

PALOMAR HEIGHTS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

California Public Resources Code Section 21081.6 requires that, upon certification of an EIR, “the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This chapter contains the mitigation monitoring and reporting program (MMRP) that has been developed for the Palomar Heights Project (Project). This MMRP has been developed in compliance with Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines. The mitigation measures in the table are coded by alphanumeric identification consistent with the EIR. The following items are identified for each mitigation measure:

- **Mitigation Monitoring.** This section of the MMRP lists the stage of the proposed project during which the mitigation measure would be implemented and indicates who is responsible for implementing the mitigation measure (i.e., the “implementing party”). It also lists the agency that is responsible for ensuring that the mitigation measure is implemented and that it is implemented properly.
- **Reporting.** This section of the MMRP provides a location for the implementing party and/or enforcing agency to make notes and to record their initials and the compliance date for each mitigation measure.

The City must adopt this MMRP, or an equally effective program, if it approves the proposed project with the mitigation measures that were adopted or made conditions of project approval.

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**Palomar Heights
Mitigation Monitoring and Reporting Program**

Mitigation Measure (MM) / Project Design Feature (PDF) / Compliance Measure (CM)	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<i>Aesthetics</i>						
CM-AE-1 In accordance with Article 35 of the Zoning Ordinance, all exterior lighting fixtures, with the exception of street lamps, would be aimed or shielded so that unnecessary nighttime lighting and glare would be reduced for the benefit of City residents and astronomical research at Palomar Mountain Observatory. In accordance with Zoning Ordinance Section 33-713, lighting installed in the public right-of-way would also comply with the City's Engineering Design Standards and Standard Drawings.	(1) Prior to issuance of Building Permit	(1) Review of Plans and Specification	City of Escondido			
<i>Air Quality</i>						
CM-AQ-1 In accordance with San Diego Air Pollution Control District (SDAPCD) Rule 55, Fugitive Dust Control, the Project will include dust control measures during grading.	(1) On-going during construction activities	(1) Construction contractor/manager shall submit signed letter verifying compliance (2) Field verification	City of Escondido			
CM-AQ-2 The Project shall comply with State of California Health and Safety Code, Division 26, Part 4, Chapter 3, Section 41700 and SDAPCD Rule 51 regarding emissions and odors.	(1) On-going during construction activities	(1) Construction contractor/manager shall submit signed letter verifying compliance 2) Field verification	City of Escondido			
CM-AQ-3 The Project shall comply with applicable California Air Resources Board (CARB) regulations and standards. CARB is responsible for ensuring implementation of the California Clean Air Act of 1988, responding to the federal Clean Air Act, and regulating emissions from motor vehicles and consumer products. CARB oversees the functions of local air pollution control districts and air quality management districts, which in turn administer air quality activities at the regional and county levels.	(1) On-going during construction activities. (2) On-going during operation.	(1) Review of Plans and Specification	City of Escondido			
CM-AQ-4 The Project will comply with SDAPCD regulations, including federal and state ambient standards they implement in the San Diego Air Basin.	(1) On-going during construction (2) On-going during operation	(1) Review of Plans and Specification	City of Escondido			
<i>Biological Resources</i>						
M-BI-1 Nesting Bird and Raptor Avoidance. Prior to the issuance of grading or demolition permits, the City of Escondido shall verify that the following measure is shown on the grading and demolition plans: If clearing or grubbing occurs within the nesting season (January 15 to August 31), nesting bird surveys for migratory birds and raptors are required to be performed by a qualified biologist at least 72 hours before the start of vegetation removal. If active nests are found, appropriately sized no-work buffers will be established around all active nests identified within and adjacent to the Project site. The qualified biologist will determine the appropriate buffer size and level of nest monitoring necessary for species not listed under the federal Endangered Species Act (ESA) or the California ESA based on the species' life history, the species' sensitivity to disturbances (e.g., noise, vibration, human activity), individual behavior, status of nest, location of nest and site conditions, presence of screening vegetation, anticipated Project activities, ambient noise levels compared to Project-related noise levels, existing non-Project-related disturbances in vicinity, and ambient levels of human activity. All buffers for non-ESA/California ESA-listed species will be no less than 50 feet and no less than 300 feet for raptor species. Buffers will be marked (flagged or fenced with Environmentally Sensitive Area fencing) around the active nest site as directed by the qualified biologist and in accordance with safety requirements. Periodic monitoring of active nests will occur to ensure the Project does not result in the failure of the nest. No Project activities or personnel will be allowed inside these buffers, except for the qualified biologist (if necessary). The buffer(s) will be maintained around each nest until the nest becomes inactive as determined by the qualified biologist. At the discretion of a qualified biologist, if a nesting bird appears to be stressed as a result of Project activities and the buffer does not appear to provide adequate protection, additional minimization measures may need to be implemented.	(1) Prior to the issuance of Grading Permit (2) Prior to the issuance of Demolition Permit.	(1) General Contractor to consult with qualified biologist to verify compliance with requirements (2) Qualified biologist to submit report documenting compliance with requirements	City of Escondido			

