

Mitigation Monitoring and Reporting Program for the East Valley Specific Plan

Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed		Completed
			Pre-Const.	During Const.	Post-Const.		Initials	Date	
Air Quality									
AIR-1	<p>Siting Sensitive Receptors near Dry-Cleaning, Gas Stations, and Automotive Repair Facilities. New sensitive receptors shall be screened for potential toxic air contaminants sources within 500 feet of the proposed sensitive receptor location. If a source of toxic air contaminants such as dry-cleaning facilities, gas stations, commercial/drive-through facilities, or automotive repair shops is identified within the applicable screening distance outline in the California Air Resources Board's Air Quality and Land Use Handbook, a Health Risk Assessment, or equivalent health risk evaluation shall be prepared by a qualified air quality professional. Sensitive receptors include daycare centers, schools, retirement homes, hospitals, medical patients in residential homes, or other facilities that may house individuals with health conditions who would be adversely impacted by changes in air quality. A Health Risk Assessment, or equivalent health risk evaluation, shall also be required for such facilities proposed within 500 feet of a sensitive receptor.</p> <p>The Project shall not be considered for approval until a Health Risk Assessment, or equivalent health risk evaluation, has been completed and approved by the City of Escondido, Community Development Department. Health risks shall be significant if the identified risk shall exceed an incremental cancer risk greater than 10 in 1 million, or a health hazard index (chronic or acute) greater than one. If a potentially significant health risk is identified, the Health Risk Assessment shall identify appropriate measures (i.e., sealed heating, ventilation, and air conditioning system with adequate filtration) to reduce the potential health risk to below the significant risk thresholds, or the sensitive receptor or proposed facility shall be sited in another location.</p>	Development Services Department	X			City			
Biological Resources									
BIO-1	<p>Pre-Construction Nesting Bird Surveys. To the extent feasible, grubbing, trimming, or clearing of vegetation from the EVSP Area shall not occur during the general bird nesting season (January 15 through September 15). If grubbing, trimming, or clearing of vegetation cannot feasibly occur outside the general bird nesting season, a qualified biologist shall perform a pre-construction nesting bird survey in the areas in the EVSP Area with vegetation supporting nesting birds. Nesting bird surveys shall occur within 72 hours before the start of vegetation clearing or grubbing to determine if active bird nests are present. If no active bird nests are identified in the EVSP Area or within a 300-foot buffer of the EVSP Area, no further mitigation is necessary. If active nests of bird species covered by the Migratory Bird Treaty Act are detected in the EVSP Area during the pre-construction survey, construction activities shall stay outside a 300-foot buffer around the active nest. For raptor species, this buffer shall be expanded to 500 feet. It is recommended that a biological monitor be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by</p>	Development Services Department	X			City, Qualified Biologist			

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	construction activity. Once the young birds have fledged and a qualified biologist has determined the nest is inactive, normal construction activities can occur.								
BIO-2	Aquatic Resources Delineation. Future projects within or adjacent to Escondido Creek that have the potential to impact sensitive aquatic resources shall be required to conduct an aquatic resources delineation following the methods outlined in the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the U.S. Army Corps of Engineers Wetland Delineation Manual: Arid West Region to map the extent of wetlands and non-wetland waters, determine jurisdiction, and assess potential impacts. The aquatic resources shall be conducted by a qualified biologist. The results of the delineation shall be presented in an Aquatic Resources Delineation Report and be incorporated into the California Environmental Quality Act documents required for approval and permitting of the Project.	Development Services Department	X			City, Qualified Biologist			
BIO-3	Aquatic Resources Permitting. Future projects within or adjacent to Escondido Creek that have been determined through Mitigation Measure BIO-2 to have a significant impact to sensitive aquatic resources shall obtain required permits and authorizations from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and San Diego Regional Water Quality Control Board. The regulatory agency authorizations shall include impact avoidance and minimization measures and mitigation measures for unavoidable impacts. Specific avoidance and minimization measures and mitigation measures for impacts to jurisdictional resources shall be determined through discussions with the regulatory agencies during the project permitting process and may include monetary contributions to a mitigation bank or habitat creation, restoration, or enhancement.	Development Services Department	X			City, Qualified Biologist			
Cultural and Tribal Cultural Resources									
CUL-1	Historical Evaluation. In areas identified as having a Level 1 (red) sensitivity on the Sensitivity Map for Built Environment Cultural Resources in the EVSP Area (Figure 3) in the Cultural Resources Technical Report, projects with the potential to impact historical resources should be avoided or designed to ensure that the Project would not result in a significant impact. A Historical Resources Assessment Report shall be completed for properties to assess impacts to individual resources and the district. This Historical Resources Assessment Report shall be completed by an architectural historian who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History and shall consider mitigation measures that take all prudent and feasible measures to minimize harm. Significance evaluations shall not be required if the historical resource has been evaluated for California Environmental Quality Act significance or for California Register of Historical Resources eligibility within the last five years and if there has been no change in the conditions that contributed to the	Development Services Department	X			City, Qualified Architectural Historian			

