

**Mitigation Monitoring and Reporting Program for the  
Apollo Senior Care Facility Project**

Mitigation Number	Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Completion of Implementation	
				Action	Date Completed
<b>Biological Resources</b>					
<b>Bio-1</b>	<p>Per the City’s Subarea Plan, sensitive biological habitat that is removed shall be mitigated either on site or off site by the planting of the same habitat species at a minimum ratio of one to one (1:1) for coastal sage scrub and two to one (2:1) for impacts to coast live oak woodland. If replacement of sensitive biological species and/or habitat is not feasible on or off site, other equivalent mitigation measures may be considered by the director.</p> <p>Prior to issuance of the grading permit, the applicant will mitigate for impacts to sensitive biological habitats (coast live oak woodland and Diegan coastal sage scrub-disturbed) through purchase of credits for 0.05 acre at the City of Escondido Daley Ranch Conservation Bank or another approved habitat mitigation bank.</p>	Prior to issuance of the grading permit	The Applicant shall be responsible for implementation of these measures. The Applicant shall be responsible for ensuring compliance.		
<b>Bio-2</b>	<p><b>Mitigation for the loss of mature and protected trees shall be conducted per City Municipal Code Sec. 33-1069 (Vegetation Protection and Replacement Standards) in coordination with the City.</b></p> <ul style="list-style-type: none"> <li>• If mature trees cannot be preserved on-site, they shall be replaced at a minimum one to one (1:1) ratio. The preferred replacement is a tree(s) of equal size and caliper.</li> <li>• Protected trees shall be replaced at a minimum two to one (2:1) ratio.</li> <li>• The number, size, and species of replacement trees shall be determined on a case-by-case basis by the director, based on the specific circumstances of each request, the characteristics and condition (size, age, and location) of the individual trees involved, and any professional report.</li> <li>• If any required replacement trees cannot be planted</li> </ul>	Prior to issuance of the grading permit	The Applicant shall be responsible for implementation of these measures. The Applicant shall be responsible for ensuring compliance.		

	<p>on-site, the applicant or owner shall coordinate with the City of Escondido Public Works Department and Planning Division to arrange for the planting of trees within one or more Landscape Maintenance Districts.</p> <ul style="list-style-type: none"> <li>• The applicant will replace 10 trees onsite. The applicant or owner shall be responsible for the planting of the 20 off-site replacement trees, and shall be responsible for maintaining said trees for an establishment period of at least twenty-four (24) months.</li> <li>• If one or more Landscape Maintenance Districts are not available to accommodate the trees, a City-owned park or open space area may substitute, at the discretion of Public Works and Planning. If the Landscape Maintenance District, park, or open space area is not irrigated, the applicant or owner shall be responsible for watering the off-site replacement trees during the 24-month establishment period.</li> </ul>				
<p><b>Bio-3</b></p>	<p><b>To ensure that MBTA-regulated species' nesting activities are not impacted:</b></p> <ul style="list-style-type: none"> <li>• a pre-construction general nesting bird survey will be conducted within all potential nesting habitat (in this case, shrub- and tree-associated vegetation on site) that may be impacted by active construction during the general avian breeding season (February 1 through August 31).</li> <li>• The pre-construction survey will be conducted no more than 7 days prior to initiation of construction.</li> <li>• If no active avian nests are identified within the development impact footprint area or within a 300-foot buffer of the proposed development project area (as feasible), no further mitigation is necessary.</li> <li>• If active nests of avian species regulated by the MBTA are detected within the proposed development footprint or within a 300-foot buffer, construction will be halted until the young have fledged, until a qualified biologist has determined the nest is inactive, or until appropriate mitigation measures that respond to the specific situation have</li> </ul>	<p>A pre-construction general nesting bird survey will be conducted 7 days prior to initiation of construction.</p>	<p>The Applicant shall be responsible for implementation of these measures. The Applicant shall be responsible for ensuring compliance.</p>		

