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7/29

RESOLUTION NUMBER R- 304022

DATE OF FINAL PASSAGE JUL 29 2008

CERTIFYING THAT ENVIRONMENTAL IMPACT REPORT NO. 2214 HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970 [CEQA] AND STATE CEQA GUIDELINES; ADOPTING THE FINDINGS, THE STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION, MONITORING AND REPORTING PROGRAM AS IT RELATES TO THE UNIVERSITY TOWNE CENTER PROJECT.

WHEREAS, on December 13, 2001, Westfield Corporation, Inc. submitted an application to the City of San Diego for a master planned development permit/site development permit, vesting tentative map with summary vacations, community plan amendment, and rezone for the University Towne Center 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, 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 JUL 29 2008; and

WHEREAS, the City Council considered the issues discussed in Environmental Impact Report No. 2214; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Environmental Impact Report No. 2214, 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 master planned development permit/site development permit, vesting tentative map with summary vacations, community plan amendment, and rezone for the University Towne Center 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.

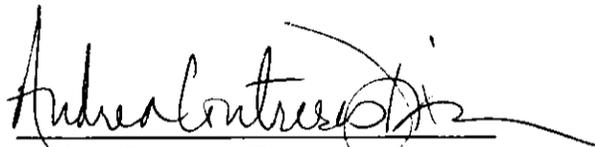
BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the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

(R-2009-9)

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
07/09/08
Or.Dept:DSD
R-2009-9
MMS #6458

ENVIRONMENTAL - EIR 11-01-04

EXHIBIT A
MITIGATION MONITORING AND REPORTING PROGRAM
UNIVERSITY TOWNE CENTER REVITALIZATION PROJECT
Master Planned Development Permit/Site Development Permit, Vesting Tentative
Map with Summary Vacations, Community Plan Amendment and Rezone
NO. 2214, Project No. 2214

This Mitigation Monitoring and Reporting Program (MMRP) was prepared for the University Towne Center (UTC) Revitalization 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 UTC Revitalization project, as identified in the Environmental Impact Report (EIR) (Project No. 2214, SCH No. 2002071071), 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 UTC Revitalization 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.

GENERAL

1. Prior to issuance of any construction permits, 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, monitoring paleontologist, and staff from the City's Mitigation Monitoring Coordination (MMC) Section and from the Environmental Services Department (ESD).

2. Prior to the issuance of any construction permits, the Environmental Review Manager (ERM) of the Land Development Review Division (LDR) shall verify the following mitigation measures are noted on the construction/grading plans submitted and included in the specifications under the heading **Environmental Mitigation Requirements**.

A. TRANSPORTATION/CIRCULATION

Prior to issuance of a final certificate of occupancy, the project applicant shall implement the following measures to the satisfaction of the City Engineer:

- MM 5.3-1 The applicant shall provide an additional eastbound lane (eight-lane cross section) along La Jolla Village Drive between Towne Centre Drive and I-805. This shall be achieved through restriping and restricting parking. This would result in this segment being built to its Community Plan classification. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.
- MM 5.3-2 The applicant shall provide improvements to Nobel Drive associated with the NUC-J improvement project along its frontage. These improvements shall consist of the widening of Nobel Drive with right-of-way acquisition from the north side. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.

Intersections

Implementation of the following mitigation would reduce significant direct impacts to intersections in the Near-Term Conditions to below a level of significance. Prior to issuance of a final certificate of occupancy, the project applicant shall implement the following mitigation to the satisfaction of the City Engineer:

- MM 5.3-3 The applicant shall reconfigure the westbound approach to provide a dedicated right-turn lane at the intersection of La Jolla Village Drive and Regents Road. Roadway widening and/or modifications to the median along the roadway may be required. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.
- MM 5.3-4 The applicant shall reconfigure the northbound approach to provide a dedicated right-turn lane at the intersection of La Jolla Village Drive and Genesee Avenue. Roadway widening and/or modifications to the median along the roadway may be required. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.

