

Mitigation Monitoring and Reporting Program for the Amanda Estates Development Project Initial Study / Mitigated Negative Declaration City No: PHG 13-0034 / SUB 13-0007

The City of Escondido adopts this Mitigation Monitoring and Reporting Program (MMRP) in accordance with Public Resources Code (PRC) Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines. The purpose of the MMRP is to ensure that the Amanda Estates Development Project (proposed project), which is the subject of the Initial Study / Mitigated Negative Declaration (IS/MND), complies with all applicable environmental mitigation requirements. The mitigation described in the IS/MND and summarized below provides a broad purpose and overview of actions that will occur in order to reduce identified environmental impacts.

For each project that is subject to CEQA, PRC Section 21081.6 requires the Lead Agency to monitor performance of the mitigation measures included in any environmental document to ensure that the specified mitigation is implemented. The City of Escondido is the designated Lead Agency for the proposed project. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition related to implementation of the MMRP.

After review and approval by the Lead Agency, minor changes to the MMRP are permitted but can only be made by the City of Escondido. No deviations from this MMRP shall be permitted unless it continues to satisfy the requirements of PRC Section 21081.6, as determined by the City of Escondido.

The organization of the MMRP follows the subsection formatting style presented within the IS/MND. Only those subsections of the environmental issues presented in the IS/MND that have mitigation measures are provided below in the MMRP table. All other subsections in the IS/MND do not contain mitigation measures. For each specified mitigation measure, the MMRP table identifies the following: 1) Implementation Action, 2) Method of Verification, 3) Timing of Verification, 4) Responsible Agency/Party, and 5) Verification Date.

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
Air Quality					
<p>Air-1 Construction Dust Control Measures. The on-site construction superintendent shall ensure implementation of standard best management practices to reduce the emissions of fugitive dust to a level of less than significant during all grading and site preparation activities including, but not limited to, the following actions:</p> <ol style="list-style-type: none"> 1. Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site additional water shall be applied at a frequency to be determined by the on-site construction superintendent. 2. Operate all vehicles on the construction site at speeds less than 15 miles per hour. 3. Cover all stockpiles that will not be utilized within three days with plastic or equivalent material, to be determined by the on-site construction superintendent, or spray them with a non-toxic chemical stabilizer. 4. If a street sweeper is used to remove any track-out/carry-out, only PM₁₀-efficient street sweepers certified to meet the most current South Coast Air Quality Management District Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances. 	Require standard best management practices	Field monitoring	Prior to and during any construction activities	City of Escondido Community Development Department Planning Division; Building Division; Construction Contractor; San Diego County Air Pollution Control District	

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Biological Resources					
<p>Bio-1 To avoid any direct impacts to raptors, removal of eucalyptus woodland habitat shall occur outside of the raptor breeding season (January 15 to August 31). If removal of eucalyptus woodland habitat must occur during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of nesting raptors in the proposed area of disturbance. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction activities (including the 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.</p>	<p>Require that impacts to raptors be avoided during breeding season</p>	<p>Field survey, documentation and monitoring report</p>	<p>Prior to initiating any construction activities</p>	<p>City of Escondido Community Development Department Planning Division; Project Biologist; Engineering Division</p>	
<p>Bio-2 Vegetation clearing or brushing shall occur outside of the typical breeding season for raptors and migratory birds (January 15 to August 31). If this is not possible, then a qualified biologist shall conduct a survey for nesting birds no more than five calendar days prior to construction to determine the presence or absence of nests on the project site. The applicant shall submit the results of the pre-construction survey to the City for review and approval prior to initiating any construction activities. No construction activities shall occur within 300 feet of tree dwelling raptor nests, or within 800 feet of ground dwelling raptor nests, until a qualified biologist has determined that they are no longer active or that noise levels will not exceed 60 dB(A) Equivalent Energy Level (L_{eq}) at the nest site. Alternatively, noise minimization measures such as noise barriers shall be constructed to bring noise levels to below 60 dB(A) L_{eq}, which will reduce the impact to below a level of significance.</p>	<p>Require that impacts to raptors and migratory birds be avoided during breeding season</p>	<p>Field survey, documentation and monitoring report</p>	<p>Prior to initiating any construction activities</p>	<p>City of Escondido Community Development Department Planning Division; Project Biologist; Engineering Division</p>	