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Construction will be allowed to continue outside of the no-work buffers. The qualified biologist will ensure that restricted activities occur outside of the delineated buffers, check nesting birds for any potential indications of stress, and ensure that installed fencing or flagging is maintained at buffer boundaries during nest monitoring and any additional site visits. Buffer sizes may be reduced, or the extent of nest monitoring may be reduced, at the discretion of the qualified biologist. Any changes to buffer sizes and/or nest monitoring frequency will be documented.						
CM-BI-1 The Project shall replace any mature or protected tree removed by the Project in accordance with the City of Escondido – Mature and Protected Tree Ordinance, Section 33-1069, Article 55 of Chapter 33 of the City’s Zoning Code.	(1) During construction	(1) Review of plans and specifications (2) Field Verification	City of Escondido			
<i>Cultural Resources</i>						
M-CR-1 Offer Building for Relocation Prior to Demolition. Prior to the issuance of a demolition permit for the 121-141 N. Fig Street building, the applicant shall demonstrate to the City that it has offered the building for relocation. The applicant’s “offer for relocation” will be placed in a newspaper of general circulation, posted on a website, and posted at the Project site for a period of 30 days. The party that proposes to relocate the building is responsible for finding a compatible off-site location that will reestablish contributing aspects of the building’s historic orientation, immediate setting, and general environment (if such a site is not available, a less compatible site may be used). Relocation of the building would be at the expense of the party that takes responsibility for relocation, and at no expense to the applicant. The relocation efforts will be conducted in accordance with the California Historical Building Code (Title 24 Part 8) and the guidelines recommended by the National Park Service that are outlined in the booklet “Moving Historic Buildings,” by John Obed Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior’s Standards for Rehabilitation and the California Historical Building Code (Title 24 Part 6). Negotiations shall be accommodated for a period of 60 days following project approval, during which time the applicant shall negotiate in good faith with the party(ies) proposing relocation. Should no plan of relocation be brought forward within 60 days following project approval, or if no agreement is reached in that time, demolition will be allowed to occur. In addition, any plan for relocation shall detail how relocation will be completed within six months following project approval. If relocation is not able to be completed within six months following project approval, demolition will be allowed to occur. The building shall not be relocated until Historic American Buildings Survey (HABS) recordation and documentation has been completed and an inventory of key exterior and interior features and materials has been completed by qualified professionals, as set forth in M-CR-2. Compliance with this measure shall be documented to the satisfaction of the City of Escondido Director of Community Development prior to demolition of the 121-141 N. Fig Street building.	(1) Prior to issuance of demolition permit.	(1) Compliance with this measure shall be documented to the satisfaction of the City of Escondido Director of Community Development.	City of Escondido			
M-CR-2 Prior to relocation, or in the event that the 121-141 N. Fig Street building is not relocated, prior to the issuance of a demolition permit, the Applicant shall provide HABS documentation pursuant to the Level 1 standards as detailed by the National Park Service Heritage Documentation Programs. The documentation shall include a written report done in the outline format; HABS-quality photography of the exterior, interior, and overview shots of the historical resource; measured drawings; and video documentation. The documentation materials would be prepared by a qualified Architectural Historian(s) and an experienced HABS photographer(s). Copies of the resulting documentation shall be submitted to the Library of Congress, the California State Historic Preservation Officer, the South Coastal Information Center at San Diego State University, the Escondido History Center, the San Diego History Center, the Escondido Public Library Pioneer Room, and the City of Escondido Planning Division. A copy of the HABS documentation will be submitted to the City of Escondido Planning Division prior to any ground disturbance or demolition. The submittal of documentation to all other above-listed archives must be completed within 1 year of the initial date of demolition of the structure.	(1) Prior to issuance of Demolition Permit.	(1) Applicant shall provide documentation pursuant to HABS standards.	City of Escondido			
M-CR-3 To preserve, interpret, and display the history of the 121-141 N. Fig Street building, prior to demolition, distinctive representative architectural elements (interior and exterior) shall be identified for salvage and reuse either as part of the proposed Project, to be removed to another on-site location (as provided in the Secretary of the Interior’s Standards for the Treatment of Historic Properties to be donated to any interested or archival repositories (i.e., museums, archives, and curation facilities; the public; and nonprofit organizations) to the satisfaction of the City of Escondido Director of Community Development. The materials to become architectural salvage shall include historic-period elements that will be removed as part of the Project, and shall be identified and made available prior to the commencement of demolition activities, to ensure that materials removed do not experience further damage from removal/demolition. No materials shall be salvaged or removed until HABS recordation and documentation is completed and an inventory of key exterior	(1) Prior to issuance of a demolition permit.	(1) The Project Applicant shall prepare a research design and data recovery for City review.	City of Escondido			