- MM 5.3-5 The applicant shall construct a second northbound thru lane by widening Towne Centre Drive at the intersection of Towne Centre Drive and La Jolla Village Drive. To accommodate the additional lanes, widening and/or modifications to the median along the roadway may be required. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.
- MM 5.3-6 The applicant shall install a traffic signal and appropriate signal interconnect satisfactory to the City Engineer at the intersection of Nobel Drive/Lombard Place and the Project Driveway. Timing plans shall be developed and implemented by the City. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.
- MM 5.3-7 The applicant shall reconfigure the North UTC Project Driveway to permit right-turn only movements at its intersection with Towne Centre Drive. This shall be accomplished through the construction of a raised center median, extending along Towne Centre Drive from La Jolla Village Drive to the south UTC driveway, and installation of "right-turn only" signage. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.
- MM 5.3-8 The applicant shall install a traffic signal and appropriate interconnect at the intersection of Towne Centre Drive and the South UTC Project Driveway. Timing plans shall be developed and implemented by the City. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit (subject to partial reimbursement already paid to the City by the Congregation Beth Israel as project mitigation).

MM 5.3-9 The applicant shall reconfigure the westbound approach to provide a dedicated right-turn lane at the intersection of Governor Drive and Genesee Avenue. Roadway widening and/or modifications to the median along the roadway may be required. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.

Freeway Segments

The freeway segment analysis identified significant impacts along I-805 between Noble Drive and SR 52 in the near term and horizon year. SANDAG has identified future improvements to both I-5 and I-805 within the project area. These improvements are part of the Mobility 2030 Plan. Prior to issuance of a final certificate of occupancy, the project applicant shall implement the following mitigation to the satisfaction of the City Engineer:

MM 5.3-10 The applicant shall pay a fair share contribution of \$3.38 million (equivalent to \$1,000 per ADT) toward the study, design or implementation of traffic operational improvements (i.e., auxiliary lanes) on I-805 between La Jolla Village Drive and SR-52.

Horizon Year Conditions

Significant cumulative street segment impacts to Genesee Avenue and La Jolla Village Drive in the horizon year would be significant and unmitigable because the City Council is reviewing whether the Genesee Avenue widening will occur and the applicant has indicated they would not implement improvements along La Jolla Village Drive that would conflict with the Community Plan policies on community character and urban design, as discussed under near-term street segment conditions. Significant cumulative impacts to intersections would be addressed through implementation of Near-Term mitigation measures MM 5.3-3 through MM 5.3-9, above, and Horizon Year mitigation measures MM 5.3-11 through MM 5.3-14 listed below (see Table 5.3-19, *Horizon Year Intersection Mitigation Analysis*). Significant cumulative impacts to freeway segments and freeway ramp meters would remain unmitigated until future improvements identified in the SANDAG Mobility 2030 Plan are implemented.

Intersections

The following intersection improvements and cost participation are identified to mitigate significant cumulative impacts to intersections in the Horizon Year to below a level of significance.

- MM 5.3-11 The applicant shall restripe the four-lane southbound approach at the intersection of La Jolla Village Drive and the I-805 southbound ramps to include left, right-left, and dual right-turn lanes. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.
- MM 5.3-12 The applicant shall reconfigure the northbound approach to La Jolla Village Drive at Executive Way to provide a second right-turn lane. Roadway widening and/or modifications to the median along the roadway may be required. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.
- MM 5.3-13 The applicant shall reconfigure the westbound approach to provide a dedicated right-turn lane at the intersection of Nobel Drive and Genesee Avenue. Roadway widening and/or modifications to the median along the roadway may be required. Modifications to the traffic signal timing by the City in conjunction with the lane dedications would be required. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.
- MM 5.3-14 The applicant shall stripe the eastbound approach to provide left-thru-right and right-turn lanes at the intersection of Decoro Street and Genesee Avenue. To accommodate the additional lane, widening the roadway may be required. The applicant shall provide 100 percent financial contribution and assure mitigation by permit and bond due prior to the issuance of the first building permit.