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Bio-3 During construction activities, the construction contractor shall ensure that dirt storage piles are stabilized by chemical binders, tarps, fencing or other erosion control measures.	Require that erosion/dirt control measures are implemented	Field survey and documentation	During construction activities	City of Escondido Community Development Department Planning Division; Field Engineer; Construction Contractor	
Bio-4 During construction activities, the construction contractor shall terminate grading activities if winds exceed 25 mph.	Require termination of construction activities if strong winds	Field survey and documentation	During construction activities	City of Escondido Community Development Department Planning Division; Field Engineer; Construction Contractor	
Bio-5 Prior to issuance of a grading permit, the project applicant shall show on project plans that all landscape areas, including plant material within the plantable retaining wall, include native vegetation and drought tolerant plant materials.	Require native vegetation and drought tolerant plant materials	Review of plans/permits	Prior to issuance of any permits	City of Escondido Community Development Department Planning Division	
Bio-6 During construction activities, the construction contractor shall ensure that the limits of grading are flagged or marked with silt fencing prior to grading to prevent indirect impacts to off-site sensitive coastal sage scrub habitat to the northeast of the project site. Prior to grading, a qualified biologist shall review the flagging and silt fencing and during grading the qualified biologist shall monitor the limits of clear and grub and grading activities. Monitoring shall be conducted on an as needed basis as determined by the qualified biologist with reports submitted to the City of Escondido Planning Department on a weekly basis.	Require that silt fencing be implemented during construction and before grading activities	Field survey, documentation and monitoring report	Prior to issuance of grading plan; During construction activities	City of Escondido Community Development Department Planning Division; Field Engineer; Construction Contractor	
Bio-7 To offset impacts associated with the loss of one mature oak tree, prior to issuance of a certificate of occupancy for the first residence, the applicant shall plant two oak trees within an open space area on the proposed project site, and the on-site homeowners' association shall ensure that they are maintained in perpetuity.	Plant two oak trees on the project site prior to occupancy	Review of plans, documentation	Prior to issuance of a certificate of occupancy for the first residence	City of Escondido Community Development Department Planning Division; Construction Contractor	

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Cultural Resources					
<p>Cul-1 The following mitigation monitoring and reporting program shall be implemented to address potential impacts to undiscovered buried archaeological resources within the proposed project impact area. This program shall include, but not be limited to, the following actions:</p> <ol style="list-style-type: none"> 1. Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and Native American monitor from a tribal group appropriate to this location have been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the lead agency. The archaeologist shall be responsible for coordinating with the tribal representative. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program. 2. The qualified archaeologist and a Native American representative shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program. 3. During the original cutting of previously undisturbed deposits, the archaeological monitor and Native American representative shall be on site full-time to perform inspections of the excavations. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of prehistoric artifacts and features. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The project archaeologist shall be responsible for determining the duration and frequency of monitoring. 	<p>Require verification and approval of qualified archaeologist</p> <p>Require monitoring program coordination</p> <p>Require on-site archaeological monitor</p>	<p>Meetings and documentation</p> <p>Meetings and documentation</p> <p>Field survey, documentation and monitoring report</p>	<p>Prior to issuance of permits and pre-construction meeting</p> <p>Prior to grading activities</p> <p>During grading activities</p>	<p>City of Escondido Community Development Department Planning Division</p> <p>City of Escondido Community Development Department Planning Division; Grading Contractor</p> <p>City of Escondido Community Development Department Planning Division; Archaeological Monitor; Field Engineering Division</p>	