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and interior features and materials is completed by qualified professionals. The inventory of key exterior and interior features and materials may be developed as part of M-CR-1. The materials shall be removed prior to or during demolition. Materials that are contaminated, unsound, decayed, or whose integrity would not be retained by salvage will not be included in the salvage program and will not be available for future use or display. The City as lead agency will determine which materials are suitable for salvage (the City can utilize the assistance of qualified professionals to make such determinations).						
M-CR-4 During demolition and construction with any salvaged materials from the 121-141 N. Fig Street building, a qualified architect shall make daily site visits to monitor demolition and construction activities to ensure compliance with mitigation measures and conditions of approval adopted to reduce impacts to historic resources and provide for salvage of appropriate architectural materials. The construction manager will be responsible for notifying the architectural monitor of daily activities. The monitoring program may be modified at the discretion of the architect based upon the construction schedule, whether or not those activities will have an impact upon previously identified, representative architectural elements intended for salvage or reuse, or the likelihood of encountering previously unidentified historic fabric. During the course of administering and implementing this measure, in the event that previously unidentified historic fabric or representative architectural elements are discovered, a qualified historic architect, in consultation with city staff, shall determine its potential donation or reuse within the framework of the Secretary of the Interior's Standards for Rehabilitation. The architect shall have the authority to temporarily divert or temporarily halt demolition in the event of any unanticipated discovery of unidentified historic fabric or other materials of historic significance to allow for the evaluation and salvage of such materials. Compliance with this measure shall be documented to the satisfaction of the City of Escondido Director of Community Development prior to issuance of a certificate of occupancy.	(1) During demotion and construction	(1) Field verification by qualified architect.	City of Escondido			
M-CR-5 The project applicant shall work with City of Escondido Planning Department staff or other qualified professionals to develop and install an on-site interpretive program that references the property's history and the contribution of the historic resource to the broader neighborhood or historic district. The interpretive program shall include, but is not limited to, a public art piece and/or a historic display case in a publicly visible location at the Project site that describes the history and significance of the 121-141 N. Fig Street Building. The interpretive program and its location within the Project site must be approved by the City of Escondido Director of Community Development. The historic display case shall include historic photographs and a brief narrative describing the history and significance of 121-141 N. Fig Street Building. In addition, educational/interpretive information that describes the history and significance of 121-141 N. Fig Street Building shall be made available to the public in a readily accessible format, such as a printed brochure and/or electronic format such as a webpage. This educational/interpretive material shall be available to schools, museums, archives and curation facilities, libraries, nonprofit organizations, the public, and other interested agencies. The interpretive program and educational/interpretive material could be based on the photographs produced in the HABS documentation, and the historic archival research previously prepared as part of the Project.	(1) Prior to issuance of occupancy permit.	(1) The Project Applicant and the City of Escondido shall prepare and execute written agreements				
M-CR-6 Prior to the issuance of the grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the Applicant with clear expectations regarding tribal cultural resources and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in mitigation measures M-CR-7 through M-CR-15, and the following information: <ul style="list-style-type: none"> Parties entering into the agreement and contact information. Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors. Project grading and development scheduling, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement. 	(1) Prior to issuance of Grading Permit.	(1) The Project Applicant and the City of Escondido shall prepare and execute written agreements with each monitoring Native American Tribe to formalize protocols and procedures for tribal cultural resources.	City of Escondido			

