

RESOLUTION NUMBER R- 298899

ADOPTED ON FEB 10 2004

WHEREAS, on May 8, 2002, Black Mountain Ranch, LLC, submitted an application to the City of San Diego for a street and easement vacation, vesting tentative map, rezone, and Planned Development Permit; 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 February 10, 2004; and

WHEREAS, the City Council considered the issues discussed in Addendum to Environmental Impact Report No. 96-7902; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Addendum to Environmental Impact Report LDR No. 96-7902, 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 North Clusters at Black Mountain Ranch project.

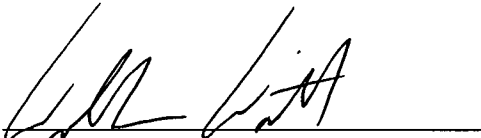
BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091, the City Council adopts the

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 
for Mary Jo Lanzafame
Deputy City Attorney

MJL:cdk
01/21/04
Or.Dept: DSD
R-2004-765


 298899

EXHIBIT A
MITIGATION MONITORING AND REPORTING PROGRAM
NORTH CLUSTERS AT BLACK MOUNTAIN RANCH
TENTATIVE MAP, REZONE, PLANNED DEVELOPMENT PERMIT, AND STREET
VACATION
LDR NO. 96-7902, PROJECT NO. 1463

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 Addendum to Environmental Impact Report shall be made conditions of Tentative Map, Rezone, Planned Development Permit, and Street Vacation (Project No. 1463) as may be further described below.

General

1. The following mitigation, monitoring and reporting program will require a deposit of \$3,200.00 to be collected prior to the issuance of grading permits to ensure the successful completion of the monitoring program.

Biological Resources

2. The North Cluster VTM is covered in previously cleared vacant land with no wetland drainages and no jurisdictional waters. Non-native grasslands occur on a portion of the site. Mitigation of impacts to non-native grasslands was included in project compliance with the MSCP and the establishment of MHPA open space.
3. No sensitive native plants or wildlife were recorded in the 1995 or 1998 biological studies conducted for the 1995 Phase I VTM/PRD or 1998 Subarea I Plan EIRs, nor in a field check conducted as part of the current review. The area was included in the 1995 RPO permit issued for the 1995 VTM/PRD for Black Mountain Ranch and was cleared and maintained under a clearing and grubbing permit issued by the City of San Diego.
4. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion.
5. Spoil, trash, or any debris shall be removed off-site to an approved disposal facility.

Hydrology and Water Quality

During Construction:

6. For coverage by the General Construction Permit, the project owner is required to submit to the SWRCB a Notice of Intent (NOI) to comply with the General Construction Permit, and develop a Storm Water Pollution Prevention Plan (SWPPP) describing BMPs to be used during and after construction to prevent the discharge of sediment and other pollutants in storm water runoff from the project. When construction is completed, the applicant must file a Notice of Termination (NOT) with the Regional Water Quality Control Board (RWQCB).
7. In the site's present state the pollutant of concern with the site is primarily sediment. During construction the pollutants of concern on the site are sediment and non-visible pollutants. The site owner is responsible to prevent these pollutants from leaving the site by implementing temporary BMPs. Typical temporary BMPs that may be used during construction include good housekeeping practices and erosion and sediment control measures. Good housekeeping practices include practices such as street sweeping, waste disposal, vehicle and equipment maintenance, materials storage, minimization of hazardous materials and proper handling and storage of hazardous materials. Typical erosion and sediment control measures include silt fence, fiber rolls, gravel bags, temporary desilting basins, velocity check dams, temporary ditches or swales, storm water inlet protection, soil stabilization measures such as erosion control mats, tackifier, or hydroseed, and other measures. The project's SWPPP will be required to identify the specific BMPs to be used on the project site during construction.
8. As part of the project's SWPPP, a Storm Water Sampling and Analysis Strategy (SWSAS) will be developed for the construction site and included in the project's SWPPP. The objectives of the SWSAS are to determine whether BMPs implemented on a construction site are: (1) preventing further impairment by sediment in storm waters discharged directly into waters listed as impaired for sediment or silt [i.e., listed on Attachment 3 of the General Construction Permit, which identifies waters listed as impaired for sediment, silt, or turbidity on the Clean Water Act Section 303(d) List]; and (2) preventing other pollutants, that are known or should be known by permittees to occur on construction sites and that are not visually detectable in storm water discharges, from causing or contributing to exceedances of water quality objectives.

