

RESOLUTION NUMBER R- 299049

ADOPTED ON MAR 30 2004

WHEREAS, Keith B. Rhodes Trustee for Keith B. Rhodes Living Trust and John W. Grus Living Trust, and Fieldstone Communities Inc., Applicants, submitted an application to the City of San Diego for a rezone, planned development permit, site development permit, conditional use permit, and vesting tentative map, street and easement vacations for the Rhodes Crossing Project; 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 MAR 30 2004; and

WHEREAS, the City Council considered the issues discussed in Environmental Impact Report LDR No. 3230; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Environmental Impact Report LDR No. 3230, 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 a rezone, planned development permit, site development permit, conditional use permit, and vesting tentative map, street and easement vacations for the Rhodes Crossing 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.

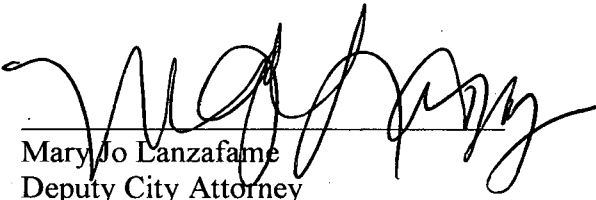
BE IT FURTHER RESOLVED, that pursuant to California Code of Regulations section 15093, the City Council adopts the Statement of Overriding Considerations, a copy of which is on file in the office of the City Clerk and incorporated herein by reference, with respect to the project.

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:cfq
03/04/04
Or.Dept: DSD
R-2004-921

EXHIBIT A

**MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE
RHODES CROSSING PROJECT (PROJECT NO. 3230)**

This Mitigation Monitoring and Reporting Program (MMRP) was prepared for the Rhodes Crossing Project to comply with the mitigation monitoring statute, *Public agency shall adopt monitoring program of mitigation measures and insure their enforceability* (Public Resources Code Section 21081.6). This statute requires public agencies to “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.” This program shall be made a requirement of project approval. Certain changes or alterations (mitigation measures) are required for the Rhodes Crossing Project, as identified in the Environmental Impact Report (EIR) (Project No. 3230, SCH No. 2002121089), to reduce significant environmental effects. For each required mitigation measure, a monitoring and/or reporting element is identified below.

As Lead Agency for the project under CEQA, the City of San Diego (City) will administer the MMRP for the Rhodes Crossing Project. Information contained within this MMRP provides a summary of significant project impacts, and identifies the mitigation measures, the entity responsible for ensuring compliance, conditions required to verify compliance, and the monitoring schedule. Tables and figures referred to in this MMRP can be found in the EIR.

MMRP Deposit

After project approval by the Decisionmaker and prior to issuance of any discretionary approval(s), the applicant shall submit a deposit of \$7,000.00 to the Development Project Manager in Development Services Department to cover the City’s costs associated with implementation of the Mitigation Monitoring and Reporting Program.

A. BIOLOGICAL RESOURCES

1. Prior to the Preconstruction (Precon) Meeting, direct impacts to Diegan coastal sage scrub, chaparral and non-native grassland habitats shall be mitigated to the satisfaction of the City Manager, through one or any combination of the following options: (a) on-site preservation and/or (b) off-site acquisition, as described below.
 - a. The applicant shall preserve 7.40 acres of upland habitat (on-site, to be added to the Multi-Habitat Planning Area [MHPA]) as open space, including existing Tier II and Tier III habitats and areas to be restored to such habitat types; and/or
 - b. The applicant shall acquire and dedicate to the City, interest in property necessary to maintain the land in its existing condition in perpetuity as follows:

- (1) A total of 21.29 acres of Tier III or better habitat located off-site, in the City's MHPA; or
 - (2) A total of 40.38 acres of Tier III or better habitat located off-site, outside of the City's MHPA.
 - c. The applicant shall acquire and dedicate to the City, interest in property necessary to maintain the land in its existing condition in perpetuity a total of 0.18 acre of wetland habitat located off-site, in the City's MHPA. Mitigation for wetland habitats (as well as jurisdictional drainages) is anticipated to take place in the form of habitat preservation and restoration within the McGonigle Canyon wetland habitats mitigation area, which is currently being implemented. Final approval of the wetland mitigation plan shall be determined through consultation with the U.S. Army Corps of Engineers, California Department of Fish and Game and the City. Prior to the Precon Meeting, the applicant shall submit evidence of compliance with Sections 401 and 404 of the Clean Water Act and evidence of compliance with Section 1603 of the State of California Fish and Game Code to the Environmental Review Manager (ERM) of Land Development Review (LDR); such evidence shall include either copies of permits issued, letters of resolutions issued by the responsible agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the City Manager.
 - d. Prior to the issuance of grading permits, the applicant shall provide a final Habitat Management Plan (HMP) to the ERM of LDR and Multiple Species Conservation Program (MSCP) staff for concurrent review and approval. The applicant also shall provide funding as specified in the approved HMP.
2. Prior to Precon Meeting
 - a. LDR Plan Check

Prior to the first Precon Meeting, the ERM of LDR shall verify that the requirements for Biological Monitoring have been noted on the appropriate construction documents.
3. Letters of Qualification Have Been Submitted to ERM
 - a. Prior to the first Precon Meeting, the applicant shall provide a letter of verification to the ERM of LDR stating that a qualified Biologist, as defined in the City's Biological Resources Guidelines, has been retained to implement the following monitoring program.
 - b. At least thirty days prior to the Precon Meeting, a second letter shall be submitted to Mitigation Monitoring Coordination (MMC), which shall

include the name of the Biologist and the name of all persons involved in the biological monitoring of the project.

