EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

General Plan and Community Plan Amendment, Specific Plan, Rezone, Multi-Habitat Planning Area Boundary Line Adjustment, Site Development Permit, and Vesting Tentative Map

ENVIRONMENTAL IMPACT REPORT NO. 0614791/SCH NO. 2004051076

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 monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and the completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the City Clerk, 202 C Street, San Diego, CA 92101. All mitigation measures contained in Subsequent Environmental Impact Report No. 0614791/SCH No. 2004051076 shall be made conditions of the Site Development Permit as further described below.

Program-level MMRP

The following is the MMRP for the program-level components:

Land Use

SP-LU-1: MHPA Land Use Adjacency Guidelines

All subsequent development projects that are implemented in accordance with the Specific Plan which are adjacent to designated MHPA areas shall comply with the MHPA Land Use Adjacency Guidelines of the MSCP in terms of land use, drainage, access, toxic substances in runoff, lighting, noise, invasive plant species, grading, and brush management requirements prior to issuance of construction permits per San Diego Municipal Code 143.0110(d). Mitigation measures include but are not limited to: sufficient buffers and design features, barriers (rocks, boulders, signage, fencing, and appropriate vegetation) where necessary, lighting directed away from the MHPA, and berms or walls adjacent to commercial or industrial areas and any other use that may introduce construction noise or noise from future development that could impact or interfere with wildlife utilization of the MHPA. The project biologist for each proposed project shall identify specific mitigation measures needed to reduce impacts to below a level of significance. Subsequent environmental review shall be required to determine the significance of impacts from land use adjacency and compliance with the Land Use Adjacency Guidelines of the MSCP. Prior to issuance of construction permits per San Diego Municipal Code 143.0110(d) for any subsequent development project in an area adjacent to a designated MHPA, the City of San Diego shall identify specific conditions of approval in order to avoid or to reduce potential impacts to adjacent the MHPA.

Specific requirements shall include:

- Prior to the issuance of occupancy permits, development areas shall be permanently fenced where development is adjacent to the MHPA to deter the intrusion of people and/or pets into the MHPA open space areas. Signage may be installed as an additional deterrent to human intrusion as required by the City.

- The use of structural and nonstructural best management practices (BMPs), including sediment catchment devices, shall be required to reduce the potential indirect impacts associated with construction to drainage and water quality. Drainage shall be directed away from the MHPA or, if not possible, must not drain directly into the MHPA. Instead, runoff shall flow into sedimentation basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA.

- Drainage shall be shown on the site plan and reviewed satisfactory to the City Engineer.

- All outdoor lighting adjacent to open space areas shall be shielded to prevent light over-spill off-site. Shielding shall consist of the installation of fixtures that physically direct light away from the outer edges of the road or landscaping, berms, or other barriers at the edge of development that prevent light over spill.

- The landscape plan for the project shall contain no exotic plant/invasive species and shall include an appropriate mix of native species which shall be used adjacent to the MHPA.

- All manufactured slopes must be included within the development footprint and outside the MHPA.

- All brush management areas shall be shown on the site plan and reviewed and approved by the Environmental Designee. Zone 1 brush management areas shall be included within the development footprint and outside the MHPA. Brush management Zone 2 may be permitted within the MHPA (considered impact neutral) but cannot be used as mitigation. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area shall be the responsibility of the Owner/Permittee.

- Access to the MHPA, if any, shall be directed to minimize impacts and shall be shown on the site plan and reviewed and approved by the Environmental Designee.

- Land uses, such as recreation and agriculture, which use chemicals or generate by-products such as manure, which are potentially toxic or impactive to wildlife, sensitive species, habitat, or water quality need to incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. Such measures shall include drainage/detention basins, swales, or holding areas with non-invasive grasses or wetland-type native vegetation to filter out the toxic materials. Regular maintenance should be provided. Where

applicable, this requirement shall be incorporated into leases on publicly owned property as leases come up for renewal.

Air Quality

SP-AQ-1: Control Measures/Technology

For projects that would exceed daily construction emissions thresholds established by the City, best available control measures/technology shall be incorporated to reduce construction emissions to below daily emission standards established by the City. Best available control measures/technology shall include:

a. Minimizing simultaneous operation of multiple pieces of construction equipment;

b. Use of more efficient, or low pollutant emitting, equipment, e.g., Tier III or IV rated equipment;

c. Use of alternative fueled construction equipment;

d. Dust control measures for construction sites to minimize fugitive dust, e.g., watering, soil stabilizers, and speed limits; and

e. Minimizing idling time by construction vehicles.

SP-AQ-2: Buffer Sensitive Receptors

Development that would significantly impact air quality, either individually or cumulatively, shall receive entitlement only if it is conditioned with all reasonable mitigation to avoid, minimize, or offset the impact. As a part of this process, future projects shall be required to buffer sensitive receptors from air pollution sources through the use of landscaping, open space, and other separation techniques.

SP-AQ-3: Public Notice

Prior to the issuance of building permits for any new facility that would have the potential to emit toxic air contaminants, in accordance with Assembly Bill 2588, an emissions inventory and health risk assessment shall be prepared. If adverse health impacts exceeding public notification levels (cancer risk equal to or greater than 10 in 1,000,000; see FEIR Section 5.3.5.1 [b and c]) are identified, the facility shall provide public notice to residents located within the public notification area and submit a risk reduction audit and plan to the Air Pollution Control District (APCD) that demonstrates how the facility will reduce health risks to less than significant levels within five years of the date the plan.

SP-AQ-4: Health Risk Assessment

Prior to the issuance of building permits for any project within the Specific Plan area containing any of the following facilities, or that proposes locating the facility closer to an air quality sensitive receptor than the recommended corresponding buffer distances, the project shall be required to prepare a health risk assessment (HRA) with a Tier I analysis in accordance with current APCD HRA Guidelines and the Office of Environmental Health Hazard Assessment (OEHHA) Air Toxics "Hot Spots" Program Risk Assessment Guidelines (San Diego Air Pollution Control District

[SDAPCD] 2022b; OEHHA 2015), or more recent guidance at the time of implementation.

This applies to:

- Distribution Centers that accommodate more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units per day, or where transport refrigeration unit operations exceed 300 hours per week (1,000 feet buffer)
- Chrome platers (1,000 feet buffer)
- Dry Cleaners using Perchloroethylene, 1 machine (300 feet buffer)
- Dry Cleaners using Perchloroethylene, 2 machines (500 feet buffer)
- Dry Cleaners using Perchloroethylene, 3 machines (Requires consultation with APCD)
- Large Gas Station, 3.6 million gallons or more per year (300 feet buffer)

All required HRAs shall include:

1. The estimated maximum 70-year lifetime cancer risk;
2. The estimated maximum non-cancer chronic health hazard index; and
3. The estimated maximum non-cancer acute health hazard index.

Risk estimates shall each be made for the off-site point of maximum health impact, the maximally exposed individual resident, and the maximally exposed individual worker. The location of each of these receptors shall be specified. The lifetime cancer risk, non-cancer chronic and acute health hazard indexes for nearby sensitive receptors shall also be reported. Cancer and non-cancer chronic risk estimates shall be based on inhalation risks. HRAs shall include estimates of population exposure, including cancer burden, as well as cancer and non-cancer chronic and acute risk isopleths (contours). The HRA shall identify best available control technology required to reduce risk to less than 10 in 1,000,000.

Biological Resources

SP-BIO-1: Sensitive Plants and Wildlife

To reduce potentially significant impacts that would cause a reduction in the number of unique, rare, endangered, sensitive, or fully protected species of plants or animals, if present within the project area, all subsequent projects implemented in accordance with the project area shall be analyzed in accordance with the CEQA Significance Thresholds, which require that site-specific biological resources surveys be conducted in accordance with City's Biology Guidelines. The locations of any sensitive plant species, including listed, rare, and narrow endemic species, as well as the potential for occurrence of any listed or rare wildlife species shall be recorded and presented in a biological resources report. Based on available habitat within the

project area, focused presence/absence surveys shall be conducted in accordance with the City's Biology Guidelines and applicable resource agency survey protocols to determine the potential for impacts resulting from the future projects on these species. Engineering design specifications based on project-level grading and site plans shall be incorporated into the design of future projects to minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with the FESA, MBTA, Bald and Golden Eagle Protection Act, California Endangered Species Act (CESA), MSCP Subarea Plan, VPHCP, and ESL Regulations.

In addition to the requirements detailed above, specific measures shall be implemented when the biological survey results in the identification of burrowing owls on the project site. Future projects shall be required to conduct a habitat assessment to determine whether or not protocol surveys are needed. Should burrowing owl habitat or sign be encountered on or within 150 meters of the project site, breeding season surveys shall be conducted. If occupancy is determined, site-specific avoidance and mitigation measures shall be developed in accordance with the protocol established in the "Staff Report on Burrowing Owl Mitigation, State of California Natural Resources Agency Department of Fish and Game. March 7, 2012" (hereafter referred as California Department of Fish and Game [CDFG] 2012, Staff Report). Measures to avoid and minimize impacts to burrowing owl shall be included in a Conceptual Burrowing Owl Mitigation Plan which includes take avoidance (preconstruction) surveys, site surveillance, and the use of buffers, screens, or other measures to minimize construction-related impacts.

Mitigation for Impacts to Sensitive Upland Habitats

Future projects implemented in accordance with the project resulting in impacts to sensitive upland Tier I, II, IIIA, or IIIB habitats shall implement avoidance and minimization measures consistent with the City's Biology Guidelines and MSCP Subarea Plan and provide suitable mitigation in accordance with the Upland Mitigation Ratios currently outlined in Table 3 of the City's Biology Guidelines (City 2018). Future project-level grading and site plans shall incorporate project design features to minimize direct impacts on sensitive vegetation communities including but not limited to riparian habitats, wetlands, oak woodlands, and coastal sage scrub consistent with federal, state, and City guidelines. Any required mitigation for impacts on sensitive vegetation communities shall be outlined in a conceptual mitigation plan following the outline provided in the City Biology Guidelines. Mitigation for impacts to sensitive vegetation communities shall be implemented at the time future development projects are proposed. Project-level analysis shall determine whether the impacts are within or outside of the MHPA. Any MHPA boundary adjustments shall be processed by the individual project applicants through the City and Wildlife Agencies during the early project planning stage. Mitigation for impacts to sensitive upland habitats shall occur in accordance with the MSCP mitigation ratios as specified within the City's Biology Guidelines (City 2018). These mitigation ratios are based on Tier level of the vegetation community, the location of the impact and the location of the mitigation site(s). For example, impacts

to lands inside of the MHPA and mitigated outside the MHPA would have the highest mitigation ratio whereas impacts to lands outside the MHPA and mitigated inside the MHPA would have the lowest mitigation ratio.

If mobility element roads (i.e., Beyer Boulevard, Airway Road, and Del Sol Boulevard) impact existing conserved lands, an additional 1:1 ratio shall be added to the City required mitigation ratio in order to replace the lands that were previously preserved as open space. Mitigation lands purchased to compensate for impacts to areas within conserved lands shall be located in the Otay Mesa area if feasible.

SP-BIO-2: Wetlands

To reduce potential direct impacts to City, state, and federally regulated wetlands, all subsequent projects developed in accordance with the Specific Plan shall be required to comply with USACE Clean Water Act Section 404 requirements and special conditions, RWQCB Clean Water Act Section 401 requirements and special conditions, CDFW Section 1602 Streambed Alteration Agreement requirements and special conditions, and the City of San Diego ESL Regulations for avoiding and minimizing impacts to wetlands or compliance with City guidelines for the wetland deviation. Consistency with these regulations for impacts on wetlands and special aquatic sites would reduce potential impacts to regulated wetlands and provide compensatory mitigation (as required) to ensure no net-loss of wetland habitats.

Prior to obtaining discretionary permits for future actions implemented in accordance with the Specific Plan, a site-specific biological resources survey shall be completed in accordance with the City's Biology Guidelines. In addition, a preliminary or final aquatic resource delineation of the program-level areas shall be completed following the methods outlined in the USACE's 1987 Wetlands Delineation Manual and the Regional Supplement to the Corps of Engineers Delineation Manual for the Arid West Region. A determination of the presence/absence and boundaries of any waters of the United States and waters of the state shall also be completed following the appropriate USACE guidance documents for determining the OHWM boundaries. The limits of any riparian habitats within the program-level analysis areas under the sole jurisdiction of CDFW shall also be delineated, as well as any special aquatic sites (excluding vernal pools) that may not meet federal criteria but are regulated by the RWQCB. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize direct impacts to potential wetlands/waters, riparian habitats, vernal pools, etc. consistent with federal, state, and City guidelines. Any required mitigation for impacts shall be outlined in a conceptual wetland mitigation plan prepared in accordance with the City's Biology Guidelines (2018).

Additionally, any impacts to wetlands in the City would require a deviation from the ESL wetland regulations. Under the wetland deviation process, development proposals that have wetland impacts shall be considered only pursuant to one of three options: Essential Public Projects, Economic Viability Option, or Biologically Superior Option. ESL Regulations require that impacts to wetland be avoided.

Unavoidable impacts to wetlands shall be minimized to the maximum extent practicable and mitigated consistent with the City's Biology Guidelines including a no-net loss of wetland resources.

Vernal Pools and Vernal Pool Species
Impacts to vernal pools shall be addressed through project compliance with the VPHCP. This includes required assessments of vernal pool flora and fauna, hydrology, habitat function, and restoration potential and protocol fairy shrimp surveys, in addition to the requirements listed above. Mitigation for projects impacting vernal pools shall be consistent with the VPHCP and City of San Diego Biology Guidelines as determined by completion of a Compensatory Mitigation Plan approved by the City and Wildlife Agencies. Mitigation may include salvage of special status species from vernal pools to be impacted, introduction of salvaged material into restored vernal pool habitat where appropriate (e.g., same pool series) and maintenance of vernal pool habitat consistent with the VPHCP.

Historical Resources

SP-HIST-1: Archaeological Resources
Prior to issuance of any permit for a future development project implemented in accordance with the Specific Plan that could directly affect an archaeological resource, the City shall require the following steps be taken to determine: (1) the presence of archaeological resources and (2) the appropriate mitigation for any significant resources which may be impacted by a development activity. Sites may include, but are not limited to, residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with prehistoric Native American activities.

