## **GENERAL NOTES (PRELIMINARY GRADING)**

FILL FACES TO NATURAL GROUND AND ABUTTING CUT OR FILL SURFACES.

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- . THIS PLAN IS PROVIDED TO ALLOW FOR FULL AND ADEQUATE DISCRETIONARY REVIEW OF A PROPOSED DEVELOPMENT PROJECT. THE PROPERTY OWNER ACKNOWLEDGES THAT ACCEPTANCE OR APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN APPROVAL TO PERFORM ANY GRADING SHOWN HEREON, AND AGREES TO OBTAIN VALID
- THIS "PRELIMINARY GRADING PLAN" DOES NOT CONSTITUTE A CONSTRUCTION DOCUMENT. A FINAL GRADING PLAN, PREPARED (TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS) IN ACCORDANCE WITH COUNTY GRADING ORDINANCE SHALL BE SUBMITTED TO THE DEPARTMENT OF PUBLIC WORKS. APPROVAL OF THE FINAL GRADING PLAN SHALL BE REQUIRED AND GRADING PERMIT ISSUED PRIOR TO ANY WORK IN THE FIELD.
- 3. A CONSTRUCTION, EXCAVATION OR ENCROACHMENT PERMIT FROM THE DIRECTOR OF PUBLIC WORKS WILL BE REQUIRED FOR ANY WORK IN THE COUNTY RIGHT-OF-WAY.

5. A SOILS REPORT SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF A GRADING AND/OR BUILDING PERMIT.

- 4. ALL SLOPES OVER 3 FEET IN HEIGHT SHALL BE PLANTED IN ACCORDANCE WITH SAN DIEGO COUNTY SPECIFICATIONS.
- 6. APPROVAL OF THESE PLANS BY THE DIRECTOR OF PUBLIC WORKS DOES NOT AUTHORIZE ANY WORK OR GRADING TO BE PERFORMED UNTIL THE PROPERTY OWNER'S PERMISSION HAS BEEN OBTAINED AND A VALID GRADING PERMIT HAS BEEN ISSUED.
- . THE DIRECTOR OF PUBLIC WORKS APPROVAL OF THESE PLANS DOES NOT CONSTITUTE COUNTY BUILDING OFFICIAL APPROVAL OF ANY FOUNDATIONS FOR STRUCTURES TO BE PLACED ON THE AREA COVERED BY THESE PLANS. NO WAIVER OF THE GRADING ORDINANCE REQUIREMENTS CONCERNING MINIMUM COVER OVER EXPANSIVE SOILS IS MADE OR IMPLIED (SECTIONS 87.403 & 87.410). ANY SUCH WAIVER MUST BE OBTAINED FROM THE DIRECTOR OF DPLU. 8. ALL SLOPES SHALL BE ROUNDED INTO EXISTING TERRAIN TO PRODUCE A CONTOURED TRANSITION FROM CUT OR
- 12. EARTHWORK QUANTITIES: CUT: 1,350,000 CY TILL: 1,350,000 C

A SEPARATE PERMIT MUST BE OBTAINED FOR WASTE OR IMPORT AREA. GRADING QUANTITIES ARE APPROXIMATE AND ARE PROVIDED HEREON FOR PERMIT PURPOSES ONLY. QUANTITIES ARE BASED ON THE DIFFERENCE BETWEEN THE EXISTING SURFACES AND PROPOSED PAD/SUBGRADE SURFACES. VARIATIONS DUE TO LOSS FROM CLEARING AND GRUBBING, STRIPPING, SHRINKAGE, SWELL, UNSUITABLE MATERIAL & REMEDIAL GRADING ARE NOT CONSIDERED NOR FACTORED INTO THESE QUANTITIES. CONTRACTOR SHALL VERIFY QUANTITIES WITH THEIR OWN VOLUME CALCULATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THEIR OWN INDEPENDENT QUANTITY AND MATERIAL TAKE OFFS AND CONSTRUCT THE DESIGN INDICATED ON THESE DRAWINGS, PROJECT TO BE BID BASED ON CONTRACTOR'S OWN ESTIMATES.

10. ALL GRADING DETAILS WILL BE IN ACCORDANCE WITH SAN DIEGO COUNTY STANDARD DRAWINGS DS-8, DS-10,

NON-DEDICATED IMPROVEMENTS WHICH DAMAGE ADJACENT PROPERTY.

DS-11, D-75 UNLESS SHOWN OTHERWISE ON THESE PLANS.

11. SLOPE RATIOS: DEVIATING FROM THESE RATIOS WILL REQUIRE

CUT - 2:1 APPROVAL OF THE DIRECTOR OF PUBLIC WORKS

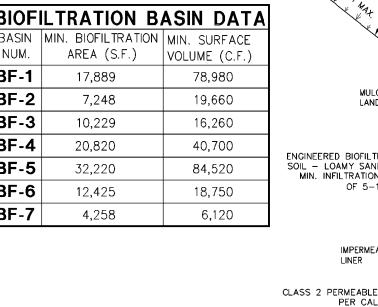
AFTER REVIEW OF A REPORT FROM A SOILS ENGINEER.

