APPENDIX C1 MONTECITO MMRP

INTRODUCTION

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Rancho Encantada project (LDR No. 99-1094/SCH No. 2000011053) to comply with the mitigation monitoring statute (*Public Resource Code* 21081.6) which requires public agencies to adopt such programs to ensure effective implementation of the mitigation measures. This program shall be a requirement of the discretionary actions associated with the Rancho Encantada project.

The following text includes a list of mitigation measures identified in the environmental impact report for the Montecito sub-project and the monitoring efforts necessary to ensure that the mitigation measures are properly implemented. Mitigation measures, monitoring and reporting requirements shall be as defined in the environmental impact report and may require further detail prior to construction and/or following project implementation.

Specific mitigation measures are presented in the following sections of the MMRP.

	Section
Landform/Visual Quality	1
Biological Resources	2
Geology/Soils	3
Hydrology/Water Quality	4
Transportation	5
Noise	6
Air Quality	7
Paleontological Resources	8
Public Services	9
Water Conservation	10

The Mitigation, Monitoring, and Reporting Program (MMRP) shall require a deposit of $7,200 to be collected prior to the issuance of grading permits to cover the City's costs associated with implementation of the MMRP.

1. Landform/Visual Quality

1.1 Prior to the issuance of grading permits, the City's Planning and Development Review Department shall review final maps and grading plans to verify implementation of contour grading of manufactured slopes shown on Exhibit A with the exception of slope numbers 1, 2, 3, 22, 23 and 26. City field inspectors shall inspect the grading to ensure conformance with approved grading plans prior to the issuance of certificates of occupancy.

2. Biological Resources

2.1 Mitigation for impacts to upland vegetation communities shall consist of on-site preservation and preservation on the Sycamore Estates development parcel's proposed MHPA expansion area in the acreage amounts presented in the table below. Upland vegetation communities shall be mitigated satisfactory to the City of San Diego's Environmental Review Manager of Land Development Review and as specified by criterion a, b and c, below.

Habitat	Impact (outside MHPA)	Mitigation Ratio (preservation area outside/ inside MHPA)	On-site Preservation Inside MHPA	Off-site Preservation Inside Sycamore Estates MHPA
Tier II				
Diegan Coastal Sage Scrub (DSS)	32.4	1.5:1/1:1	CSS 12.3 SMC 15.7	3.8
Diegan Coastal Sage Scrub/ Chaparral Ecotone (DSS/CE)	7.0	1.5:1/1:1	DSS/CE 5.2	1.7
Tier IIIA				
Southern Mixed Chaparral (SMC)	38.9[1]	1:1/0.5:1	CC 0.2 SMC 19.3	0.0
Chamise Chaparral (CC)	69.6[2]	1:1/0.5:1	CC 30.1 NNG 4.2 DSS/CE 0.5	0.0
Tier IIIB				
Non-Native Grassland (NNG)	2.7	1:1/0.5:1	NNG 1.4	0.0
Totals	**150.6[3]**	–	**88.9[4]**	**5.5[4]**

1. Includes 0.3-acre of off-site impact
2. Includes 0.2-acre of off-site impact
3. If the Montecito sub-project occurs prior to the proposed Sycamore Estates sub-project, an additional 1.5 acres of southern mixed chaparral would be impacted that would otherwise be impacted by Sycamore Estates.
4. If the Sycamore Estates sub-project mitigates for the construction of Rancho Encantada Parkway across the Montecito sub-project site, 27.2 acres of Tier IIIA shall be deleted from the on-site preservation requirements inside the MHPA. In addition, the 5.5 acres of off-site habitat acquisition requirement would be deleted.

a. Prior to the issuance of a grading permit, a conservation easement shall be placed over the open space portions of the site and the Sycamore Estates site in the acreage amounts designated as preservation areas in the above table, as shown on Exhibit A.

b. No more than one week prior to grading, the MHPA open space limits, as shown on Exhibit A, shall be marked in the field by the construction supervisor and the project biologist, and orange construction fencing shall be installed.