INITIAL DETERMINATION

The environmental analyst will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g., Archaeological Sensitivity Maps, the Archaeological Map Book, and the City's "Historical Inventory of Important Architects, Structures, and People in San Diego") and conducting a site visit. If there is any evidence that the site contains archaeological resources, then a historic evaluation consistent with the City Land Development Code Historical Resources Guidelines shall be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City Guidelines.

STEP 1:

Based on the results of the Initial Determination, if there is evidence that the site contains historical resources, preparation of a historic evaluation is required. The evaluation report shall generally include background research, field survey, archaeological testing and analysis. Before actual field reconnaissance shall occur, background research is required which includes a record search at the SCIC at San

Diego State University. A review of the Sacred Lands File maintained by the NAHC must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums.

In addition to the record searches mentioned above, background information may include, but is not limited to: examining primary sources of historical information (e.g., deeds and wills), secondary sources (e.g., local histories and genealogies), Sanborn Fire Maps, and historic cartographic and aerial photograph sources; reviewing previous archaeological research in similar areas, models that predict site distribution, and archaeological, architectural, and historical site inventory files; and conducting informant interviews. The results of the background information shall be included in the evaluation report.

Once the background research is complete, a field reconnaissance must be conducted by individuals whose qualifications meet the standards outlined in the City Guidelines. Consultants are encouraged to employ innovative survey techniques when conducting enhanced reconnaissance, including, but not limited to, remote sensing, ground penetrating radar, and other soil resistivity techniques as determined on a case-by-case basis. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties. If through background research and field surveys historical resources are identified, then an evaluation of significance must be performed by a qualified archaeologist.

STEP 2:

Once a historical resource has been identified, a significance determination must be made. It should be noted that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). An archaeological testing program will be required which includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A thorough discussion of testing methodologies, including surface and subsurface investigations, can be found in the City Guidelines.

The results from the testing program will be evaluated against the Significance Thresholds found in the Guidelines. If significant historical resources are identified within the Area of Potential Effect, the site may be eligible for local designation. At this time, the final testing report must be submitted to Historical Resources Board staff for eligibility determination and possible designation. An agreement on the appropriate form of mitigation is required prior to distribution of a draft

environmental document. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found, but results of the initial evaluation and testing phase indicate there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.

STEP 3:

Preferred mitigation for historical resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program is required, which includes a Collections Management Plan for review and approval. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to draft CEQA document distribution. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as, but not limited to, existing development or dense vegetation.

A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground-disturbing activities, whenever a Native American Traditional Cultural Property or any archaeological site located on City property or within the Area of Potential Effect of a City project would be impacted. In the event that human remains are encountered during data recovery and/or a monitoring program, the provisions of PRC Section 5097.98 must be followed. These provisions are outlined in the Mitigation Monitoring and Reporting Program included in the environmental document. The Native American monitor shall be consulted during the preparation of the written report, at which time they may make recommendations about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored.

STEP 4:

Archaeological Resource Management reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of the Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation.

Specific types of historical resource reports are required to document the methods (see Section III of the Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources; to document the appropriate curation of archaeological collections (e.g. collected materials and the associated records); in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that will reduce the impacts to below a level of significance; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation "Archaeological Resource Management Reports: Recommended Contents and Format" (see Appendix C of the Guidelines), which will be used by Environmental Analysis Section staff in the review of archaeological resource reports. Consultants must ensure that archaeological resource reports are prepared consistent with this checklist. This requirement will standardize the content and format of all archaeological technical reports submitted to the City. A confidential appendix must be submitted (under separate cover) along with historical resources reports for archaeological sites and traditional cultural properties containing the confidential resource maps and records search information gathered during the background study. In addition, a Collections Management Plan shall be prepared for projects which result in a substantial collection of artifacts and must address the management and research goals of the project and the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City. Appendix D (Historical Resources Report Form) may be used when no archaeological resources were identified within the project boundaries.

STEP 5:

For Archaeological Resources: All cultural materials, including original maps, field notes, non-burial related artifacts, catalog information, and final reports recovered during public and/or private development projects must be permanently curated with an appropriate institution, one which has the proper facilities and staffing for insuring research access to the collections consistent with state and federal standards. In the event that a prehistoric and/or historic deposit is encountered during construction monitoring, a Collections Management Plan shall be required in accordance with the project Mitigation Monitoring and Reporting Program. The disposition of human remains and burial related artifacts that cannot be avoided or are inadvertently discovered is governed by state (i.e., Assembly Bill 2641 and California Native American Graves Protection and Repatriation Act of 2001) and federal (i.e., Native American Graves Protection and Repatriation Act) law, and must be treated in a dignified and culturally appropriate manner with respect for the deceased individual (s) and their descendants. Any human bones and associated grave goods of Native American origin shall be turned over to the appropriate Native American group for repatriation.

Arrangements for long-term curation must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance, and must be included in the archaeological survey, testing, and/or data recovery report submitted to the City for review and approval. Curation must be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collection (dated May 7, 1993) and, if federal funding is involved, 36 Code of Federal Regulations 79 of the Federal Register. Additional information regarding curation is provided in Section II of the City Land Development Code Historical Resources Guidelines.

SP-HIST-2: Historic Architectural Resources

Prior to issuance of any permit for a future development project implemented in accordance with the Specific Plan that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure is historically significant. The evaluation of historic architectural resources shall be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity, and any significant historic resources shall be treated in accordance with the Historic Resources Guidelines.

Preferred mitigation for historic buildings or structures shall be to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures shall include, but are not limited to:

a. Preparing a historic resource management plan;

b. Designing new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);

c. Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;

d. Screening incompatible new construction from view through the use of berms, walls, and landscaping in keeping with the historic period and character of the resource; and

e. Shielding historic properties from noise generators through the use of sound walls, double glazing, and air conditioning.

Specific types of historical resource reports, outlined in Section III of the HRG, are required to document the methods to be used to determine the presence or absence of historical resources, to identify potential impacts from a proposed project, and to evaluate the significance of any historical resources identified. If potentially significant impacts to an identified historical resource are identified these

reports will also recommend appropriate mitigation to reduce the impacts to below a level of significance. If required, mitigation programs can also be included in the report.

SP-HIST-3: Human Remains

Although no human remains have been found within the project area, there is a potential for the discovery of human remains during project grading. It is preferable to avoid impacting human remains, but this is not always possible given the potential of uncovering undocumented human remains during project grading or other ground-disturbing activities. When a data recovery program of an archaeological site is required, all possible pre-excavation planning should be implemented to reduce the possibility of the accidental discovery of human remains. Historic era burial locations can often be identified with background research. Forensic dogs can be used to identify human remains, especially in cases where scattered cremation remains are present. Non-destructive ground penetrating procedures such as ground penetrating radar can be used to identify subsurface anomalies that may indicate the presence of inhumations. Since data recovery programs never recover all the data from an archaeological site, similar procedures implemented during project implementation would be helpful in reducing the potential for discovery of unanticipated human remains.

If human remains are found, existing laws and protocols are required to be followed before proceeding with any project action that would further disturb the remains. Provisions set forth in California PRC Section 5097.98 and state Health and Safety Code Section 7050.5 shall be implemented in consultation with the Most Likely Descendant identified by the NAHC and as described in PR-HIST-2 IV A-C. Discovery of Human Remains, the requirements of which are incorporated here by reference.

Hazards and Hazardous Materials

SP-HAZ-1: Reduction of Risk of Wildfires

Future projects implemented in accordance with the Specific Plan shall be required to incorporate sustainable development and other measures into site plans in accordance with the City's Brush Management Regulations, and Landscape Standards pursuant to General Plan, Otay Mesa Community Plan, and Specific Plan policies intended to reduce the risk of wildfires. In addition, all future projects shall be reviewed for compliance with the most current California Fire Code, Section 145.0701 through 145.0711 of the LDC, and the CWUIC in Title 24, Part 7.

SP-HAZ-2: Hazardous Sites

a. A Phase I ESA shall be completed in accordance with federal, state, and local regulations for any property identified on a list compiled pursuant to Government Code Section 65962.5 prior to the issuance of a grading permit. The report shall include an existing condition survey, detailed project description, and specific measures proposed to preclude upset conditions (accidents) from occurring. If hazardous materials are identified, a Phase II risk assessment and remediation effort shall be conducted in conformance with federal, state, and local regulations.

b. The applicant shall retain a qualified environmental engineer to develop a soil and groundwater management plan to address the notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater). The qualified environmental consultant shall monitor excavations and grading activities in accordance with the plan. The groundwater management and monitoring plans shall be approved by the City prior to the issuance of a grading permit.

c. The applicant shall submit documentation showing that contaminated soil and/or groundwater on proposed development parcels have been avoided or remediated to meet cleanup requirements established by the local regulatory agencies (Regional Water Quality Control Board/Department of Toxic Substances Control/DEHQ) based on the future planned land use of the specific area within the boundaries of the site (i.e., commercial, residential), and that the risk to human health of future occupants of these areas therefore has been reduced to below a level of significance prior to the issuance of an occupancy permit.

d. The applicant shall obtain written authorization from the regulatory agency (Regional Water Quality Control Board/Department of Toxic Substances Control/DEHQ) confirming the completion of remediation prior to each the issuance of a grading permit and occupancy permit. A copy of the authorization shall be submitted to the City to confirm that all appropriate remediation has been completed and that the proposed development parcel has been cleaned up to the satisfaction of the regulatory agency. In the situation where previous contamination has occurred on a site that has a previously closed case or on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the DEHQ shall be notified of the proposed land use.

e. All cleanup activities shall be performed in accordance with all applicable federal, state, and local laws and regulations, and required permits shall be secured prior to commencement of construction to the satisfaction of the City and compliance with applicable regulations such as but not limited to SDMC Section 42.0801, Division 9 and Section 42.0901 et seq.

Hydrology and Water Quality

SP-HYD/WQ-1: Storm Water Runoff and Drainage

Prior to approval of development projects implemented under the Specific Plan, the applicant shall demonstrate to the satisfaction of the City Engineer, based on the project application, that future projects are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and RWQCB regulations. Future design of projects shall incorporate all practicable measures as further outlined below in accordance with the RWQCB, the City Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the Land Development Code [LDC]), and the LDC, and shall be based on the recommendations of a detailed hydraulic analysis.

a. San Diego RWQCB

- Comply with all NPDES permit(s) requirements, including the development of a Stormwater Pollution Prevention Plan (SWPPP) if the disturbed soil area is one acre or more, or a Water Quality Control Plan if less than one acre, in accordance with the City's Storm Water Standards.

- If a future project includes in-water work, it shall require acquiring and adhering to a 404 Permit (from U.S. Army Corps of Engineers) and a Streambed Alteration Agreement (from CDFW).

- Comply with the San Diego RWQCB water quality objectives and bacteria TMDL.

b. City of San Diego

To prevent flooding, future projects shall be designed to incorporate any applicable measures from the City of San Diego LDC. Flood control measures that shall be incorporated into future projects within a SFHA, or within a 100-year floodway, include but are not limited to the following:

- Prior to issuance of building permits or approval of any project within or in the vicinity of a floodway or SFHA, all proposed development within a SFHA is subject to the following requirements and all other applicable requirements and regulations of FEMA and those provided in Chapter 14, Article 3, Division 1 of the LDC.

- In all floodways, any encroachment, including fill, new construction, significant modifications, and other development, is prohibited unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge except as allowed under Code of Federal Regulations Title 44, Chapter 1, Part 60.3(c) (13).

- If the engineering analysis shows that development will alter the floodway or floodplain boundaries of the SFHA, the developer shall obtain a CLOMR from FEMA.

- Fill placed in the SFHA for the purpose of creating a building pad shall be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test Fill method issued by the American Society for Testing and Materials (ASTM) Granular fill slopes shall have adequate protection for a minimum flood water velocity of five feet per second.

- The applicant shall denote on the improvement plans "Subject to Inundation" all areas lower than the base elevation plus two feet.

- If the structures will be elevated on fill such that the lowest adjacent grade is at or above the base flood elevation, the applicant must obtain a Letter of

Map Revision based on Fill (LOMR-F) prior to occupancy of the building. The developer or applicant shall provide all documentation, engineering calculations, and fees required by FEMA to process and approve the LOMR-F.

- In accordance with Chapter 14, Article 3, Division 1 of the LDC channelization or other substantial alteration of rivers or streams shall be limited to essential public service projects, flood control projects, or projects where the primary function is the improvement of fish and wildlife habitat. The channel shall be designed to ensure that the following occur:
    - Stream scour is minimized.
    - Erosion protection is provided.
    - Water flow velocities are maintained as specified by the City Engineer. There are neither significant increases nor contributions to downstream bank erosion and sedimentation of sensitive biological resources; acceptable techniques to control stream sediment include planting riparian vegetation in and near the stream and detention or retention basins.
    - Wildlife habitat and corridors are maintained.
    - Groundwater recharge capability is maintained or improved.
- Within the flood fringe of a SFHA or floodway, permanent structures and fill for permanent structures, roads, and other development are allowed only if the following conditions are met:
    - The development or fill shall not significantly adversely affect existing sensitive biological resources on-site or off site.
    - The development is capable of withstanding flooding and does not require or cause the construction of off-site flood protective works including artificial flood channels, revetments, and levees nor shall it cause adverse impacts related to flooding of properties located upstream or downstream, nor shall it increase or expand a FIRM Zone A.
    - Grading and filling are limited to the minimum amount necessary to accommodate the proposed development, harm to the environmental values of the floodplain is minimized including peak flow storage capacity, and wetlands hydrology is maintained.
    - The development neither significantly increases nor contributes to downstream bank erosion and sedimentation nor causes an increase in flood flow velocities or volume.

- There shall be no significant adverse water quality impacts to downstream wetlands, lagoons, or other sensitive biological resources, and the development is in compliance with the requirements and regulations of the NPDES as implemented by the City of San Diego.