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<ul style="list-style-type: none"> Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials. Treatment of identified Native American cultural materials. Treatment of Native American human remains and associated grave goods. Confidentiality of cultural information including location and data. Negotiation of disagreements should they arise. Regulations that apply to cultural resources that have been identified or may be identified during project construction. 						
M-CR-7 Prior to issuance of a grading permit, the Applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the Project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.	(1) Prior to issuance of Grading Permit.	(1) The Project Applicant and the City of Escondido shall prepare and execute written agreements with each monitoring Native American Tribes, addressing the roles of the Developer/Applicant, the Qualified Archaeologist, and the Tribes.	City of Escondido			
M-CR-8 The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.	(1) Prior to issuance of Grading Permit.	(1) The Project Applicant and the City of Escondido shall prepare and execute written agreements with each monitoring Native American Tribes, addressing the roles of the Developer/Applicant, the Qualified Archaeologist, and the Tribes.	City of Escondido			
M-CR-9 During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the top soil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. 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 (i.e., soil conditions are comprised solely of fill or granitic bedrock).	(1) During construction.	(1) The Project Applicant and the City of Escondido shall prepare and execute written agreements with each monitoring Native American Tribes, addressing the roles of the Developer/Applicant, the Qualified Archaeologist, and the Tribes.	City of Escondido			
M-CR-10 In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant resource, work may resume immediately, and no agency notifications are required. Isolates and clearly non-significant deposits shall be documented in the field and collected, and monitored grading can immediately proceed.	(1) During construction.	(1) The Project Applicant and the City of Escondido shall prepare and execute written agreements with each monitoring Native American Tribes, addressing the roles of the Developer/Applicant, the Qualified Archaeologist, and the Tribes.	City of Escondido			

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<p>M-CR-11 If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c), the archaeologist shall immediately notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c), appropriate treatment measures will be implemented. Work may not resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.</p>	(1) During construction.	(1) The Project Applicant and the City of Escondido shall prepare and execute written agreements with each monitoring Native American Tribes, addressing the roles of the Developer/Applicant, the Qualified Archaeologist, and the Tribes.	City of Escondido			
<p>M-CR-12 All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the Project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and evaluated as required by CEQA and in compliance with all relevant mitigation measures for the Project. If any significant tribal cultural resource or unique archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City's Director of Community Development (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA Tribe and Native American monitor, making a determination of infeasibility that takes into account the factors listed in California Public Resources Code sections 21061.1, 21081(a)(3), and CEQA Guidelines section 15091, and in accordance with all relevant mitigation measures for the Project), then culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.</p>	(1) Prior to construction.	(1) The Project Applicant shall prepare a research design and data recovery program and submit it to the City.	City of Escondido			
<p>M-CR-13 As specified by California Health and Safety Code section 7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code § 5097.98) for proper treatment and disposition in accordance with California Public Resources Code section 5097.98. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code § 5097.94). If no agreement is reached, the remains shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they will not be further disturbed (California Public Resources Code § 5097.98). Work may not resume within the no work radius until the lead agency, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on site in the presence of a Native American monitor, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination.</p>	(1) Prior to continuance of construction.	(1) The Project Applicant and the City of Escondido shall prepare and execute written agreements with each monitoring Native American Tribes, addressing the roles of the Developer/Applicant, the Qualified Archaeologist, and the Tribes.	City of Escondido			