These limits shall be identified on the grading plan. The project biologist shall submit a letter report to the Environmental Review Manager, verifying that construction limits have been flagged in the field. No foot traffic or other forms of disturbance shall be allowed within the MHPA open space limits, except as otherwise permitted by the Project approvals or necessary to perform work pursuant to Project approvals as determined by the ERM. After the completion of grading, the project biologist shall submit a post-grading report to the Environmental Review Manager verifying that the amount of impacted acreage did not exceed the acreage amounts listed on the table above.

c. Prior to the issuance of a grading permit, the applicant shall provide written verification to the Environmental Review Manager that 5.5 acres of Tier II habitat has been designated for open space preservation on the Sycamore Estates parcel. Because the off-site mitigation requirement is less than ten acres, if the Sycamore Estates site becomes unavailable for habitat preservation, the owner/permittee shall be permitted to contribute to a habitat acquisition fund, as follows: Prior to issuance of grading permits, the owner/permittee shall mitigate impacts to 5.5 acres of Tier II outside of the MHPA to the satisfaction of the ERM, through the payment of fees for off-site acquisition of 5.5 acres of habitat in the MHPA, as described below. The owner/permittee shall contribute to the City's Habitat Acquisition Fund (No. 10571) as established by City Council Resolution R-275129, adopted on February 12, 1990, for the off-site acquisition of 5.5 acres of habitat within the MHPA. The exact amount of monetary contribution will be determined by the City's Planning and Development Review Department, in consultation with the City's Real Estate Assets Department, 60 days prior to payment.

2.2 The following mitigation measure shall be required only if the sewer pump station design option is selected for implementation. Responsibility for mitigation would be assumed by the sub-project which is granted the first grading permit in Rancho Encantada.

Mitigation for impacts to upland vegetation communities due to construction of the sewer pump station (if planned for construction) shall be the responsibility of the owner/permittee who applies for the first grading permit within *Rancho Encantada*. Mitigation shall consist of on-site preservation in the acreage amounts presented in the table below. Upland vegetation communities shall be mitigated satisfactory to the City of San Diego's Environmental Review Manager of Land Development Review.

SEWER PUMP STATION

Habitat	Impact (inside MHPA)	Mitigation Ratio (preservation area outside/inside MHPA)	On-site Preservation Inside MHPA	
Tier II				
Diegan Coastal Sage Scrub (DSS)	0.8	2:1/1:1	SMC	0.8
Tier IIIA				
Chamise Chaparral (CC)	0.1	1.5:1/1:1	SMC	0.1
Tier IIIB				
Non-Native Grassland (NNG)	0.1	1.5:1/1:1	NNG	0.1
Totals	**1.0**	**–**		**1.0**

2.3 The following mitigation measure shall be required only if the off-site gravity sewer line design option is selected for implementation. Responsibility for mitigation would be assumed by Montecito if it is granted the first grading permit in Rancho Encantada.

Mitigation for impacts to upland vegetation communities due to construction of the off-site gravity sewer line (if selected for implementation) shall be the responsibility of the owner/permittee who applies for the first grading permit within Rancho Encantada. Mitigation shall consist of creation of 0.9 acres of coast live oak woodland and preservation of 0.3 acres of other upland vegetation as listed in the acreage amounts presented in the table below. Upland vegetation communities shall be mitigated satisfactory to the city of Poway.

OFF-SITE GRAVITY SEWER LINE (CITY OF POWAY)

Habitat	Impact	Mitigation Ratio	Mitigation Requirement
Coast Live Oak Woodland	0.3	3:1[1]	0.9[1]
Diegan Coastal Sage Scrub (and disturbed)	0.1	2:1	0.2
Non-Native Grassland	0.1	1:1	0.1
Developed	3.4	0	0.0
Disturbed	0.1	0	0.0
Totals	**4.0**	**–**	**1.2**

1. Requires habitat creation.

2.4 The following mitigation measure shall be required only if the sewer pump station design option is selected for implementation. Responsibility for mitigation would be assumed by Montecito if it is granted the first grading permit in Rancho Encantada.

Mitigation for impacts to 0.02-acre of natural flood channel due to construction of the sewer pump station (if planned for construction) shall be the responsibility of the owner/permittee who applies for the first grading permit within Rancho Encantada. Prior to issuance of grading permits, documentation shall be submitted to the Environmental Review Manager verifying that necessary California Department of Fish and Game Section 7 and Army Corps of Engineers Section 404 permits have been obtained and the City-approved wetland mitigation program has been initiated. Mitigation for wetland impacts shall consist of on-site wetland habitat restoration. Impacts to 0.02-acre of natural flood channel shall be mitigated at a 2:1 ratio, for a total of 0.04 acres. All wetland mitigation will be contingent upon state and federal resource agency approval. All impacts to wetlands must be mitigated "in-kind" and achieve "no-net-loss" of wetland function and values. Revegetation shall occur adjacent to existing wetland habitat and within the Rancho Encantada project boundaries. The habitat restoration plan must include a monitoring and maintenance program to ensure the success of the wetland mitigation. Monitoring shall occur for five years, or until five-year success criteria (80 percent coverage) are met.

2.5 The following mitigation measure shall be required only if the off-site gravity sewer design option is selected for implementation. Responsibility for mitigation would be assumed by the sub-project which is granted the first grading permit in Rancho Encantada.

