within 90 feet of right-of-way, satisfactory to the City Engineer.
25. Prior to the recordation of the first final map, the applicant shall assure construction of Street "N" from Street "A" to Street "M" as a modified two-lane collector with a minimum pavement width of 50 feet within 90 feet of right-of-way, satisfactory to the City Engineer.

Hydrology/Water Quality

26. Prior to issuance of any grading permits, the Environmental Review Manager of Land Development Review (ERM of LDR) shall verify that the following measures have been incorporated into the grading and/or landscaping plans and/or project design as appropriate:

Hydrology/Water Quality

Construction Phase (Short Term Mitigation Measures)

- A. Development of this project shall comply with all requirements of the State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ (NPDES General Permit No. CAS000002). Prior to the issuance of any grading authorization the owner/permittee shall submit evidence to the satisfaction of the ERM of LDR that a Clean Water Act Section 401 Water Quality Certification from the RWQCB has been obtained. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB.

Prior to issuance of any grading permits, a copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be

filed with the City of San Diego; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall also be filed with the City of San Diego.

In addition, the permittee/owner(s) and subsequent permittee/owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 99-08-DWQ.

- B. A Dewatering Discharge Permit (NPDES No. CA1018804) shall be obtained for the removal and disposal of groundwater (if necessary) encountered during construction. Discharge under this permit will require compliance with a number of physical, chemical, and thermal parameters (as applicable), along with pertinent site-specific conditions, pursuant to direction from the RWQCB.
- C. The SWPPP shall identify all applicable erosion control devices to be used during construction. These may include (but may not be limited to) earthen berms, gravel bags, silt fences, temporary storm drains, desilting basins, energy dissipating devices, bladed swales, geotextile mats, plastic sheeting, and hydroseeding or other vegetation and irrigation practices.
- D. Grading plans shall clearly identify the type and location of erosion control devices to preclude any potential erosion impacts to the sensitive habitats to be preserved (including wetlands) within and adjacent to the project footprint as shown on the approved Exhibit A.
- E. Prior to issuance of any grading permits, the owner/permittee shall provide a letter to the ERM of LDR verifying that a qualified expert has been retained to monitor grading activities (and ensure implementation of water quality measures as needed) adjacent to the sensitive habitat to be preserved, as shown on the approved Exhibit A. The qualified expert shall also be responsible for the monitoring of any other grading activities (and ensure implementation of water quality measures as needed) adjacent to off-site sensitive habitats, as shown on the approved Exhibit A.
- F. The SWPPP shall include a site plan on which the grading footprint (development area) is identified as shown on the approved Exhibit A. All construction activities (including staging areas) shall be restricted to the development area of this or other fully permitted project. Specified vehicle fueling, maintenance procedures and hazardous materials storage areas shall be clearly designated to preclude the discharge of hazardous materials

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used during construction (e.g., fuels, lubricants and solvents). The SWPPP shall include measures to preclude spills and provide for the containment of any hazardous materials, including proper handling and disposal techniques and the use of temporary impervious liners to prevent soil and water contamination.

- G. The owner/permittee shall hydroseed all applicable areas within 30 days of completion of grading activities with appropriate ground cover vegetation (e.g., use of native or noninvasive plants) to the satisfaction of the ERM of LDR in conformance with the City's *Landscape Standards*. Permanently irrigated slopes shall be maintained for a minimum period of 90 days and non-permanently irrigated areas shall be maintained for a minimum period of 25 months, to the satisfaction of the City Manager. Revegetated areas shall be inspected monthly by a qualified biologist/landscape architect until vegetation is considered to have established to the satisfaction of the City Manager.