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M-CR-14 If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the Native American monitor may, at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.	(1) Prior to collection of tribal cultural resources.	(1) The Project Applicant and the City of Escondido shall prepare and execute written agreements with each monitoring Native American Tribes, addressing the roles of the Developer/Applicant, the Qualified Archaeologist, and the Tribes.	City of Escondido			
M-CR-15 Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the Project site, shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.	(1) Prior to release of the grading bond.	(1) The qualified archaeologist shall prepare a monitoring report and submit to the City of Escondido	City of Escondido			
CM-CR-1 The Project shall comply with the City Municipal Code Chapter 33, Article 40, Section 33-803, procedure and findings for obtaining a nonemergency demolition permit. This shall specifically include compliance with City requirements related to the demolition of a significant historic resource.	(1) Prior to issuance of a demolition permit	(1) City Council hearing	City of Escondido			
<i>Geology and Soils</i>						
PDF-GE-1 The Updated Geotechnical Evaluation and Recommended Grading Specifications (Appendix L, prepared by GeoTek), shall be adhered to for construction of the Project. The recommendations and site design features include but are not limited to the following: <ul style="list-style-type: none"> All Project site slopes would be landscaped with drought-tolerant vegetation having variable root depths and requiring minimal landscape irrigation, in accordance with the Project's Landscaping Plan. All Project slopes would be drained and properly maintained to reduce erosion. Removal of surficial deposits within the site to further stabilize these areas, as determined to be needed by a qualified geologist. Concrete cracking would be prevented by limiting the slump of the concrete, proper concrete placement and curing, and placement of crack control joints at periodic intervals, in particular, where re-entrant slab corners occur. 	(2) Prior to issuance of Building Permit	(1) Review of plans and specifications.	City of Escondido			
CM-GE-1 The Project shall comply with the applicable requirements in Title 24 of the California Building Code of Regulations.	(1) Prior to issuance of Building Permit.	(1) Review of plans and specifications. (2) Field verification.	City of Escondido			
<i>Greenhouse Gas Emissions</i>						
CM-GH-1 The Project shall comply with applicable CARB regulations and standards. CARB is responsible for and is recognized as having the expertise to carry out and develop the programs and requirements necessary to achieve the GHG emissions reduction mandate of Assembly Bill 32. CARB oversees the functions of local air pollution control districts and air quality management districts, which in turn administer air quality activities at the regional and county levels.	(1) Prior to issuance of Building Permit.	(1) Review of Plans and Specifications (2) Field verification	City of Escondido			