Mitigation for impacts to 0.02-acre mule-fat scrub, 0.02-acre of southern willow scrub, 0.01-acre of freshwater marsh and 0.01-acre of freshwater seep due to construction of the off-site gravity sewer line (if planned for construction) shall be the responsibility of the owner/permittee who applies for the gravity sewer line construction permit from the city of Poway. Prior to issuance of construction permits by the city of Poway, documentation shall be submitted to the city of Poway verifying that necessary California Department of Fish and Game Section 7 and Army Corps of Engineers Section 404 permits have been obtained. Mitigation for wetland impacts shall consist of restoring the ground surface of the sewer line alignment to its original condition prior to sewer line installation. All wetland mitigation will be contingent upon state and federal resource agency approval. All impacts to wetlands must be mitigated "in-kind" and achieve "no-net-loss" of wetland function and values. The habitat restoration plan must include a monitoring and maintenance program to ensure the success of the wetland mitigation. Monitoring shall occur for five years, or until five-year success criteria (80 percent coverage) are met.

2.6 Mitigation for wetland impacts shall consist of on-site wetland habitat restoration. Prior to issuance of grading permits, documentation shall be submitted to the Environmental Review Manager verifying that necessary California Department of

Fish and Game (CDFG) Section 7 and Army Corps of Engineers (ACOE) Section 404 permits have been obtained and the City-required wetland mitigation program has been approved. Mitigation for wetland impacts shall consist of on-site wetland habitat restoration and/or creation. Impacts to 0.01-acre of natural flood channel shall be mitigated at a 2:1 ratio, for a total of 0.02-acre. All wetland mitigation will be contingent upon state and federal resource agency approval. All impacts to wetlands must be mitigated "in-kind" and achieve "no-net-loss" of wetland function and values. The conceptual wetland mitigation plan (provided in Appendix B-1 of the Rancho Encantada EIR), prepared in compliance with the City's Biology Guidelines, shall be initiated upon receipt of necessary state and federal agency approvals. Planting of riparian creation areas as specified in the approved wetland mitigation program shall commence in the first planting season following issuance of the first grading permit. Revegetation shall occur adjacent to existing wetland habitat and within the Montecito project boundaries. The habitat restoration plan must include a monitoring and maintenance program to ensure the success of the wetland mitigation. Monitoring shall occur for five years, or until five-year success criteria (80 percent coverage) are met. Impacts to ephemeral drainages (non-vegetated waters of the U.S.) are covered under ACOE and CDFG jurisdiction and final mitigation requirements will be determined upon project review as part of the ACOE Section 404, California Regional Water Quality Control Board Section 401, and CDFG Section 1603 permitting process. The conceptual mitigation plan shall account for mitigation of impacts to ephemeral drainages.

2.7 No more than one week prior to grading, orange construction fences shall be installed around all construction areas within 100-feet of wetlands. Locations of silt fences or other sediment prevention measures shown in the Project's approved Storm Water Pollution Prevention Program (SWPPP) necessary to minimize erosion impacts to wetlands shall be noted and graphically shown on the grading plan and as shown on the Exhibit A grading plans. The project biologist shall submit a letter report to the ERM, verifying that the silt fences and/or other sediment prevention measures have been installed in the appropriate locations. Once grading is completed, the silt fencing shall be removed.

2.8 Prior to the issuance of a grading permit, a qualified biologist shall determine the presence or absence of occupied raptor nests on the sub-project site and vicinity, with written results submitted to the Environmental Review Manager (ERM) of the Land Development Review Department. Grading and construction which creates adverse effects to active raptor nests, including noise levels above 60 dB(A), shall be restricted to 300 feet from any Cooper's hawk (*Accipiter cooperii*) nesting site; 900 feet from any northern harrier (*Circus cyaneus*) nesting site; and 4,000 feet from any golden eagle (*Aquila chrysaetos*) nesting site. This restriction shall be noted on all grading and construction plans. If active raptor nests are located within the distances listed above, weekly biological monitoring of the nests shall be conducted by the project biologist during the breeding season (February 1 through August 15) with written results submitted to ERM of the Land Development Review Department. No grading or construction activities shall be permitted within those restricted areas until the young have fledged.

2.9 Prior to issuance of each building permit for those structures adjacent to MHPA, a lighting design shall be provided to the Environmental Review Manager (ERM) of the Land Development Review Department for approval. That plan shall minimize exterior lighting in development areas adjacent to the MHPA and where needed selectively placed, shielded, and directed away from native habitat. In addition, lighting from homes abutting conserved habitat shall be screened with vegetation, and large spotlight type lighting that may affect conserved habitat shall be prohibited. The lighting design shall be noted and graphically shown on construction building and landscape plans and compliance with this measure shall be monitored by the ERM of the Land Development Review Department. Restriction of spotlight type lighting adjacent to conserved habitat shall be noted in the sub-project's CC&Rs.