	<p>been developed and implemented in consultation with the regulatory agencies.</p> <ul style="list-style-type: none"> <li>The results of the survey will be provided in a report to the Director, City of Escondido Planning Department, for concurrence with the conclusions and recommendations.</li> </ul>				
<b>Paleontological Resources</b>					
<b>Paleo-1</b>	<p><b>If construction-related excavations, trenching, or other forms of ground disturbance are required 10.0 feet or more below the surface:</b></p> <ul style="list-style-type: none"> <li>a paleontological monitor shall be present on the project site during ground-disturbing activities. The paleontological monitor shall be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.</li> </ul>	<p>During initial grubbing, site grading, excavation or disturbance of the ground surface.</p>	<p>The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible for ensuring compliance.</p>		
<b>Paleo-2</b>	<p><b>If unanticipated paleontological resources are encountered during ground-disturbing activities:</b></p> <ul style="list-style-type: none"> <li>All work within 50 feet shall halt, until the discovery can be evaluated by a qualified paleontologist.</li> <li>The monitor shall determine whether the findings are significant and whether additional work, including recovery and preservation of the find, is warranted.</li> </ul>	<p>During initial grubbing, site grading, excavation or disturbance of the ground surface.</p>	<p>The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible for ensuring compliance.</p>		

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<b>Tribal Cultural Resources</b>					
TCR-1	<p><b>To provide clear expectations regarding tribal cultural resources and to formalize protocols and procedures:</b></p> <ul style="list-style-type: none"> <li>The City of Escondido Planning Division (“City”) recommends the applicant 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 proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.</li> </ul>	The pre-excavation agreement shall be entered before the grading permit is issued.	The Applicant shall be responsible for implementation of these measures. The Applicant shall be responsible for ensuring compliance with input from the jurisdictional agencies.		

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TCR-2	<p><b>Association to a qualified archaeologist and a Native American monitor:</b></p> <ul style="list-style-type: none"> <li>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 and pre-construction meeting, shall approve all persons involved in the monitoring program.</li> </ul>	Prior to issuance of the grading permit.	The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible for ensuring compliance.		
TCR-3	<p><b>Coordination of the requirements of the mitigation program:</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>	Prior to commencing the grading process.	The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible for ensuring compliance.		

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TCR-4	<p><b>Presence of the Native American monitor and the qualified archeologist:</b></p> <ul style="list-style-type: none"> <li>During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections 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. 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 qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.</li> </ul>	During initial grubbing, site grading, excavation or disturbance of the ground surface.	The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible for ensuring compliance.		
TCR-5	<p><b>Discovery of Tribal Cultural Resources:</b></p> <ul style="list-style-type: none"> <li>In the event that previously unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor, shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially</li> </ul>	During initial grubbing, site grading, excavation or disturbance of the ground surface.	The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible for ensuring		

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	significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.		compliance.		
TCR-6	<p><b>Notification of significant tribal cultural resource discovery:</b></p> <ul style="list-style-type: none"> <li>If a potentially significant tribal cultural resource is discovered, the archaeologist shall 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.</li> </ul>	During initial grubbing, site grading, excavation or disturbance of the ground surface.	The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible for ensuring compliance.		
TCR-7	<p><b>Management of significant tribal cultural resources:</b></p> <ul style="list-style-type: none"> <li>The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant tribal cultural resources and/or unique archaeological resources have</li> </ul>	During initial grubbing, site grading, excavation or disturbance of the ground surface.	The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible		

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	<p>been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then 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>		for ensuring compliance.		
<b>TCR-8</b>	<p><b>Management of human remains if discovered:</b></p> <ul style="list-style-type: none"> <li>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</li> </ul>	During initial grubbing, site grading, excavation or disturbance of the ground surface.	The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible for ensuring compliance.		



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	<p>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. 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 in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.</p>				

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TCR-9	<p><b>Collection of tribal cultural resources:</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>	During initial grubbing, site grading, excavation or disturbance of the ground surface.	The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible for ensuring compliance.		

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TCR-10	<p><b>Monitoring and/or evaluation report:</b></p> <ul style="list-style-type: none"> <li>• Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion 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.</li> </ul>	Prior to the release of the grading bond.	The Applicant shall be responsible for the implementation of these measures. The Applicant shall be responsible for ensuring compliance.		