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<i>Hazards and Hazardous Materials</i>						
M-HZ-1 Prior to the issuance of any Project construction permit, including demolition, excavation, or other earthmoving or soil-disturbance activities, any areas of the Project site identified as containing or potentially containing underground storage tanks (USTs) shall be assessed using more direct methods to detect the presence of any USTs, storm drains, manholes, or underground utilities. Such methods may include the excavation of exploratory trenches/test pits or borings. . In addition, any soil excavated below emergency generators shall be treated as potentially contaminated by diesel fuel and oil. Any areas of the Project site found to be contaminated shall be remediated in conformance with applicable federal, state, and local laws. These laws may include, but are not limited to, the Resource Conservation and Recovery Act, Hazardous Materials Transportation Act, Emergency Response to Hazardous Materials Incidents, Hazardous Materials Release Response Plans, International Fire Code, Occupational Safety and Health Act, Underground Storage Tank Act, Policy 8.2 of the <i>City of Escondido General Plan</i> , and the City of Escondido's Hazard Mitigation Plan. Assessment and remediation shall be to the satisfaction of the City of Escondido Fire Department, the County of San Diego Department of Environmental Health, or other applicable agency. No Project construction activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the areas of the Project site identified as containing or formerly containing USTs.	(1) Prior to construction permit (including demolition, excavation, or other earthmoving or soil-disturbance activities). (2) Prior to Construction Plan Approval (3) (2) Prior to issuance of Certificate of Occupancy	(1) Review of Plans and Specification (2) Field verification	City of Escondido			
M-HZ-2 Prior to demolition, all on-site structures shall be tested to determine if they include asbestos-containing materials (ACMs) and lead-based paint (LBP). If either are present, ACMs shall be removed and disposed of by a licensed and certified asbestos abatement contractor, in accordance with all applicable federal, state, and local laws and regulations for asbestos removal and demolition operations, and procedures for the removal of LBP shall be initiated to protect workers during demolition activities, in accordance with all applicable federal, state, and local laws and regulations.	(1) Prior to demolition.	(1) The Project Applicant shall submit an asbestos report to the City of Escondido to ensure compliance with disposal of hazardous materials.	City of Escondido			
CM-HZ-1 All future on-site uses shall comply with the County of San Diego Department of Environmental Health Unified Program Facilities Permit program and implement a hazardous materials business plan as appropriate to ensure compliance with Hazardous Waste – 22 CCR 66261.3, Excluded Recyclable Material (ERM) – HSC 25143.2, Retrograde Material – 22 CCR 66260.10, and Surplus Material (Continued Use) – 22 CCR 66260.10.	(1) Prior to approval of future uses.	(1) Review of Plans and Specification (2) Field verification	City of Escondido			
CM-HZ-2 All future on-site uses shall comply with the California Division of Occupational Safety and Health, which includes the preparation and implementation of an Injury and Illness Prevention Program as applicable.	(1) Prior to approval of future uses.	(1) Review of Plans and Specification (2) Field verification	City of Escondido			
CM-HZ-3 The Project shall comply with all hazardous materials regulations during demolition, grading, and construction. Any areas of the Project site found to be contaminated with hazardous materials during demolition, grading, and construction shall be remediated in conformance with applicable federal, state, and local laws. These laws may include, but are not limited to, the Resource Conservation and Recovery Act, Hazardous Materials Transportation Act, Emergency Response to Hazardous Materials Incidents, Hazardous Materials Release Response Plans, International Fire Code, Occupational Safety and Health Act, Cal/OSHA requirements, the Hazardous Waste Control Act, the CalARP Program, and the California Health and Safety Code.	(1) Prior to approval of future uses.	(1) Review of Plans and Specification (2) Field Verification	City of Escondido			
<i>Hydrology and Water Quality</i>						
CM-HY-1 Prior to the issuance of grading permits, a stormwater pollution prevention plan (SWPPP) shall be prepared by the applicant's qualified engineer and approved by the City. Project grading and construction activities shall be conducted in accordance with the approved SWPPP.	(1) Prior to the issuance of Grading Permits.	(1) The Project Applicant shall prepare and execute a SWPPP to be submitted to the City.	City of Escondido			
<i>Land Use</i>						
PDF-LU-1 In accordance with the intent of the Downtown Specific Plan, the Project will include a focal point at the E. Grand Avenue/Valley Boulevard/E. Second Avenue intersection with features such as a public plaza, outdoor art, outdoor dining, and enhanced visually prominent architectural landmark features.	(1) Prior to issuance of Building Permit	(1) Review of Plans and Specification (2) Field verification	City of Escondido			
<i>Noise</i>						
M-N-1 Prior to the issuance of a Construction Permit, the Applicant/Owner or Construction Contractor shall prepare and submit to the City of Escondido Planning Division (City Planner) for its review and approval a Construction Noise Management Plan (CNMP). Prior to the issuance of a Construction Permit, Construction Plans shall also include a note indicating	(1) Prior to the issuance of a Construction Permit	(1) The Project Applicant shall prepare and submit a CNMP to the City Planner for approval.	City of Escondido			