2.10 Prior to issuance of grading permits, a fencing plan shall be provided to the Environmental Review Manager (ERM) of the Land Development Review Department for approval. That plan shall require fencing in all areas adjacent to the MHPA to limit access to the MHPA as shown on Exhibit A. Fencing shall not be required where slopes are sufficiently steep to preclude access. The fencing design shall be indicated on construction building and landscape plans and compliance with this measure shall be monitored by the ERM of the Land Development Review Department.

2.11 Educational materials regarding the sensitivity of the MHPA shall be given to project residents as part of the Project's CC&Rs.

2.12 Prior to issuance of grading permits, a landscape plan shall be provided to the Environmental Review Manager (ERM) of the Land Development Review Department for approval. That plan shall require that newly graded slopes adjacent to the MHPA, and existing firebreaks within the MHPA (not being used for trials) be revegetated with native species as shown on Exhibit A. Pursuant to an approved landscape plan for this project, no invasive, non-native plant species shall be permitted on these slopes. The landscape design shall be indicated on construction building and landscape plans and compliance with this measure shall be monitored by the ERM of the Land Development Review Department.

2.13 Implementation of Mitigation Measure 3.2 (Geology/Soils), Mitigation Measures

4.1 through 4.11 (Hydrology/Water Quality), and 7.1 (Air Quality) shall mitigate potential indirect impacts to vegetation communities and sensitive plant species associated with erosion, exposure to urban pollutants, and dust.

If the Montecito sub-project develops independent of the Sycamore Estates sub-project the following mitigation measure would be required to reduce impacts to long-term conservation of biological resources to below a level of significance:

2.14 Prior to the issuance of the first grading permit, the owner/permittee shall assure the acquisition of 15.9 acres to be added to the MHPA, satisfactory to the ERM. The

acquisition site (or sites) shall be proposed for inclusion in the MHPA and provide equal or similar functional equivalency to the area being lost on the Montecito sub-project site. The following criteria shall be employed in the investigation and selection of acquisition sites.

a. Acquisition sites shall be located within the MHPA (with a minimum 15.9-acre development footprint potential per MSCP guidelines) or shall be proposed for inclusion in the MHPA;

b. Acquisition sites shall be potentially developable under the requirements of the OR-1 and OR-2 Zones, and development rights shall be obtained as part of the acquisition such that the acquired land within the MHPA will no longer be available for development;

c. Acquisition sites shall replace habitat acreage eliminated from the MHPA in-Tier or, if in-Tier replacement is not provided, acquisition sites shall contribute positively to preserve functions and values by (a) providing for increased functionality with respect to wildlife movement, habitat linkages, connectivity; (b) providing for increased functionality by eliminating a potential development area in the preserve, thereby minimizing edge effects, fragmentation and management requirements; and (c) providing for conservation of species of concern not on the MSCP covered species list.

d. Acquisition sites shall meet the requirements of boundary adjustment equivalency analysis (Section 5.4.2, City of San Diego MSCP Plan, August 1998) and shall be approved by the USFWS and the CDFG.

3. Geology/Soils

3.1 Prior to the commencement of grading, a geotechnical consultant, satisfactory to the City's Environmental Review Manager (ERM), shall be employed for the purpose of observing earthwork procedures and testing the fills for substantial conformance with the recommendations of the projects' Geologic Investigation Reports. The geotechnical consultant shall provide adequate testing and observation services so that it may be determined if the work was performed in substantial conformance with the projects' Geologic Investigation Reports. Such information shall be submitted in writing to the City's ERM. Mitigation measures for soil and excavation activities, grading activities, installation of subdrains, slope construction, foundation design, retaining walls and lateral loads, drainage provisions, and final review of grading plans shall be implemented as a part of the grading plans for the proposed project. Prior to issuance of grading permits, the grading plans shall be approved by the City Planning and Development Review Department.

3.2 In conformance with the provisions of Public Resources Code § 21081.6, the sub-project owner/permittee shall retain a mitigation monitor acceptable to the ERM to monitor the grading, construction, and installation of runoff control devices and

erosion control revegetation. Prior to the issuance of building permits, the mitigation monitor shall submit in writing to the City Engineer verification that the sub-project has complied with the required notes on the grading plan, landscape plan and Storm Water Pollution Prevention Plan (SWPPP) addressing erosion/urban runoff controls related to erosion control. Grading shall be limited to the dry season (typically March 15 to November 15), unless specific measures for wet season grading are approved for the sub-project by the ERM of the City of San Diego's Planning and Development Review Department.