SP-HYD/WQ-2: Storm Water Quality

Future projects shall be sited and designed to minimize impacts on receiving waters, in particular the discharge of identified pollutants to an already impaired water body. Prior to approval of any entitlements for any future project, the City shall ensure that any impacts on receiving waters shall be precluded and, if necessary, mitigated in accordance with the requirements of the City's Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC) and other appropriate agencies (e.g., RWQCB). To prevent erosion, siltation, and transport of urban pollutants, all future projects shall be designed to incorporate any applicable storm water improvement, both off- and on-site, in accordance with the City of San Diego Stormwater Standards Manual.

Storm water improvements and water quality protection measures that shall be required for future projects include:

- Increasing onsite biofiltration;
- Preserving, restoring, or incorporating natural drainage systems into site design;
- Directing concentrated flows away from MHPA and open space areas. If not possible, drainage shall be directed into sediment basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA or open space areas;
- Reducing the amount of impervious surfaces through selection of materials, site planning, and narrowing of street widths where possible;
- Increasing the use of vegetation in drainage design;
- Maintaining landscape design standards that minimize the use of pesticides and herbicides; and
- To the extent practicable, avoiding development of areas particularly susceptible to erosion and sediment loss.

San Diego Regional Water Quality Control Board and SDMC Compliance

- The requirements of the RWQCB for storm water quality are addressed by the City in accordance with the City NPDES requirements and the participation in the regional permit with the RWQCB.
- Prior to permit approval, the City shall ensure any impacts on receiving waters are avoided or mitigated in accordance with the City of San Diego Stormwater Regulations.

- In accordance with the City of San Diego Stormwater Standards Manual, development shall be designed to incorporate on-site storm water improvements satisfactory to the City Engineer and shall be based on the adequacy of downstream storm water conveyance.

Geology and Soils

SP-GEO-1: Geologic Hazards

Impacts associated with geologic hazards shall be mitigated at the project-level through adherence to the City's Seismic Safety Study and recommendations of a site-specific geotechnical report prepared in accordance with the City's Geotechnical Report Guidelines. Impacts shall also be avoided or reduced through engineering design that meets or exceeds adherence to the SDMC and the CBC.

More specifically, compressible soils impacts shall be mitigated through the removal of undocumented fill, colluvium/topsoil, and alluvium to firm the ground. Future development shall also be required to clean up deleterious material and properly moisture, condition, and compact the soil in order to provide suitable foundation support.

Regarding impacts related to expansive soils, future development shall be required to implement typical remediation measures, which shall include placing a minimum 5-foot cap of low expansive (Expansion Index [EI] of 50 or less) over the clays; or design of foundations and surface improvements to account for expansive soil movement.

SP-GEO-2: Geotechnical Investigations

Submittal, review, and approval of site-specific geotechnical investigations shall be completed in accordance with the SDMC requirements. Engineering design specifications based on future project-level grading and site plans shall be incorporated into all future projects implemented in accordance with the Specific Plan to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer and shall include the following measures to control erosion during and after grading or construction:

- Desilting basins, improved surface drainage, or planting of ground covers installed early in the improvement process in areas that have been stripped of native vegetation or areas of fill material;

- Short-term measures, such as sandbag placement and temporary detention basins;

- Restrictions on grading during the rainy season (November through March), depending on the size of the grading operation, and on grading in proximity to sensitive wildlife habitat; and

- Immediate post-grading slope revegetation or hydroseeding with erosion-resistant species to ensure coverage of the slopes prior to the next rainy season.

Conformance to mandated City grading requirements shall ensure that future grading and construction operations will avoid significant soil erosion impacts. Furthermore, any development involving clearing, grading, or excavation that causes soil disturbance of one or more acres, or any project involving less than one acre that is part of a larger development plan, shall be subject to NPDES General Construction Storm Water Permit provisions. Additionally, any development of this significant size within the City shall be required to prepare and comply with an approved Storm Water Pollution Prevention Plan that shall consider the full range of erosion control BMPs such as, but not limited to, including any additional site-specific and seasonal conditions. Project compliance with NPDES requirements will significantly reduce the potential for substantial erosion or topsoil loss to occur in association with new development.

Prior to obtaining grading permits for future actions a site-specific geotechnical investigation shall be completed as necessary in accordance with the City of San Diego Guidelines for Preparing Geotechnical Reports. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize hazards associated with site-level geologic and seismic conditions satisfactory to the City Engineer. Measures designed to reduce erosion at the project-level shall include the following:

- Control erosion by minimizing the area of slope disturbance and coordinate the timing of grading, resurfacing, and landscaping where disturbance does occur.
- On sites for industrial activities require reclamation plans that control erosion, where feasible, in accordance with the LDC.
- Control erosion caused by storm runoff and other water sources.
- Preserve as open space those hillsides characterized by steep slopes or geological instability in order to control urban form, ensure public safety, provide aesthetic enjoyment, and protect biological resources.
- Replant with native, drought-resistant plants to restore natural appearance and prevent erosion.
- Practice erosion control techniques when grading or preparing building sites.
- Utilize ground cover vegetation when landscaping a development in a drainage area to help control runoff.
- Incorporate sedimentation ponds as part of any flood control or runoff control facility.
- During construction, take measures to control runoff from construction sites. Filter fabric fences, heavy plastic earth covers, gravel berms, or lines of straw bales are a few of the techniques to consider.

- Phase grading so that prompt revegetation or construction can control erosion. Only disturb those areas that will later be resurfaced, landscaped, or built on. Resurface parking lots and roadways as soon as possible, without waiting until completion of construction.

- Promptly revegetate graded slopes with groundcover or a combination of groundcover, shrubs, and trees. Hydroseeding may substitute for container plantings. Groundcovers shall have moderate to high erosion control qualities.

- Where necessary, design drainage facilities to ensure adequate protection for the community while minimizing erosion and other adverse effects of storm runoff to the natural topography and open space areas.

- Ensure that the timing and method of slope preparation protects natural areas from disturbance due to erosion or trampling. The final surface shall be compacted and spillovers into natural areas shall be avoided.

- Plant and maintain natural groundcover on all created slopes.

When required, the geologic technical report shall consist of a preliminary study, a geologic reconnaissance, or an in-depth geologic investigation report that includes fieldwork and analysis. The geologic reconnaissance report and the geologic investigation report shall include all pertinent requirements as established by the Building Official.

In addition, the Building Official shall require a geologic reconnaissance report or a geologic investigation report for any site if the Building Official has reason to believe that a geologic hazard may exist at the site. Section 145.1803 of the SDMC discusses in more detail the requirements related to the geotechnical report outlined in the City Seismic Safety Study (City of San Diego 2008).

Noise

SP-NOS-1: Exterior Noise Analysis

Prior to the issuance of building permits, site-specific exterior noise analyses that demonstrate that the project would not place residential receptors in locations where the exterior existing or future noise levels would exceed the noise compatibility guidelines of the City's General Plan shall be required as part of the review of future residential development proposals. Noise reduction measures, including but not limited to building noise barriers, increased building setbacks, speed reductions on surrounding roadways, alternative pavement surfaces, or other relevant noise attenuation measures, may be used to achieve the noise compatibility guidelines. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses.

SP-NOS-2: Interior Noise Analysis

Prior to the issuance of building permits, site specific interior noise analyses demonstrating compliance with the interior noise compatibility guidelines of the

City's General Plan and other applicable regulations shall be prepared for noise sensitive land uses located in areas where the exterior noise levels exceed the noise compatibility guidelines of the City's General Plan. Noise control measures, including but not limited to increasing roof, wall, window, and door sound attenuation ratings, placing heating, ventilation, and air conditioning (HVAC) in noise reducing enclosures, or designing buildings so that no windows face freeways or major roadways may be used to achieve the noise compatibility guidelines. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

SP-NOS-3: Site-Specific Acoustical/Noise Analysis

Prior to the issuance of a building permit, a site-specific acoustical/noise analysis of any on-site generated noise sources, including generators, mechanical equipment, and trucks, shall be prepared which identifies all noise generating equipment, predicts noise levels at property lines from all identified equipment, and recommends mitigation to be implemented (e.g., enclosures, barriers, site orientation), to ensure compliance with the City's Noise Abatement and Control Ordinance. Noise reduction measures shall include building noise-attenuating walls, reducing noise at the source by requiring quieter machinery or limiting the hours of operation, or other attenuation measures. Additionally, future projects shall be required to buffer sensitive receptors from noise sources through the use of open space and other separation techniques as recommended after thorough analysis by a qualified acoustical engineer. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

Paleontological Resources

SP-PALEO-1: Paleontological Resources

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the City Engineer (CE) and/or Building Inspector (BI) shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

2. The applicant shall submit a letter of verification to Resident Engineer (RE) and/or Building Inspector (BI) identifying the qualified Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program. A qualified PI is defined as a person with a Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.) with demonstrated knowledge of southern California paleontology and geology, and documented experience in professional paleontological procedures and techniques.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to RE and/or BI that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from the San Diego Natural History Museum, or another relevant institution that maintains paleontological collections recovered from sites within the City of San Diego.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Preconstruction Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, RE, and BI, as appropriate. The qualified paleontologist (PI) shall attend any grading/excavation related Preconstruction Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

    a. If the PI is unable to attend the Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with 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 a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to RE and/or BI identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known geologic conditions (e.g., geologic deposits as listed in the Paleontological Monitoring Determination Matrix below).

3. When Monitoring Will Occur

    a. Prior to the start of any work, the PI shall also submit a construction schedule to the RE and/or BI indicating when and where monitoring will occur.

b. The PI may submit a detailed letter to RE and/or BI 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 and geotechnical reports which indicate conditions such as depth of excavation and/or thickness of artificial fill overlying bedrock, presence or absence of fossils , etc., which may reduce or increase the potential for resources to be present.

III. During Construction

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

1. The paleontological monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the PI, RE and/or BI of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.

2. The PI may submit a detailed letter to RE and/or BI during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter previously undisturbed and paleontologically sensitive geologic deposits as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for paleontological resources to be present.

3. The paleontological monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be emailed by the CM to the RE and/or BI the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries.

B. Discovery Notification Process

1. In the event of a discovery, the paleontological monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and notify the RE and/or BI. The contractor shall also process a construction change for administrative purposes to formalize the documentation and recovery program, including modification to Mitigation Monitoring and Compliance (MMC).

2. The paleontological monitor shall notify the PI (unless paleontological monitor is the PI) of the discovery.

3. The PI shall notify MMC of the discovery, and shall submit documentation to MMC within 24 hours by email with photos of the resource in context.

C. Recovery of Fossils

If a paleontological resource is encountered:

1. The paleontological monitor shall salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary as determined by the PI, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits.

2. The paleontological monitor shall record stratigraphic and geologic data to provide a context for the recovered fossil remains, including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, and photographic documentation of the geologic setting.

IV. Post Construction

A. Preparation and Submittal of Draft Paleontological Monitoring Report

1. The PI shall submit two copies of the Draft Paleontological Monitoring Report (even if negative), prepared to the satisfaction of the Development Services Department. The Draft Paleontological Monitoring Report shall describe the methods, results, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,

    a. For significant or potentially significant paleontological resources encountered during monitoring, as identified by the PI, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

    b. The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines (revised November 2017), and submittal of such forms to the San Diego Natural History Museum and MMC with the Draft Paleontological Monitoring Report.

2. MMC shall return the Draft Paleontological Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Paleontological Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved Draft Paleontological Monitoring Report.

5. MMC shall notify the RE and/or BI of receipt of all Draft Paleontological Monitoring Report submittals and approvals.

B. Handling of Recovered Fossils

1. The PI shall ensure that all fossils collected are cleaned to the point of curation (e.g., removal of extraneous sediment, repair of broken specimens, and consolidation of fragile/brittle specimens) and catalogued as part of the Paleontological Monitoring Program.

2. The PI shall ensure that all fossils are analyzed to identify stratigraphic provenance, geochronology, and taphonomic context of the source geologic deposit; that faunal material is taxonomically identified; and that curation has been completed, as appropriate.

C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossils associated with the paleontological monitoring program for this project are permanently curated with an accredited institution that maintains paleontological collections (such as the San Diego Natural History Museum).

2. The PI shall include an acceptance verification from the curation institution in the Final Paleontological Monitoring Report submitted to the RE and/or BI, and MMC.

D. Final Paleontological Monitoring Report(s)

1. The PI shall submit two copies of the Final Paleontological Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the Final Paleontological Monitoring Report has been approved.

2. The RE and/or BI shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Paleontological Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

Traffic/Circulation

SP-TRA-1: Vehicle Miles Traveled Reduction Measures

Each future discretionary action (e.g., VTM, Site Development Permit, etc.) will be required to prepare analysis demonstrating consistency with the City's TSM in effect at the time of analysis, including preparation of project-specific LMA and VMT studies. VMT impacts can be mitigated by reducing the number of automobile trips generated by a project or by reducing the distance that people drive. If full mitigation

to achieve 15 percent below regional average VMT/capita cannot be achieved, then mitigation to the greatest extent feasible shall be achieved by:

- Implementation of VMT reduction measures outlined in the current City of San Diego Mobility Choices Regulation: Implementation Guidelines or opting into the Active Transportation In-Lieu Fee (ATILF) if the planning area is in Mobility Zones 2 or 3, or
- Payment of the current City of San Diego Mobility Choices Regulations ATILF if the planning area is in Mobility Zone 4, or
- Implementation of other City ordinances or currently adopted policy or mitigation approaches in effect at the time future projects are proposed.

Utilities

SP-UTIL-1: Waste Management Plan

Pursuant to the City's Significance Determination Thresholds, future subsequent development projects (including construction, demolition, and /or renovation) that would generate 60 tons or more of solid waste shall be required to prepare a WMP. The WMP shall be prepared by the applicant, conceptually approved by the ESD and discussed in the environmental document. The WMP shall be implemented by the applicant and address the demolition, construction, and occupancy phases of the project as applicable to include the following:

a. A timeline for each of the three main phases of the project (demolition, construction, and occupancy).
b. Tons of waste anticipated to be generated (demolition, construction, and occupancy).
c. Type of waste to be generated (demolition, construction, and occupancy).
d. Describe how the project will reduce the generation of C&D debris.
e. Describe how the C&D materials will be reused on-site.
f. Include the name and location of recycling, reuse, and landfill facilities where recyclables and waste will be taken if not reused on-site.
g. Describe how the C&D waste will be source separated if a mixed C&D facility is not used for recycling.
h. Describe how the waste reduction and recycling goals will be communicated to subcontractors.
i. Describe how a "buy recycled" program for green construction products, including mulch and compost, will be incorporated into the project.
j. Describe how the Refuse and Recyclable Materials Storage Regulations (LDC Chapter 14, Article 2 Division 8) will be incorporated into design of building's waste storage area.
k. Describe how compliance with the Recycling Ordinance (Municipal Code Chapter

6, Article 6, Division 7) will be incorporated in the operational phase.

l. Describe any International Standards of Operation 1, or other certification, if any.

