

RESOLUTION NUMBER R- 299670

ADOPTED ON SEP 21 2004

WHEREAS, on February 2, 2002, Pardee Homes submitted an application to the City of San Diego for a vesting tentative map (with street and easement vacations), site development permit, 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 September 21, 2004; and

WHEREAS, the City Council considered the issues discussed in Findings to Master Environmental Impact Report LDR No. 96-7918; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Findings to Master Environmental Impact Report LDR No. 96-7918 (Project No. 2692), 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 vesting tentative map (with street and easement vacations), site development permit, and planned development permit for the Pacific Highlands Ranch, Units 17-22A Project.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21157.1 and California Code of Regulations section 15177, 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 project specific 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, as Exhibit "A," 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
08/26/04
Or.Dept:DSD
R-2005-222

EXHIBIT A
MITIGATION MONITORING AND REPORTING PROGRAM
PACIFIC HIGHLANDS RANCH UNITS 17-22A
VESTING TENTATIVE MAP NO. 4653 (with Street and Easement Vacations), SITE
DEVELOPMENT PERMIT, AND PLANNED DEVELOPMENT PERMIT
LDR NO. 420084, Project No. 2692

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 Findings to Master Environmental Impact Report No. 96-7918 and 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 Findings to Master Environmental Impact Report (MEIR No. 96-7918) shall be made conditions of VESTING TENTATIVE MAP No. 4653 (with Street and Easement Vacations), SITE DEVELOPMENT PERMIT No. 4652, and PLANNED DEVELOPMENT PERMIT No. 4651 as may be further described below.

General Measures

1. After project approval and prior to recordation of the permit, the owner/permittee shall deposit \$3,200.00 with the Environmental Analysis Section [EAS] of the Development Services Department to cover the City's costs associated with ensuring the implementation of the Mitigation, Monitoring and Reporting Program [MMRP].
2. Prior to issuance of any grading permits, the Environmental Review Manager [ERM] of the City's Land Development Review Division [LDR] shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading, *Environmental Requirements*: "The Pacific Highlands Ranch- Units 17-22A Project is subject to a Mitigation Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the environmental document Findings to Master EIR No. 96-7918 (Project No. 2692). The project is conditioned to include the monitoring of grading operations by a biologist, a qualified expert (in erosion control), and a paleontologist, as outlined in said document."
3. Prior to issuance of any grading permits, the owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the City Field Resident Engineer [RE], the monitoring biologist and paleontologist, and staff from the City's Mitigation Monitoring and Coordination [MMC] Section.

Biological Resources

4. Following recordation of the final map and prior to the issuance of the first building permit (except any building permits issued for model homes), the ERM of LDR shall verify that the following impacts specific to the Pacific Highlands Ranch Units 17-22A project are mitigated in accordance with the requirements of the Pacific Highland Ranch Subarea Plan Master EIR (LDR No. 96-7918); as described in Table 1 (Upland Mitigation Requirements) and Table 2 (Wetland Mitigation Requirements) below:

**Table 1
Upland Mitigation Requirements**

Upland Vegetation Type	MSCP Tier	Impacts Inside MHPA (acres)	Mitigation Ratio (Impacts Inside MHPA: Mitigation Inside MHPA)	Impacts Outside MHPA (acres)	Mitigation Ratio (Impacts Outside MHPA : Mitigation Inside MHPA)	Total Required Mitigation (acres)
Southern Maritime Chaparral	I	2.51	2:1	6.33	1:1	11.35
Chamise Chaparral	IIIA	0.16	1:1	0.04	1:0.5	0.18
Chaparral	IIIA	0.16	1:1	0.04	1:0.5	0.18
TOTAL	-	2.99	-	6.45	-	11.71

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

**Table 2
Wetland Mitigation Requirements**

Wetland Vegetation Type	Impacts Inside MHPA (acres)	Mitigation Ratio (Impacts Inside MHPA : Mitigation Inside MHPA)	Impacts Outside MHPA (acres)	Mitigation Ratio (Impacts Outside MHPA : Mitigation Inside MHPA)	Total Required Mitigation (acres)
Southern Willow Scrub	-	2:1	0.27	2:1	0.54