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	<p>determination of significance or eligibility. A historical resource shall be re-evaluated if its condition or setting has either improved or deteriorated, if new information is available, or if the resource is becoming increasingly rare due to the loss of other similar resources. The Historical Resources Assessment Report shall include an evaluation of whether the Project meets the Secretary of the Interior's Standards. New construction in a historic district shall also be reviewed to ensure that it meets the standards so that it shall not have an adverse impact (including visual impacts or impacts to setting).</p> <p>Projects in Level 2 (orange) areas where potential historical resources have been identified shall also be avoided or redesigned when possible. Areas in Level 2 (orange) indicate the presence of a potential historic district, but specific contributors have not been identified. A Historical Resources Assessment Report that includes an evaluation of the resource both individually and as a contributor to the proposed historic district shall be completed. If the resource is determined to be a non-contributor or not individually eligible, the Historical Resources Assessment Report shall also assess the potential for adverse impacts (including visual impacts or impacts to setting) to the proposed district in compliance with the Secretary of the Interior's Standards and California Environmental Quality Act Guidelines.</p> <p>Projects in the Level 3 (yellow) area of sensitivity have the potential to impact a historical resource because the level includes all buildings more than 45 years old. A Historical Resources Assessment Report evaluating the building and any potential historic district to which the historical resource may contribute shall be prepared. If no historical resources are identified, then no further action shall be required beyond documentation of the resources on the appropriate California Department of Parks and Recreation site forms. If a historical resource is identified, the Historical Resources Assessment Report shall assess the potential impacts from the Project following the Secretary of the Interior's Standards and California Environmental Quality Act Guidelines.</p>								
CUL-2	<p>Archaeological Evaluation Program. Before the issuance of a grading permit, future discretionary projects in the EVSP Area shall be reviewed by the City of Escondido Planning Department to determine if a Cultural Resources Study is required. Site-specific archaeological surveys shall be conducted for the following types of projects: (1) projects in areas that have not been previously developed, or (2) projects that may impact built environment resources that meet the age threshold for eligibility. For projects requiring a Cultural Resources Study, the work shall be conducted by a City of Escondido-approved qualified archaeologist to determine the likelihood of the project site to contain archaeological resources by reviewing site photographs and existing historical information and conducting a site visit. A Native American monitor shall be on site during site-specific archaeological surveys. Before field reconnaissance, background research, including a records search at the South</p>	Development Services Department	X			City, Qualified Archaeologist			

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	<p>Coastal Information Center, shall be required. A record search from a nearby property may be used if the previous search was conducted within the last two years. In addition, a review of the Sacred Lands File maintained by the Native American Heritage Commission shall also be conducted.</p> <p>If potential archaeological resources are identified through background research and field surveys, those resources shall be avoided, or significance evaluations shall be required for the potential archaeological resources identified. Potential resources include new resources identified as a result of a survey, previously recorded resources that have not been evaluated and are relocated during a survey, and previously recorded sites not relocated during the survey if there is a likelihood that the resources still exist. Significance evaluations shall not be required if the resources have been evaluated for California Environmental Quality Act significance within the last five years and if there has been no change in the conditions that contributed to the determination of significance or eligibility.</p> <p>An archaeological testing program shall be required for archaeological sites in need of resource significance evaluation. Archaeological testing programs include evaluating the horizontal and vertical dimensions of a site, chronological placement, site function, artifact/ecofact density and variability, presence and absence of subsurface features, and research potential. Tribal representatives and/or Native American monitors shall be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require re-evaluation of the Project, which could result in a combination of project redesign to preserve significant resources and mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Tribal representatives and/or Native American monitors).</p> <p>If significant archaeological resources are identified within the project footprint, the site may be eligible for designation on one or more registers. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action shall be required. Resources found to be non-significant as a result of a survey and/or assessment in consultation with affiliated Tribes shall require no further work beyond documentation of the resources on the appropriate California Department of Parks and Recreation site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found, but results of the initial evaluation and testing phase indicate that there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring shall be required.</p> <p>Avoiding and preserving the resources through project redesign is the preferred mitigation for archaeological resources. If avoidance is not possible, the City of Escondido shall consult with all applicable parties, including Native American Tribes if</p>								