- c. MMC will provide Plan Check with a copy of both the first and second letter.
4. At least thirty days prior to the Precon Meeting the qualified Biologist shall verify that any special reports, maps, plans and time lines, such as but not limited to, revegetation plans, plant relocation requirements and timing, avian or other wildlife protocol surveys, impact avoidance areas described below, or other such information, have been completed and updated. The biologist should identify pertinent information concerning protection of sensitive resources, such as but not limited to, flagging of individual plants or small plant groups, limits of grade fencing and limits of silt fencing (locations may include 10-foot or less inside the limits of grading, or up against and just inside of the limits of the grade fencing).

Precon Meeting

5. Monitor Shall Attend Precon Meetings

- a. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the Biologist, Biological Monitors, Construction Manager and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Biologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the monitoring program with the Construction Manager and/or Grading Contractor.
- b. If the Biologist is not able to attend the Precon Meeting, the RE or BI, if appropriate, will schedule a focused Precon Meeting for MMC, Environmental Analysis Section (EAS) staff, as appropriate, Monitors, Construction Manager and appropriate Contractor's representatives to meet and review the job on-site prior to start of any work that requires monitoring.

6. Identify Areas to Be Monitored

At the Precon Meeting, the Biologist shall submit to MMC a copy of the site/grading plan (reduced to 11"x17") that identifies areas to be protected, fenced and monitored as well as areas that may require delineation of grading limits.

7. When Monitoring Will Occur

Prior to the start of work, the Biologist shall also submit a construction schedule to MMC through the RE or BI, as appropriate, indicating when and where monitoring is to begin and shall notify MMC of the start date for monitoring.

During Construction

8. Biological Monitor Shall Be Present During Grading/Excavation

- a. The Biological Monitor shall be on site full time during initial grading near the vernal pool complexes and throughout the remaining grading/excavation activities at a minimum frequency of three times per week to ensure that grading limits are observed and shall document activity via the Consultant Site Visit Record. This record shall be sent to the RE or BI, as appropriate, each month. The RE, or BI as appropriate, will forward copies to MMC. The biological monitor shall have the authority to divert work or temporarily stop operations to avoid significant impacts. It is the Construction Manager's responsibility to keep the monitors up-to-date with current plans.
- b. No staging/storage areas for equipment and materials shall be located within or adjacent to habitat retained in open space area; no equipment maintenance shall be conducted within or near adjacent open space.
- c. 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 and deter drainage during construction activities into the adjacent open space.
- d. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of grading. All construction related debris shall be removed off site to an approved disposal facility.

Post Construction

9. The Biologist shall be responsible for ensuring that all field notes and reports have been completed, all outstanding items of concern have been resolved or noted for follow up, and that specialty studies are completed, as appropriate.
10. Within three months following the completion of monitoring, two copies of the Final Biological Monitoring Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of

the Biological Monitoring Program (with appropriate graphics) shall be submitted by the Biologist to the MMC for approval by the ERM of LDR.

11. For any unforeseen additional biological resources impacted during monitoring, the rehabilitation, revegetation or other such follow up action plans shall be included as part of the Final Biological Monitoring Report. Additional mitigation measures may also be required.
12. MMC shall notify the RE of receipt of the Final Biological Monitoring Report.
13. Prior to the first Precon Meeting, the City Manager (or appointed designee) shall verify that the MHPA boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans.

No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the City Manager:

- a. A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall survey those habitat areas within the off-site MHPA that would be subject to construction noise levels exceeding 60 decibels [dB(A)] hourly average for the presence of the coastal California gnatcatcher. Surveys for the coastal California gnatcatcher shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season a minimum of four weeks prior to the commencement of any construction. If gnatcatchers are present offsite within the surveyed portion of the MHPA, then the following conditions must be met:
 - (1) Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted within the MHPA. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and
 - (2) Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied gnatcatcher habitat within the MHPA. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing a current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior

to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

- (3) At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

*Construction noise shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- b. If coastal California gnatcatchers are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the City Manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:
 - (1) If this evidence indicates the potential is high for coastal California gnatcatcher to be present based on historical records or site conditions, then condition a.(3) shall be adhered to as specified above.
 - (2) If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

15. Potential indirect noise impacts to avian species would be addressed through Mitigation Measure 13. In addition, the following Land Use Adjacency Guidelines will be made conditions of project approval:
 - a. Lighting, including temporary security lighting, shall be directed away or shielded from on-site open space and the MHPA.
 - b. Drainage from all developed areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales and/or mechanical trapping devices (see Section 5.7, Hydrology/Water Quality, of the EIR for additional information).
 - c. No non-native plant species shall be introduced into areas adjacent to the MHPA or on-site open space. In addition, no plants included on the California Exotic Pest Plant Council's list of invasive species would be used anywhere on the site.

B. TRANSPORTATION/CIRCULATION

1. The project shall comply with the Torrey Highlands Subarea IV Transportation Phasing Plan.
2. The project shall install eight signals: one at each of the five major access points as well as one at Camino del Sur and Carmel Mountain Road and one at Sedorus Street and Carmel Mountain Road, as indicated on Exhibit A.
3. The applicant shall extend Carmel Mountain Road and Camino del Sur from their current respective termini to their point of intersection (consistent with LDR No. 40-0386 Mitigated Negative Declaration dated May 24, 2001), subject to Facilities Benefit Assessment reimbursement. Subject to pending review and approval (LDR No. 41-0248), the applicant also shall construct Camino del Sur from its intersection with Camino del Sur to the southern property line.
4. The applicant shall contribute fair-share financing for transportation facilities.
5. If determined to be necessary based on traffic and/or engineering study, validation of petition by abutting property owners, and approval by the Peñasquitos Community Planning Board and the City, the applicant shall construct speed bumps, a chicane and/or road closure facilities where determined necessary along Sundance Avenue.