Impacts to 0.27 acres of Southern Willow Scrub wetland habitat shall be mitigated at a 2:1 ratio including a minimum of 0.27 acres of wetland creation required to achieve no net loss. Wetland creation shall occur per the "Mitigation Plan for Jurisdictional Impacts on Pardee-Owned Property at Pacific Highlands Ranch – Subarea III (RECON, October 4, 2000). A graphic of Pardee’s Subarea III wetland mitigation areas which depicts the location, boundaries, and acreage required for Units 17-22A, and all other know project mitigation sites, shall be submitted.

5. Following recordation of the final map and prior to the issuance of the first building permit (except any building permits issued for model homes), implementation of the upland revegetation plan (*Master Restoration Plan*, RECON, December 10, 1999) shall commence in accordance with the requirement of the Pacific Highland Ranch Subarea Plan Master EIR and associated Development Agreement. Any areas subject to subsequent disturbance shall be hydroseeded for erosion control purposes.
6. Prior to the issuance of any grading permit which affects on-site wetlands and prior to implementation of the wetland mitigation plan (*Mitigation Plan for Jurisdictional*

Impacts on Pardee-Owned Property at Pacific Highlands Ranch –Subarea III, RECON, October 4, 2000), the applicant/permittee shall submit verification that a qualified project biologist has been retained to oversee the implementation of the wetland mitigation plan. The project biologist shall have experience preparing and monitoring wetland and riparian mitigation plans in San Diego County and shall be acceptable to the ERM of LDR. The project biologist shall oversee other specialists and contractors involved in the implementation of the mitigation plan.

7. Prior to the issuance of any grading permit, the owner/permittee shall submit the following items to the ERM of LDR:
 - a) Evidence of compliance with Sections 404 of the federal Clean Water Act;
 - b) Evidence of compliance with Section 1603 of the State of California Fish and Game Code.

Evidence shall include either copies of the permits issued, letters of resolutions issued by the responsible agencies documenting compliance, or other evidence which demonstrates that state and federal permits have been obtained.

8. Prior to the issuance of any grading permits and/or the first pre-construction meeting, the owner/permittee shall provide a letter to the ERM of LDR verifying that a qualified biologist has been retained to implement the biological resources mitigation program as outlined below (see A through F):
 - A. The qualified biologist (project biologist) shall attend the first preconstruction meeting.
 - B. The project biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance within and surrounding sensitive habitats as shown on the approved Exhibit A. All construction activities taking place within 100 feet of wetland habitats shall be monitored by the project biologist.
 - C. All construction activities (including staging areas) shall be restricted to the development area as shown on the approved Exhibit A. The project biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas.
 - D. The project biologist shall monitor the placement of gravel bags, straw logs, silt fences or equivalent erosion control measures adjacent to all graded areas, and identify locations where trench spoil may be stockpiled in order to prevent sedimentation of the habitat. The project biologist shall oversee implementation of Best Management Practices as needed to prevent any significant sediment transport.
 - E. The qualified biologist shall ensure that all construction taking place within and adjacent to the MHPA is consistent with the Multiple Species Conservation Program [MSCP] Land Use Adjacency Guidelines including:

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

Coastal California Gnatcatcher (Federally Threatened)

- 9. Prior to the issuance of any construction permit and/or first preconstruction meeting, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:
 - a. 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:
 - (1) A qualified biologist (possessing a valid Endangered Species Act Section 10(A)(1)(a) Recovery Permit) shall survey those habitat areas within the 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 prior to the commencement of any construction.
 - (2) If gnatcatchers are present, then the following conditions must be met:
 - (a) Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; *and*
 - (b) 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. 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 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*

- (c) 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 monitoring 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 demonstrate 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 9.Aa(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.