4. Hydrology/Water Quality

4.1 Prior to the issuance of grading permits, the owner/permittee shall provide evidence, in the form of an acknowledgment from the SWRCB assigning the project its WDID Number, of intent to be covered under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002. The WDID Number shall be listed on the project grading plans.

4.2 Prior to the issuance of grading permits, the owner/permittee shall prepare a Storm Water Pollution Prevention Plan (SWPPP) prepared in compliance with the NPDES General Permit requirements and the requirements of the Land Development Review (LDR) Division of the City of San Diego. The Environmental Review Manager (ERM) of the LDR Division shall approve the SWPPP prior to the issuance of the grading permits. The SWPPP shall include a permanent maintenance plan, prepared satisfactory to the ERM, that defines the party responsible for the permanent maintenance of each and all post-construction BMPs. The permanent maintenance plan shall define the method and schedule for maintenance of all permanent BMPs.

The SWPPP shall contain construction-related (temporary) BMPs including, as a minimum, the following:

a. Hydroseeding/hydromulching of all disturbed natural and manufactured slopes with seed mixes approved by the ERM.

b. A schedule for hydroseeding/hydromulching of completed slopes approved by the ERM.

c. BMPs specifically designed to address construction-related impacts to sensitive plan species located in southerly trending drainages (Sycamore Estates sub-project only).

d. Other temporary BMPs approved by the ERM.

The SWPPP shall contain permanent post-construction BMPs to control the rate, volume and quality of runoff leaving the site and reduce the amount of pollutants and sediments discharged from the site including, as a minimum, the following:

Structural BMPs

e. *Swales.* Swales are channels with a relatively mild longitudinal slope and shallow side slope that are typically grassed or vegetated. They are designed for slow velocities during small storms, allowing opportunity for infiltration along the swale bottom and for the trapping of sediment and organic biosolids in the vegetative cover. Swales are typically located along roadways and other impervious areas. Swales and other BMPs that promote infiltration are feasible in areas with permeable soils (Soil Types A and B). This type of BMP should not be located above fill slopes or in other areas where infiltration can create soil or structural problems.

f. *Filter Strips.* Sometimes called buffer strips, filter strips perform in a manner similar to swales but are not channels. Receiving flow is characteristically sheet flow. Filter strips are mildly sloping vegetated surfaces that are located adjacent to an impervious surface area. They are designed to slow the velocity of the runoff from the impervious area, thereby increasing the opportunities for infiltration and the trapping of pollutants. Filter strips and other BMPs that promote infiltration are feasible in areas with permeable soils (Soil Types A and B). Filter strips and other BMPs that trap pollutants in vegetative cover are feasible when they can be located away from heavily traveled areas. This type of BMP should not be located above fill slopes or in other areas where infiltration can create soil or structural problems.

g. *Infiltration Basins and Percolation Trenches.* These treatment controls capture runoff generated by small storms and provide good storm water treatment by transferring surface runoff to the groundwater regime. This filters out suspended pollutants and provides other treatment processes before water returns to the surface systems. Infiltration basins, percolation trenches and other BMPs that promote infiltration are feasible in areas with permeable soils (Soil Types A and B). This type of BMP should not be located above fill slopes or in other areas where infiltration can cause soil or structural problems. In the Montecito sub-project, infiltration basins shall be provided in conjunction with the detention basin sites.

h. *Detention Controls.* Detention controls include extended detention basins (dry) which drain out completely between storm events, and retention ponds (wet), which retain storm runoff from a given event within its permanent pool until the next storm occurs. Retention ponds are not feasible for this project. Detention basins remove pollutants primarily through sedimentation of solids, but also through biochemical processes in the basin during the dry weather periods that follow storms.

The Montecito VTM includes several detention basins primarily designed for flood-peak attenuation. These basins shall be constructed in conjunction with infiltration basins and vegetation basins. In conjunction with these other basins, but also on their own, the detention basins will provide a benefit in improving storm water quality.

i. *Drainage Inlet Inserts.* This category of structural BMPs includes pre-manufactured media filters in troughs and containers within inlets and catch basins configured to remove sediment, pollutants adsorbed to sediment, and oil and grease. The Montecito sub-project shall utilize drainage inlet inserts only where other structural BMPs cannot be used prior to the storm water being discharged into MHPA areas. (For the purpose of this mitigation measure, "MHPA" refers to the MHPA limits as defined at the time of Project application (March 1999) and shown as "Existing MHPA Line" on Exhibit A).

j. *Other Measures*. The specific locations and implementation strategies for construction site erosion and sediment control practices shall be outlined in the sub-project Storm Water Pollution Prevention Plan (SWPPP). Typical construction site erosion and sediment control practices that can be applied during construction phases of the Montecito sub-project may include, but would not be limited to the following: 1) temporary sediment basins, 2) silt fences, 3) straw bale sediment traps, 4) storm drain inlet protection, 5) subsurface drains, 6) temporary slope drains, 7) grade stabilization structures, 8) storm drain outlet protection, 9) structural streambank protection, 10) temporary/permanent seeding, and 11) sodding/mulching.