C. NOISE

1. Prior to the Precon Meeting, the ERM of LDR shall verify that the requirement for "Noise Mitigation" has been noted on the appropriate construction documents as part of the Building Plan Check process.
2. Prior to the Precon Meeting, the City Engineer shall verify that building restricted easements are shown on the appropriate construction documents for Units 1 and 7 in accordance with the Tentative Map (see Figure 5.4-4 of the EIR), as part of the Building Plan Check process.
3. Prior to the issuance of any building permit, a final acoustical report shall be submitted to the Acoustical Plan Check Section (APCS) which includes measures ensuring that noise generated by mechanical equipment at Majors '2', '3' and '4' would not result in the noise level in exterior usable areas exceeding 65 dB(A) CNEL. EAS shall not approve any final building plans until the APCS has reviewed the plans to determine conformance with all applicable Municipal Code requirements.
4. Prior to the issuance of any building permit, a final acoustical report shall be submitted to APCS which includes measures ensuring that interior noise levels are below 45 dB(A) CNEL based on average daily traffic volumes (ADTs) along SR 56, Carmel Mountain Road and Camino del Sur. Specifically, the report shall address interior noise levels for single-family lots 1-6, 17-26, 28, 29, 35, 36, 38-50, 64-77, 95-103, 112 and 114, as well as portions of the multi-family developments located adjacent to these roadways, as illustrated on Figure 5.4-6 of the EIR. EAS shall not approve any final building plans until the APCS has reviewed the plans to determine conformance with all applicable Municipal Code requirements.
5. Prior to issuance of the Certificate of Occupancy, the applicant shall incorporate sound attenuation measures as indicated on the Tentative Map, and as described in the Environmental Noise Assessment dated March 14, 2003 and Addendum dated October 31, 2003 (Appendix D of the EIR) to the satisfaction of the City Engineer. All 5- to 14-foot high sound attenuation barriers as depicted in the Environmental Noise Assessment and on the approved Tentative Map to reduce noise in exterior usable areas to below 65 dB(A) CNEL shall be completed. The use of transparent materials, such as acrylic panels, is acceptable. Figures A-4 and 5.4-4 of the EIR depict the barrier locations and minimum heights. The approximate location of the mitigated 65 dB(A) CNEL first floor noise contour is depicted on Figure 5.4-5 of the EIR.

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D. HISTORICAL RESOURCES

As a condition of project approval, the applicant is required to conduct an Archaeological Data Recovery Program (ADRP) to mitigate impacts to archaeological site CA-SDI-13078/6045 as follows:

Prior to Precon Meeting

1. LDR Plan Check
 - a. Prior to the Precon Meeting, or issuance of a Notice to Proceed (NTP) or any permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the ERM of LDR shall verify that the requirements for the ADRP have been noted on the appropriate construction documents.

2. Letters of Qualification have been submitted to ERM
 - a. Prior to the Precon Meeting, recordation of the first final map, NTP, and/or, including but not limited to, issuance of a Grading Permit, Demolition Permit or Building Permit, the applicant shall provide a letter of verification to the ERM of LDR stating that a qualified Archaeologist, as defined in the City's Historical Resources Guidelines, has been retained to implement the ADRP. **If applicable, individuals involved in the archaeological program must have completed the 40-hour HAZWOPER training with certification documentation. ALL PERSONS INVOLVED IN THE ADRP AND MONITORING OF THIS PROJECT SHALL BE APPROVED BY ERM OF LDR PRIOR TO THE START OF THE PROJECT.**
 - b. A Native American Monitor, if applicable, shall be present during initial excavation/grading of undisturbed ground. In the event that cultural features or human remains are found, the procedures set forth in Section 4 shall be implemented.

Precon Meeting

1. Qualified Archaeologist Shall Attend Precon Meetings
 - a. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the Archaeologist, Construction Manager and/or Grading Contractor, RE, BI if appropriate, and MMC. The qualified Archaeologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the ADRP with the Construction Manager and/or Grading Contractor.

- b. If the Monitor is not able to attend the Precon Meeting, the RE or BI, if appropriate, will schedule a focused Precon Meeting for MMC, EAS staff, as appropriate, Monitors, Construction Manager and appropriate Contractor's representatives to meet and review the job on-site prior to start of any work that requires monitoring.

2. Identify Areas Involved in ADRP

- a. At the Precon Meeting, the Archaeologist shall submit to MMC a copy of the site/grading plan (reduced to 11"x 17") that identifies areas involved in the ADRP as well as areas that may require delineation of grading limits.
- b. Prior to the issuance of grading permits or NTP, the area involved in the ADRP shall be surveyed, staked and flagged by the qualified archaeologist as defined above.

3. When ADRP Will Occur

- a. Prior to the start of work, the Archaeologist shall also submit a construction schedule to MMC through the RE or BI, as appropriate, indicating when and where the ADRP is to begin and shall notify MMC of the start date for work.

4. ADRP Implementation

- a. Prior to the issuance of grading permits or NTP, the owner/permittee shall implement the ADRP detailed in the Data Recovery Plan prepared by Kyle Consulting (March 2003), satisfactory to the City Manager. The ADRP shall include the following three-phased excavation program in which a minimum of 15% of the area to be impacted shall be excavated.
- b. Following the data recovery excavations, the areas to be impacted shall be mechanically excavated under the direction of the qualified historical archaeologist to recover any additional cultural features and/or artifact concentrations using standard archaeological procedures.