Hydrology/Water Quality

Post-Construction/Operational (Long Term Mitigation Measures)

- 27. Prior to issuance of any grading permits, the ERM of LDR shall verify that the site plan clearly identifies the type and location of post-construction Best Management Practices (BMPs) are clearly identified on the site plan(s). All runoff shall be routed to detention basins approved by the US Army Corps of Engineers (ACOE), California Department of Fish and Game (CDFG) and the City of San Diego located within privately owned and maintained easements within the otherwise publicly owned MHPA.
- 28. Prior to issuance of the Certificate of Occupancy, the following mitigation measures shall be incorporated into project design to the satisfaction of the ERM of LDR and the City Engineer:
 - A. A detention basin shall be constructed to provide adequate capacity to detain the first 0.6-inch of a rain event.
 - B. All project-related drainage structures shall be adequately sized to accommodate at a minimum a 50-year flood event (provisions for other storm events may be required pursuant to direction from the City Engineer).
 - C. Appropriate energy dissipating device(s) shall be provided to reduce the velocity and spread of the flow to be directed into natural habitat(s).
 - D. Surface and subsurface drainage shall be designed to preclude ponding outside of designated areas, as well as to avoid sheet flow down slopes.

- E. Energy-dissipating structures (e.g., detention ponds, riprap, or drop structures) shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.
29. Prior to issuance of any certificates of occupancy, the owner/permittee shall submit a Monitoring and Maintenance Program to assure long-term maintenance responsibility of all private drainage facilities, including detention basins and all structural and non-structural BMPs. The Monitoring and Maintenance Program shall be subject to the approval of the ERM of LDR. The Monitoring and Maintenance Program shall include a schedule for the regular maintenance of all private drainage facilities and permanent BMPs and shall be consistent with the Pacific Highlands Ranch Runoff Management Plan.

Biological Resources

30. Prior to any authorization to grade the ERM of LDR shall verify that all impacts specific to the Pacific Highlands Ranch Units 5-11 project are mitigated in accordance with the requirements of the Pacific Highland Ranch Subarea Plan Master EIR (LDR No. 96-7918) and the City's Environmentally Sensitive Lands (ESL) Ordinance. On- and off-site project impacts (including public utilities, trails, detention basins, and brush management areas), are currently calculated to be as follows:

Table 1 - Impacts and Mitigation Requirements

<i>Habitat</i>	<i>Tier</i>	<i>Relation to MHPA*</i>		<i>Mitigation Requirements*</i>
		<i>In</i>	<i>Out</i>	
Southern Maritime Chaparral	I	3.87	6.85	14.59
Phase I **		0.10		
Phase II **				
Phase III				
<u>Habitat Total</u>		<u>3.87</u> (2:1)	<u>6.85</u> (1:1)	<u>14.59</u>
Native Grassland	I	0.02	0.75	0.79
<u>Habitat Total</u>			<u>0.02</u> (2:1)	<u>0.75</u> (1:1)

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Coastal Sage Scrub		1.8	11.07	12.87
<u>Habitat Total</u>	II	<u>1.8</u> (1:1)	<u>11.07</u> (1:1)	<u>12.87</u>
Chaparral		4.93	26.7	18.28
Phase I **	III	0.09		
Phase II **		0.06		
Phase III		1.13		1.13
<u>Habitat Total</u>		<u>6.06</u> (1:1)	<u>26.7</u> (0.5:1)	<u>19.41</u>
Wetlands	n/a	0.32	0.15	0.94
<u>Habitat Total</u>		(2:1)	(2:1)	

- *Impacts and mitigation requirements accounted by acreage.
- All mitigation would occur within Subarea III and the MHPA
- () = mitigation ratios.
- Phases I, II and III refer to possible levels of impact due to geological reconnaissance and possible remediation. Depending on the geological findings, Phase I, II or III mitigation will be implemented. Phase III impacts are located outside the development area and must be mitigated for separately if this phase is implemented.
- ** Phase I and II impacts are located within the proposed development area footprint and would not be mitigated separately from project impacts, unless the geological exploration occurs and the rest of the development does not go forward.

Upland mitigation shall take place through dedication of appropriate habitat types and amounts (as specified above in Table 1) in the Pardee-owned portion of Pacific Highlands Ranch MHPA.