9. On February 4, 2003, the SWRCB adopted the 2002 CWA Section 303(d) List to update the previous 1998 Clean Water Act Section 303(d) List. The proposed Black Mountain Ranch North Cluster project is located within the San Dieguito Hydrologic Unit 905.12. Both the existing and proposed conditions for the project site results in two discharge locations eventually outfalling into Lusardi Creek, which then flows west before commingling with the San Dieguito River (north of Fairbanks Ranch). An additional portion consisting only of vegetated fill slopes will drain to the north, into a separate San Dieguito River tributary and eventually into the San Dieguito River. There are no water bodies currently listed on the 2002 CWA Section 303(d) List within Hydrologic Unit 905.12. The project site does not discharge directly into 303(d) listed water bodies and therefore the first (1) SWSAS objective (listed above) does not apply to the Black Mountain Ranch North Cluster project. However, the second (2) above mentioned SWSAS objective does apply to the Black Mountain Ranch North Cluster project, and the SWSAS will be required to meet this objective.

Post-Construction:

10. In order to terminate coverage under the General Construction Permit, the developer must submit a NOT and a Post-Construction Storm Water Operation and Management Plan (PCSWOMP) according to Section A.10 of the General Construction Permit to the Regional Water Quality Control Board (RWQCB). The PCSWOMP requires permanent BMPs be established to prevent the discharge of sediment or other pollutants in storm water runoff from the completed project.
11. The Land Use Planning for New Development and Redevelopment Component requires each Co-permittee to modify their development project approval processes. Prior to project approval, Co-permittees are tasked with conditioning each proposed project to implement measures that ensure pollutants and runoff from the development will be reduced. This reduction of pollutants is accomplished through the development of project requirements in local permits. These conditions include specific requirements for project proponents, such as:
- Implementing source control BMPs for all applicable development projects;
 - Implementing site design/landscape characteristics which maximize infiltration, provide retention, slow runoff and minimize impervious land coverage for all development projects; and
 - Providing proof of a mechanism which will ensure on going long-term maintenance of all structural Post-Construction BMPs.

12. As required by the City of San Diego's Storm Water Standards manual, a Water Quality Technical Report (WQTR) has been prepared for the North Cluster project. The purpose of the WQTR is "to describe the permanent storm water Best Management Practices (BMPs) that will be incorporated into the project to mitigate the impacts of urban runoff due to the development."
13. In order to meet the requirements for termination of coverage under the General Construction Permit and the City of San Diego SUSMP requirements, the North Cluster project will incorporate a treatment train of non-structural and structural BMPs to the MEP. The Storm Water Standards manual indicates projects shall incorporate the following BMPs into the project design:
 - Site Design BMPs
 - Source Control BMPs
 - BMPs for Individual Priority Project Categories (these are site design and source control)
 - Treatment Control BMPs

Site Design

14. Post-development peak storm water runoff discharge rates and velocities will be controlled (as outlined in the approved North Cluster Water Quality Technical Report (WQTR) for the northwestern portion (1) by the reduced peak storm water discharge to the west. Post-development peak storm water runoff discharge rates and velocities will be controlled (as outlined in the approved North Cluster WQTR) for the southeastern portion (3) of the North Cluster project through the use of a detention basin located at the outfall of the Camino Del Sur storm drain system and additional detention basins located throughout the overall Black Mountain Ranch development area. Energy dissipaters (rip rap) will also be used at all storm drain outfall locations.
15. Energy dissipaters shall be designed in such a way as to minimize impacts to receiving waters.
16. In specific locations, brow ditches will be used to convey runoff safely along the tops of slopes, which will help to prevent slopes from becoming erosive. The slopes will be vegetated with native or drought tolerant vegetation (or irrigated vegetation to prevent drought conditions). There will not be any permanent channel crossings associated with the North Cluster project. In addition, the proposed storm drain outfall (into the existing open channel/valley) will use riprap as an energy dissipater and to provide stabilization of the storm drain outfall. The storm drain system within Camino Del Sur (future road to be completed by others, prior to the final development of the North Cluster project) will also contain a riprap outfall at the discharge location. The North Cluster project will ultimately provide vegetation for all disturbed areas that are not impervious.