5. Human Remains

- a. If human remains are discovered, work shall halt in that area and the following procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) will be taken:
 - b. Notification

- (1) Archaeological Monitor shall notify the RE or BI as appropriate, MMC and the PI if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the EAS.
- (2) The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

c. Isolate Discovery Site

- (1) Work will be redirected from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
- (2) The Medical Examiner, in consultation with the PI, shall determine the need for a field examination to determine the provenience.
- (3) If a field examination is not warranted, the Medical Examiner shall determine, with input from the PI, if the remains are or are most likely to be of Native American origin.

d. If Human Remains are Determined to be Native American

- (1) The Medical Examiner shall notify the Native American Historic Commission (NAHC). By law, **ONLY** the Medical Examiner can make this call.
- (2) The NAHC will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination.
- (3) NAHC will identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
- (4) The PI will coordinate with the MLD for additional coordination.
- (5) Disposition of Native American human remains will be determined between the MLD and the PI, **IF**:
 - (a) The NAHC is unable to identify the MLD, **OR** the MLD failed to make a recommendation within 24 hours after being notified by the Commission; **OR**
 - (b) The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94(k) by the NAHC fails to provide measures acceptable to the landowner, the landowner or their authorized

representative shall re-inter the human remains and all associated grave goods with appropriate dignity, on the property in a location not subject to subsurface disturbance. Information on this process will be provided to the NAHC.

e. If Human Remains are **NOT** Native American

- (1) The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- (2) The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- (3) If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for reinterment of the human remains shall be made in consultation with MMC, EAS, the land owner and the Museum of Man.

6. Notification of Completion of ADRP

- a. The Archaeologist shall notify MMC and the RE or the BI, as appropriate, in writing of the end date of the ADRP.

Post Construction

1. Handling and Curation of Artifacts and Letter of Acceptance

- a. 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.
- b. Curation of artifacts associated with the survey, testing and/or data recovery for this project shall be completed in consultation with LDR and the Native American representative, as applicable.

2. Final Results Reports (Monitoring and Research Design And Data Recovery Program)

- a. Prior to the release of the grading bond, two copies of the Final Results Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the ADRP (with

appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR.

- b. MMC shall notify the RE or BI, as appropriate, of receipt of the Final Results Report.

3. Recording Sites with State of California Department of Park and Recreation

- a. The Archaeologist shall be responsible for updating the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B associated with the ADRP in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Results Report.

4. Handling and Curation of Artifacts and Letter of Acceptance

- a. The archaeologist shall be responsible for ensuring that all cultural materials and associated records collected during the initial archaeological survey and evaluation phase, implementation of the ADRP and as a result of construction related excavation shall be 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 and to allow a comparison with previous nearby studies; that faunal material is identified as to species, and that specialty studies shall be completed, as appropriate, including obsidian hydration and sourcing analysis, protein residue studies and radiocarbon dating.
- b. Curation of artifacts associated with this program shall be completed in consultation with LDR and the Native American representative, as appropriate.

5. On completion of the ADRP and prior to issuance of grading permits, the qualified archaeologist shall attend a second Precon Meeting to make comments and/or suggestions concerning the proposed grading process.

E. AESTHETICS/VISUAL RESOURCES/COMMUNITY CHARACTER

1. Prior to the issuance of grading permits, the applicant shall provide grading and/or landscape plans to the ERM of LDR for review and approval. These plans shall include articulation/detailing and enhanced landscaping of the seven-foot tall sound wall adjacent to Camino del Sur.

F. HYDROLOGY/WATER QUALITY

1. Prior to issuance of any grading permits, the applicant shall indicate on plans that the existing 18-inch storm drain pipeline located in Unit 3 (and along and adjacent to Camino del Sur) with a 50-year capacity of 10.5 cubic feet per second (cfs) shall be modified to accommodate the projected existing plus project flow of 14.7 cfs through either increasing the pipeline size (and capacity) or reconstructing the existing pipeline at a steeper slope.

Project construction and long-term operation would require the implementation of water quality control measures, pursuant to requirements in the National Pollution Discharge Elimination System (NPDES) General Construction Activity, Groundwater Extraction Waste Discharges (if applicable) and Municipal permits, as well as the City Storm Water Standards/Standard Urban Storm Water Mitigation Plan (SUSMP). While final requirements would be determined by applicable regulatory agencies (including the City) and the project applicant (and/or contractor) as part of the permit process, they will likely include (but not be limited to) the following types of measures identified in the project Water Quality Technical Report (Appendix F of the EIR) and the City Storm Water Standards/SUSMP, as well industry standard sources such as the San Diego County Association of Resource Conservation Districts (1998), California Stormwater Quality Association (2003) and the California Department of Transportation (Caltrans 2000):

General

2. Prior to the issuance of any grading permit, the City Engineer shall verify that comprehensive permanent post-construction water quality Best Management Practices (BMPs) consistent with those described below and in the project Water Quality Technical Report (Appendix F of the EIR) are incorporated into the construction drawings to reduce the amount of pollutants (e.g., oil and grease, heavy metals) and sediments discharged from the site. Equivalent alternative technologies may be approved as BMPs by the City Engineer in lieu of, or in addition to, those described above and in Appendix F of the EIR. All permanent BMPs shall be maintained in accordance with the applicable manufacturer's specifications. Spot checks may be conducted by the City Engineer to ensure that BMPs are being properly maintained.

Construction-related Hazardous Materials

3. Paving operations shall be restricted during wet weather.
4. Erosion prevention and sediment control devices similar to those described in Section 5.8, Geotechnical Conditions, of the EIR shall be used downstream of paving activities.