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	prehistoric, in an effort to determine measures to mitigate any potential impacts to the resource in accordance with California Public Resources Code section 21083.2 and the California Environmental Quality Act Guidelines section 15126.4. A project archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology shall employ measures that include documentation of the resource. For archaeological resources for which preservation is not an option, a research design for a data recovery program shall be prepared in consultation with affiliated Tribes. The data recovery program shall be based on a written research design and would be subject to the provisions as outlined in California Public Resources Code section 21083.2.								
CUL-3	Qualified Archaeologist and Native American Monitoring. Prior to issuance of a grading permit, the Applicant shall provide written verification to the City of Escondido that a qualified archaeologist and a Native American monitor associated with a Tribe that is traditionally and culturally affiliated with the project location have been retained to implement a monitoring program for all subsurface investigations, including geotechnical testing and other ground-disturbing activities, whenever an archaeological site or a Native American Traditional Cultural Property within the project footprint would be impacted. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City of Escondido in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a traditionally and culturally affiliated Tribe. The City of Escondido, prior to any pre-construction meeting, shall approve all people involved in the monitoring program.	Development Services Department	X			City, Applicant			
CUL-4	Attend Pre-Grading Meeting. The qualified archaeologist and a Native American monitor shall attend a pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program. 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 shall 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.	Development Services Department	X	X		City, Qualified Archaeologist, Native American Monitor			

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CUL-5	Temporarily Halt Ground Disturbance Operation. In the event that previously unidentified archaeological and/or 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 significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.		X	X		City, Qualified Archaeologist, Native American Monitor			
CUL-6	Notify the City of Escondido of Archaeological and/or Tribal Cultural Resource Discovery. If a potentially significant archaeological and/or Tribal Cultural Resource is discovered, the qualified archaeologist shall notify the City of Escondido of said discovery. The qualified archaeologist, in consultation with the City of Escondido, the traditionally and culturally affiliated 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 traditionally and culturally affiliated Tribe and the Native American monitor, and be submitted to the City of Escondido for review and approval.	Development Services Department	X	X		City, Qualified Archaeologist, Native American Monitor			
CUL-7	Avoidance and/or Preservation of Discovery. 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 the California Environmental Quality Act. Where any significant Tribal Cultural Resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City of Escondido, 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 traditionally and culturally affiliated Tribe and the Native American monitor, and shall be subject to approval by the City of Escondido. 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 of Escondido.	Development Services Department		X	X	City, Construction Contractor, Qualified Archaeologist, Native American Monitor			
CUL-8	Collection and Treatment of Resources. 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 for later reburial on the project site. Any Tribal Cultural Resources collected by the qualified archaeologist shall be reburied on the	Development Services Department		X	X	City, Qualified Archaeologist, Native American Monitor			

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	project site. Should the traditionally and culturally affiliated Tribes decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined not to be Tribal Cultural Resources by the qualified archaeologist, in consultation with the Native American monitor, shall be curated at the San Diego Archaeological Center.								
CUL-9:	Artifact Disposition. For precontact resources, the following treatments shall be applied: Reburial of the resources on the project property. The measures for reburial shall include at least the following: Measures to protect the reburial area from any future impacts. Reburial shall not occur until all required cataloging, with an exception that sacred items, burial goods, and Native American human remains are excluded. Any reburial processes shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential final monitoring report.	Development Services Department		X	X	City, Qualified Archaeologist, Native American Monitor			
CUL-10	Monitoring and/or Evaluation Report. 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 of Escondido. The report shall be filed with the South Coastal Information Center under a confidential cover and not subject to a public records request. 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 shall include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources. A copy of the final report shall be sent to the consulting affiliated Tribes.	Development Services Department		X	X	City, Qualified Archaeologist, Native American Monitor			
CUL-11	Identification and Treatment of Human Remains. If Native American human remains are discovered within a project footprint, the City of Escondido shall work with the most likely descendants identified by the Native American Heritage Commission as provided in California Public Resources Code section 5097.98. The Applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items of cultural patrimony associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (California Health and Safety Code section 7050.5): <ul style="list-style-type: none"> • In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken: • All construction activity shall cease within 100 feet of the discovery until the county coroner is contacted and has completed their study. 	Development Services Department		X		City, Construction Contractor, Qualified Archaeologist, Native American Monitor			