Source Control

17. In accordance with page 16 of the Storm Water Standards manual, any outdoor material storage areas for the Black Mountain Ranch North Cluster project site will be designed to reduce pollution introduction by being: “(1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with rain, runoff or spillage to the storm water conveyance system; and (2) protected by secondary containment structures such as berms, dikes, or curbs. The storage area shall be paved and sufficiently impervious to contain leaks and spills, and have a roof or awning to minimize direct precipitation within the secondary containment area.” It is anticipated that there will not be any outdoor material storage areas installed as part of the Black Mountain Ranch North Cluster project.
18. In accordance with page 16-17 of the Storm Water Standards manual, the Black Mountain Ranch North Cluster project (detached residential homes) is excluded from the requirements that trash storage areas be designed “not to allow run-on from adjoining areas”, “walled to prevent off-site transport of trash”, and will contain either “attached lids” or a “roof or awning” to exclude rain and minimize direct precipitation.
19. IPM includes using pesticides only after monitoring indicates a need for them and then selecting pest control materials in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment. These goals are realized by implementing the following: (a) eliminating and/or reducing the need for pesticide use; and (b) distributing IPM educational materials to future site residents/tenants. More information on IPM is located at the UC Davis website (<http://www.ipm.ucdavis.edu/WATER/U/index.html>). Information on IPM principles will be provided by the developer to future site residents/tenants as part of the home buyers’ information packages.
20. All storm water conveyance system inlets and catch basins within the project area will be stenciled with prohibitive language (e.g., “No Dumping – I live downstream”). Additionally, educational material for storm water pollution prevention will be provided by the developer to future site residents/tenants as part of the home buyers’ information packages.
21. The owner of the Black Mountain Ranch North Cluster project, Black Mountain Ranch LLC, will be responsible to help prevent homeowners, residents, employees and others from contributing pollutants directly to the storm drain system and to establish a standard of maintenance for the project site (including post-construction BMPs), as well as any drainage improvements that may be installed within any part of the Black Mountain Ranch North Cluster property boundary. In order to facilitate the prevention of homeowners, residents, and employees from contributing to storm water pollution, the owner of the Black Mountain Ranch North Cluster project will provide educational literature on storm water pollution prevention to the homeowners, residents, and its own

employees. These responsibilities will transfer over to the individual property owners and the future Homeowners Association (HOA) for Black Mountain Ranch North Cluster when the project is completed and new ownership is in place. At that time, the HOA will be responsible for properly disposing of waste material from the project site, maintain landscaping on the project site in a manner that will prevent soil erosion and minimize sediment transport, as well as maintain drainage facilities located on the project site in a clean manner and in good repair. Individual lot owners will be responsible for their own lots, including private storm drain and post-construction BMPs located within their property boundary, while the HOA will be responsible for all other common areas (such as private streets and open space). The City of San Diego will be responsible for maintaining public streets and open space.

Category Specific

22. The design of Black Mountain Ranch North Cluster included the use of curbed drainage, as a result, storm water runoff will be treated through a series of proposed structural treatment control BMPs. For the Black Mountain Ranch North Cluster project, structural treatment control BMPs will be provided and have been sized such that all areas of the project site will be treated through the structural treatment control BMPs, as discussed below.

Treatment Control

23. Treatment control BMPs will treat, infiltrate, or filter a specified amount of runoff from the Black Mountain Ranch North Cluster project based on the numeric sizing criteria described in the Storm Water Standards manual (and the Municipal Permit Order No. 2001-01). The amount of runoff that must be treated may be calculated using either the volume-based criteria or flow-based criteria, depending on the type of BMP selected to meet this requirement. The Storm Water Standards manual provides several criteria for calculating treatment volume of runoff for volume-based BMPs or treatment flow for flow-based BMPs. The following discussion of structural BMPs will describe the treatment control BMPs that have been selected to address the pollutants of concern associated with the Black Mountain Ranch North Cluster project.
24. Curb opening filter inserts (with sorbent material added) are flow-based BMPs. Filter inserts reduce sediment, trash, debris, oil and grease from the flow and pesticides that attach to sediment. The filter inserts must be capable of treating the required treatment flow for the area of the project site draining to either type of inlet. These BMPs will be incorporated to meet the requirements of the Storm Water Standards manual and will be sized using a flow-based numeric sizing criteria.