5. Proper containment and disposal of paving and drilling wastes or slurry (e.g., from concrete truck washouts) shall be provided through measures such as use of portable (and impermeable) sumps, and off-site disposal in an approved location.
6. The amount of hazardous materials stored on site at any given time shall be limited to the minimum amount necessary, and storage areas shall be located at least 50 feet from storm drains and water courses.
7. Covered and/or enclosed storage facilities shall be used for hazardous materials, and accurate and up-to-date written material inventories shall be maintained at all times.
8. Hazardous materials shall be stored off the ground surface (e.g., on pallets) and in their original containers, with the legibility of labels protected (or replaced if labels are damaged).
9. Berms, ditches and/or impervious liners (or other applicable containment methods) shall be used in hazardous material use/storage and vehicle/equipment maintenance and fueling areas to provide a containment volume of 1.5 times the volume of all stored materials and prevent discharge in the event of a spill.
10. Warning/information signs shall be placed in areas of hazardous material use or storage to identify the types of materials present, as well as applicable use restrictions and containment/clean-up procedures.
11. Drainages and storm drains (or other appropriate locations) shall be clearly marked (e.g., with warning signs) to discourage inappropriate hazardous material disposal.
12. Safety training in the proper use and handling of hazardous materials and appropriate actions to take in the event of a spill shall be provided for applicable employees.
13. Readily accessible absorbent and clean-up materials shall be stored in applicable locations on site (e.g., hazardous material storage and vehicle/equipment maintenance areas).
14. Hazardous waste, trash and wastewater facilities shall be properly designed, located and maintained, including efforts such as removal/disposal by licensed operators in accordance with all applicable legal requirements.
15. Regulatory agency telephone numbers and a summary guide of clean-up procedures shall be posted in a conspicuous location at or near the job site

trailer (or other applicable location).

16. Hazardous material use/operation activities and facilities shall be regularly inspected and maintained to ensure proper working order.
17. A Storm Water Sampling and Analysis Strategy program shall be implemented pursuant to applicable NPDES requirements.

Disposal of Extracted Groundwater

18. Erosion prevention and sediment control devices similar to those described in Section 5.8, Geotechnical Conditions, of the EIR shall be employed for disposal of extracted groundwater, if applicable (e.g., if discharged onto graded or unstabilized areas).
19. Extracted groundwater shall be tested for contaminants prior to discharge if required by applicable regulatory agencies.
20. Filtering of groundwater prior to discharge (e.g., with gravel and filter fabric media) shall be used if appropriate (i.e., if applicable contaminants are present).
21. Extracted groundwater shall be treated prior to discharge (e.g., by conveyance to a municipal wastewater treatment plant) if required by applicable regulatory agencies.
22. Contaminated groundwater shall be removed from the site by a licensed operator for treatment and disposal if required by applicable regulatory agencies.

Long-term Operational Impacts

23. Existing open space shall be retained within the site wherever feasible, including all vernal and road pools and associated watersheds (refer to Section 5.2 of the EIR).
24. Native habitat restoration and project landscaping shall be installed as soon as feasible in applicable portions of the site. Landscaped areas on steep hillsides disturbed by project activities shall incorporate deep-rooted, drought-tolerant species in accordance with Chapter 14 (Landscape Standards) of the Land Development Code. Irrigation for project landscaping shall be minimized and controlled where applicable through efforts such as designing irrigation systems to match landscaping water needs, using sensor devices to prevent irrigation during and after precipitation, and using automatic flow reducers/shut off valves that are triggered by a drop in water pressure from broken sprinkler heads or pipes.

25. The amount of pervious surface within the project site has been maximized by the amount of proposed landscape and open space areas (approximately 58 acres). In addition, the amount of pervious surface (and associated infiltration and storm water filtering) within the site shall be increased where feasible by the use of permeable pavement ("grasscrete/turf block") in all appropriate locations within proposed multi-family development sites.
26. A detention basin shall be installed in Unit 9 (northwest of Eclipse Road) as shown in the project Water Quality Technical Report and Preliminary Drainage Study (Appendix F of the EIR). This basin shall be designed to accommodate approximately 5.5 cfs of runoff originating in Unit 9 and portions of the adjacent existing (offsite) development (i.e., along Eclipse Road).
27. Energy dissipation devices (e.g., riprap aprons) shall be installed downstream of drainage outlet points to reduce flow velocities prior to off-site discharge.
28. A vegetation-lined swale shall be installed at the outlet point for Units 1 and 6 to filter runoff prior to off-site discharge. As described in the project Water Quality Technical Report (Appendix F of the EIR), the swale shall measure approximately 225 feet long, 12 feet wide (bottom width) and 0.3 foot deep, and would be planted with appropriate vegetation (such as suitable turf varieties) and maintained to maximize storm water filtering efficiency.
29. Vegetation strips shall be installed between sidewalks and paved streets on public roadways to provide initial filtering of associated runoff prior to entering the project storm drain system.
30. Drainage from applicable proposed development areas shall be appropriately routed into underground storm drain systems within the large on-site roadways that would be constructed prior to or concurrent with the proposed project (i.e., SR 56, Camino del Sur and Carmel Mountain Road). As described in the project Drainage and Water Quality Technical Reports (Appendix F of the EIR), it is assumed that these roadways would include storm water treatment devices (e.g., in-line filtering) that are separate and apart from the treatment facilities within the project development areas, and that these devices would be adequate to accommodate runoff from the large roadways.
31. The project development areas shall include separate storm water devices adequate to accommodate runoff from the proposed project site.
32. "Continuous separation chamber" (CDS®) or equivalent units shall be installed on private property at the outlet points for Units 7, 8 and 10 as described in the project Water Quality Technical Report (with associated monitoring and maintenance efforts conducted by the project owners and/or occupants as noted below). These units shall conform with applicable

numeric sizing criteria, and shall be equipped with facilities to provide removal of both particulate material (i.e., a diversion structure and a separation chamber containing a screen and sump), as well as sorbent materials to remove hydrocarbons (i.e., oil and grease) from the storm water stream. Storm water flow would be channeled (via the diversion structure) into the separation chamber, where sediment, debris and associated contaminants are deflected by the screen (while water passes through), and hydrocarbons are removed by the sorbent material. Treated water is returned to the storm water conveyance system, while “deflected” materials settle in the sump for periodic removal (e.g., by vacuum truck). Specific maintenance efforts for the CDS® units shall include annual inspections and power washing of the screens, inspection after the first major seasonal storm, removal of captured materials when the sump is two-thirds to three-quarters full, and periodic removal/replacement of sorbent materials per manufacturer’s specifications.