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<p>4. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.</p>	<p>Require documentation of non-significant deposits</p>	<p>Field survey, documentation and monitoring report</p>	<p>During grading activities</p>	<p>City of Escondido Community Development Department Planning Division; Project Archaeologist</p>	
<p>5. In the event that previously unidentified cultural resources are discovered, the archaeologist, with input from the Native American representative, shall have the authority to temporarily divert ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the City Planning Department at the time of discovery. The archaeologist, in consultation with the Native American Representative, shall determine the significance of the discovered resources. The significance determination and any additional mitigation measures shall be submitted to the City of Escondido for review. The City must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a research design and data recovery program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the City, then carried out using professional archaeological methods. If any human remains are discovered, the County Coroner and City shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.</p>	<p>Require identification and preservation of any undiscovered cultural resources or human remains</p>	<p>Field survey, documentation and monitoring report</p>	<p>During grading activities</p>	<p>City of Escondido Community Development Department Planning Division; Project Archaeologist; County Coroner</p>	

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6. Where any significant cultural deposits have been discovered, data recovery measures shall be implemented before construction activities are allowed to resume in the affected area.	Require recovery of any undiscovered cultural resources or human remains	Field survey, documentation and monitoring report	Prior to construction activities resuming	City of Escondido Community Development Department Planning Division; Archaeological Monitor; Field Engineering Division	
7. All cultural material collected during the grading monitoring program shall be processed using appropriate protocols for cataloging, recording, and photographing, in addition to special studies, to facilitate a detailed and exhaustive analysis. When all research potential of the collection has been exhausted, the collection shall be repatriated to the Native American community, consistent with existing state law and the City's policies. Should the Native American community decline the collection, the collection shall be curated at the San Diego Archaeological Center.	Require that the cultural material be preserved or adequately mitigated	Field survey, documentation, collection, reporting	Prior to project approval	City of Escondido Community Development Department Planning Division; Project Archaeologist	
8. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the City Planning Department prior to the issuance of any building permits. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.	Require documentation of analysis and data	Field survey, documentation and monitoring report	Prior to issuance of any building permits	City of Escondido Community Development Department Planning Division; Project Archaeologist	

Geology and Soils

<p>Geo-1 Prior to the issuance of a grading permit, the applicant shall demonstrate that all recommendations contained in the GSI Preliminary Geotechnical Evaluation (2011) are incorporated into the proposed project during construction. All required recommendations from the Geotechnical Evaluation shall be documented on the project's grading plans and included in the grading permit application submitted and approved by the City's Engineering Division prior to the start of construction.</p>	Require incorporation of geotechnical recommendations	Documentation and permit application	Prior to issuance of grading permit	City of Escondido Community Development Department Engineering Division	
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Hazards and Materials Hazardous					
<p>Haz-1 Prior to the issuance of a grading permit, the results of the Site Assessment Report, dated November 17, 2014, prepared by Tetra Tech to evaluate agricultural chemical residue at the site, shall be submitted to State of California Department of Toxic Substances Control (DTSC) for review. Based on the results of the Site Assessment Report, the environmental condition of the project site has been sufficiently characterized as soil with concentrations of metals, polyaromatic hydrocarbons, and dioxin/furan compounds exceeding DTSC-approved screening levels is limited to an area approximately 35 feet wide by 51 feet long by 2 feet deep adjacent to the westerly property boundary. A Response Plan shall be developed to remediate the impacted soils and shall be provided to DTSC for review. The Response Plan shall be submitted in accordance with the California Land Reuse and Revitalization Act (CLRRRA) and shall be implemented under the oversight of the DTSC.</p>	<p>Submittal of Site Assessment report to DTSC. Submittal of the Response Plan to DTSC for review and approval.</p>	<p>Confirmation from DTSC that no further investigations are required</p>	<p>Prior to issuance of grading permit</p>	<p>City of Escondido Community Development Department Planning Division; County of San Diego Department of Environmental Health</p>	
<p>Haz-2 If asbestos-cement irrigation pipelines are encountered during site grading, they shall be handled in accordance with the U.S. Occupational Safety and Health Administration (OSHA), California OSHA, and County of San Diego Department of Environmental Health requirements and all federal, state, and local disposal regulations.</p>	<p>Require compliance with Safety and Health requirements</p>	<p>Monitoring and documentation</p>	<p>During grading activities</p>	<p>City of Escondido Community Development Department Planning Division; Project Grading Contractor</p>	
<p>Haz-3 At least 10 working days prior to the issuance of the demolition permit or commencement of any asbestos stripping or removal work (such as site preparation that would break up, dislodge or similarly disturb asbestos containing material (ACM)), the project applicant shall submit an Asbestos Demolition or Renovation Operational Plan (Notice of Intention) to the City Planning Department. The plan shall be prepared by an asbestos consultant licensed with the California State Licensing Board and certified by the California Occupational</p>	<p>Require compliance with safety and health requirements</p>	<p>Field survey, documentation and monitoring report</p>	<p>Prior to issuance of building permit for demolition</p>	<p>City of Escondido Community Development Department Planning Division; Building Division; San Diego County Air Pollution Control District</p>	