1.10 PROJECT-LEVEL MMRP

The following general requirements shall be a part of the MMRP for the project-level components:

A. GENERAL REQUIREMENTS – PART I
Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice to Proceed for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department Environmental Designee shall review and approve all construction documents (CDs; plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the Environmental Designee shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/ MITIGATION REQUIREMENTS**."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website: http://www.sandiego.gov/development-services/industry/standtemp.html.

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY –** The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its costs to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II
Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT:** The PERMIT HOLDER/OWNER is responsible for arranging and performing this meeting by contacting the CITY RESIDENT ENGINEER of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants: ***Biological Monitor, Archaeological/Native American Monitor, and Paleontological Monitor.***

   Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

   CONTACT INFORMATION:

   a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**

   b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

2. **MMRP COMPLIANCE:** This Project, PRJ-0604791, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the City Engineer. The requirements may not be reduced or changed but may be annotated (e.g., to explain when and how compliance is being met and location of verifying proof). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as needed (e.g., specific locations, times of monitoring, methodology, etc.)

   Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by the RE and MMC before the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the Resident Engineer and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency.

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17-inch reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating

when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

Note: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist		
Issue Area	**Document Submittal**	**Associated Inspection/Approvals/ Notes**
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Land Use	Land Use Adjacency Issues CVSRs	Land Use Adjacency Issue Site Observations
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
Biology	Biology Monitoring Reports	Biology/Habitat Inspection
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Paleontology	Paleontology Reports	Paleontological Observations
Hazards	Groundwater Management and Monitoring Plans	Prior to issuance of Grading Permits
Noise	Site Specific Interior Noise	Prior to issuance of Building Permits
Transportation	Fee Payment Receipt	Prior to issuance of Building Permits
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

Land Use

PR-LU-1: MHPA Land Use Adjacency Guidelines

All project-level components that are implemented in accordance with the Specific Plan which are adjacent to designated MHPA areas shall comply with the Land Use Adjacency Guidelines of the MSCP in terms of land use, drainage, access, toxic substances in runoff, lighting, noise, invasive plant species, grading, and brush management requirements prior to issuance of construction permits per San Diego Municipal Code 143.0110(d). Mitigation measures include but are not limited to: sufficient buffers and design features, barriers (rocks, boulders, signage, fencing, and appropriate vegetation) where necessary, lighting directed away from the MHPA, and berms or walls adjacent to commercial or industrial areas and any other use that may introduce construction noise or noise from future development that could impact or interfere with wildlife utilization of the MHPA. The project biologist for each proposed project shall identify specific mitigation measures needed to reduce impacts to below a level of significance. Subsequent environmental review shall be required to determine the significance of impacts from land use adjacency and compliance with the Land Use Adjacency Guidelines of the MSCP. Prior to issuance of construction permits per San Diego Municipal Code 143.0110(d) for any subsequent development project in an area adjacent to a designated MHPA, the City of San Diego shall identify specific conditions of approval in order to avoid or to reduce potential impacts to adjacent the MHPA.

Specific requirements shall include:

- Prior to the issuance of occupancy permits, development areas shall be permanently fenced where development is adjacent to the MHPA to deter the intrusion of people and/or pets into the MHPA open space areas. Signage may be installed as an additional deterrent to human intrusion as required by the City.

- The use of structural and nonstructural best management practices (BMPs), including sediment catchment devices, shall be required to reduce the potential indirect impacts associated with construction to drainage and water quality. Drainage shall be directed away from the MHPA or, if not possible, must not drain directly into the MHPA. Instead, runoff shall flow into sedimentation basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA.

- Drainage shall be shown on the site plan and reviewed satisfactory to the City Engineer.

- All outdoor lighting adjacent to open space areas shall be shielded to prevent light over-spill off-site. Shielding shall consist of the installation of fixtures that physically direct light away from the outer edges of the road or landscaping, berms, or other barriers at the edge of development that prevent light over spill.

- The landscape plan for the project shall contain no exotic plant/invasive species and shall include an appropriate mix of native species which shall be used adjacent to the MHPA.

- All manufactured slopes must be included within the development footprint and outside the MHPA.

- All brush management areas shall be shown on the site plan and reviewed and approved by the Environmental Designee. Zone 1 brush management areas shall be included within the development footprint and outside the MHPA. Brush management Zone 2 may be permitted within the MHPA (considered impact neutral) but cannot be used as mitigation. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area shall be the responsibility of the Owner/Permittee.

- Access to the MHPA, if any, shall be directed to minimize impacts and shall be shown on the site plan and reviewed and approved by the Environmental Designee.

- Land uses, such as recreation and agriculture, which use chemicals or generate by-products such as manure, which are potentially toxic or impactive to wildlife, sensitive species, habitat, or water quality need to incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. Such measures shall include drainage/detention basins, swales, or holding areas with non-invasive grasses or wetland-type native vegetation to filter out the toxic materials. Regular maintenance should be provided. Where applicable, this requirement shall be incorporated into leases on publicly owned property as leases come up for renewal.

Biological Resources

PR-BIO-1: San Diego Button Celery

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan as detailed below and in PR-BIO-16a and PR-BIO-16b for the project prior to and during any ground disturbance within areas containing San Diego button celery. Prior to issuance of the first grading permit for Phase 1, the ADD environmental designee shall verify the requirements for the revegetation/ restoration plans and specifications, including salvage of any San Diego button celery in vernal pools that will be impacted and re-establishment of vernal pools containing San Diego button celery at a 3:1 ratio, for a total acreage of 0.03 acre of vernal pools with San Diego button celery, have been shown and noted on the appropriate landscape construction documents. The Landscape Construction Documents (LCDs) and specifications must be found to be in conformance with the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan, the performance criteria of which are summarized below, to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and Project Qualified Biologist (PQB). Because all impacts to San Diego button celery occur within two vernal pools affected during Phase 1 grading, all required salvage, seed collection, and establishment of mitigation vernal pools at the 3:1 ratio (0.03 acre) shall be implemented entirely during Phase 1.

A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall oversee restoration activities and ensure performance criteria are met. The restoration effort for San Diego button celery shall require a maintenance contractor to salvage any San Diego button celery in vernal pools that would be impacted and re-establish vernal pools containing San Diego button celery at a 3:1 ratio, for a total acreage of 0.03 acre of vernal pools with San Diego button celery, as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan. The qualified restoration specialist shall submit an as-built report documenting the successful implementation of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB. Following installation sign-off, the qualified restoration specialist shall submit annual reports assessing the attainment of the detailed success criteria listed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan.

Implementation of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan will require the following:

I. Prior to Permit Issuance

A. Land Development Review (LDR) Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of 0.03 acre of vernal pools with San Diego button celery has been shown and noted on the appropriate landscape construction documents. The Landscape Construction Documents (LCDs) and specifications must be found to be in conformance with the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan, the requirements of which are summarized below.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, Landscape Architecture Section (LAS) for review and approval. LAS shall consult with Mitigation Monitoring Coordination (MMC) and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego Land Development Code (LDC) Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (2018). The PQB shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Construction Manager (CM) and Grading Contractor (GC), where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

    a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted on a monthly basis throughout the plant establishment period.

    b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and prepare the required summary for MMC, consistent with the monitoring and reporting procedures described in Section IV.

    c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

    d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

    e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

    f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

g. Weed control measures shall include the following:

(1) hand removal,

(2) cutting, with power equipment, and

(3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally acceptable manner at the discretion of the PQB or Qualified Biological Monitor (QBM) (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, Principal Restoration Specialist (PRS), and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Prior to the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program (SWPPP) training.

II. Prior to Start of Construction

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Prior to beginning any work that requires monitoring:

a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, Construction Manager (CM) and/or Grading Contractor (GC), Landscape Architect (LA), Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC.

b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a revegetation/restoration monitoring exhibit (RRME) based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

   b. PQB shall coordinate with the construction superintendent to identify appropriate Best Management Practices (BMPs) on the RRME.

3. When Biological Monitoring Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

   a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-day Plant Establishment Period (PEP)

a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.

III. During Construction

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the Consultant Site Visit Record Forms (CSVR). The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the Notice of Completion (NOC) or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to

obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

IV. Post Construction

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted at minimum weekly intervals for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 3, maintenance visits will occur once per month between January to June and two visits between July to December. Quarterly visits will be conducted during Years 4 and 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur weekly during the 120-day establishment period. During Year 1, once weekly monitoring for first 2 months, followed by once every other week monitoring for months 2–6, and followed by monthly monitoring thereafter. Monitoring will occur monthly during the growing season during Years 2 through 5. Annual monitoring assessments during all 5 Years will occur throughout the rainy season and growing season.

d. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

e. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance.

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

   d. The final success standards for the Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are:

      - CRAM assessments would use the Vernal Pool Module (version 6.2 or most recent) and achieve the following by Year 5:
        - Vernal Pool Hydrological Regime Performance Standard:
          - The duration, periodicity, and depth of inundation for the re-established vernal pools would be considered successful if, before the end of the monitoring period, the vernal pools demonstrate hydrological patterns of duration, periodicity, and depth of inundation that fall within the range of the highest-functioning reference vernal pool.

    - Total area of inundation of the mitigation vernal pools must be equal to the area proposed in the mitigation plan during an average of above average rainfall year.
    - Each re-established vernal pool must be inundated for a duration and depth that is within the range inundation observed for the reference vernal pools. Each re-established vernal pool must be inundated, during an average or above rainfall year, for a duration and depth that supports vernal pool flora and fauna.
    - The average depth and duration of inundation of the re-established pools must be consistent with the average depth and duration of the reference pools.
- Biological Vernal Pool Performance Standards
    - Native species richness: at least 6
    - Endemic vernal pool species cover (percent): at least 40
    - Non-native cover (percent): Under 10, 0 California Invasive Plant Council (Cal-IPC) high or perennial species
- Endemic Vernal Pool Plant Species Richness
    - The endemic vernal pool species richness (i.e., number of native vernal pool species) value for each of the restored vernal pools is equal to or greater than the minimum value found in the reference vernal pool.
    - The average value of vernal pool species richness for all of the restored vernal pools is equal to or greater than the minimum value found in the reference vernal pools.
- Endemic Vernal Pool Vegetation Cover
    - The vernal pool endemic plant species cover of all re-established pools on average must be at least 40 percent of the average for the reference pools.
    - Vernal pool endemic species cover for each restored vernal pool must increase in each successive year based on initial quantitative monitoring, except in years of extreme drought.
    - A total of 0.03 acre of re-established vernal pool basins shall support San Diego button-celery
- Vernal Pool Non-native Cover
    - Within all the vernal pools in the mitigation sites, California Invasive Plant Council List High or perennial weed species would not be present, and the relative cover of all other non-native species would not exceed ten percent.
    - The average absolute cover of non-native species in the restored/enhanced vernal pools must be less than the average absolute cover of non-native species of the reference pools

▪ San Diego and Riverside Fairy Shrimp

- Success for fairy shrimp re-introduction shall be determined by measuring the ponding of water, presence of viable cysts, hatched fairy shrimp, and gravid females, as outlined below:
    - Water measurements shall be taken annually in the re-established vernal pools to determine the depth, duration, and quality (e.g., pH, temperature, total dissolved solids, and salinity) of ponding. The re-established vernal pools shall pond for a period of time and at an appropriate depth and quality to support fairy shrimp.
    - Wet samples shall be taken annually in the re-established pools to determine the presence of hatched fairy shrimp and gravid females. Hatched fairy shrimp and gravid females shall be present in the re-established vernal pools for at least three wet seasons before a determination of success can be made.
    - Dry samples shall be taken in the re-established vernal pools to determine the presence of viable cysts in the soils. Dry sampling shall occur in the last year to verify the viable cyst presence.

- Upland Southern Maritime Succulent Scrub
    - Percent cover native shrub species: 60
    - Percent cover native herbaceous species: 50
    - Species richness: 75
    - Percent cover non-native species: less than 10, 0 Cal-IPC high or perennial species
- Quino Checkerspot Butterfly Performance Standards
    - Success for the patches of Quino checkerspot butterfly habitat would demonstrate expansion from pre-mitigation conditions and general improvement with a greater diversity and density of Quino checkerspot butterfly host and nectar species, as follows:
        - Native species richness: 7
        - Non-native cover (percent): less than 10, 0 Cal-IPC high or perennial species

PR-BIO-2: Otay Tarplant

The Owner/Permittee shall implement the Otay Tarplant/Native Grassland Mitigation Plan prepared by RECON Environmental dated August 2024 for the project prior to any ground disturbance within areas containing Otay tarplant. This mitigation plan shall be implemented prior to the issuance of the initial Phase 4 (native grassland impact) or Beyer Boulevard West (Otay tarplant impact) grading permit, whichever is issued first. Overall supervision of the installation and maintenance of this restoration effort pursuant to the performance criteria will be the responsibility of a qualified restoration specialist with at least five years of native habitat and sensitive plant species restoration experience and a four-year degree in ecology, conservation

biology or a related field. The restoration effort shall ensure a 4:1 replacement of impacted Otay tarplant within a 1-acre area. Restoration shall involve seed collection from on-site Otay tarplant prior to fall rains when seeds are fully mature. Native grassland species that co-exist well with Otay tarplant and compete with non-native weed species shall be seeded in the restoration area. Habitat restoration shall occur pursuant to the Otay Tarplant Restoration/Native Grassland Mitigation Plan to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB. At the end of the five-year monitoring period, a minimum of 7,600 Otay tarplant individuals should be present within the mitigation site; however, the number of individuals expected to be present may be adjusted based on the results of the pre-construction survey. The qualified restoration specialist shall submit annual reports assessing the success of the Otay tarplant restoration effort as detailed in Section 6.1 of the Otay Tarplant/Native Grassland Mitigation Plan. The restoration effort shall continue until receipt of sign-off from the DSD's Environmental Designee (MMC), MSCP, and PQB.