33. All proposed storm drain inlets shall include warning stencils and tiles, pursuant to current City guidelines. Inlet fossil filters shall be installed at appropriate inlets in Units 2a, 2b, 3a, 3b, 4, 5 and 11 as described in the project Water Quality Technical Report (Appendix F of the EIR). These filters shall be designed to conform with applicable numeric sizing requirements, and shall be located on private property (with associated monitoring and maintenance efforts conducted by the project owners and/or occupants as noted below).
34. Litter control efforts shall be implemented, and may include (but not be limited to) weekly trash removal by a licensed waste management company and provision of covered dumpster enclosures in applicable areas (e.g., commercial or multi-family development).
35. Weekly mechanical sweeping of private drives shall be implemented to remove accumulated particulates and associated (i.e., adsorbed) contaminants before they are picked up by site runoff.
36. A greenwaste management and recycling program shall be implemented to keep organic materials (such as grass clippings) out of site runoff.
37. Integrated Pest Management Principles shall be implemented for chemical pesticides, herbicides and fertilizers, through (for example) alternative weed/pest control measures (e.g., hand removal) and proper application techniques in landscaped areas (e.g., conformance with manufacturer specifications and legal requirements).
38. Commercial and multi-family areas shall include enclosed storage (e.g., a shed or cabinet) for hazardous material sites with the potential to contaminate runoff. Such enclosures (if required) shall be located on a paved surface and be equipped with secondary containment such as a berm or curb.

39. Trash storage/enclosure areas within commercial and multi-family sites shall be screened, equipped with attached lids, covered with a roof or awning and located on an impervious surface. Final location and design parameters for trash storage/enclosure areas shall be identified during the City building permit process.
40. Commercial loading/unloading dock areas shall be covered or shall otherwise preclude urban run-on and runoff. Loading/unloading areas shall also be equipped with appropriate (i.e., per City and/or other regulatory guidelines) facilities to contain and treat contaminated flows. Direct connections to storm drains from commercial loading/unloading docks shall be prohibited.
41. Maintenance bays shall be contained indoors or designed to preclude urban run-on and runoff, and shall include a drainage system to collect wash water, leaks and spills. Direct connections to storm drains from maintenance bays shall be prohibited.
42. Vehicle wash areas shall be self-contained to preclude urban run-on and runoff, shall be covered with a roof or overhang, and shall be equipped with a clarifier pretreatment facility pursuant to City guidelines. Drainage from vehicle wash areas shall be properly conveyed to a sanitary sewer system.
43. Outdoor processing areas shall be covered, equipped with a clarifier pretreatment facility pursuant to City guidelines, separated from adjacent areas (e.g., with a berm) and properly connected to a sanitary sewer system. Direct connections to storm drains from outdoor processing areas shall be prohibited.
44. Non-retail fueling areas shall be paved with Portland cement concrete or an equivalent surface. Paved areas shall extend 6.5 feet from the corner of each fuel dispenser, or the length at which the hose and nozzle may be operated plus one foot, whichever is less. The paved surface shall be sloped to prevent ponding, separated from the rest of the site by a grade break to prevent run-on, and designed to drain towards treatment control BMPs prior to discharging to the storm drain system. Non-retail fueling areas shall also be covered with a roof or canopy that is equal to or greater in size than the fueling area, and is designed not to drain onto or across fuel dispensing areas.
45. Regular monitoring and maintenance of applicable facilities and programs shall be implemented to ensure proper working conditions, as described in the project Water Quality Technical Report (Appendix F of the EIR). Monitoring and Maintenance activities shall be the responsibility of the project site owner(s), homeowners' association, management entity and/or a commercial property owners' or tenants' association (as appropriate).

G. GEOTECHNICAL CONDITIONS

Project construction activities would require the implementation of erosion prevention and sediment control measures, pursuant to requirements in the NPDES General Construction Activity and/or Groundwater Extraction Waste Discharges permits. While final short- and long-term erosion and sedimentation requirements would be determined by applicable regulatory agencies (including the City) and project applicant (and/or contractor) as part of the permit process, they will likely include (but not be limited to) the following types of measures identified in the project Water Quality Technical Report (Appendix F of the EIR) as well as industry standard sources such as the San Diego County Association of Resource Conservation Districts (1998), Regional Water Quality Control Board (1999), Stormwater Quality Task Force (1993) and the California Department of Transportation (Caltrans 2000):

1. Open space within the site shall be retained where feasible.
2. A phased construction schedule shall be used to minimize the extent of grading at any given time to the maximum extent feasible.
3. Native habitat restoration and landscaping shall be implemented in applicable portions of the site as soon as feasible after construction.
4. Permeable pavement ("grasscrete") shall be used in applicable portions of the site.
5. A permanent detention basin shall be installed and properly maintained for the specified drainage area in the southern portion of the site (Unit 9) encompassing approximately seven cfs.
6. Energy dissipation devices (e.g., riprap aprons) and a vegetation-lined swale shall be installed downstream of appropriate drainage outlet points to reduce flow velocities and filter runoff prior to off-site discharge. The proposed vegetation-lined swale is located at the outlet point for Units 1 and 6; measures approximately 225 feet long, 12 feet wide (bottom width) and 0.3 foot deep; and would be planted with appropriate vegetation (such as suitable turf varieties) and maintained to maximize storm water filtering efficiency.
7. Erosion prevention and sediment control devices including (but not limited to) soil binders (e.g., bonded fiber matrix), mulching, secured (staked) fiber rolls, silt fence, temporary sediment basins, gravel bag barriers, temporary hydroseeding and gravel check dams shall be used to stabilize graded areas in appropriate locations (particularly slopes).
8. Construction and grading shall be avoided during the rainy season (October 1 to April 30) when feasible. No grading shall occur between October 1 and April 30 unless an erosion control system has been made a part of the grading