25. The frequency of maintenance required is site and drainage area specific. The units should be inspected periodically to assure their condition is adequate to handle anticipated runoff. Filter inserts installed as part of the North Cluster project will require servicing a total of four times per year.
26. The owner of the Black Mountain Ranch North Cluster project will be responsible for compliance with the NPDES Construction permit and the San Diego Municipal Code Land Development Manual – Storm Water Standards (which covers compliance for the San Diego SUSMP requirements for this project) until ownership is transferred to individual lot property owners and the HOA. Specifically, the owner of Black Mountain Ranch North Cluster, Black Mountain Ranch LLC, will be responsible for during construction BMPs while the Black Mountain Ranch North Cluster project is under construction. However, when construction of the project is completed and a change of ownership occurs, the HOA will assume all responsibility for the funding of the future maintenance for all post-construction BMPs other than those located on individual lots, which will be the responsibility of the individual lot owners.

Landform/Alteration/Visual Quality

27. Development for the North Cluster shall include guidelines that specifically address grading techniques to minimize large manufactured or major alterations to underlying terrain. The guidelines shall place limitations on the severity of slopes and require blending and contouring to natural adjacent slopes with appropriate landscaping.
28. Prior to issuance of the first grading permit, the final map shall indicate that implementation of grading techniques shall be shown on the tentative map(s) and shall be assured through the approval of the final grading plans. Those slopes which are visible from major roadways and public viewing areas shall vary slope gradient, width and contour edges, and use blending and rounding to blend to natural slopes. The applicant shall clearly indicate on the grading plans special design requirements (in the form of enhanced landscaping) for slopes that are to be graded. Grading for major slopes shall minimize encroachment into sensitive vegetation. A note shall be included on the grading plans for the tentative and final grading plans for the North Cluster development indicating that the grading techniques are “Environmental Mitigation Measures” and shall include the following measures:
 - Utilize grading techniques that blend transitional manufactured slopes with the natural slope;
 - Employ blending and rounding techniques where manufactured slopes meet natural ground;
 - Vary slope gradient and width and contour edges to achieve a more natural appearance to slope banks;

- Limit the height and gradient of slopes fronting open space to no more than 30 feet in any case except as specified on the Tentative Map.
29. Prior to the issuance of grading permits, the applicant shall submit to the Environmental Review Manager, for review, the grading and landscape plans to ensure that sensitive grading techniques are being used and that manufactured slopes are landscaped in conformance with the conceptual landscape plan. Areas shown as open space shall be flagged in the field and construction crews shall be restricted from these areas. The applicant shall retain a soils engineer to monitor the grading and construction and a landscape architect to monitor revegetation of the project. Landscaping bonds shall be in place along the developed roadways and development areas prior to issuance of building permits for each area. The soils engineer and landscape architect shall submit in writing to the City Engineer and provide certification that the project has complied with the required mitigation measures on the grading plans. Only after the Environmental Review Manager and City Engineer approve the grading shall recommendations be made to the City Council for the release of the subdivision bond.
 30. Grading for major roads and other common facilities and areas shall include provisions for erosion control and hydroseeding. Landscape plantings for native shrubs or exotics as shown on the overall landscape plans shall be shown on the grading plans. The landscape plans shall be implemented in phases coincident with development phases.

Historical Resources (Archaeology)

No impacts to cultural resources are anticipated as a result of the North Cluster VTM/PDP. While direct impacts are not anticipated, the alignment of Camino del Sur relative to archaeological site CA-SDI-5103 will be field verified monitored during grading to assure avoidance.

31. Prior to the issuance of grading permits, the owner/permittee shall provide verification that a qualified archaeologist, as defined in the City of San Diego Historical Resources Guidelines, has been retained to implement the Archaeological Data Recovery Program (ADRP). This verification shall be in the form of a letter from the applicant to the Environmental Review Manager of the Land Development Review (LDR) Division. ALL PERSONS INVOLVED IN THE ADRP AND MONITORING OF THIS PROJECT SHALL BE APPROVED BY LDR PRIOR TO THE START OF THE PROJECT.
32. A Native American Monitor shall be present during initial excavation/grading of undisturbed ground in the event that cultural features or human remains are found.
33. The applicant shall conduct a full-time archaeological monitoring program during the initial stages of grading of the North Cluster to be implemented as follows:

- a. Prior to the recordation of the first final map, and/or issuance of a Notice to Proceed (NTP), grading permit, or demolition permit, the applicant shall provide a letter of verification to the Environmental Review Manager (ERM) of Land Development Review (LDR) stating that a qualified archaeologist, as defined in the City of San Diego Historical Resources Guidelines,, has been retained to implement the monitoring program. A SECOND LETTER SHALL BE SUBMITTED TO MITIGATION MONITORING COORDINATION (MMC) AT LEAST THIRTY DAYS PRIOR TO THE PRE-CONSTRUCTION MEETING AND SHALL INCLUDE THE NAMES OF ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL MONITORING OF THIS PROJECT.