Geology/Soils

10. Prior to the issuance of any grading permit, a comprehensive geological (geotechnical) and soil investigation shall be submitted for review and approval by the City Geology Engineering staff. The scope of the required investigation shall be in accordance with the City's *Technical Guidelines for Geotechnical Reports*.

Hydrology/Water Quality

11. The preliminary drainage system for this development is approved per condition of approval of the "Runoff Management Plan" provided that, in the final design, the following requirement is satisfied:

A hydrology report must be developed using the Rational and Modified Rational Method for each unit within Pacific Highlands Ranch, subject to the approval of the City Engineer.

Construction Phase (Short Term Mitigation Measures)

12. Prior to issuance of any grading permits, the Environmental Review Manager of Land Development Review [ERM of LDR] shall verify that the following measures have been incorporated into the grading and/or landscaping plans and/or project design as appropriate:
- A. Development of this project shall comply with all requirements of State Water Resources Control Board [SWRCB] Order No. 99-08 and the Municipal Storm Water Permit, Order No. 2001-01 (NPDES General Permit No. CAS000002 and CA S0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan [SWPPP] and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent [NOI] shall be filed with the SWRCB.

Prior to issuance of any grading permits, a copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 99-08-DWQ.

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

the sensitive habitat to be preserved, as shown on the approved Exhibit A. The project biologist shall also be responsible for the monitoring of any other grading activities (and ensure implementation of water quality measures as needed) adjacent to off-site sensitive habitats, as shown on the approved Exhibit A.

- F. The SWPPP shall include a site plan on which the grading footprint (development area) is identified as shown on the approved Exhibit A. All construction activities (including staging areas) shall be restricted to the development area of this or other fully permitted project. Specified vehicle fueling, maintenance procedures and hazardous materials storage areas shall be clearly designated to preclude the discharge of hazardous materials used during construction (e.g., fuels, lubricants and solvents). The SWPPP shall include measures to preclude spills and provide for the containment of any hazardous materials, including proper handling and disposal techniques and the use of temporary impervious liners to prevent soil and water contamination.

Post-Construction/Operational (Long Term Mitigation Measures)

13. Prior to issuance of any grading permits, the Environmental Review Manager of Land Development Review (ERM of LDR) shall verify that the site plan clearly identifies the type and location of post-construction Best Management Practices [BMPs] are clearly identified on the site plan(s). All runoff shall be routed through catch basin filter inserts, or equivalent structural BMPs prior to flowing into the natural draw and/or conveyance into the public drainage system. All surface runoff shall be filtered/treated for removal of sediment, constituents absorbed by sediment, and oil/grease prior to leaving the site.
14. Prior to issuance of the Certificate of Occupancy, the following mitigation measures shall be incorporated into project design to the satisfaction of the ERM of LDR and the City Engineer:
- A. A detention basin shall be constructed to provide adequate capacity to detain the first 0.6-inch of a rain event.
- B. All project-related drainage structures shall be adequately sized to accommodate at a minimum a 50-year flood event (provisions for other storm events may be required pursuant to direction from the City Engineer).
- C. Appropriate energy dissipating device(s) shall be provided to reduce the velocity and spread of the flow to be directed into natural habitat(s).
- D. Surface and subsurface drainage shall be designed to preclude ponding outside of designated areas, as well as to avoid sheet flow down slopes.
- E. Energy-dissipating structures (e.g., detention ponds, riprap, or drop structures) shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.

15. Prior to issuance of any certificates of occupancy, the owner/permittee shall submit a Monitoring and Maintenance Program to assure long-term maintenance responsibility of all private drainage facilities, including detention basins and all structural and non-structural BMPs. The Monitoring and Maintenance Program shall be subject to the approval of the ERM of LDR. The Monitoring and Maintenance Program shall include a schedule for the regular maintenance of all private drainage facilities and permanent BMPs and shall be consistent with the Pacific Highlands Ranch Runoff Management Plan.