Non-Structural/Housekeeping BMPs

Non-structural and housekeeping BMPs prevent and reduce the generation of pollutants at their source, as opposed to structural measures that are implemented to control pollutants after they are generated. The recommended non-structural BMPs include, but are not limited to the following:

k. *CC&R Language.* Language shall be included in the Montecito residential CC&Rs that encourages implementation of non-structural and housekeeping BMPs.

l. *Educational Materials.* Educational materials shall be developed by the Montecito sub-project owners/permittees to educate homebuyers, developers, and construction personnel. Educational materials may also be provided to administrators of the proposed school and institutional sites. The educational materials shall provide information and general guidance on water quality control including, but not limited to, the non-structural BMPs mentioned here.

m. *Catch Basin Stenciling.* "No Dumping–Drains to Ocean" or another equally effective phrase shall be posted on storm water inlets in order to alert the public to the ultimate destination of substances discharged into the storm water drainage system.

n. *Other Methods.* Other non-structural measures may include fertilizer management programs, integrated pest management, litter control and street sweeping programs, and construction site erosion and sediment control practices.

o. Other permanent BMPs, including alternative available technologies, approved by the ERM.

4.3 Prior to the issuance of grading permits and/or improvement permits, the following notes, as a minimum, shall be included in the grading plans, improvement plans and/or erosion control landscaping plans, satisfactory to the ERM:

a. The owner/permittee and/or contractor shall post the project SWPPP, with monitoring and maintenance updates after every storm event, on the job site during all construction activities.

b. No grading shall be performed during the rainy season (November 15 through March 31) without the implementation of the special erosion control measures shown on this plan and approved by the ERM.

4.4 Prior to the issuance of building permits, the owner/permittee shall submit evidence, in the form of the annual certification required by the SWRCB, that the project is in compliance with the terms and conditions of the General Permit. This certification contains certification that the project is in compliance with the project SWPPP.

4.5 Prior to the issuance of building permits, the owner/permittee shall include, within the project CC&Rs, requirements for the private homeowner or property owner to permanently maintain appropriate post-construction BMPs to the satisfaction of the ERM.

4.6 The owner/permittee shall file a Notice of Termination with the SWRCB as required under the terms and conditions of the General Permit. A requirement for termination of coverage is the submittal of a Post-Construction Storm Water Management Plan. The Plan must contain the permanent post-construction BMPs, and the party responsible for the permanent maintenance of each post-construction BMP. An additional requirement for termination of coverage is certification that the project complies with all local agency storm water discharge ordinances. The owner/permittee shall submit the Notice of Termination and the Post-Construction Storm Water Management Plan to the ERM along with any notice of acceptance from the SWRCB as certification that the project has complied with the terms and conditions of the General Permit and that coverage under the General Permit has been terminated.

4.7 Prior to the issuance of building permits in Planning Area 1 of the Montecito sub-project site, a stormwater interceptor shall be installed at the drainage outlet located adjacent to the MHPA. Installation and operation of the separator shall be verified by a City field inspector prior to the issuance of building permits in Planning Area 1. This separator system shall separate contaminated fine sediments, sands, petroleum products and other settleable/floatable contaminants. The system shall be maintained by the project's homeowners association.

5. Transportation

5.1 Prior to recordation of the first final map, the owner/permittee shall assure the construction of Pomerado Road from Spring Canyon Road to north of Legacy Road as a modified four-lane major street with appropriate transitions, satisfactory to the City Engineer.

5.2 Prior to recordation of the first final map, the owner/permittee shall assure the construction of a traffic signal at the intersection of Rancho Encantada Parkway and Pomerado Road, satisfactory to the City Engineer.

5.3 Prior to recordation of the first final map, the owner/permittee shall assure the construction of a northbound right-turn lane and a southbound left-turn lane at the intersection of Rancho Encantada Parkway and Pomerado Road, satisfactory to the City Engineer.

5.4 Prior to recordation of the first final map, the owner/permittee shall assure the construction of a traffic signal at the intersection of Pomerado Road and Stonemill Drive, satisfactory to the City Engineer.