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<p>Safety and Health Administration (Cal OSHA) to conduct an asbestos inspection in compliance with the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) requirements. The Asbestos NESHAP, as specified under Rule 40 CFR 61, Subpart M, (enforced locally by the San Diego County Air Pollution Control District (SDCAPCD), under authority, per Regulation XI, Subpart M - Rule 361.145), requires the Asbestos Demolition or Renovation Operational Plan to include the facility information, project description, presence of asbestos, removal and demolition contractors, means of waste transportation off site, contingency plan, and certified specialist who will be present on site during removal of asbestos. Removal of all ACM or presumed ACM on the project site shall be monitored by the certified asbestos consultant and shall be performed in accordance with all applicable laws, including California Code of Regulations, Title 8, Section 1529, Asbestos; OSHA and Cal OSHA standards; and the SDCAPCD Rule 361.145, Standard for Demolition and Renovation. Notification of at least 10 days of any removal or demolition work and payment of the appropriate fee(s) is required by SDCAPCD.</p>					
<p>Haz-4 Prior to the issuance of a grading permit or demolition permit, the project applicant shall show proof to the City Planning Department that a Certified Lead Inspector/Assessor, as defined in Title 17, CCR Section 35005, and in accordance with all applicable laws pertaining to the handling and disposal of lead-based paint, has been retained to perform demolition and removal of all existing on-site structures constructed pre-1979. Lead-based materials exposure is regulated by California Occupational Safety and Health Administration (Cal OSHA). Title 8 CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials so that exposure levels do not exceed Cal OSHA standards.</p>	<p>Require compliance with safety and health requirements</p>	<p>Field survey, documentation and monitoring report</p>	<p>Prior to issuance of grading and building permits</p>	<p>City of Escondido Community Development Department Planning Division; Building Division</p>	

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<p>Haz-5 Prior to issuance of a grading permit, the project applicant shall hire an environmental consultant to prepare and submit to the lead regulatory agency (California Department of Toxic Substances Control (DTSC)) a Response Plan pursuant to California Land Reuse and Revitalization Act (CLRRRA), for the excavation, testing and off-site disposal of polyaromatic hydrocarbons, dioxin, and furan compounds found within the undocumented fill in the natural drainage swale adjacent to the westerly property line of the project site. The Response Plan shall be implemented under DTSC oversight during site grading and excavation according to the method described below or otherwise required by DTSC.</p> <ol style="list-style-type: none"> 1. The undocumented fill shall be excavated, profiled for proper disposal and transported to an appropriate landfill certified to accept Cal-hazardous waste by a licensed hazardous waste contractor. 2. Testing of soils exposed on the bottom and the sides of the remedial excavation shall be performed to confirm that the extent of excavation is sufficient for purposes of satisfying DTSC's requirements. <p>Following completion of the Response Plan, the proposed project applicant shall obtain a written regulatory closure letter from the DTSC specifying that no further action is necessary in regard to the undocumented fill in the natural drainage swale adjacent to the westerly property line of the proposed project site.</p>	<p>Require compliance with remediation plans</p>	<p>Certificate of Completion</p>	<p>Prior to issuance of permits</p>	<p>City of Escondido Community Development Department Planning Division; Grading Contractor; California Department of Toxic Substances Control</p>	