Landform Alteration/Visual Quality

16. Prior to issuance of any grading permits, the ERM of LDR shall verify that the grading plans submitted identify contour grading techniques in the manufactured slopes adjacent to the MHPA in conformance with the approved Exhibit A.

Paleontological Resources

Prior to Preconstruction Meeting

17. Land Development Review [LDR] Plan Check
Prior to the 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 Assistant Deputy Director [ADD] of Land Development Review (LDR) shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
18. Letters of Qualification have been submitted to the ADD
Prior to the recordation of the first final map, NTP, or any permits, including but not limited to, issuance of the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the applicant shall provide a letter of verification to the ADD of LDR stating that a qualified Paleontologist, as defined in the City of San Diego Paleontological Guidelines, has been retained to implement the monitoring program.
19. Second Letter Containing Names of Monitors has been sent to Mitigation Monitoring Coordination [MMC]
 - a. At least thirty days prior to the Preconstruction [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.
20. 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.

Preconstruction Meeting

21. 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, Resident Engineer [RE, Building inspector [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.

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 Contractors representatives to meet and review the job on-site prior to start of any work that requires monitoring.

22. Identify Areas to be Monitored

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

23. 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

24. Monitor Shall be Present During Grading/Excavation

The qualified Paleontologist 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 (form). This record shall be faxed to the RE, or BI as appropriate, and MMC each month.

25. 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 Principal Investigator [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.

26. 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

(1) All Minor Discoveries will be processed and documented using the existing procedures under **During Construction** (see Section 2. *Discoveries*, Subsection a.), with the exception that the RE will contact MMC by 9 A.M. the following morning.

(c) POTENTIALLY SIGNIFICANT DISCOVERIES

(1) If the PI determines that a potentially significant discovery has been made, the procedures under **During Construction** (see Section 2. *Discoveries*, Subsection b.), will be followed, with the exception that the RE will contact MMC by 9 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.

27. *Notification of Completion*

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

Post Construction

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

- a. SUBMIT LETTER OF ACCEPTANCE FROM LOCAL QUALIFIED CURATION FACILITY.
The Paleontologist shall be responsible for submittal of a letter of acceptance to the ADD of LDR from a local qualified curation facility. A copy of this letter shall be forwarded to MMC.
- b. IF FOSSIL COLLECTION IS NOT ACCEPTED, CONTACT LDR FOR ALTERNATIVES
If the fossil collection is not accepted by a local qualified curation 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.
- c. 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
- d. FINAL RESULTS REPORT
 - (1) 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 ADD of LDR.
 - (2) MMC shall notify the RE or BI, as appropriate, of receipt of the Final Results Report.

Noise

29. Prior to the issuance of any certificates of occupancy, a final acoustical report which evaluates interior and exterior noise levels based on projected traffic volumes in the Master Environmental Impact Report for all residential areas within the 65 decibel [dB] and greater contour lines (to be established in such report based on the final building plans), shall be completed in conformance with the City's *Acoustical Guidelines*. The final report shall be subject to the approval of the ERM of LDR. If it is determined that the interior and/or exterior noise levels in any of the affected buildings exceeds City standards, specific mitigation measures to achieve exterior and interior noise levels that would not exceed 65 dB (A) CNEL and 45 dB (A) CNEL respectively, shall be included in said report and incorporated into the project to the satisfaction of the ERM of LDR.

Public Services/Facilities

30. Prior to issuance of the first building permit for each unit (17-22A), the ERM shall verify that the owner/permittee has paid the project fair share of the Facilities Benefit Assessment District [FBA] for trails and other required amenities.
31. Prior to issuance of the first building permit for each unit (17-22A), the owner/permittee shall demonstrate to the satisfaction of the ERM of LDR that a response time of six minutes or less from Fire Station 24 or any new fire station constructed to all portions of the new developments can be achieved.
32. For those areas of the developments where a six-minute response time cannot be ensured, the ERM of LDR shall verify that individual sprinkler systems have been installed in

project structures to the satisfaction of the Fire Marshall, prior to the issuance of any certificates of occupancy.