Parking Mitigation

The following measures are identified to mitigate parking impacts to below a level of significance:

- MM 5.3-15 The project applicant shall expand the existing off-site employee program during the month of December to serve up to 550 vehicles.

MM 5.3-16 The applicant shall provide and maintain a current Parking Management Plan and perform an annual parking study satisfactory to the City Engineer. The updated Parking Management Plan and annual parking study shall provide additional parking opportunities in the event that the parking demand exceeds the parking supply. In the event that the parking demand exceeds the parking supply, the applicant shall provide adequate parking for the site and implement these alternatives prior to the next annual parking study, satisfactory to the City Engineer. In addition, no later than October 31 of each year, the applicant shall provide evidence of a shared parking agreement for holiday overflow parking, satisfactory to the City Engineer.

B. AIR QUALITY

The following measures shall be implemented during construction to partially reduce project impacts from fugitive dust:

- MM 5.4-1 Multiple applications of water during grading between dozer/scrapper passes – 34-68 percent
- MM 5.4-2 Paving, chip sealing or chemical stabilization of internal roadways after completion of grading – 92.5 percent
- MM 5.4-3 Use of sweepers or water trucks to remove “track-out” at any point of public street access – 25-60 percent
- MM 5.4-4 Termination of grading if winds exceed 25 miles per hour – not quantified
- MM 5.4-5 Stabilization of dirt storage piles by chemical binders, tarps, fencing or other erosion control – 30-65 percent
- MM 5.4-6 Application of water every 4 hours during structure demolition – 36 percent

Although temporary in nature, there are no feasible mitigation measures to reduce NOx during the simultaneous construction of Phases 1 and 2 to a level that is less than significant without staggering the construction schedules for the two development phases. However, construction equipment emissions reductions are anticipated over time as cleaner engines are introduced and low NOx emissions standards promulgated by CARB are phased in for off-road construction equipment starting in 2010. Therefore, to reduce emissions of NOx during project construction to below significant levels, the following mitigation will be implemented.

MM 5.4-7 Upon preparation of final construction plans for the proposed project, the applicant shall either stagger the construction schedule to prevent overlapping construction emissions for Phases 1 and 2 or hire a contractor who would commit to using a high percentage of low NOx equipment in its construction fleet. If construction sequencing is modified from levels assumed in this analysis, the applicant shall demonstrate through calculations that proposed construction phasing will result in emissions of NOx that are below the significance threshold of 250 lbs per day.

The project would contribute to an obstruction in the implementation of the RAQS for ROC, which would be a significant impact; therefore, standard RAQS measures would be implemented by the project applicant to reduce its impact to below a level of significance. The respective control measures are noted under MM 5.4-8 below.

MM 5.4-8 The project applicant shall incorporate into the contractor specifications the following control measures pursuant to the RAQS for ROC:

- Use of low-ROC paints, adhesives and solvents and
- Installation of low emission water heaters and furnaces where required

C. PALEONTOLOGICAL RESOURCES

The following measures shall be implemented by the project applicant to mitigate impacts to paleontological resources to below a level of significance.

Prior to Pre-Construction Meeting

MM 5.6-1 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: "University Towne Center Revitalization Project is subject to Mitigation, Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the University Towne Center Revitalization Project EIR (SCH No. 2002071071; Project No. 2214)."

MM 5.6-2 The project applicant shall submit letters of qualification to the ADD

Prior to the recordation of the first final map, NTP or any permits, including but not limited to, issuance of a Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the applicant shall provide a letter of verification to the ADD stating that a qualified paleontologist (the Monitor), as defined in the City of San Diego Significance Determination Guidelines for Paleontological Resources, has been retained to implement the monitoring program.