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Haz-6 Prior to issuance of a grading permit, the project applicant shall hire an environmental remediation contractor who shall be responsible for managing any grading, excavation or ground disturbance in the natural drainage swale adjacent to the westerly property line. The environmental remediation contractor and its staff shall be trained through the Occupational Safety and Health Administration (OSHA) 40-hour safety program (29 Code of Federal Regulations [CFR] 1910.120), and shall implement the Response Plan approved by DTSC, under DTSC's oversight.	Require performance of the Response Plan and SMP	Field construction, remediation activities, confirmation sampling survey, documentation and reporting	Prior to issuance of permits	City of Escondido Community Development Department Planning Division; Field Engineering Division; California Department of Toxic Substances Control	
Haz-7 Prior to the start of the construction, the construction contractor shall notify the Escondido Police Department of the location, timing, and duration of any lane closure(s) on Gamble Lane, or any other road in the project area, due to project construction activities. If determined necessary by the Police Department, local emergency services, including the Escondido Fire Department and appropriate ambulances services, shall be notified of the lane closure(s).	Require notification to public service providers of road closures	Coordination, documentation and reporting	Prior to construction activities	City of Escondido Community Development Department Planning Division; Engineering Division; Construction Contractor; Police Department	

Noise

Noi-1 Construction Activities Limitation. Construction activities associated with the project that occur within 75 feet of an existing residence shall only take place during the day as required by the Noise Ordinance. Sections 17-234, 17-238, and 17-240 of the City of Escondido Noise Ordinance limit operation of construction equipment to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Grading activities on Saturday may not begin until 10:00 a.m. and must end by 5:00 p.m. Construction is prohibited on Sundays. Therefore, construction activities would not occur during nighttime hours.	Comply with City Noise Ordinance	Nighttime construction field check	During construction	City of Escondido Community Development Department Planning Division; Construction Contractor; Building Division; Field Engineering Division	
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Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Agency/Party	Verification Date
<p>Noi-2 Prior to grading activities, the construction contractor shall implement and monitor the noise reduction measures described below to ensure that construction noise levels would not exceed an hourly average noise level of 75 dBA at any residential property line. Noise reduction measures are required for all off-site construction and on-site construction within 150 feet of an off-site residential lot. Any one or a combination of measures can be used as necessary. Typical measures that may be implemented include the following, as necessary, to achieve compliance with the Escondido Noise Ordinance:</p> <ol style="list-style-type: none"> 1. Use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds) for construction equipment and trucks; 2. Use “quiet” gasoline-powered compressors or other electric-powered compressors, and use electric rather than gasoline or diesel powered forklifts for small lifting; 3. Locate stationary noise sources, such as temporary generators, as far from nearby receptors as possible; 4. Muffle and enclose stationary noise sources within temporary sheds or incorporate insulation barriers; 5. Limit simultaneous operation of construction equipment or limit construction time within an hour to reduce hourly average noise level; and/or 6. For on-site construction, install temporary noise barriers of a sufficient height and thickness around the perimeter of the project site to minimize construction noise to 75 dBA as measured at the applicable property lines of the adjacent uses. It is anticipated that a plywood barrier, 8 feet in height and 1 inch thick would be sufficient (FWHA 2006, City of New York 2013). 	<p>Require noise reduction measures and compliance with applicable noise ordinances</p>	<p>Field visits, documentation and reporting</p>	<p>Prior to grading activities</p>	<p>City of Escondido Community Development Department Planning Division; Construction Contractor; Building Division; Field Engineering Division</p>	

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<p>To ensure compliance with City noise ordinance, noise monitoring shall be conducted on the first day of typical on-site and off-site construction. A one-hour noise measurement shall be conducted in accordance with Section 17-228 of the City's noise ordinance at 50 feet from the most intensive construction activity. If it is determined that construction would have the potential to exceed the hourly construction noise level limit at any residential property, additional noise control measures shall be implemented as necessary and an additional noise measurement shall be conducted to confirm compliance.</p>					