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	<ul style="list-style-type: none"> The county coroner shall be contacted to determine whether an investigation of the cause of death is required. If the county coroner determines that the remains are Native American, they shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or people it believes to be the most likely descendant from the deceased Native American. The landowner shall discuss and confer with the most likely descendant regarding all reasonable options for treatment of human remains and any associated grave goods as provided in California Public Resources Code section 5097.98. As part of the objectives, criteria, and procedures required by California Public Resources Code section 21082, the City of Escondido shall make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions shall include an immediate evaluation of the find by a qualified archaeologist in consultation with the affiliated Tribal representatives. If the archaeologist determines the find to be a significant historical or archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation shall be necessary. Work may continue on other parts of the project site while resource mitigation takes place. 								
CUL-12	<p>Tribal Cultural Resources Evaluation. For any project with the potential to result in adverse impacts to Tribal Cultural Resources, the City of Escondido shall avoid and/or minimize impacts. Coordination and collaboration regarding the resources shall be completed with Tribes traditionally and culturally affiliated with the project location institutions, such as the South Coastal Information Center and the Native American Heritage Commission, including consultation as outlined in Senate Bill 18 and Assembly Bill 52. The resources shall be treated with culturally appropriate dignity, taking into account the Tribal cultural values and meaning of the resources, including but not limited to the following:</p> <ul style="list-style-type: none"> Protecting the cultural character and integrity of the resources Protecting the traditional use of the resources Protecting the confidentiality of the resources <p>If possible, the City of Escondido shall avoid and preserve the resources in place, including but not limited to planning and construction to avoid the resources and to protect the resources' cultural and natural context.</p> <p>Greenspace, parks, or other open space shall use appropriate planning to incorporate the resources with culturally appropriate protection and management criteria as determined through consultation with the affiliated Tribes. Permanent conservation easements or other interests in real property shall be created with culturally appropriate management criteria for the purposes of preserving or using the resources or places.</p>	Development Services Department	X	X	X	City, Qualified Archaeologist, Native American Monitor			

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Noise									
NOI-1	<p>Construction Vibration Best Management Practices. All general construction activities that take place within 100 feet of a building with the potential to be damaged by excessive vibration, or general construction within 200 feet, or pile-driving, blasting, or other high-impact construction equipment within 900 feet of a daytime noise-sensitive land use (public and private educational facilities, churches, libraries, museums, cultural facilities, golf courses, and passive recreational parks) shall do one of the following: (1) retain a qualified acoustician to demonstrate that vibration will not exceed the applicable Federal Transit Administration threshold (65 vibration decibel for vibration-sensitive land uses of 80 vibration decibel for other daytime land uses), or (2) implement the following construction best management practices recommended by the Federal Railroad Administration in the High Speed Ground Transportation Noise and Vibration Impact Assessment. The best management practices shall be included in project construction documents, including the grading plan and construction contract. Practices shall include the following:</p> <ol style="list-style-type: none"> 1. Sequence of operations: <ol style="list-style-type: none"> i. Phase demolition, earthmoving, and ground-impacting operations to occur in different time periods. 2. Alternative construction methods: <ol style="list-style-type: none"> i. Avoid impact pile-driving where possible in vibration-sensitive areas. Drilled piles or the use of a sonic or vibratory pile driver causes lower vibration levels where the geological conditions permit their use. ii. Select demolition methods not involving impact, where possible. For example, using pressure bursting for concrete demolition results in lower vibration levels than impact demolition by pavement breakers, and milling generates lower vibration levels than excavation using clam shell or chisel drops. iii. Avoid vibratory rollers and packers near sensitive receptors. 	Development Services Department	X	X		City, Construction Contractor, Qualified Acoustician			

Notes: City = City of Escondido

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