MM 5.6-3 The project applicant shall submit to the mitigation monitoring coordinator (MMC) a second letter containing names of monitors

- (A) At least thirty days prior to the pre-construction meeting, a second letter shall be submitted to the MMC, which includes the names of the Principal Investigator (PI) and all persons involved in the paleontological monitoring of the project.
- (B) The MMC shall provide the Plan Check Department with a copy of both the first and second letter.

MM 5.6-4 The monitor shall perform a records search prior to pre-construction meeting

At least thirty days prior to the pre-construction meeting, the Monitor shall verify that a records search has been completed and updated as necessary, and he/she shall 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.

Pre-Construction Meeting

MM 5.6-5 The monitor shall attend preconstruction meetings

- (A) Prior to beginning any work that requires monitoring, the Applicant shall arrange a pre-construction meeting that shall include the

Monitor, construction manager and/or grading contractor, resident engineer (RE), building inspector (BI) and the MMC. The Monitor shall attend any grading related pre-construction meetings to make comments and/or suggestions concerning the paleontological monitoring program with the construction manager and/or grading contractor.

- (B) If the Monitor is not able to attend the pre-construction meeting, the RE or BI, as appropriate, shall schedule a focused pre-construction meeting for the MMC, Monitor, construction manager and appropriate contractor's representative to review the job on site prior to the start of any work that requires monitoring.

MM 5.6-6 The monitor shall identify areas to be monitored

At the pre-construction meeting, the Monitor shall submit to the MMC a copy of the site/grading plan (reduced to 11"x17") that identifies areas to be monitored.

MM 5.6-7 The monitor shall submit a schedule to the MMC indicating when monitoring will occur

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

During Construction

MM 5.6-8 The Monitor shall be present during grading/excavation

The Monitor shall be present at all times during the initial cutting of previously undisturbed formations with high and moderate resource sensitivity, and he/she shall document activity via the Consultant Site Visit Record (form). This form shall be faxed to the RE or BI, as appropriate, and the MMC each month.

MM 5.6-9 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 Monitor 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 Monitor. He/she shall 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 Monitor, the RE or BI, as appropriate, shall be notified to 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 Monitor. The paleontologist with PI level evaluation responsibilities shall also immediately notify the MMC staff of such finding at the time of discovery. MMC staff will coordinate with appropriate LDR staff.

MM 5.6-10 Night Work

(A) If night work is included in the contract:

- (1) The extent and timing shall be presented and discussed at the pre-construction meeting.
- (2) The following procedures shall be followed:
 - (a) *No Discoveries*

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

(b) *Minor Discoveries*

All minor discoveries shall be processed and documented using the existing procedures under measure 9(A) above with the exception that the RE shall contact the MMC by 9 A.M. the following morning to report and discuss the findings.

(c) *Potentially Significant Discoveries*

If the PI determines that a potentially significant discovery has been made, the procedures under 9(B) above shall be followed, with the exception that the RE shall contact the 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, shall notify the MMC immediately.

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

MM 5.6-11 Notification of Completion

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

Post-Construction

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

MM 5.6-12 The monitor shall submit a letter of acceptance from a local qualified curation facility

The Monitor shall be responsible for submittal of a letter of acceptance to the ADD from a local qualified curation facility. A copy of this letter shall be forwarded to the MMC.

MM 5.6-13 If fossil collection is not accepted, the monitor shall 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 Monitor shall contact LDR to suggest an alternative disposition of the collection. The MMC shall be notified in writing of the situation and resolution.

MM 5.6-14 The monitor shall record sites with San Diego Natural History Museum

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

MM 5.6-15 Final Results Report

(A) Prior to the release of the grading bond, two copies of the Final Results Report, which describes the results, analysis and conclusions of the above paleontological monitoring program (with appropriate graphics), shall be submitted to the MMC for approval by the ADD. The Final Results Report shall be submitted regardless of the results (e.g., if negative).

(B) The MMC shall notify the RE or BI, as appropriate, of receipt of the report.

D. PUBLIC UTILITIES

The following measures are required to address cumulative impacts to sewer line capacity and project and cumulative impacts to landfill capacity. Implementation of these measures would reduce impacts to less than significant levels.