- plans to the satisfaction of the City Engineer. Authorized grading conducted during the rainy season shall employ erosion control measures on manufactured slopes including (but not limited to) artificial ground cover, hay bales and catch basins to retard the rate of runoff, erosion and sedimentation. Erosion control BMPs shall be installed prior to the rainy season, and a "weather triggered" (i.e., 40 percent or greater chance of rain) action plan to inspect and upgrade BMPs shall be implemented, as necessary, prior to storm events.
9. Gravel bag barriers and storm drain inlet filters shall be used to minimize the influx of sediment into existing storm drains.
 10. Construction ingress/egress points shall be stabilized (e.g., through temporary paved or graveled areas with minimum 50- by 20-foot dimensions), construction vehicles shall be washed in contained sumps prior to leaving the site and daily sweeping/vacuuming of paved areas shall be conducted until construction is complete.
 11. Construction wastes and debris shall be properly stored/contained, and shall be removed and properly disposed of on a daily basis.
 12. Temporary covers (or other stabilizing methods) and containment barriers (e.g., berms or ditches) shall be used for all sediment/material stockpiles, and properly fitted covers shall be used for all sediment transport vehicles.
 13. Temporary berms, swales, check dams, slope/terrace drains and/or brow ditches shall be used to direct run-on and runoff.
 14. Regular monitoring and maintenance of project erosion control and drainage facilities shall be conducted to ensure proper working order.
 15. Terraced or irregular surfaces and rock or brush filters shall be used on manufactured slopes.
 16. Dust control shall be implemented through sediment stockpile and transport vehicle control (as noted above), regular watering or use of soil binders, restriction of grading during high winds, paving or gravelling construction roads, use of speed limits in unpaved areas and phasing of grading/excavation.

H. PALEONTOLOGICAL RESOURCES

Prior to Precon Meeting

1. LDR Plan Check

Prior to the issuance of an NTP or any permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the ERM of LDR shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

2. Letters of Qualification Have Been Submitted to ERM

Prior to the recordation of the first final map, NTP, and/or, including but not limited to, issuance of a Grading Permit, Demolition Permit or Building Permit, the applicant shall provide a letter of verification to the ERM of LDR stating that a qualified Paleontologist, as defined in the City's Paleontological Guidelines, has been retained to implement the monitoring program.

3. Second Letter Containing Names of Monitors Has Been Sent to MMC

a. At least thirty days prior to the Precon Meeting, a second letter shall be submitted to MMC, which shall include the name of the Principal Investigator (PI) and the names of all persons involved in the Paleontological Monitoring of the project.

b. MMC will provide Plan Check with a copy of both the first and second letter.

4. Records Search Prior to Precon Meeting

At least thirty days prior to the Precon meeting, the qualified Paleontologist shall verify that a records search has been completed, and updated as necessary, and be prepared to introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities. Verification includes, but is not limited to, a copy of a confirmation letter from the San Diego Natural History Museum, other institution, or, if the record search was in-house, a letter of verification from the PI stating that the search was completed.

Precon Meeting

5. Monitor Shall Attend Precon Meetings

- a. Prior to beginning of any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the Paleontologist, Construction Manager and/or Grading Contractor, RE, BI and MMC. The qualified Paleontologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring Program with the Construction Manager and/or Grading Contractor.
- b. If the Monitor is not able to attend the Precon Meeting, the RE, or BI as appropriate, will schedule a focused Precon Meeting for MMC, Monitors, Construction Manager and appropriate Contractor's representatives to meet and review the job on-site prior to start of any work that requires monitoring.

6. Identify Areas to be Monitored

At the Precon Meeting, the Paleontologist shall submit to MMC a copy of the site/grading plan (reduced to 11"x17") that identifies areas to be monitored.

7. When Monitoring Will Occur

Prior to the start of work, the Paleontologist also shall submit a construction schedule to MMC through the RE, or BI, as appropriate, indicating when and where monitoring is to begin and shall notify MMC of the start date for monitoring.

During Construction

8. Monitor Shall be Present During Grading/Excavation

- a. The qualified Paleontologist shall be present fulltime during the initial cutting of previously undisturbed formations with high and moderate resource sensitivity, and shall document activity via the Consultant Site Visit Record (form). This record shall be faxed to the RE, or BI as appropriate, and MMC each month.

9. Discoveries

a. Minor Paleontological Discovery

In the event of a minor Paleontological discovery (small pieces of broken common shell fragments or other scattered common fossils) the Paleontologist shall notify the RE, or BI as appropriate, that a minor discovery has been made. The determination of significance shall be at the discretion of the qualified Paleontologist. The Paleontologist will continue to monitor the area and immediately notify the RE, or BI as appropriate, if a potential significant discovery emerges.

b. Significant Paleontological Discovery

In the event of a significant Paleontological discovery, and when requested by the Paleontologist, the City RE, or BI, as appropriate, shall be notified and 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 PI level evaluation responsibilities shall also immediately notify MMC staff of such finding at the time of discovery. MMC staff will coordinate with appropriate LDR staff.

10. Night Work

a. If night work is included in the contract:

(1) When night work is included in the contract package, the extent and timing shall be presented and discussed at the Precon Meeting.

(2) The following procedures shall be followed:

(a) No Discoveries

In the event that nothing was found during the night work, the PI will record the information on the Site Visit Record Form.

(b) Minor Discoveries

All minor discoveries will be processed and documented using the existing procedures under **During Construction 9.a.**, with the exception that the RE will contact MMC by 9 A.M. the following morning.