Impacts to 0.47 acres of freshwater marsh shall be mitigated at a 2:1 ratio including a minimum of 0.47 acres of wetland creation required to achieve no net loss. Wetland creation shall occur per the "Mitigation Plan for Jurisdictional Impacts on Pardee-Owned Property at Pacific Highlands Ranch - Subarea III (RECON, October 4, 2000). A graphic of Pardee's Subarea III wetland mitigation areas which depicts the location, boundaries, and acreage required for Units 5-11, and all other known project mitigation sites, shall be submitted.

31. Prior to the issuance of any grading permit which affects on-site wetlands and prior to implementation of the wetland mitigation plan, the applicant/permittee shall

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submit verification that a qualified project biologist has been retained to oversee the implementation of the wetland mitigation plan. The project biologist shall have experience preparing and monitoring wetland and riparian mitigation plans in San Diego County and shall be acceptable to the ERM of LDR. The project biologist shall oversee other specialists and contractors involved in the implementation of the mitigation plan.

32. Following recordation of the final map and prior to the issuance of the first building permit (except any building permits issued for model homes), implementation of the upland revegetation plan shall commence in accordance with the requirements of the Pacific Highlands Ranch Subarea Plan Master EIR and associated Development Agreement. Any areas subject to subsequent disturbance shall be hydroseeded for erosion control purposes.
33. Prior to issuance of any building permit, the ERM shall verify that restoration has started within mitigation land bank areas established by Pardee within the Units 5-11 site. The land bank shall be established in conformance with the requirements of the Pacific Highlands Ranch Subarea Plan Master EIR and associated Development Agreement. All data related to the mitigation land bank (including affected areas and acreage information itemized by habitats) shall be included in a progress letter report for the *Master Restoration Plan for Pacific Highlands Ranch* to the satisfaction of the ERM of LDR in a timely manner.
34. Prior to the issuance of any grading permit, the owner/permittee shall submit the following items to the ERM of LDR:
 - A. Evidence of compliance with Sections 404 of the federal Clean Water Act;
 - B. Evidence of compliance with Section 1603 of the State of California Fish and Game Code.

Evidence shall include either copies of the permits issued, letters of resolutions issued by the responsible agencies documenting compliance, or other evidence which demonstrates that state and federal permits have been obtained.
35. Prior to the issuance of any grading permits and the first pre-construction meeting, the owner/permittee shall provide a letter to the ERM of LDR verifying that a qualified biologist has been retained to implement the biological resources mitigation program as outlined below (see A through G):
 - A. The qualified biologist (project biologist) shall attend the first preconstruction meeting.

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- B. The project biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance within and surrounding sensitive habitats as shown on the approved Exhibit A. All construction activities taking place within 100 feet of wetland habitats shall be monitored by the project biologist.
- C. All construction activities (including staging areas) shall be restricted to the development area as shown on the approved Exhibit A. The project biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas.
- D. The biologist shall monitor the placement of gravel bags, straw logs, silt fences or equivalent erosion control measures adjacent to all graded areas, and identify locations where trench spoil may be stockpiled in order to prevent sedimentation of the habitat.
- E. The project biologist shall monitor the placing of a chain link fence (or any other fencing deemed appropriate by the biologist) around the wetland and all other sensitive habitats to be preserved on site as shown on the approved Exhibit A.
- F. If construction occurs during the breeding season of the California gnatcatcher, March 1st to August 15th, the following measures shall be implemented:
- 1) Prior to the commencement of grading, the project biologist shall survey those areas of the Multi-Habitat Planning Area (MHPA) within 500 feet of any construction activity in accordance with the US Fish and Wildlife Service (USFWS) protocol for determining the presence/absence of gnatcatchers and shall notify the ERM of LDR of the results.
 - 2) If no California gnatcatchers are found to be present, then no additional measures are required.
 - 3) If it is determined that California gnatcatchers are present, construction operations shall be suspended or noise/line of sight barrier(s) shall be constructed to buffer noise at the edge of the occupied habitat. The location of any such barrier(s) shall be determined by the project biologist.
 - 4) Construction noise shall be monitored by an acoustical expert on an ongoing basis to verify that noise at the edge of gnatcatcher occupied areas of the MHPA is maintained below an hourly average of 60 dB. If the level is exceeded, additional measures, such as

restrictions on the simultaneous use of equipment, shall be implemented to the satisfaction of the ERM of LDR. If such measures are not effective, construction activities shall cease in and within 500 feet of occupied habitat within the MHPA.