MM 5.7-1 Prior to receipt of final certificate of occupancy for Phase 1, the project applicant shall contribute their fair share to the cost of upsizing and relocating the sewer line within Genesee Avenue, satisfactory to the City Engineer. The upsizing must occur prior to the site exceeding existing sewage flows that contribute to the line.

MM 5.7-2 Prior to Preconstruction (Precon) Meeting

Land Development Review (LDR) Plan Check - Prior to issuance of any permit, including but is not limited to, any grading or any other construction permit, the Assistant Deputy Director (ADD) shall verify that 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 Precon Meeting. This meeting shall be coordinated with the Mitigation Monitoring Coordinator (MMC) to verify that implementation of the waste management plan shall be performed in compliance with the plan approved by LDR and the 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 timeline for each of the three main phases of the project as stated above
3. The plan shall strive for a goal of 50 percent 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: (1) a construction permit is issued; (2) construction begins; and (3) demolition ends.

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 process of the project's waste diversion efforts. Notification shall be sent to:

MMC/Tony Gangitano
Mitigation Monitoring
Coordination
9601 Ridgehaven Court
Suite 320, MS 1102B
San Diego, CA 92123-1636
(619) 980-7122

Environmental Services
Department
9601 Ridgehaven Court
Suite 320, MS 1103B
San Diego, CA 92123-1636
(858) 492-5010

5. Prior to the issuance of a grading permit, the applicant shall receive approval from the ADD 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 ADD that the final demolition/construction report has been approved by MMC 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, how that goal was achieved, etc.

MM 5.7-3 Precon Meeting

1. At least 30 days prior to beginning any work on the site, demolition and/or grading, for the implementation of the Mitigation Monitoring and Reporting Program (MMRP), the permittee is responsible to arrange a Precon Meeting that shall include: the Construction Manager or Grading Contractor, MMC and ESD, as well as the Resident Engineer (RE), if there is an engineering permit.
2. At the Precon Meeting, the permittee shall submit reduced copies (11" x 17") of the approved waste management plan to MMC (two copies) and ESD (one copy).
3. Prior to the start of demolition, the permittee or Construction Manager shall submit a construction schedule to MMC and ESD.

MM 5.7-4 During Construction

The permittee or 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.

MM 5.7-5 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 ADD 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 to the ADD of LDR and the ESD that the waste management plan has been effectively implemented.

E. CONSTRUCTION EFFECTS

Implementation of the following mitigation measure would reduce potentially significant, short-term traffic delays associated with the off-site transport of equipment and excess soil/demolition debris to below a level of significance:

MM 5.9-1 Prior to and during construction, the transfer of heavy equipment and truck export of demolition materials and earth material shall not occur during peak traffic hours (e.g., 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.). The final plans for each phase of construction shall note this requirement in the traffic control plan.

Implementation of the following mitigation measures during construction of the proposed project would reduce potentially significant, short-term construction-related noise impacts associated with demolition, grading and excavation to below a level of significance:

MM 5.9-2 During all construction activities, ensure that equipment has properly operating and maintained mufflers.

MM 5.9-3 Prior to and during construction activity, locate staging areas as far away as possible from the day care center and existing residences.

MM 5.9-4 At least 72 hours prior to demolition activities in adjacent construction areas, the applicant or contractor shall notify the community day care center and nearby residences of the activity including its anticipated duration.

MM 5.9-5 Prior to any construction activity, temporary noise barriers shall be erected along the property line between construction equipment sources and adjacent sensitive receptors. The materials, height and specific location of such barriers shall be determined by a site-specific noise reduction study conducted by a qualified acoustician after the detailed construction schedule and equipment list have been completed. Noise barriers shall be designed to achieve the noise limit of 75 dBA 12-hour average set by the Noise Ordinance and adjusted as necessary during construction to ensure that noise levels are reduced as much as possible at property lines of sensitive receptors.