5.5 Prior to recordation of the first final map, the owner/permittee shall assure the construction of an additional northbound left-turn lane and an additional westbound left-turn lane at the intersection of Scripps Poway Parkway and Pomerado Road, satisfactory to the City Engineer.

5.6 Prior to recordation of the first final map, the owner/permittee shall assure the construction of an additional lane for the northbound off-ramp at I-15 and Pomerado Road, satisfactory to the City Engineer.

5.7 Prior to recordation of the first final map, the owner/permittee shall assure by permit and bond the construction of an additional lane along Pomerado Road between the U.S. Navy/Marine driveway and the USIU secondary driveway to improve the eastbound merging for the I-15 northbound off-ramp, satisfactory to the City Engineer.

5.8 Prior to recordation of the first final map, and as an alternative to assuring the construction of a High Occupancy Vehicle Lane (HOV) at I-15 and Pomerado Road westbound to southbound on-ramp, the owner/permittee shall contribute an equivalent cost (estimated as $500,000.00) of the proposed on-ramp widening to the improvement program proposed by Caltrans, specifically the southbound auxiliary lane on I-15 from Mira Mesa Blvd. to Miramar Way.

5.9 Prior to recordation of the first final map, the owner/permittee shall assure by permit and bond the construction of a traffic signal at the intersection of Spring Canyon Road with Spruce Run Drive, Semillon Boulevard and Scripps Creek Drive, satisfactory to the City Engineer.

5.10 Prior to recordation of the first final map, the owner/permittee shall assure by permit and bond the construction of median improvements at the intersection of Spring Canyon Road with Semillon Boulevard, Sunset Ridge Drive, Scripps Creek Drive, Spruce Run Drive, Blue Cypress, and other locations along Spring Canyon Road needed to reduce cut-thru traffic on local collector streets in the Scripps Miramar Ranch community, satisfactory to the City Engineer.

5.11 Prior to recordation of the first final map, the owner/permittee shall assure the construction of a traffic signal interconnect system on Spring Canyon Road between Scripps Ranch Boulevard and Pomerado Road, satisfactory to the City Engineer.

6. Noise

6.1 Prior to the issuance of building permits for single-family residential units located within 200 feet of the Pomerado Road centerline or 80 feet of the Rancho Encantada centerline, a subsequent acoustical analysis shall be prepared by a qualified acoustician to identify all necessary noise control requirements on building and site plans necessary to meet the City of San Diego interior standard of 45 dB CNEL and exterior standard of 65 CNEL. The qualified acoustician shall provide verification in writing that these requirements are met. Written verification shall be submitted to the City's Environmental Review Manager (ERM). Building permits for homes within 200 feet of the Pomerado Road centerline or within 80 feet of the Rancho Encantada Parkway centerline shall not be issued until the subsequent acoustical analysis is approved by the City's ERM.

If architectural features are needed to achieve the interior noise standard, such features shall be noted on the building plans. The primary feature of an interior sound attenuation package is the use of dual-pane windows in the upstairs windows with a minimum sound transmission class of 26 to 28. Supplemental ventilation is required in these homes to allow for window closure. Air conditioning as a standard feature would meet the ventilation requirement. All noise level reduction architectural components shall be shown on the architectural building plans and shall be approved by the City's Planning and Development Review Department prior to the issuance of building permits.

6.2 A noise attenuation wall shall be constructed along Rancho Encantada Parkway in the locations shown on the Montecito Exhibit A VTM and PRD.

7. Air Quality

7.1 Prior to approval of grading permits, the owner/permittee shall submit an accelerated construction dust abatement management program to the City of San Diego Planning and Development Review Department, Environmental Review Manager (ERM) for approval. Dust abatement shall consist of, but not be limited to, soil stabilizers, truck wash stations, use of tarpaulins or covers on haul trucks, and site watering to the satisfaction of the Planning and Development Review Department. Site watering shall increase if wind speeds exceed 15 mph. Uncovered soils being stockpiled shall be bound or covered when deposits are not being made. The dust abatement program shall achieve a minimum of 60 percent dust abatement. The dust abatement program shall be made a condition of the grading permit and shall be monitored by the City through periodic inspection during grading. If the City's Inspection Services field inspector finds that the accelerated construction dust abatement program is not being complied with, a "stop work" order shall be issued until compliance is obtained.

7.2 Prior to the commencement of construction, Low NOx tune-ups shall be required of all diesel powered construction equipment. Documentation of the tune-up shall be provided to the City of San Diego's Environmental Review Manager prior to the commencement of construction. Additional Low NOx tune-ups may be required periodically over the course of Project construction, as required by the City of San Diego's Environmental Review Manager.