- b. PRIOR TO THE ISSUANCE OF THE FIRST GRADING PERMIT, THE ERM SHALL VERIFY THAT THE REQUIREMENT FOR ARCHAEOLOGICAL MONITORING AND NATIVE AMERICAN MONITORING, IF APPLICABLE, HAS BEEN NOTED ON THE GRADING PLANS.

- c. Prior to beginning construction (any work on site), the owner/permittee shall arrange a Pre-construction Meeting that shall include the Archaeologist, Construction Manager or Grading Contractor, Resident Engineer (RE) and MMC. The qualified archeologist shall attend any grading related pre-construction meetings to make comments and/or suggestions concerning the archeological monitoring program with the construction manager and/or grading contractor.

AT THE PRE-CONSTRUCTION MEETING, THE ARCHAEOLOGIST SHALL SUBMIT TO MMC A COPY OF THE SITE/GRADING PLAN (REDUCED TO 11X17) THAT IDENTIFIES AREAS TO BE MONITORED. THE ARCHAEOLOGIST ALSO SHALL SUBMIT A CONSTRUCTION SCHEDULE INDICATING WHEN MONITORING IS TO OCCUR.

THE QUALIFIED ARCHAEOLOGIST SHALL COMPLETE A RECORDS SEARCH PRIOR TO THE PRE-CONSTRUCTION MEETING AND BE PREPARED TO INTRODUCE ANY PERTINENT INFORMATION CONCERNING EXPECTATIONS AND PROBABILITIES OF DISCOVERY DURING TRENCHING AND/OR GRADING ACTIVITIES. THE ARCHAEOLOGIST SHALL NOTIFY MMC OF THE START AND END OF MONITORING.

- d. The qualified archaeologist shall be present full-time during grading/excavation of native soils and shall document activity via the Consultant Site Visit Record. This record shall be faxed to the RE and MMC each month.

IN THE EVENT OF A DISCOVERY, AND WHEN REQUESTED BY THE ARCHAEOLOGIST, THE CITY RESIDENT ENGINEER SHALL DIVERT,

DIRECT OR TEMPORARILY HALT GROUND DISTURBING ACTIVITIES IN THE AREA OF DISCOVERY TO ALLOW FOR PRELIMINARY EVALUATION OF POTENTIALLY SIGNIFICANT ARCHAEOLOGICAL RESOURCES. THE ARCHAEOLOGIST WITH PRINCIPAL INVESTIGATOR (P1) LEVEL EVALUATION RESPONSIBILITIES SHALL ALSO IMMEDIATELY NOTIFY MMC STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY. MMC WILL PROVIDE APPROPRIATE LDR STAFF CONTACT FOR CONSULTATION.

The significance of the discovered resources' shall be determined by the archaeologist in consultation with LDR and the Native American community, if applicable. LDR must concur with the evaluation, before grading activities will be allowed to resume. For significant archaeological resources, a Research Design and Data Recovery Program shall be prepared and carried out. to mitigate impacts before ground disturbing activities in the area of discovery will be allowed to resume.

- e. If human remains are discovered, work shall halt in that area and procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be followed by the archaeological monitor after notification to the City RE, P1 and MMC. The P1 shall notify the County Coroner after consultation with the RE, either in person or via telephone to discuss the nature of the discovery. If Native American remains are present, the County Coroner shall contact the Native American Heritage Commission to designate a Most Likely Descendant, who will arrange for the dignified disposition and treatment of the remains. Ground disturbing activities shall be allowed to resume in the area of discovery upon completion of the above requirements, to the satisfaction of LDR.
- f. The archaeologist shall be responsible for ensuring that all cultural remains collected are cleaned, catalogued, and permanently curated with an appropriate institution; that a letter of acceptance from the curation institution has been submitted to MMC; that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- g. Prior to the release of the grading bond, two copies of a monitoring results report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the archaeological monitoring program (with appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR and one copy sent the RE.
- h. For significant archaeological resources encountered during monitoring, the Research Design And Data Recovery Program shall be included as part of the final evaluation monitoring report. Two copies of the final monitoring report for significant archaeological resources, if required,

shall be submitted to MMC for approval by the ERM of LDR and one copy sent the RE.