The Owner/Permittee shall provide funding to the City to manage the lands associated with this mitigation plan consistent with Section 1.5, Preserve Management of the City's MSCP Subarea Plan and/or Section 5.3.2 and Chapter 7 of the VPHCP, as appropriate. Prior to issuance of the grading permit for Phase 4 or Beyer Boulevard West, whichever is issued first, the Owner/Permittee shall submit a Property Analysis Record (PAR) or equivalent funding estimate for the establishment of an endowment to generate in-perpetuity habitat management funds for management of the Otay tarplant/native grassland mitigation land consistent with the City's MHPA management standards. The PAR amount and long-term funding mechanism is subject to City and Wildlife Agencies' approval.

As detailed in the Otay Tarplant/Native Grassland Mitigation Plan, the project shall require the following:

I. Prior to Permit Issuance

A. LDR Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable; the ADD environmental designee shall verify that the requirements for the revegetation/ restoration plans and specifications, including mitigation of Otay tarplant within a 1-acre area has been shown and noted on the appropriate landscape construction documents. The LCDs and specifications must be found to be in conformance with the Otay Tarplant and Native Grassland Mitigation Plan, the requirements of which are summarized below.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, LAS for review and approval. LAS shall consult with MMC and obtain concurrence prior to approval of

LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego LDC Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (2018). The PQB shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The RIC, RMC, CM and GC, where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

    a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted as needed throughout the plant establishment period.

    b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

    c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

    d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

    e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

    f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

g. Weed control measures shall include the following:

(1) hand removal,

(2) cutting, with power equipment, and

(3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of offsite in a legally acceptable manner at the discretion of the PQB or QBM (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, PRS, and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Prior to the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program (SWPPP) training.

II. Prior to Start of Construction

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Prior to beginning any work that requires monitoring:

a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, CM and/or GC, LA, RIC, RMC, RE, BI, if appropriate, and MMC.

b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a RRME based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

   b. PQB shall coordinate with the construction superintendent to identify appropriate BMPs on the RRME.

3. When Biological Monitoring Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

   a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-day Plant Establishment Period (PEP)

   a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.

III. During Construction

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the CSVR. The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all

temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the NOC or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

IV. Post Construction

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted as needed for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 2, maintenance visits will occur once per month. Maintenance visits will occur 5 to 6 times in Year 3, 4 to 5 times in Year 4, and 4 times in Year 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur as needed during the 120-day establishment period. During Year 1 and Year 2, monitoring will occur other week during the Otay tarplant growing/blooming season (January – June). Monitoring will occur monthly during Years 3 through 5. Annual monitoring assessments during all 5 Years will occur in the spring.

d. All plant material must have survived without supplemental irrigation for the last two years of the five-year monitoring period.

e. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent

cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance.

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria and the irrigation has been terminated for a period of the last two years.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

   d. The final success standards for the Otay Tarplant/Native Grassland Mitigation Plan are:

      - Otay Tarplant
        - At the end of the five-year monitoring period, a minimum of 7,600 Otay tarplant individuals should be present within the mitigation site; however, the number of individuals expected to be present may be adjusted based on the results of the pre-construction survey.
      - Native Grassland
        - Percent cover – total native species (minimum): 60
        - Percent cover – native grass species (minimum): 20
        - Native species richness: 8
        - Percent cover – non-native species (maximum): 40, 0 Cal-IPC high or perennial species

PR-BIO-3: San Diego Barrel Cactus and Snake Cholla

The Owner/Permittee shall have a qualified restoration specialist conduct pre-construction survey prior to any ground disturbance within areas containing San

Diego barrel cactus and snake cholla (Phase 1, 2, 4, and Beyer Boulevard West extension) to identify and salvage all San Diego barrel cactus and snake cholla present within the phase boundaries for transplantation within either the proposed vernal pool preserve area as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan required by PR-BIO-1, PR-BIO-16a, and PR-BIO-16b or the Coastal Cactus Wren restoration area as detailed in the Coastal Cactus Wren Mitigation Plan required by PR-BIO-11 for the project prior to any ground disturbance within areas containing San Diego barrel cactus and snake cholla. The Owner/Permittee will initiate the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan prior to the issuance of the first grading permit for Phase 1 and will implement the Coastal Cactus Wren Mitigation Plan prior to the issuance of the Beyer Boulevard West grading permit. The final location for translocation of salvaged individuals will be made by the qualified restoration specialist based on timing, species salvaged, and best placement to ensure survival of the translocated individuals, in accordance with the two mitigation plans. A qualified restoration specialist shall be on-site as needed during project activities. Overall supervision of the installation and maintenance of this restoration effort will be the responsibility of a qualified restoration specialist with a minimum of five years of vernal pool restoration experience in coastal southern California and a four-year degree in ecology, conservation biology or a related field. The restoration effort shall require a maintenance contractor that has been approved by the City to salvage any San Diego barrel cactus and snake cholla within the impact areas and translocate them to the proposed vernal pool preserve (within upland areas around vernal pools), as detailed in the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan, and translocation to the Coastal Cactus Wren restoration area as detailed in the Coastal Cactus Wren Mitigation Plan. Individual barrel cactus and snake cholla would be replaced at a 1:1 ratio. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan and the Coastal Cactus Wren Mitigation Plan. The qualified restoration specialist shall submit annual reports assessing the success of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan effort as detailed in said plan and the success of the Coastal Cactus Wren Mitigation Plan effort as detailed in Section 6.0 of said plan to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB.

Requirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see VI.C.1.d.).

The Owner/Permittee will provide funding to the City to manage the lands associated with this mitigation measure consistent with Section 1.5, Preserve Management of the City's MSCP Subarea Plan and/or Section 5.3.2 and Chapter 7 of the VPHCP, as appropriate. Prior to issuance of the grading permit for Phase 4 or Beyer Boulevard West, whichever is issued first, the Owner/Permittee shall submit a Property Analysis Record (PAR) or equivalent funding estimate for the establishment of an endowment to generate in-perpetuity habitat management funds for management of the Otay tarplant/native grassland and coastal cactus wren mitigation land consistent with the City's MHPA management standards. The PAR amount and long-term funding mechanism is subject to City and Wildlife Agencies' approval.

Implementation of the Coastal Cactus Wren Mitigation Plan will require the following:

I. Prior to Permit Issuance

A. Land Development Review (LDR) Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/ restoration plans and specifications, including mitigation of 1.09 acres of coastal cactus wren habitat has been shown and noted on the appropriate landscape construction documents. LCDs and specifications must be found to be in conformance with the Coastal Cactus Wren Mitigation Plan, the requirements of which are summarized below.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, LAS for review and approval. LAS shall consult with MMC and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego LDC Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (2018). The PQB shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The RIC, RMC, CM and GC, where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted as needed throughout the plant establishment period.

b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

g. Weed control measures shall include the following:

(1) hand removal,

(2) cutting, with power equipment, and

(3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally acceptable manner at the discretion of the PQB or QBM (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, PRS, and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/

restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Prior to the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed SWPPP training.

II. Prior to Start of Construction

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Prior to beginning any work that requires monitoring:

   a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, CM and/or GC, LA, RIC, RMC, RE, BI, if appropriate, and MMC.

   b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

   c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

   a. Prior to the start of any work, the PQB/PRS shall also submit a RRME based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

   b. PQB shall coordinate with the construction superintendent to identify appropriate BMPs on the RRME.

3. When Biological Monitoring Will Occur

    a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

    a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-day Plant Establishment Period (PEP)

    a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.

III. During Construction

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the CSVR. The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PQB shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the NOC or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

IV. Post Construction

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted as needed for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 2, maintenance visits will occur once per month. Maintenance visits will occur 5 to 6 times in Year 3, 4 to 5 times in Year 4, and 4 times in Year 5.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

c. After plant installation is complete, qualitative monitoring surveys will occur as needed during the 120-day establishment period. During Year 1 through Year 5, monitoring will occur monthly. Annual monitoring assessments during all 5 Years will occur in the spring.

d. All plant material must have survived without supplemental irrigation for the last three years of the five-year monitoring period.

e. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

f. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance.

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics)

to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

    a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria and the irrigation has been terminated for a period of the last two years.

    b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

    c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

d. The final success standards for the Coastal Cactus Wren Mitigation Plan are:

- Percent cover – coast cholla: 50
- Percent cover – native herbaceous species: 20
- Species richness: 12
- Percent cover – non-native vegetation: 10, 0 Cal-IPC high or perennial species

PR-BIO-4: Thread-leaved Brodiaea

The Owner/Permittee shall obtain a qualified biologist (i.e., a professional with a minimum of five years of rare plant survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) that has been approved by the City to conduct a focused rare plant survey in the spring prior to the start of construction to verify the presence of thread-leaved brodiaea as it has a moderate potential to occur on-site but was not previously detected during biological surveys. If no thread-leaved brodiaea are detected, no additional measures shall be required. If the species is detected, a qualified biologist that has been approved by the City will flag or fence any thread-leaved brodiaea that occur within the temporary and permanent impact areas before initiation of construction activities for the project to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB. Thread-leaved brodiaea will be avoided to the maximum extent feasible within temporary impact areas. Any individuals that cannot be avoided will be salvaged by a maintenance contractor for transplant and incorporated into the Final Vernal Pool/Quino Checkerspot Restoration area. Habitat restoration shall occur pursuant to the Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan and Coastal Cactus Wren Mitigation Plan to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB.

Requirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 and requirements and final success standards of the Coastal Cactus Wren Mitigation Plan are detailed in PR-BIO-3.

PR-BIO-5: Quino Checkerspot Butterfly

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan required by PR-BIO-1, PR-BIO-16a, and PR-BIO-16b before any ground disturbance within areas containing Quino Checkerspot Butterfly host or nectar plants for project impacts to 0.93 acre of suitable Quino checkerspot butterfly habitat. Mitigation for Quino checkerspot butterfly shall involve restoration of host plant and nectar plant patches within the vernal pool restoration areas, including preservation and enhancement of 0.96 acre of existing suitable habitat, and restoration/creation of a 0.93-acre area of Quino checkerspot butterfly habitat for a

total of 1.89 acres of Quino checkerspot butterfly habitat preservation, enhancement and creation and preservation. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. Permit authority would either be through formal consultation through the Federal Endangered Species Act (FESA) Section 7, coordination through FESA Section 10, or inclusion within the VPHCP Major Amendment to confirm adequate mitigation for direct impacts to Quino checkerspot butterfly habitats. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB. Requirements of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1, PR-BIO-16a, and PR-BIO-16b. The qualified restoration specialist shall submit annual reports assessing the success of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan effort as detailed in said plan. Final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see IV.C.1.d.).

PR-BIO-6: San Diego and Riverside Fairy Shrimp

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan prior to any ground disturbance within areas containing vernal pools. Mitigation is required for direct impacts to 0.94-acre ponding basins containing San Diego Fairy Shrimp, 0.13 acre of indirect impacts to ponding basins containing San Diego Fairy Shrimp, and 0.20-acre of ponding basins containing San Diego and Riverside fairy shrimp. Mitigation for direct and indirect impacts to San Diego and Riverside fairy shrimp species shall be addressed through a 2:1 inoculation of vernal pool surface area, consistent with the requirements of the City's Biology Guidelines for mitigating vernal pools with fairy shrimp. A total of 3.86 acres of re-established vernal pools shall be inoculated with both shrimp species, exceeding the 2:1 mitigation obligation. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan to the satisfaction of the DSD's Environmental Designee (MMC), MSCP, and PQB. Requirements of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1, PR-BIO-16a, and PR-BIO-16b. The qualified restoration specialist shall submit annual reports assessing the success of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan effort as detailed in said plan. Final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see IV.C.1.d).

PR-BIO-7a: Least Bell's Vireo Breeding Season Avoidance – Construction

LEAST BELL'S VIREO (State Endangered/Federally Endangered)

Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements regarding the least Bell's vireo are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur within least Bell's vireo suitable habitat areas between March 15 and September 15, the breeding season of the least Bell's vireo, until the following requirements have been met to the satisfaction of the City Manager:

A. A qualified biologist (i.e., a professional with a minimum of five years of biological survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall survey those wetland areas that would be subject to construction noise levels exceeding 60 dB(A) hourly average for the presence of the least Bell's vireo. Surveys for this species 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 construction. If the least Bell's vireo is present, then the following conditions must be met:

1. Between March 15 and September 15, no clearing, grubbing, or grading of occupied least Bell's vireo habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and

2. Between March 15 and September 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 least Bell's vireo or habitat. An analysis showing that noise generated by construction activities will 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 any of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

3. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the least Bell's vireo. 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 (September 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 least Bell's vireo are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the city manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 15 and September 15 as follows:

1. If this evidence indicates the potential is high for least Bell's vireo to be present based on historical records or site conditions, then condition A. 3 shall be adhered to as specified above.

2. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures shall be necessary.

PR-BIO-7b: Least Bell's Vireo Breeding Season Avoidance – Restoration Implementation

During the wetland restoration implementation in PR-BIO-16a, impacts to least Bell's vireo could occur. The following measure specific to least Bell's vireo is provided below.

To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the mitigation area should occur outside the breeding season for these species (February 1 to September 15). To avoid indirect impacts to least Bell's vireo nesting within Spring Canyon, any work that may cause noise in excess of 60 A-weighted decibels hourly average, or the ambient if it is greater, shall be avoided during the breeding season for this species (March 15–September 15). If removal of habitat in the mitigation area must occur during the breeding season, a qualified biologist (i.e., a professional with a minimum of five years of biological survey experience in

southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall conduct a pre-implementation survey to determine the presence or absence of nesting birds in the proposed area of disturbance. The pre-implementation survey shall be conducted within 3 calendar days prior to the start of restoration activities (including removal of vegetation). The applicant shall submit the results of the pre-implementation survey to the City of San Diego for review and approval prior to initiating any restoration activities. If nesting birds are detected, a letter report in conformance with the City of San Diego's Biology Guidelines (i.e., appropriate follow-up surveys, monitoring schedules, work and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City for review and approval and implemented to the City's satisfaction. The City of San Diego's Mitigation Monitoring Coordinator shall verify and approve that all measures identified in the report are in place prior to and/or during implementation.