8. Paleontological Resources

The following measures would be implemented to mitigate impacts to paleontological resources sites and off-site areas in which grading is proposed in areas underlain by either the Stadium Conglomerate or Pomerado Conglomerate formation.

8.1 Prior to the issuance of the first grading permit, the applicant shall provide a letter of verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified paleontologist and/or paleontologist monitor, as defined in the City of San Diego Paleontological Guidelines, have been retained to implement the monitoring program. The requirement for paleontological monitoring shall be noted on the grading plans. All persons involved in the paleontological monitoring of this project shall be approved by LDR prior to the start of monitoring. The applicant shall notify LDR of the start and end of construction.

8.2 The qualified paleontologist shall attend any preconstruction meetings to make comments and/or suggestions concerning the paleontological monitoring program with the construction manager.

8.3 The paleontologist or paleontological monitor shall be on site full-time during the initial cutting of previously undisturbed areas. Monitoring may be increased or decreased at the discretion of the qualified paleontologist, in consultation with LDR, and will depend on the rate of excavation, the materials excavated, and the abundance of fossils.

8.4 When requested by the paleontologist, the Project Engineer shall divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains. The paleontologist shall immediately notify LDR staff of such finding at the time of discovery. LDR shall approve salvaging procedures to be performed before construction activities are allowed to resume.

8.5 The paleontologist shall be responsible for preparation of fossils to a point of curation as defined in the City of San Diego Paleontological Guidelines and submittal of a letter of acceptance from a local qualified curation facility. Any discovered fossil sites shall be recorded by the paleontologist at the San Diego Natural History Museum.

8.6 Prior to the release of the grading bond, a monitoring results report, with appropriate graphics, summarizing the results, analysis, and conclusions of the paleontological monitoring program shall be submitted to and approved by the Environmental Review Manager of LDR.

9. Public Services

9.1 Prior to the issuance of each residential building permit(s), the sub-project owner/permittee shall be required to pay statutory Senate Bill 50 fees in place for the requested building permit(s).

9.2 If development of the Sycamore Estates sub-project site is not assured through the recordation of a final map prior to the issuance of building permits for the Montecito sub-project, the Montecito sub-project owner/permittee shall pay into the Rancho Encantada PFFP prior to the issuance of building permits to cover its 2.46-acre park requirement. With implementation this mitigation measure, impacts to public parks would be reduced to below a level of significance.

9.3 Prior to the issuance of building permits for each development phase, a fire response time analysis shall be submitted to the City's Environmental Review Manager for the building permit in question. The analysis shall take the presence of gated entries into consideration. If the structure is located outside of a six-minute response time from an existing fire station, a fire sprinkler system shall be installed in the structure satisfactory to the Environmental Review Manager and the City Fire Marshall.

9.4 *Destination of Materials:*

a. The owner/permittee and construction contractors of each sub-project shall contact and use businesses (including self) that accept post-consumer materials for manufacture. (A list of construction and demolition recyclers and materials accepted by these facilities is available from the City of San Diego Environmental Services Department.)

b. Construction contractors shall identify the method of transporting materials to either a landfill or reprocessing centers.

9.5 *Buy Recycled:*

a.. The owner/permittee of each sub-project shall identify products to be used in the construction activities that may be made of post-consumer content.

b. A good-faith effort shall be made to identify and use readily available products made with post-consumer materials.

9.6 *Education:*

a. The owner/permittee of each sub-project shall provide a plan to educate and inform contractors of the waste management plan's goals of waste reduction and procedures for implementing them. Where possible, goals shall be included in contractor specifications. The sub-project's owner/permittee shall ensure that contractors achieve the performance levels specified.

10. Water Conservation

10.1 Prior to the issuance of grading permits, the incorporation of low water use plant species shall be verified by the City's Landscape Division as shown on the landscape construction drawings. Use of drought tolerant, low water or no water (native) species on all artificial slopes (where appropriate in consideration of brush management requirements and MHPA Adjacency Guidelines) shall be provided.

10.2 Prior to the issuance of grading permits, the City's Landscape Division shall verify that all common irrigation areas shall be operated by a computerized irrigation system which includes a weather station/ET gauge capable of reading current weather data and making automatic adjustments to independent program run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failures due to mainline breaks and eliminating over watering and flooding due to pipe and/or head breaks.

10.3 Prior to the issuance of grading permits, appropriate plant groupings shall be verified by the City's Landscape Division as shown on the landscape construction drawings. Plants with similar water usage requirements shall be grouped together.

10.4 Prior to the issuance of building permits, the use of low-flush toilets and low-flow faucets shall be noted on the architecture construction drawings and verified by the City's Building Division.