Palomar Heights
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) / Project Design Feature (PDF) / Compliance Measure (CM)	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>compliance with the CNMP is required. The CNMP shall be prepared or reviewed by a qualified acoustician (retained at the Applicant/Owner or Construction Contractor's expense) and feature the following:</p> <ol style="list-style-type: none"> a. A detailed construction schedule, at daily (or weekly, if activities during each day of the week are typical) resolution and correlating to areas or zones of onsite project construction activity(ies) and the anticipated equipment types and quantities involved. Information will include expected hours of actual operation per day for each type of equipment per phase and indication of anticipated concurrent construction activities on site. b. Suggested locations of a set of noise level monitors, attended by a Qualified Acoustician or another party under its supervision or direction, at which sample outdoor ambient noise levels will be measured and collected over a sufficient sample period and subsequently analyzed (i.e., compared with applicable time-dependent dBA thresholds) to ascertain compliance with the City hourly threshold of 75 dBA L_{eq} during allowable construction hours per the City's Noise Ordinance or as permitted by City-approved variance. Sampling shall be performed, at a minimum, on the first (or otherwise considered typical construction operations) day of each distinct construction phase (e.g., each of the seven listed phases in Table 4.5-6, Construction Noise Modeling Summary Results). c. If sample collected noise level data indicate that the hourly noise threshold has been or will be exceeded, construction work shall be suspended (for the activity or phase of concern) and the Applicant/Owner or Construction Contractor shall implement one or more of the following measures as detailed or specified in the CNMP: <ol style="list-style-type: none"> i. Institute administrative controls (e.g., reduce operating time of equipment and/or prohibit usage of equipment type[s] within certain distances). ii. Institute engineering controls (upgrade noise controls; e.g., install better engine exhaust mufflers). iii. Install noise abatement on the site boundary fencing (or within, as practical and appropriate) in the form of sound blankets or comparable temporary barriers to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern. <p>The implemented measure(s) will be reviewed or otherwise inspected and approved by the qualified acoustician (or another party under their supervision or direction) prior to resumption of the construction activity or process that caused the measured noise concern or need for noise mitigation. Noise levels shall be re-measured, after installation of said measures, to ascertain post-mitigation compliance with the noise threshold. As needed, this process shall be repeated and refined until noise level compliance is demonstrated and documented. A report of this implemented mitigation and its documented success will be provided to the City Planner.</p> d. The Applicant/Owner or Construction Contractor shall make available a telephone hot-line so that concerned neighbors in the community may call to report noise complaints. The CNMP shall include a process to investigate these complaints and, if determined to be valid, detail efforts to provide a timely resolution and response to the complainant—with copy of the resolution provided to the City Planner. 						
<p>CM-N-1 Prior to the issuance of building permits, an interior noise analysis shall be conducted by the Project Applicant for the proposed dwelling units along E. Valley Parkway and E. Grand Avenue. Installation of mechanical ventilation systems or air conditioning systems and sound-rated windows shall be required if the interior noise analysis shows that impacts are above the state and City 45 dBA L_{dn} interior standard. The interior noise analysis shall substantiate that the resulting interior noise levels will be less than the noise standard.</p>	(1) Prior to issuance of Building Permits.	(1) Project construction contractor shall submit a letter verifying full compliance with all requirements.	City of Escondido			
<i>Public Services</i>						
<p>CM-PS-1 Consistent with Article 18B of Chapter 6 of the Escondido Municipal Code, the Applicant shall provide payment of applicable public facilities fees.</p>	(1) Prior to issuance of Building Permits.	(1) The Project Applicant shall provide payment verifying compliance.	City of Escondido			