- 5) Monthly letter reports shall be provided to the ERM of LDR with the results of noise monitoring and an assessment of the breeding/nesting behavior of the gnatcatchers.

G. The qualified biologist shall ensure that all construction taking place within and adjacent to the MHPA is consistent with the Multiple Species Conservation Program (MSCP) Land Use Adjacency Guidelines including:

- 1) All required lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve areas using appropriate placement and shields.
- 2) No new, exotic, invasive species shall be utilized in or adjacent to the MHPA. All non-irrigated hydroseeded revegetation areas and areas adjacent to the MHPA shall consist of native or non-invasive species to the satisfaction of the ERM of LDR.
- 3) No direct drainage into the MHPA shall occur during and after construction. The biologist shall ensure that filtration devices, swales and/or detention basins are used as needed during construction and as permanent features.
- 4) No trash, oil, parking, or other construction related activities shall be allowed outside the established limits of construction-related activities.

Landform Alteration/Visual Quality

36. Prior to issuance of any grading permits, the ERM of LDR shall verify that the grading plans identify contour grading techniques in the manufactured slopes adjacent to the MHPA in conformance with the approved Exhibit A.
37. Prior to issuance of any grading permits, the ERM of LDR shall verify that the grading plans identify contour grading techniques and variable slope gradients (not to exceed 2:1) along the portion of the project abutting the north and south slopes of Gonzales Canyon and in conformance with the approved Exhibit A. Retaining and noise walls identified in the acoustical report, "Noise Technical Report for Pacific Highlands Ranch Vesting Tentative Map - Units 5-11 (RECON, October 25, 2001)", and subsequent required reports shall be also identified in the grading

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and landscape plans and pertinent cross sections and shall conform to the approved Exhibit A to the satisfaction of the ERM of LDR.

Paleontological Resources

38. Prior to issuance of the first grading permit, the owner/permittee shall provide a letter of verification to the ERM of LDR demonstrating that a qualified paleontologist as defined in the City of San Diego Paleontological Guidelines, has been retained to implement the monitoring program. A copy of the letter shall be submitted to Mitigation Monitoring Coordination (MMC) staff of LDR at least thirty days prior to the preconstruction meeting and shall include the names of all persons involved in the paleontological monitoring of this project.
39. Prior to the issuance of any grading permits, the ERM of LDR shall verify that the requirement for paleontological monitoring has been noted on the grading plans.
40. Prior to the commencement of any construction activities, the owner/permittee shall arrange a preconstruction meeting which includes the paleontologist, construction manager or grading contractor, resident engineer (RE), and MMC staff. The qualified paleontologist shall attend any grading-related preconstruction meetings to make comments and/or suggestions concerning the paleontological monitoring program with the construction manager and/or grading contractor. At the preconstruction meeting the paleontologist shall submit to MMC a copy of the site/grading plan (reduced to 11x17 inches) that identifies areas to be monitored. The paleontologist also shall submit a construction schedule indicating when monitoring is to occur. The paleontologist shall notify MMC staff of the start and end of monitoring.
41. In the event of a significant paleontological discovery, and when requested by the paleontologist, the city resident engineer (RE) shall divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains. The determination of significance shall be at the discretion of the qualified paleontologist. The paleontologist with principal investigator (PI) level evaluation responsibilities shall also immediately notify MMC staff of such finding at the time of discovery. MMC staff will provide information regarding appropriate LDR staff contact for consultation.
42. The paleontologist shall be responsible for preparation of fossils to a point of curation and submittal of a letter of acceptance from a local qualified curation facility as defined by the City of San Diego Paleontological Guidelines. If the fossil collection is not accepted by a local qualified facility for reasons other than inadequate preparation of specimens, the project paleontologist shall contact LDR to suggest an alternative disposition of the collection.