PR-BIO-8a: Coastal California Gnatcatcher Breeding Season Avoidance within the MHPA

Prior to the issuance of any grading permit, 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:

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

A. A qualified biologist (possessing a valid endangered species act section 10(a)(1)(a) recovery permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 dB(A) hourly average for the presence of coastal California gnatcatcher. Surveys for this species 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 construction. If gnatcatchers are present, then the following conditions must be met:

    1. Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and

    2. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities will 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 any of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

3. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the least Bell's vireo. 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 (September 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 gnatcatcher are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the city manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:

   1. If this evidence indicates the potential is high for gnatcatcher to be present based on historical records or site conditions, then condition A.3 shall be adhered to as specified above.

   2. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures shall be necessary.

PR-BIO-8b: Coastal California Gnatcatcher Breeding Season Avoidance – Restoration Implementation

During the wetland restoration implementation in PR-BIO-16a, impacts to coastal California gnatcatcher could occur. The following measure specific to coastal California gnatcatcher is provided.

A. To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the mitigation area should occur outside the breeding season for these species (February 1 to September 15). To avoid indirect impacts to coastal California gnatcatcher nesting within the adjacent maritime succulent scrub, any work that may cause noise in excess of 60 A-weighted decibels hourly average, or the ambient if it is greater, shall be avoided during the breeding season for this species (March 1–August 15). If removal of habitat in the mitigation area must occur during the breeding season, a qualified biologist shall conduct a pre-implementation survey to determine the presence or absence of nesting birds in the proposed area of disturbance. The pre-implementation survey shall be conducted within 3 calendar days prior to the start of restoration activities (including removal of vegetation). The applicant shall submit the results of the pre-implementation survey to the City of San Diego for review and approval prior to initiating any restoration activities. If nesting birds are detected, a letter report in conformance with the City of San Diego's Biology Guidelines (i.e., appropriate follow-up surveys, monitoring schedules, work and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City for review and approval and implemented to the City's satisfaction. The City of San Diego's Mitigation Monitoring Coordinator shall verify and approve that all measures identified in the report are in place prior to and/or during implementation.

PR-BIO-9a: Crotch's Bumble Bee Impact Minimization

Should this species no longer be a state candidate for listing or state listed as threatened or endangered at the time of the preconstruction meeting, then no avoidance measures shall be required.

1. Prior to the issuance of a Notice To Proceed (NTP) for construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development Services Department (DSD) Environmental Designee (ED) shall review and approve Construction Documents (CD) (plans, specification, details, etc.) to ensure the applicable MMRP requirements are incorporated into the design.

    A. The Owner/Permittee shall obtain an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) prior to the issuance of Grading Permit, Demolition Plans/Permits and Building

Plans/Permits. Take of any endangered, threatened, candidate species that results from the project is prohibited, except as authorized by State law (California Fish and Game Code Section 86, 2062, 2067, 2068, 2080, 2085; California Code of Regulations, Title 14, Section 786.9) under the CESA.

B. To avoid impacts on Crotch's bumble bee, removal of habitat in the proposed area of disturbance should occur outside of the Colony Active Period between April 1 through August 31 as feasible. If the removal of habitat in the proposed area of disturbance must occur during the Colony Active Period, a Qualified Biologist (i.e., a professional with a minimum of five years of biological survey experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall conduct a pre-activity survey no more than three days prior to the initiation of construction activities to determine the presence or absence of Crotch's bumble bee within the proposed area of disturbance.

C. Surveys must be conducted by a Qualified Biologist meeting the qualifications discussed in the CDFW guidance (i.e., Survey Considerations for California Endangered Species Act [CESA] Candidate Bumble Bee Species, dated June 6, 2023).

D. The pre-activity survey shall consist of photographic surveys following CDFW guidance (i.e., Survey Considerations for CESA Candidate Bumble Bee Species, dated June 6, 2023). In coordination with CDFW, the Qualified Biologist may be required to send all photo vouchers to a CDFW-approved taxonomist to confirm the identifications of the bumble bees encountered during surveys. The surveys shall consist of passive methods unless a Memorandum of Understanding is obtained from CDFW. If additional activities (e.g., capture or handling) are deemed necessary to identify bumble bees of an unknown species that may be Crotch's bumble bee, then the Qualified Biologist shall obtain the required authorization via a Memorandum of Understanding or Scientific Collecting Permit pursuant to CDFW Survey Considerations for CESA Candidate Bumble Bee Species (CDFW 2023). Survey methods that involve lethal take of species are not acceptable. Survey results will be considered valid until the start of the next colony active period.

E. If pre-activity surveys identify Crotch's bumble bee individuals on-site, the Qualified Biologist shall notify and consult with CDFW to establish, monitor, and maintain no-work buffers around the associated floral resources or nest, as appropriate. The size and configuration of the no-work buffer shall be based on the best professional judgment of the Qualified Biologist in consultation with CDFW. Construction activities shall not occur within the no-work buffers until the bees appear no longer active (i.e., associated floral resources appear desiccated and no bees are seen flying for three consecutive days indicating dispersal from the area).

F Survey data shall be submitted by the Qualified Biologist to the California Natural Diversity Database (CNDDB) in accordance with the Memorandum of Understanding with CDFW, or Scientific Collecting Permit requirements, as applicable.

PR-BIO-9b: Crotch's Bumble Bee Habitat Mitigation

Should this species no longer be a state candidate for listing or state listed as threatened or endangered at the time of the preconstruction meeting, then no Crotch's bumble bee habitat mitigation measure shall be required.

1. Prior to the issuance of a Notice To Proceed for construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development Services Department (DSD) Environmental Designee (ED) shall review and approve Construction Documents (CD) (plans, specification, details, etc.) to ensure the applicable MMRP requirements are incorporated into the design.
2. The Owner/Permittee shall mitigate for impacts to Crotch's bumble bee nesting and foraging habitat via preservation of 160.94-acres of Crotch's bumble bee potential foraging and nesting habitat, including approximately 42 acres that supports moderate to high cover of nectar resources, to the satisfaction of the City and CDFW. This mitigation shall be fully secured, approved by MMC and CDFW, and documented in writing prior to issuance of the Notice to Proceed for any construction activities that would impact Crotch's bumble bee foraging or nesting habitat. MMC shall verify that the required mitigation has been completed or secured prior to authorizing the NTP. As described in mitigation measure PR-BIO-15, all upland mitigation would be dedicated in fee title to the City or otherwise protected through a Covenant of Easement prior to issuance of the first grading permit for Phase 1 of the project.
3. If creation, restoration, or enhancement is proposed to meet mitigation requirements, the Habitat Mitigation Plan shall be submitted to MMC and CDFW for review and approval prior to issuance of the NTP. If creation, restoration, or enhancement is proposed to meet mitigation requirements, the Habitat Mitigation Plan shall be submitted to MMC and CDFW for review and approval prior to issuance of the NTP. Any proposed creation/restoration/enhancement mitigation shall require the preparation of a Habitat Mitigation Plan to the satisfaction of the City and CDFW.

   Creation/restoration/enhancement shall include a locally native plant palette that focuses on preferred nectar species of Crotch's bumble bee with a diversity of blooms across seasons (three preferred species per season with overlapping bloom periods). No pesticides (e.g., herbicides, insecticides, or rodenticides) shall be used during creation/restoration/enhancement activities or long-term maintenance of the mitigation site.

   The creation/restoration/enhancement mitigation area shall be protected and managed/maintained in perpetuity. A long-term management plan shall be prepared by a Qualified biologist to ensure long-term habitat sustainability of

any restored/created/enhanced bumble bee habitat. The plan shall include, at a minimum, an implementation strategy; appropriate seed mixtures and planting method; irrigation; quantitative and qualitative success criteria; a two-year maintenance, monitoring, and reporting program; an estimated completion time; contingency measures; and identify a long-term funding source.

4. Any creation/restoration/enhancement mitigation area shall be covered by a Covenant of Easement to the benefit of the City or dedicated in fee title to the City. The project proponent shall provide funding in an amount approved by the City based on a Property Analysis Record (PAR; Center for Natural Lands Management 1998), or similar cost estimation method, to secure the ongoing funding for the perpetual long-term management, maintenance, and monitoring of the creation/restoration/enhancement mitigation area pursuant to the long-term management plan by an agency, nonprofit organization, or other entity approved by the City.
5. Any proposed preservation mitigation area shall be covered by a Covenant of Easement to the benefit of the City or dedicated in fee title to the City, as determined in consultation with CDFW and the City, to the satisfaction of the City.

PR-BIO-10: Burrowing Owl Preconstruction Surveys

PRECONSTRUCTION SURVEY ELEMENT

Prior to Permit or Notice to Proceed Issuance:

1. As this project has been determined to be burrowing owl occupied or to have burrowing owl occupation potential, the Applicant or Permit Holder shall submit evidence to the Assistant Deputy Director (ADD) of Entitlements and Multiple Species Conservation Program (MSCP) staff verifying that a Biologist possessing qualifications pursuant to CDFG 2012, Staff Report, has been retained to implement a burrowing owl construction impact avoidance program.

2. The qualified burrowing owl biologist (or their designated biological representative) shall attend the pre-construction meeting to inform construction personnel about the City's burrowing owl requirements and subsequent survey schedule.

Prior to Start of Construction:

1. The Applicant Department or Permit Holder and Qualified Biologist must ensure that initial pre-construction/take avoidance surveys of the project "site" are completed between 14 and 30 days before initial construction activities, including brushing, clearing, grubbing, or grading of the Development Footprint; regardless of the time of the year. "Site" means the Development Footprint and the area within a radius of 450 feet of the Development Footprint. The report

shall be submitted and approved by the Wildlife Agencies and/or City MSCP staff prior to construction or burrowing owl eviction(s) and shall include maps of the Development Footprint and burrowing owl locations on aerial photos.

2. The pre-construction survey shall follow the methods described in CDFG 2012, Staff Report, Appendix D.

3. 24 hours prior to commencement of ground disturbing activities, the Qualified Biologist shall verify results of preconstruction/take avoidance surveys. Verification shall be provided to the City's Mitigation Monitoring and Coordination (MMC) and MSCP Sections. If results of the preconstruction surveys have changed and burrowing owls are present in areas not previously identified, immediate notification to the City and Wildlife Agencies shall be provided prior to ground disturbing activities.

During Construction:

1. **Best Management Practices** shall be employed as burrowing owls are known to use open pipes, culverts, excavated holes, and other burrow-like structures at construction sites. Legally permitted active construction projects which are burrowing owl occupied and have followed all protocol in this mitigation section, or sites within 450 feet of occupied burrowing owl areas, should undertake measures to discourage burrowing owls from recolonizing previously occupied areas or colonizing new portions of the site. Such measures include, but are not limited to, ensuring that the ends of all pipes and culverts are covered when they are not being worked on, and covering rubble piles, dirt piles, ditches, and berms.

2. **Ongoing Burrowing Owl Detection** –– If burrowing owls or active burrows are not detected during the pre-construction surveys, Section ""A"" below shall be followed. If burrowing owls or burrows are detected during the pre-construction surveys, Section ""B"" shall be followed. NEITHER THE MSCP SUBAREA PLAN NOR THIS MITIGATION SECTION ALLOWS FOR ANY BURROWING OWLS TO BE INJURED OR KILLED OUTSIDE **OR** WITHIN THE MHPA; in addition, IMPACTS TO BURROWING OWLS WITHIN THE MHPA MUST BE AVOIDED.

    A. **Post Survey Follow Up if Burrowing Owls and/or Signs of Active Natural or Artificial Burrows Are <u>Not</u> Detected During the Initial Pre-Construction Survey ––** Monitoring the site for new burrows is required using CDFG Staff Report 2012 Appendix D methods for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE –– Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule).*

        1) If no active burrows are found but burrowing owls are observed to occasionally (1-3 sightings) use the site for roosting or foraging, they should be allowed to do so with no changes in the construction or construction schedule.

2) If no active burrows are found but burrowing owls are observed during follow up monitoring to repeatedly (4 or more sightings) use the site for roosting or foraging, the City's MMC and MSCP Sections shall be notified and any portion of the site where owls have been sites and that has not been graded or otherwise disturbed shall be avoided until further notice.

3) If a burrowing owl begins using a burrow on the site at any time after the initial pre-construction survey, procedures described in Section B must be followed.

4) Any actions other than these require the approval of the City and the Wildlife Agencies.

B. **Post Survey Follow Up if Burrowing Owls and/or Active Natural or Artificial Burrows are detected during the Initial Pre-Construction Survey ––** Monitoring the site for new burrows is required using CDFG 2012, Staff Report, Appendix D for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE – Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule which adheres to the required number of surveys in the detection protocol).*

1) This section (B) applies only to sites (including biologically defined territory) wholly outside of the MHPA – **all direct and indirect impacts to burrowing owls within the MHPA <u>SHALL</u> be avoided.**

2) If one or more burrowing owls are using any burrows (including pipes, culverts, debris piles, etc.) on or within 300 feet of the proposed construction area, the City's MMC and MSCP Sections shall be contacted. The City's MSCP and MMC Section shall contact the Wildlife Agencies regarding eviction/collapsing burrows and coordinate with the Wildlife Agencies and the qualified consulting burrowing owl biologist to address. A translocation plan will be required for any owls discovered within the impact area before or during construction, with the approval of the Wildlife Agencies. No construction shall occur within 300 feet of an active burrow without written concurrence from the Wildlife Agencies. This distance may increase or decrease, depending on the burrow's location in relation to the site's topography, and other physical and biological characteristics.

a) **Outside the Breeding Season** –– If the burrowing owl is using a burrow on site outside the breeding season (i.e., September 1 – January 31), the burrowing owl may be evicted after the qualified burrowing owl biologist has determined via fiber optic camera or other appropriate device, that no eggs, young, or adults are in the burrow. Eviction requires preparation of an Exclusion Plan prepared in accordance with CDFG 2012, Staff Report, Appendix E (or most

recent guidance available) for review and submittal to Wildlife Agencies. Written concurrence from the Wildlife Agencies is required prior to Exclusion Plan implementation.

b) **During Breeding Season** –– If a burrowing owl is using a burrow on-site during the breeding season (February 1-August 31), construction shall not occur within 300 feet of the burrow until the young have fledged and are no longer dependent on the burrow, at which time the burrowing owls can be evicted. Eviction requires preparation of an Exclusion Plan prepared in accordance with CDFG 2012, Staff Report, Appendix E (or most recent guidance available) for review and submittal to Wildlife Agencies. Written concurrence from the Wildlife Agencies is required prior to Exclusion Plan implementation.