- i. Prior to the final inspection, a data recovery and monitoring report which addresses the research questions in the Research design and Data Recovery Program, and describes the results, analysis, and conclusions of the archaeological monitoring program shall be submitted to and approved by the ERM of LDR.
- j. The archaeologist shall be responsible for recording (as the appropriate State of California Department of Park and Recreation forms - DPR 523 A/B) any significant or potentially significant resources encountered during the archaeological monitoring program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center at San Diego State University with the final monitoring results report.

Paleontological Resources

34. Prior to the recordation of the first final map, and/or issuance of a Notice To Proceed (NTP), grading permit, or demolition permit, the applicant shall provide a letter of verification to the Environmental Review Manager (ERM) of Land Development Review (LDR) stating that a qualified paleontologist as defined in the City of San Diego Paleontological Guidelines, has been retained to implement the monitoring program. A SECOND LETTER SHALL BE SUBMITTED TO MITIGATION MONITORING COORDINATION (MMC) OF LDR AT LEAST THIRTY DAYS PRIOR TO THE PRE-CONSTRUCTION MEETING AND SHALL INCLUDE THE NAMES OF ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL MONITORING OF THIS PROJECT.
35. PRIOR TO THE ISSUANCE OF THE FIRST GRADING PERMIT, THE ERM SHALL VERIFY THAT THE REQUIREMENT FOR PALEONTOLOGICAL MONITORING HAS BEEN NOTED ON THE GRADING PLANS.
36. Prior to beginning construction (any work on site) the owner/permittee shall arrange a Pre-construction Meeting that shall include the Paleontologist, Construction Manager or Grading Contractor, Resident Engineer (RE), and MMC. The qualified paleontologist shall attend any grading related pre-construction meetings to make comments and/or suggestions concerning the paleontological monitoring program with the construction manager and/or grading contractor. AT THE PRE-CONSTRUCTION MEETING THE PALEONTOLOGIST SHALL SUBMIT TO MMC A COPY OF THE SITE/GRADING PLAN (REDUCED TO 11X17) 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 OF THE START AND END OF MONITORING.

37. The qualified paleontological monitor shall be present full-time during the initial cutting of previously undisturbed formations with high and moderate resource sensitivity and shall document activity via the Consultant Site Visit Record. This record shall be faxed to the RE and MMC each month. Monitoring may be decreased at the discretion of the qualified paleontologist, provided they contact MMC and consult 'with appropriate LAS Staff, The decrease will depend on the rate' of excavation, the materials excavated, and the abundance of fossils.
38. 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 APPROPRIATE LDR STAFF CONTACT FOR CONSULTATION.
39. The paleontologist shall be responsible for preparation of fossils to a point of curation as defined by the City of San Diego Paleontological Guidelines, and submittal of a letter of acceptance from a local qualified curation facility. 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.
40. The paleontologist shall be responsible for the recordation of any discovered fossil sites at the San Diego Natural History Museum.
41. Prior to the release of the grading bond, two monitoring results report (even if negative), which describes 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 and one copy sent to the RE.

Noise

42. Prior to issuance of the first building permit, the Final Map shall indicate that sound attenuation measures as indicated on the Tentative Map have been implemented to the Satisfaction of the City Engineer. Specifically, plans shall indicate a solid six-foot-high sound attenuation barrier located at the edge of the residential building pads to reduce noise in exterior usable areas to below 60 dBA CNEL. The barrier shall be solid and continuous with no gaps or openings, except where access is required to the subject property, if applicable.
43. Prior to issuance of issuance of any building permits, a final acoustical report shall be submitted to the Acoustical Plan Check Section (APCS) which includes

measures ensuring that interior noise levels are below 45 CIBA CNEL based on the average daily traffic volumes (ADTs) along Camino del Sur. Construction measures needed to reduce noise levels shall be called out on plans as "Environmental Mitigation Measures." The APCS shall review all residential building plans to ensure that interior levels for the North Cluster along Camino del Sur will not exceed 45 dba CNEL. The Environmental Analysis Section (LAS) of the Land Development Review Division shall not approve any final building plans until EAS, in conjunction with the APCS has reviewed the plans to determine conformance.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.