43. The paleontologist shall be responsible for the recordation of any discovered fossil sites at the San Diego Natural History Museum.
44. Prior to the release of the grading bond, two copies of the monitoring results report which describe the results, analysis, and conclusions of the above monitoring program (with appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR. A copy of the monitoring report shall be forwarded to the City field engineer assigned to the project. The reports shall be submitted even if the monitoring program yields no findings.

Public Services/Facilities

45. Prior to issuance of any building permits, the owner/permittee shall demonstrate to the satisfaction of the ERM of LDR that a response time of six minutes or less from Fire Station 24 or the closest operating Fire Station to all portions of the new developments can be achieved.
46. For those areas of the developments where a six-minute response time cannot be ensured, the ERM of LDR shall verify that individual sprinkler systems have been installed in project structures to the satisfaction of the Fire Marshall, prior to the issuance of any certificates of occupancy.

Water Service Infrastructure

47. Prior to the issuance of any building permits, the owner/permittee shall assure, by permit and bond, the design and construction of water facilities necessary to serve the subject development, in a manner satisfactory to the Water Department Director and the City Engineer.

Sewer Service Infrastructure

48. Prior to issuance of any building permits, the owner/permittee shall assure, by permit and bond, the design and construction of sewer facilities, necessary to provide sewer services to the subject development in a manner satisfactory to the Metropolitan Wastewater Department Director. Such facilities shall be constructed in accordance with established criteria in the City of San Diego's current sewer design guide.

Solid Waste

49. Prior to the issuance of the certificate of occupancy, the ERM of LDR shall verify that the owner/permittee has developed a comprehensive waste management plan in coordination with the City's Environmental Services Department.

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Public Safety

50. Prior to issuance of the certificates of occupancy, the owner/permittee shall provide a letter from the County Environmental Health Department Vector Surveillance and Control Division to the ERM of LDR verifying that a vector control program has been designed and is satisfactory.
51. Prior to issuance of any certificates of occupancy, the provision of the Vector Control Program elements and incorporation into project design as necessary shall be verified to the satisfaction of the ERM of LDR.

Noise Levels

52. Prior to the issuance of any grading permits, the ERM of LDR shall verify that noise attenuation barriers along those residential areas within the 65 dB (or higher) contour line as shown on the *Noise Technical Report for Pacific Highlands Ranch Vesting Tentative Map - Units 5-11* (Recon October 25, 2001) are identified on the building and landscape plans and called out as an "Environmental Mitigation Measure".
53. Prior to the issuance of any certificates of occupancy, the ERM of LDR shall verify that the solid sound attenuation barriers do not to exceed six feet (except the 7-foot walls noted on Figure 4 at the rear of lots 32 and 33), have been constructed around the limits of the Units 5-11 subdivision boundary as shown on the *Noise Technical Report for Pacific Highlands Ranch Vesting Tentative Map - Units 5-11* (RECON, October 25, 2001). The barriers shall be solid, continuous and free of cracks, gaps or openings. The barriers shall attenuate exterior noise levels in the affected exterior residential areas to below a Community Noise Equivalent Level (CNEL) of 65 decibels (dB).
54. Prior to the issuance of any certificates of occupancy, a final acoustical report which evaluates interior and exterior noise levels based on projected traffic volumes in the Master Environmental Impact Report for all residential areas within the 65 and 70 dB contour lines (to be established in such report based on the final building plans), shall be completed in conformance with the City's *Acoustical Guidelines*. The final report shall be subject to the approval of the ERM of LDR. If it is determined that the interior and/or exterior noise levels in any of the affected buildings exceeds City standards, specific mitigation measures to achieve exterior and interior noise levels that would not exceed 65 dB(A) CNEL and 45 dB(A) CNEL respectively, shall be included in said report and incorporated into the project to the satisfaction of the ERM of LDR.

Geology/Soils

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55. Prior to the issuance of any grading permits, the owner/permittee shall assure, by permit and bond, that appropriate grading and design features, necessary to serve the subject development, are shown on the grading plans in a manner satisfactory to the City Geological Staff.

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