3. **Survey Reporting During Construction ––** Details of construction surveys and evictions (if applicable) carried out shall be immediately (within 5 working days or sooner) reported to the City's MMC, and MSCP Sections and the Wildlife Agencies and must be provided in writing (as by e-mail) and acknowledged to have been received by the required Agencies and DSD Staff member(s).

Post Construction:

4. Details of all surveys and actions undertaken on-site with respect to burrowing owls (i.e., occupation, eviction, locations etc.) shall be reported to the City's MMC and MSCP sections and the Wildlife Agencies within 21 days post-construction and prior to the release of any grading bonds. This report must include summaries of all previous reports for the site; and maps of the Development Footprint and burrowing owl locations on aerial photos.

PR-BIO-11: Cactus Wren Habitat Restoration

The Owner/Permittee shall implement the Coastal Cactus Wren Mitigation Plan prior to any ground disturbance within areas containing suitable coastal cactus wren habitat. This mitigation plan shall be implemented prior to the issuance of the first Beyer Boulevard West grading permit. Mitigation is required to offset a total of 1.09 acre of impacts to cactus wren habitats, including 0.63 acre of direct impact and 0.46 acre of indirect impacts. The Coastal Cactus Wren Mitigation plan proposes to mitigate impacts to coastal cactus wren habitat through restoration of existing low quality disturbed maritime succulent scrub and enhancement of surrounding maritime succulent scrub habitat. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. A total of 1.09 acre of coastal cactus wren habitat restoration shall be required within the County of San Diego's Furby North Preserve. The County of San Diego, as the owner of this land will continue to serve as the long-term manager for the area after all success criteria are met. Following installation sign-off, the qualified restoration specialist shall submit annual reports assessing the attainment of the detailed success criteria listed in the

plan. The five-year maintenance and monitoring effort shall continue until receipt of sign-off from the MMC, MSCP, and PQB. Requirements and final success standards of the Coastal Cactus Wren Mitigation Plan are detailed in PR-BIO-3.

PR-BIO-12: Western Spadefoot Habitat Restoration

The Owner/Permittee shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan prior to any ground disturbance within areas containing suitable habitat for western spadefoot. Mitigation is required to offset impacts to 1.33-acre of ponding basins containing western spadefoot. Mitigation shall be accomplished by implementing a total of 3.86 acres of re-established vernal pools which serve as suitable habitat for the species. A qualified restoration specialist (i.e., a professional with a minimum of five years of restoration experience in southern California and a four-year degree in ecology, conservation biology, or a related degree field) shall be on-site as needed during project activities. Monitoring shall be conducted for all existing and reestablished vernal pools during the aquatic phase to document western spadefoot eggs, tadpoles, and adults. Habitat restoration shall occur pursuant to the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan of the DSD's Environmental Designee (MMC), MSCP, and PQB. Requirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1. The Owner/Permittee shall obtain a take permit from the USFWS via a Federal Endangered Species Act (FESA) Section 7, coordination through FESA Section 10, or inclusion within the VPHCP Major Amendment.

PR-BIO-13: Breeding Season Avoidance/Pre-Construction Surveys for Western Spadefoot

The Owner/Permittee shall complete grading and construction activities during the dry season when no portions of the project impact area contain areas of ponded water with the potential to support breeding of western spadefoot, as feasible. Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements regarding the western spadefoot are shown on the construction plans: If construction or maintenance must occur during a time when portions of the site may support the breeding of this species, a qualified biologist (holding a Bachelor's degree in Biology or a closely related field with appropriate areas of study to understand San Diego's local floral and faunal relationships; sufficient local field experience in identification of flora or fauna, particularly rare, endangered, and status and trends, including western spadefoot surveys, experience in habitat evaluation and in quantifying environmental impacts, and familiarity with suitable mitigation methods including revegetation design and implementation, as approved by the City) shall conduct a survey of all potential western spadefoot breeding areas no more than 3 days prior to construction impacts within these areas. If any areas are determined to be occupied by western spadefoot eggs or larva/tadpoles, these areas shall either be:

a) staked or fenced by, or under the supervision of a qualified biologist. No construction/maintenance activities shall occur within these avoidance areas unless authorized by the Qualified Biologist or until the western spadefoot individuals and/or larvae have left of their own accord; or

b) a qualified biologist will relocate eggs or larva/tadpoles to a suitable location such as the vernal pool restoration area, subject to the approval of the City of San Diego.

Regardless of construction timing, a qualified biologist shall be on-site during all construction activities occurring within and adjacent to the disturbed wetlands, vernal pools, and vernal pools with fairy shrimp, to ensure no western spadefoot adult are directly impacted. Any western spadefoot adult found shall be relocated to the nearest safe location containing suitable habitat outside the work area. Both the biological monitor and the translocation area should be approved by the City of San Diego prior to construction.

The biological monitor shall maintain a complete record of any western spadefoot encountered and moved from harm's way during the maintenance activity. Information shall include location, date, and time of observation; details of the observed behavior; relocation site; estimated number of toads seen or heard; and photographs (when feasible). The final monitoring report shall be submitted to the City prior to final grading sign-off.

PR-BIO-14: Breeding Season Avoidance/Pre-Construction Bird Surveys

Removal of habitat that supports active nests in the proposed area of disturbance shall occur outside the breeding season (February 1 to September 15) as feasible for northern harrier, coastal cactus wren, Cooper's hawk, southern California rufous-crowned sparrow, white-tailed kite, merlin, bald eagle, California horned lark, yellow-breasted chat, grasshopper sparrow, yellow warbler, loggerhead shrike, and Bell's sage sparrow, or any species identified as a listed, candidate, sensitive, or special status species in the MSCP. If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting bird species, listed above, on the proposed area of disturbance. The pre-construction survey shall be conducted within 3 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to the City for review and approval prior to initiating any construction activities. If these bird species listed above are detected, a letter report in conformance with the City's Biology Guidelines (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction.

PR-BIO-15: Dedication of Mitigation Lands

To mitigate impacts to 63.32 acres for Phase 1, 39.17 acres for Phase 2, 38.47 acres for Beyer Boulevard, 10.48 acres for Phase 4, 1.79 acres for the Emergency Vehicle Access Road, the Owner/Permittee shall provide a minimum of 153.23 acres of upland mitigation lands to offset impacts to sensitive upland vegetation in accordance with the Biology Guidelines. Prior to issuance of the first grading permit for Phase 1, the Owner/Permittee shall either dedicate all upland mitigation lands in fee title to the City or otherwise protect the mitigation lands through a Covenant of Easement. In total, the project shall dedicate 160.94 acres of sensitive uplands, consisting of 89.94 acres of maritime succulent scrub, 24.82 acres of disturbed maritime succulent scrub, 24.93 acres of Diegan coastal sage scrub, 2.36 acres of disturbed Diegan coastal sage scrub, and 18.89 acres of non-native grassland in fee title or otherwise protect the lands through a Covenant of Easement to the City. This mitigation package includes 7.71 acres of additional mitigation beyond required mitigation ratios. If the Southwind project were to proceed ahead of this project, the mitigation obligation would be reduced by 0.34 acre (0.05 acre of maritime succulent scrub, 0.12 acre of disturbed coastal sage scrub, and 0.17 acre of non-native grassland mitigation).

PR-BIO-16a: Wetland

Prior to issuance of any construction permits, such as grading permits, that impact jurisdictional waters, the project impact to 0.004 acre of riparian forest (southern willow scrub and disturbed southern willow scrub) wetlands shall be mitigated at a 3:1 ratio and impacts to 0.36 acre of mule fat scrub shall be mitigated at a 2:1 ratio (mule fat scrub, disturbed riparian, disturbed wetlands, natural flood channel) with a total of 0.73 acre of mitigation consistent with a Final Wetlands Plan and a Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan as approved by the City, USACE, RWQCB, and CDFW. The Final Wetlands Plan and Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan shall be approved prior to the issuance of the first Phase 1 grading permit.

To ensure no net loss, the mitigation shall include a 1:1 creation or restoration component in accordance with the City's Biology Guidelines.

PR-BIO-16b: Vernal Pools

Prior to the issuance of any construction permits, such as grading permits, to compensate for the loss of vernal pool and disturbed wetland resources, the applicant shall implement the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan to provide a minimum of 2.18 acres or 2.10 acres (without Southwind mitigation) of vernal pool creation as follows.

Direct and indirect impacts to vernal pool and disturbed wetland resources shall be mitigated at a ratio of 2:1 with the exception of the two vernal pools that support San Diego button-celery which shall be mitigated at a ratio of 3:1 (see mitigation measure PR-BIO-1). A total of 2.18 acres of vernal pool basins shall be restored in phases

within the 33.7 acre vernal pool preserve to mitigate for project impacts. The phases shall be proportional to impacts associated with each development phase as follows: Phase 1/EVA Road (82%), Phase 2/4 (15%), and Beyer Boulevard West (3%).

A. Prior to the issuance of grading permits for Phase 1/EVA Road, direct and indirect impacts to 0.14 acre of disturbed wetland and 0.74 acre of vernal pool shall be mitigated at a 2:1 ratio and 0.01 acre of vernal pool with button celery shall be mitigated at a 3:1 ratio (see mitigation measure PR-BIO-1), with a minimum mitigation of 1.79 acres of vernal pool basin. This represents 82% of the total mitigation required for project-level impacts to vernal pools/disturbed wetlands, which would correspond to the restoration of 3.16 acres of vernal pool basin within 27.63 acres of the vernal pool mitigation area.

B. Prior to the issuance of the initial grading permit for Phases 2 or 4, whichever is issued first, impacts to 0.16 acre of vernal pools (0.14 acre)/disturbed wetlands (0.04 acre) shall be mitigated at a 2:1 ratio for a minimum of 0.32 acre of vernal pool basin. This represents 15 percent of the total mitigation required for project-level impacts to vernal pools/disturbed wetlands, which would correspond to the restoration of 0.58 acre of vernal pool basin within 5.06 acre of the vernal pool mitigation area.

C. Prior to the issuance of the grading permit for Beyer Boulevard West, impacts to 0.04 acre of vernal pools shall be mitigated at a 2:1 ratio for a minimum of 0.08 acre of vernal pool basin. This represents 3 percent of the total mitigation required which would correspond to the restoration of 0.12 acre of vernal pool basin within 1.01 acre of the vernal pool mitigation area.

	Vernal Pool and Disturbed Wetland					
Grading Phase	**Direct and indirect Impact (acres)**	**Mitigation Ratio**	**Mitigation Required**	**Total Mitigation Required (% of total)**	**Total basin area to be created (acres phased by % of total mitigation)**	**Total Restoration Area (acres phased by % of total mitigation)**
Phase 1/EVA Road[1]	0.88	2:1	1.76	82%	3.16	27.63
	0.01[2]	3:1	0.03			
Phase 2/4	0.16	2:1	0.32	15%	0.58	5.06
Beyer Boulevard West	0.04	2:1	0.08	3%	0.12	1.01
Total	1.09	-	2.18	-	3.86	33.70

NOTE: Totals may not add due to rounding.

[1] Mitigation would be implemented for impacts within the Southwind project area by the first project to proceed. If these impacts occur and are mitigated by another project, the impacts and mitigation obligations would be eliminated from this project.

[2] 0.01 acre of vernal pool supports San Diego button-celery which requires a 3:1 mitigation ratio, per the VPHCP.

Prior to issuance of any construction permits, such as grading permits, that impact jurisdictional waters, the project applicant shall obtain all necessary permits from USACE, RWQCB, and CDFW, and shall mitigate impacts pursuant to the City of San Diego MSCP Subarea Plan and VPHCP and in accordance with the terms and

conditions of all required permits. Areas under the jurisdictional authority of USACE, RWQCB, and CDFW shall be delineated on all grading plans.

A Wetland Plan and a Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan have been prepared for the project. To obtain the necessary permits, the applicant shall submit a Final Wetland Plan and Final Vernal Pool and Quino Checkerspot Butterfly Mitigation and Monitoring Plan to the satisfaction of the City, USACE, RWQCB, and CDFW. The final plans shall include, at a minimum, an implementation strategy; appropriate seed mixtures and planting method; irrigation; quantitative and qualitative success criteria; a five-year maintenance, monitoring, and reporting program; an estimated completion time; and contingency measures and shall identify a long-term funding source. The project applicant shall also be required to implement the Final Wetland Plan and Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan subject to oversight and approval by the City, USACE, RWQCB, and CDFW.

The requirements and final success standards of the Final Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan are detailed in PR-BIO-1 (see IV.C.1.d.). The requirements and final success standards of the Final Wetland Plan are detailed below.

Implementation of the Final Wetland Plan for the project will require the following:

I. Before Permit Issuance

A. Land Development Review (LDR) Plan Check

1. Before NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of 0.73 acre of wetlands have been shown and noted on the appropriate landscape construction documents. LCDs and specifications must be found to be in conformance with the Final Wetland Mitigation Plan which shall include the requirements summarized below.

B. Revegetation/Restoration Plan(s) and Specifications

1. LCDs shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, LAS for review and approval. LAS shall consult with MMC and obtain concurrence before approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego LDC Chapter 14, Article 2,

Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (July 2012). The PQB shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The RIC, RMC, CM and GC, where applicable, shall be responsible to ensure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

    a. The RMC shall be responsible for the maintenance of the wetland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted as needed throughout the plant establishment period.

    b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

    c. MMC shall provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

    d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

    e. The revegetation site shall not be fertilized unless otherwise approved by MMC and at the direction of the PQB. For example, slow release fertilizer application is typically acceptable to container plantings if the planting area is sterile, exposed subsoil, or fill.

    f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

    g. Weed control measures shall include the following:

(1) hand removal,

(2) cutting, with power equipment, and

(3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used, as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally acceptable manner at the discretion of the PQB or QBM (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, PRS, and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review References. Resumes and the biology worksheet shall be updated annually.

