

3381A
11/20

RESOLUTION NUMBER R-303204

DATE OF FINAL PASSAGE NOVEMBER 20, 2007

WHEREAS, on March 4, 2006, Eric Otterson submitted an application to the City of San Diego for a planned development permit/coastal development permit for the West Ocean Beach Park Units; and

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

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the issue was heard by the City Council on November 20, 2007; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration No. 95894; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration No. 95894, 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 declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process,

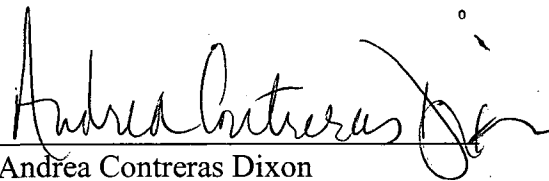
has been reviewed and considered by this Council in connection with the approval of a planned development permit/coastal development permit for the West Ocean Beach Park Units.

BE IT FURTHER RESOLVED, that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved.

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, 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: MICHAEL J. AGUIRRE, City Attorney

By 
Andrea Contreras Dixon
Deputy City Attorney

ACD:pev
12/21/07
Or.Dept:Clerk
R-2008-523
MMS #5459
ENVIRONMENTAL - MND 11-01-04

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Planned Development Permit; Coastal Development Permit

Project No. 95894

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (Project No. 95894) shall be made conditions of Planned Development Permit and Coastal Development Permit as may be further described below.

A. General

1. Prior to the issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Assistant Deputy Director (ADD) environmental designee 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: "West Ocean Beach Park Units is subject to Mitigation, Monitoring and Reporting Program (MMRP) and shall conform to the mitigation conditions as contained in the Mitigated Negative Declaration (Project 95894)."
2. The owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the Resident Engineer, the Qualified Archaeologist, a Native American Monitor and the City's Mitigation Monitoring Coordination (MMC) Section.
3. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas: **Historical Resources (Archaeology) and Noise.**

I. **HISTORICAL RESOURCES (ARCHAEOLOGY-DATA RECOVERY)**

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-46) as follows:

Prior to Preconstruction (Precon) Meeting

1. Land Development Review (LDR) Plan Check
 - a. Prior to the preconstruction 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 Assistant Deputy Director (ADD) Environmental Designee shall verify that the requirements for the **ARCHAEOLOGICAL DATA RECOVERY PROGRAM (ADRP) have been noted on the appropriate construction documents.**
2. Letters of Qualification submitted to Mitigation Monitoring Coordination (MMC) Prior to the preconstruction 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 ADD Environmental Designee stating that a qualified Archaeologist, as defined in the City of San Diego Historical Resources Guidelines (HRG), 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 ADD ENVIRONMENTAL DESIGNEE PRIOR TO THE START OF THE PROJECT.**

A Native American Monitor shall be present during the ADRP and initial excavation/grading of undisturbed ground in the event that cultural features or human remains are found and the procedures set forth in Section 5 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, a Native American Monitor Construction Manager and/or Grading Contractor, Resident Engineer (RE), Building Inspector (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

At the Precon Meeting, the Archaeologist shall submit to MMC a copy of the site/grading plan (reduced to 11x17) that identifies areas involved in the ADRP as well as areas that may require delineation of grading limits.

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

Prior to the issuance of grading permits or NTP, the owner/permittee shall implement the ADRP detailed in the Data Recovery Plan prepared by Laguna Mountain Environmental, Inc. (July, 2006), satisfactory to the ADD Environmental Designee. The ADRP shall include a three-phased excavation program in which the sample size to be excavated shall be determined in consultation with City staff and shall vary with the nature and size of the archaeological site.

Following the data recovery excavations, the areas to be impacted shall be mechanically excavated under the direction of the qualified 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 Environmental Analysis Section (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-enter 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

The Archaeologist shall be responsible for ensuring that all cultural remains collected are cleaned, catalogued, and permanently curated with an appropriate institution; the original collection that falls within the applicant's site will be obtained from Brian F. Smith and Associates, brought up to current standards and curated along with any materials collected during implementation of the Archaeological Data Recovery Program and monitoring for this project; 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.

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. ADRP Draft Results Report

- a. Prior to the release of the grading bond, two copies of the Draft 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 ADD 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

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.

Handling and curation of artifacts and Letter of Acceptance

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.

Curation of artifacts associated with this program shall be completed in consultation with LDR and the Native American representative, as appropriate.

Upon completion of the ADRP and prior to issuance of grading permits, the qualified archaeologist and Native American Monitor shall attend a second preconstruction meeting to make comments and/or suggestions concerning the proposed grading process.

II. HISTORICAL RESOURCES (ARCHAEOLOGY-MONITORING)

I. Prior to Permit Issuance

A. Land Development Review (LDR) Plan Check

- 1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall

verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological and monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the 1/4 mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitors Shall be Present During Grading/Excavation/Trenching

1. The monitors shall be present full-time during grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitors shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI and Native American monitor shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

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

A. 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 Environmental Analysis Section (EAS).
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away 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 will determine the need for a field examination to determine the provenience.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE** determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. The NAHC will contact the PI within 24 hours or sooner, after Medical Examiner has completed coordination.
3. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information..
4. The PI shall coordinate with the MLD for additional consultation.
5. The MLD has 48 hours to make recommendations to the property owner or representative for the treatment or disposition, with proper dignity, of the human remains and associated grave goods.
6. Disposition of Native American Human Remains shall 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 48 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.
 - c. To protect these sites, the landowner shall do one or more of the following:
 - (1) Record the site with the NAHC
 - (2) Record an open space or conservation easement
 - (3) Record a document with the County.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains.

Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be handles with appropriate dignity, pursuant to Section 6.c., above.

D. 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 internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner and the Museum of Man.

V. Night Work and/or weekend work

A. If night work and/or weekend work is included in the contract

1. When night work and/or weekend 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 no discoveries were encountered during night work and/or weekend work, The PI shall record the information on the CSVN and submit to MMC via fax by 9am the following morning of the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night and/or weekend 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, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

A. Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
2. The PI shall be responsible for ensuring 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.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project, including the original collection that falls within the applicant's site which shall be obtained from Brian F. Smith and Associates, brought up to current standards and curated along with any materials collected during implementation of the Archaeological Data Recovery Program and monitoring for this project, are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion or release the performance bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

III. NOISE

- A. Prior to the issuance of any building permits, the applicant shall incorporate sound attenuation measures as described in the following report "Acoustical Assessment Report fro 4824 West Point Loma Boulevard" dated August 8, 2006 to the satisfaction of the City Manager. Specifically, all sliding glass doors and the swing doors in the habitable rooms shall be required to sound-rate with a minimum STC ratings ranging from 31 to 34. All windows shall have a minimum STC rating of 36, except for the sliding windows which shall have an STC 35 rating. The exterior doors shall have a minimum STC 26 RATING.
- B. All dwelling units shall provide either mechanical ventilation or air conditioning.

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