**Palomar Heights
Mitigation Monitoring and Reporting Program**

Mitigation Measure (MM) / Project Design Feature (PDF) / Compliance Measure (CM)	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		
				Initials	Date	Remarks
CM-PS-2 As applicable, the Applicant shall pay school fees in accordance with Government Code 65995 and Education Code 17620.	(1) Prior to issuance of Building Permits.	(1) The Project Applicant shall provide payment verifying compliance.	City of Escondido			
CM-PS-3 Pursuant to Article 18C, Chapter 6, of the City's Municipal Code, the Applicant shall pay a park fee to ensure that the parkland and recreational facility standards established by the City are met with respect to the additional needs of the development.	(1) Prior to issuance of Building Permits.	(1) The Project Applicant shall provide payment verifying compliance.	City of Escondido			
<i>Transportation</i>						
PDF-TR-1 Prior to the issuance of construction permits related to Valley Boulevard, the Applicant shall coordinate with the North County Transit District to provide a public transit bus turn-out on Valley Boulevard, north of its intersection with E. Grand Avenue.	(1) Prior to issuance of Construction Permit.	(1) Project Applicant and the North County Transit District shall prepare and execute written agreements regarding the public transit bus turn-out.	City of Escondido			
PDF-TR-2 As identified on the Specific Alignment Plan, the Project includes the following improvements to Valley Boulevard, between E. Valley Parkway and E. Grand Avenue: <ul style="list-style-type: none"> • Removal of the southbound lane to limit traffic to northbound travel only • Retention of street parking • Improvement of pedestrian crossing by providing a bulb-out • Provision of a northbound bike lane • Provision of a ride-share hub that includes a pick-up and drop-off area • Accommodation of a public transit bus turn-out 	(1) Prior to Building Permits.	(1) Review of Plans and Specification (2) Field verification	City of Escondido			
CM-TR-1 Prior to issuance of the building permit for the 385 th unit, the Project Applicant, or their successors in interest, shall design and construct a new traffic signal at the N. Ivy Street/E. Valley Parkway intersection to the satisfaction of the City of Escondido.	(1) Prior to issuance of Building Permit for the 385 th unit.	(1) Project Applicant shall prepare a traffic signal design for submittal to the City of Escondido.	City of Escondido			
CM-TR-2 Prior to the issuance of the certificate of occupancy of the 395 th unit, the Applicant shall deposit a fair-share contribution (4.6%) toward the installation of a traffic signal, roundabout, or other necessary improvement, as determined by the City Engineer, at the E. Grand Avenue/Ivy Street intersection. Funds shall be deposited into the future public improvements trust deposit account and the Applicant shall coordinate with the City to incorporate improvements at the E. Grand Avenue/Ivy Street intersection in the City's future Capital Improvement Program (CIP).	(1) Prior to the issuance of the certificate of occupancy for the 395 th unit.		City of Escondido			
CM-TR-3 Prior to issuance of a grading permit, the Applicant shall obtain a City-approved Traffic Control Plan and the grading plan notes shall identify that adherence to the Traffic Control Plan during grading and construction is required.	(1) Prior to issuance of Grading Permit.	(1) Project construction contractor shall submit a letter verifying full compliance with all requirements.	City of Escondido			
<i>Tribal Cultural Resources</i>						
See M-CR-6 to M-CR-15	See M-CR-6 to M-CR-15	See M-CR-6 to M-CR-15	See M-CR-6 to M-CR-15			
<i>Utilities and Service Systems</i>						
CM-UT-1 Project owners shall be responsible for design of improvements, posting of securities for improvements, and construction of improvements in accordance with the most recent adopted edition of the following: City of Escondido Design Standards and Standard Drawings, City of Escondido bonding policy, County of San Diego Regional Standard Drawings (SDRSD), Caltrans Standards, American Association of State Highway and Transportation Officials (AASHTO), Manual for Uniform Traffic Control Devices (MUTCD), American Water Works Association (A.W.W.A.), and other federal and state published engineering manuals approved by the City Engineer.	(1) Prior to Building Permit.	(1) Review of Plans and Specification (2) Field verification	City of Escondido			
<i>Wildfire</i>						
CM-WF-1 The City of Escondido Fire Code regulates minimum fire safety requirements for new and existing buildings, facilities, storage, and processes. The Fire Code addresses fire prevention, fire protection, life safety and safe storage and use of hazardous materials in new and existing buildings, facilities, and processes. The Fire Code provides a total approach of controlling hazards in all buildings and sites, regardless of the hazard being indoors or outdoors. Ordinance 2016-09.	(1) Prior to Building Permit.	(1) Review of Plans and Specifications (2) Field verification.	City of Escondido			

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