2. MMC shall provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Before the start of work and throughout implementation, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ shall also submit evidence to MMC that the PQB/QBM has completed SWPPP training.

II. Before Start of Construction

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Before beginning any work that requires monitoring:

a. The Owner/Permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, CM and/or GC, LA, RIC, RMC, RE, BI, if appropriate, and MMC.

b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, before the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

a. Before the start of any work, the PQB/PRS shall also submit a RRME based on the appropriate reduced LCD (reduced to 11x17 format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.

b. PQB shall coordinate with the construction superintendent to identify appropriate BMPs on the RRME.

3. When Biological Monitoring Will Occur

a. Before the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

a. The PQB may submit a detailed letter to MMC before the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

5. 120-Day Plant Establishment Period (PEP)

a. Upon completion of the 120-day Plant Establishment Period (PEP), the PQB shall prepare a summary documenting PEP completion and submit it consistent with the reporting procedures outlined in Section IV.

III. During Construction

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with work-limits demarcation, clearing/grubbing, and grading which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.

2. The PQB or QBM shall document field activity via the CSVR. The CSVRs shall be faxed or emailed by the CM, PQB, or QBM to the RE the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats (i.e., southern riparian woodland, southern willow scrub, Diegan coastal sage scrub, baccharis scrub, coastal sage-chaparral transition, chamise chaparral, southern mixed chaparral, non-native grassland), as shown on the approved LCD.

6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all

temporary construction BMPs upon completion of construction activities. Removal of temporary construction BMPs shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVRs that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC before the issuance of the NOC or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occur or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone or email of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate BMPs. After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMPs.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

IV. Post Construction

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

   a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

   b. Maintenance visits will be conducted as needed for the first 120 days (i.e., Establishment Period). Subsequently during Year 1 through Year 2, maintenance visits will occur once per month. Maintenance visits will occur 5 to 6 times in Year 3, 4 to 5 times in Year 4, and 4 times in Year 5.

   c. Maintenance activities will include all items described in the LCD.

   d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.

2. Five-Year Biological Monitoring

   a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

   b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

   c. After plant installation is complete, qualitative monitoring surveys will occur as needed during the 120-day establishment period. During Year 1 through Year 2, monitoring will occur every other week during the growing season (January – May). During Year 3 through Year 5, monitoring will occur monthly. Annual monitoring assessments will occur in the spring of Years 1, 3, and 5.

   d. All plant material must have survived without supplemental irrigation for the last three years of the five-year monitoring period.

   e. Quantitative monitoring shall include the use of transect method and photo points to determine the vegetative cover within the revegetated habitat. Collection of plot data within the revegetation/restoration site shall result in the calculation of percent

cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non-invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.

f. The PQB or QBM shall oversee implementation of post-construction BMPs, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMPs upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft annual monitoring letter report shall be prepared following each annual monitoring cycle. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance.

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 60 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC shall provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

   a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria and the irrigation has been terminated for a period of the last two years.

   b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.

   c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

   d. The final success standards for the Wetland Mitigation Plan are:

      - Vegetative Performance Standards:
        - Percent cover – native tree/shrub species: 60
        - Percent cover – native herbaceous species: 70
        - Species richness: 85
        - Percent cover – non-native species: 10, 0 Cal-IPC high or perennial species

Historical Resources

PR-HIST-1: Data Recovery for CA-SDI-22, 936

Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, the Applicant shall provide a letter of completion prepared by the Qualified Archaeologist (as defined in the Historical Resources Guidelines)

that oversaw the recovery program that demonstrates, to the satisfaction of MMC, that the Archaeological Data Recovery Program (ADRP) for archaeological site (CA-SDI-22,936) was completed. This letter shall include the Final ADRP Report with documentation of the Acceptance Verification from the curation institution for all recovered materials. The ADRP with Native American participation shall consist of a statistical sample and shall be implemented in accordance with the Results of the Historical Resources Investigation of the Southwest Village Specific Plan, San Diego, California prepared by RECON Environmental dated March 2026 for the project, as follows:

Archaeological Data Recovery Program

A. A two-phased data recovery program shall occur within the low-disturbance central area (665-square-meter portion) of CA-SDI-22,936 that contains the potential intact subsurface deposits.

    i. Phase I shall consist of seven 1x1-meter units to be hand-excavated in 10-centimeter increments until two 10-cm level or sterile subsoil have been encountered, which represents a sample size of 1 percent. Soils shall be dry-screened through a 1/8th inch mesh. Five column samples for macrobotanical analyses will be taken from productive units. A sample of flaked lithic artifacts shall be selected for protein residue analysis.

    ii. Phase II shall occur if data redundancy of the results from the test excavations described in the above 2024 report is not achieved. Data redundancy would be achieved if there is a lack of intra-site variation in artifact distribution, no noticeable increase in amounts of material recovered per volume excavated, or a lack of features that mirror the initial test excavation results. If intra-site variability in artifact type clustering or features are discovered, Phase II shall be implemented and consist of excavating an additional seven 1x1-meter units, which represents a sample size of 2 percent.

B. Laboratory analysis including specialized studies shall be conducted in accordance with the ADRP in the Historical Resources Investigation prepared by RECON Environmental dated March 2026 for the project.

C. Curation of materials recovered during the ADRP with the exception of human remains and any associated grave goods shall be prepared in compliance with local and state standards and be permanently curated at an approved facility that meets the City standards. Provisions for the discovery of Human Remains are described below in PR-HIST-2, IV. Discovery of Human Remains.

D. A Final ADRP Report shall be completed under the oversight of the Qualified Archaeologist and provided to MMC prior to the issuance of any construction permits. The Final ADRP Report shall include documentation of the Acceptance Verification from the curation institution for all recovered materials. The cost of implementing the ADRP, report preparation and curation is the responsibility of the property owner.

E. The results shall be included in the overall construction monitoring report described below in PR-HIST-2, VI. Post Construction.

PR-HIST-2: Construction Monitoring

The following project-specific mitigation measure shall be implemented to reduce impacts to unknown or buried historical resources at the project-level:

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, 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 applicable construction documents through the plan check process.

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 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 meet the qualifications established in the HRG.

3. Prior to the start of work, the applicant must obtain written 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 (¼-mile radius) has been completed. Verification includes, but is not limited to, a copy of a confirmation letter from South Coastal 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 ¼-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, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer, 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 CM 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

   a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME; with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

   b. 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. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The CM is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances, Occupational Safety and Health Administration safety requirements may necessitate modification of the AME.

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop within 50 feet of the Discovery and the Discovery Notification Process in Section III.B-C and IV.A-D shall commence.

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 that may reduce or increase the potential for resources to be present.

4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVRs 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.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities within 50 feet of discovery and in the area reasonably suspected to overlay adjacent resources 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.

4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered 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 which has been reviewed by the Native American consultant/monitor, 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. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

c. If the 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 no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains and the soils have been cleared by the Most Likely Descendant (MLD) and the Archaeological Monitor. The following procedures as set forth in CEQA Section 15064.5(e), the California PRC (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) of

the Development Services Department to assist with the discovery notification process.

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 provenance of the remains in accordance with PRC section 5097.98.

2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

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. NAHC will immediately identify the person or persons determined to be the MLD and provide contact information.

3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.

4. The MLD will have 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.

5. Disposition of Native American Human Remains will be determined between the MLD and the PI as follows, and, 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 Public Resources Code (PRC) 5097.94 (k) by the NAHC fails to provide

measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN,

c. In order 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 on the site;

(3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

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 reinterred with appropriate dignity, pursuant to Section 5.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 San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

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

1. When night 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 and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8 A.M. 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. Discovery of human remains shall always be treated as a significant discovery.

    c. Potentially Significant Discoveries

        If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV – Discovery of Human Remains shall be followed.

    d. The PI shall immediately contact MMC, or by 8 A.M. of the next business day 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. Preparation and Submittal of Draft Monitoring Report

    1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D), 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. It should be noted that if the PI is

unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

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.

3. The cost for curation is the responsibility of the property owner.

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 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.

3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

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 and/or release of 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.

Human Health/Public Safety/Hazardous Materials

PR-HAZ-1: Hazardous Sites

a. The applicant shall retain a qualified environmental engineer to develop a soil and groundwater management plan to address the notification, monitoring, sampling, testing, handling, storage, and disposal of contaminated media or substances (soil, groundwater). The qualified environmental consultant shall monitor excavations and grading activities in accordance with the plan. The groundwater management and monitoring plans shall be approved by the City prior to issuance of grading permits for the site.

b. All cleanup activities shall be performed in accordance with all applicable federal, state, and local laws and regulations, and required permits shall be secured prior to commencement of grading and construction to the satisfaction of the City and compliance with applicable regulations such as but not limited to SDMC Section 42.0801, Division 9 and Section 42.0901.

Noise

PR-NOS-1: Interior Noise Analysis

Prior to the issuance of building permits for development on lots containing the buildings or units listed below, site specific interior noise analyses demonstrating compliance with the interior noise compatibility guidelines of the City's General Plan and other applicable regulations shall be prepared for noise sensitive land uses located in areas where the exterior noise levels exceed the noise compatibility guidelines of the City's General Plan. These analyses shall be prepared for development on lots containing the following buildings or units as identified on the Vesting Tentative Map No. 2188969:

- PA 8 - Buildings 1, 2, 12, 13, 16, 17, 18, 19, 20, and 21
- PA 10 – Dwelling Units 1, 2, 3, and 4; Buildings 35, 36, and 37
- PA 11 - Buildings 75, 76, 80, 81, 82 and 83
- PA 12 - Dwelling Units 63, 64, 65, 66, and 67; Buildings 107 and 108

Noise control measures, including but not limited to increasing roof, wall, window, and door sound attenuation ratings, placing HVAC in noise reducing enclosures, or designing buildings so that no windows face freeways or major roadways may be used to achieve the noise compatibility guidelines. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

Paleontological Resources

PR-PALEO-1: Paleontological Resources

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the City Engineer (CE) and/or Building Inspector (BI) shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

2. The applicant shall submit a letter of verification to Resident Engineer (RE) and/or Building Inspector (BI) identifying the qualified Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program. A qualified PI is defined as a person with a Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary

biology, etc.) with demonstrated knowledge of southern California paleontology and geology, and documented experience in professional paleontological procedures and techniques.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to RE and/or BI that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from the San Diego Natural History Museum, or another relevant institution that maintains paleontological collections recovered from sites within the City of San Diego.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Preconstruction Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, RE, and BI, as appropriate. The qualified paleontologist (PI) shall attend any grading/excavation related Preconstruction Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

   a. If the PI is unable to attend the Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with 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 a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to RE and/or BI identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known geologic conditions (e.g., geologic deposits as listed in the Paleontological Monitoring Determination Matrix below).

3. When Monitoring Will Occur

    a. Prior to the start of any work, the PI shall also submit a construction schedule to the RE and/or BI indicating when and where monitoring will occur.

    b. The PI may submit a detailed letter to RE and/or BI 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 and geotechnical reports which indicate conditions such as depth of excavation and/or thickness of artificial fill overlying bedrock, presence or absence of fossils , etc., which may reduce or increase the potential for resources to be present.

III. During Construction

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

1. The paleontological monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the PI, RE and/or BI of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.

2. The PI may submit a detailed letter to RE and/or BI during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter previously undisturbed and paleontologically sensitive geologic deposits as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for paleontological resources to be present.

3. The paleontological monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be emailed by the CM to the RE and/or BI the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries.

B. Discovery Notification Process

1. In the event of a discovery, the paleontological monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and notify the RE and/or BI. The contractor shall also process a

construction change for administrative purposes to formalize the documentation and recovery program, including modification to Mitigation Monitoring and Compliance (MMC).

2. The paleontological monitor shall notify the PI (unless paleontological monitor is the PI) of the discovery.

3. The PI shall notify MMC of the discovery, and shall submit documentation to MMC within 24 hours by email with photos of the resource in context.

C. Recovery of Fossils

If a paleontological resource is encountered:

1. The paleontological monitor shall salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary as determined by the PI, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits.

2. The paleontological monitor shall record stratigraphic and geologic data to provide a context for the recovered fossil remains, including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, and photographic documentation of the geologic setting.

IV. Post Construction

A. Preparation and Submittal of Draft Paleontological Monitoring Report

1. The PI shall submit two copies of the Draft Paleontological Monitoring Report (even if negative), prepared to the satisfaction of the Development Services Department. The Draft Paleontological Monitoring Report shall describe the methods, results, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,

a. For significant or potentially significant paleontological resources encountered during monitoring, as identified by the PI, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

b. The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines (revised November 2017), and submittal of such forms to the San Diego Natural History Museum and MMC with the Draft Paleontological Monitoring Report.

2. MMC shall return the Draft Paleontological Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Paleontological Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved Draft Paleontological Monitoring Report.

5. MMC shall notify the RE and/or BI of receipt of all Draft Paleontological Monitoring Report submittals and approvals.

B. Handling of Recovered Fossils

1. The PI shall ensure that all fossils collected are cleaned to the point of curation (e.g., removal of extraneous sediment, repair of broken specimens, and consolidation of fragile/brittle specimens) and catalogued as part of the Paleontological Monitoring Program.

2. The PI shall ensure that all fossils are analyzed to identify stratigraphic provenance, geochronology, and taphonomic context of the source geologic deposit; that faunal material is taxonomically identified; and that curation has been completed, as appropriate.

C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossils associated with the paleontological monitoring program for this project are permanently curated with an accredited institution that maintains paleontological collections (such as the San Diego Natural History Museum).

2. The PI shall include an acceptance verification from the curation institution in the Final Paleontological Monitoring Report submitted to the RE and/or BI, and MMC.

D. Final Paleontological Monitoring Report(s)

1. The PI shall submit two copies of the Final Paleontological Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the Final Paleontological Monitoring Report has been approved.

2. The RE and/or BI shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Paleontological Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

Traffic/Circulation

PR-TRA-1: Mobility Zone 4 Active Transportation In-Lieu Fee

Prior to the issuance of any building permit, the Owner/Permittee shall pay the current City of San Diego Active Transportation In-Lieu fee (ATILF).