(c) Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures under **During Construction 9.b.**, will be followed, with the exception that the RE will contact MMC by 8 A.M. the following morning to report and discuss the findings.

b. If night work becomes necessary during the course of construction:

(1) The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

(2) The RE, or BI, as appropriate, will notify MMC immediately.

c. All other procedures described above will apply, as appropriate.

11. Notification of Completion

The Paleontologist shall notify MMC and the RE, or BI as appropriate, of the end date of monitoring.

Post Construction

The Paleontologist shall be responsible for preparation of fossils to a point of curation as defined by the City's Paleontological Guidelines.

12. Submit Letter of Acceptance From Local Qualified Curation Facility

The Paleontologist shall be responsible for submittal of a letter of acceptance to ERM of LDR from a local qualified curation facility. A copy of this letter shall be forwarded to MMC.

13. If Fossil Collection is Not Accepted, Contact LDR for Alternatives

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. MMC shall be notified in writing of the situation and resolution.

14. Recording Sites with San Diego Natural History Museum

The Paleontologist shall be responsible for the recordation of any discovered fossil sites at the San Diego Natural History Museum.

15. Final Results Report

- a. Prior to the release of the grading bond, two copies of the Final Results Report (even if negative), which describes the results, analysis and conclusions of the above Paleontological Monitoring Program (with appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR.
- b. MMC shall notify the RE or BI, as appropriate, of receipt of the Final Results Report.

I. UTILITIES

1. Prior to approval of Final Maps, the City Engineering Department shall review the water distribution plans to ensure their consistency with water distribution plans approved for Torrey Highlands by the City.
2. The proposed project shall comply with the construction timing and funding requirements established in the approved Facilities Benefits Assessment for the Carmel Mountain Road Water Pipeline and the Carmel Valley Road Trunk Sewer. The applicant shall also pay its fair share of other on- and off-site water and sewer facility improvements necessary to serve the proposed project, as identified in the City's Water Master Plan, the Facilities Benefit Assessment, or during City review of proposed Tentative Maps.
3. The applicant shall comply with the water conservation measures specified in Section 5.3 of the *Torrey Highlands Subarea Plan*.

4.

Prior to the preconstruction (precon) meeting:

LDR Plan Check - Prior to the issuance of any permit for project development, the Environmental Review Manager (ERM) shall verify that the all the requirements of the waste management plan have been shown and/or noted on the Demolition and/or Grading Plans (construction documents).

- 1) Prior to issuance of a demolition permit, the permittee shall be responsible to arrange a preconstruction meeting. This meeting shall be coordinated with Mitigation Monitoring Coordination (MMC) to verify that implementation of the waste management plan shall be performed in compliance with the plan approved by LDR and the San Diego Environmental Services Department (ESD), to ensure that impacts to solid waste facilities are mitigated to below a level of significance.

- 2) The plan (construction documents) shall include the following elements for grading, construction, and occupancy phases of the project as applicable:
 - a) tons of waste anticipated to be generated,
 - b) material type of waste to be generated,
 - c) source separation techniques for waste generated,
 - d) how materials will be reused on-site,
 - e) name and location of recycling, reuse, or landfill facilities where waste will be taken if not reused on-site,
 - f) a "buy recycled" program,
 - g) how the project will aim to reduce the generation of construction/demolition debris,
 - h) a plan of how waste reduction and recycling goals will be communicated to subcontractors.
 - i) a time line for each of the three main phases of the project as stated above.
- 3) The plan shall strive for a goal of 50% waste reduction.
- 4) The plan shall include specific performance measures to be assessed upon the completion of the project to measure success in achieving waste minimization goals. The Permittee shall notify MMC and ESD when:
 - a) A construction permit is issued.
 - b) When construction begins.
 - c) The permittee shall arrange for progress inspections, and a final inspection, as specified in the plan and shall contact both MMC and ESD to perform these periodic site visits during construction to inspect the progress of the project's waste diversion efforts.
 - d) When demolition ends.
- 5) Prior to the issuance of a grading permit, the applicant shall receive approval from the Environmental Review Manager that the waste management plan has been prepared, approved, and implemented. Also prior to the issuance of the grading permit, the applicant shall submit evidence to the ERM that the final Demolition/Construction report has been approved by EAS and ESD. This report shall summarize the results of implementing the above Waste Management Plan elements, including: the actual waste generated and diverted from the project, the waste reduction percentage achieved, and how that goal was achieved, etc.

Preconstruction meeting

- 1) At least thirty days prior to beginning any work on the site, demolition and/or grading, for the implementation of the MMRP, the Permittee is

responsible to arrange a Preconstruction Meeting that shall include: the Construction Manager or Grading Contractor); MMC; and ESD and the Resident Engineer (RE), if there is an engineering permit.

- 2) At the Preconstruction Meeting, The Permittee shall submit Three (3) - reduced copies (11"x17") of the approved waste management plan, to MMC (2) and ESD (1).
- 3) Prior to the start of demolition, the Permittee / the Construction Manager shall submit a construction schedule to MMC and ESD.

During Construction

The Permittee/ Construction Manager shall call for inspections by both MMC and ESD who will periodically visit the construction site to verify implementation of the waste management plan.

Post Construction

- 1) After completion of the implementation of the MMRP, a final results report shall be submitted to MMC to coordinate the review by the ERM and ESD.
- 2) Prior to final clearance of any demolition permit, issuance of any grading or building permit, release of the grading bond and/or issuance of Certificate of Occupancy, the applicant shall provide documentation that the ERM of LDR and the ESD, that the waste management plan has been effectively implemented.

J. PUBLIC SERVICES

1. The project shall pay approved fees for regional facilities including fire stations and law enforcement facilities.

K. RECREATION

1. The project shall pay approved fees for regional facilities including community parks.