Water Service Infrastructure

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

Sewer Service Infrastructure

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

Solid Waste

35. Prior to the issuance of the certificate of occupancy, the ERM of LDR shall verify that the owner/permittee has developed a comprehensive waste management plan in coordination with the City's Environmental Services Department.
36. Prior to the issuance of the certificate of occupancy, the ERM of LDR shall verify that interior and exterior containers for waste recycling are provided and an on-site yard waste-composting program has been developed.

Public Safety

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

Transportation/Circulation

39. The owner/permittee shall conform to the Subarea III/Pacific Highlands Ranch Transportation Phasing Plan and the approved Traffic Study/Master EIR.
40. Prior to the recordation of the first final map, the applicant shall assure the construction of Carmel Valley Road from SR-56 to Subarea IV/Torrey Highlands boundary as a six

lane/four lane modified major street The applicant shall dedicate 146 feet of right-of-way and shall provide a minimum of 126 feet of curb to curb , curb, gutter and 5-foot wide sidewalk within 10 feet curb to property line distance then transitioning to a minimum curb to curb width of 102 feet within 128 feet of right-of-way east of Del Mar Heights Road, satisfactory to the City Engineer.

41. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Carmel Valley Road and Street "A", satisfactory to the City Engineer.
42. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Carmel Valley Road and Del Mar Heights Road, satisfactory to the City Engineer.
43. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Carmel Valley Road and Street "C", satisfactory to the City Engineer.
44. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Carmel Valley Road and Rancho Santa Fe Farms Road, satisfactory to the City Engineer.
45. Prior to the recordation of the first final map, the applicant shall construct Ranch Santa Fe Farms Road as a modified two lane collector street. The applicant shall dedicate 65 feet of right-of-way and shall provide 45 feet of pavement including curb, gutter and a 5 foot sidewalk with a 10 foot curb to property line distance, satisfactory to the City Engineer.
46. Prior to the recordation of the first final map, the applicant shall construct Street "C" from Street "R" to Street "Q" as a modified two lane collector street. The applicant shall dedicate 130 feet of right-of-way and shall provide 68 feet of pavement including 12 foot median, curb, gutter and a 5 - 15 foot sidewalk with a 28 - 34 foot curb to property line distance, satisfactory to the City Engineer.
47. Prior to the recordation of the first final map, the applicant shall design Street "A" as a two-lane modified collector street from Station 30+07 to Station 37+39. The applicant shall dedicate 101 feet of right-of-way and shall provide 56 feet curb to curb width including curb, gutter and 5 feet wide sidewalk within 15 - 30 feet of curb to property line distance, satisfactory to the City Engineer.
48. Prior to the recordation of the first final map, the applicant shall construct Street "C" north of Street "Q" as a two lane collector street. The applicant shall dedicate 100 feet of right-of-way and shall provide 56 feet of pavement, curb, gutter and a 5 foot sidewalk with a 15.5 - 28.5 foot curb to property line distance, satisfactory to the City Engineer.

49. Prior to the recordation of the first final map, the applicant shall construct Street "C" from Carmel Valley Road to Street "R" as a modified two lane collector street. The applicant shall dedicate 106 feet of right-of-way and shall provide 40 feet of pavement including 12 feet median, curb, gutter and a 5 - 15 foot sidewalk with a 12 - 42 foot curb to property line distance, satisfactory to the City Engineer.
50. Prior to the recordation of the first final map, the applicant shall construct the Public Alleys "A" through "E" with a minimum of 24 feet of concrete, satisfactory to the City Engineer.
51. Prior to the recordation of the first final map, the applicant shall assure the construction of the traffic signal at the intersection of Old Carmel Valley Road and Del Mar Heights Road, satisfactory to the City Engineer.
52. Prior to the recordation of the first final map, the applicant shall construct the cul-de-sac at the northern end of Street "A" with a minimum curb to curb radius of 70 feet within right-of-way radius of 80 feet satisfactory to the City Engineer.