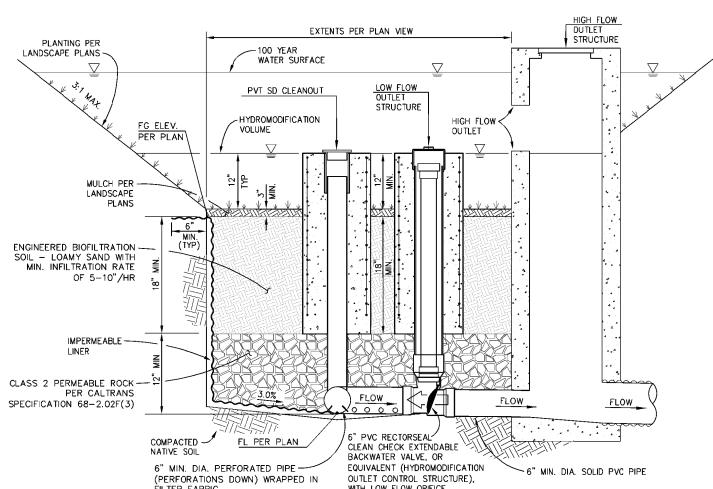
13. SPECIAL CONDITION: IF ANY ARCHAEOLOGICAL RESOURCES ARE DISCOVERED ON THE SITE OF THIS GRADING DURING GRADING OPERATIONS, SUCH OPERATIONS WILL CEASE IMMEDIATELY, AND THE PERMITTEE WILL NOTIFY THE DIRECTOR OF PUBLIC WORKS OF THE DISCOVERY. GRADING OPERATIONS WILL NOT RECOMMENCE UNTIL THE PERMITTEE HAS RECEIVED WRITTEN AUTHORITY FROM THE DIRECTOR OF PUBLIC WORKS TO DO SO.

- SHALL ALSO KEEP A COPY OF THE SWPPP (STORM WATER POLLUTION PREVENTION PLAN) ON SITE AND AVAILABLE FOR REVIEW BY COUNTY.
- 2. DURING THE RAINY SEASON THE AMOUNT OF EXPOSED SOIL ALLOWED AT ONE TIME SHALL NOT EXCEED THAT WHICH CAN BE ADFOUATELY PROTECTED BY THE PROPERTY OWNER OR AUTHORIZED AGENT IN THE EVENT OF A RAINSTORM. 125% OF ALL SUPPLIES NEEDED FOR BMP MEASURES SHALL BE RETAINED ON THE JOB SITE IN A MANNER THAT ALLOWS FULL DEPLOYMENT AND COMPLETE INSTALLATION IN 48 HOURS OR LESS OF A FORECAST RAIN.
- 3. NO AREA BEING DISTURBED SHALL EXCEED 50 ACRES AT ANY GIVEN TIME WITHOUT DEMONSTRATING TO THE SAN DIEGO COUNTY DPW DIRECTOR'S SATISFACTION THAT ADEQUATE EROSION AND SEDIMENT CONTROL CAN BE MAINTAINED. ANY DISTURBED AREA THAT IS NOT ACTIVELY GRADED FOR 10 DAYS MUST BE FULLY PROTECTED FROM EROSION. UNTIL ADEQUATE LONG-TERM PROTECTIONS ARE INSTALLED, THE DISTURBED AREA SHALL BE INCLUDED WHEN CALCULATING THE ACTIVE DISTURBANCE AREA. ALL EROSION CONTROL MEASURES SHALL REMAIN INSTALLED AND MAINTAINED DURING ANY INACTIVE PERIOD.

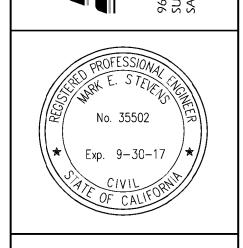
## BENCH MARK

BRASS DISK STAMPED "JM 154 1969" LOCATED 3.09 MILES EAST ALONG OTAY MESA ROAD FROM INTERSECTION OF OTAY VALLEY ROAD, 20.5' SOUTH OF CENTERLINE OF OTAY MESA ROAD AND ABOUT 170' EAST OF CENTERLINE INTERSECTION OF HARVEST ROAD. STEEL FENCEPOST MARKER LIES 1' SOUTH OF DISK. RECORD FROM COUNTY OF SAN DIEGO VERTICAL CONTROL RECORD. ELEVATION: 541.10 DATUM: U.S.C.& G.S., M.S.L.





HYDROMODIFICATION BIOFILTRATION PLANTER TYPICAL SECTION NO SCALE



UNIT 1

\/ 2:1 \/ MAX

 $\bigvee$  2:1  $\bigvee$  MAX

ZONE "AE"

CARE SHOULD BE EXERCISED TO PROVIDE FOR CROSS

\_\_\_\_\_ UNIT 2

JULY 17, 2015

AS SHOWN

14009.01

# GRADING PLAN CONFORMANCE NOTES / OFFSITE IMPROVEMENTS

GP1. BIOLOGICAL MONITORING: [DPLU, PCC] [DPW, LDR] [GP, IP, MA] [DPLU, FEE X2]. Intent: Prevent inadvertent disturbance to San Diego barrel cactus, northern harrier, vernal pools, and other sensitive habitats and species. Description of Requirement: A County approved biologist 'Project Biologist' shall perform biological monitoring pursuant to the most current version of the County of San Diego Biological Report Format and Requirement Guidelines during all grading, clearing, grubbing, and trenching located within 100 feet of the Open Space Easements shown on lots 28 and 55 of Tentative Map 5538. A Memorandum of Understanding (MOU) between the biological consulting company and the County of San Diego shall be executed. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with the Department of Planning and Land Use. The Project Biologist shall also attend the preconstruction meeting to educate the grading contractor and personnel as to the site's biological sensitivities. Such meetings shall include the DPLU Permit Compliance Section. Documentation: The applicant shall provide to the [DPLU, PCC] a copy of the cost estimate, MOU, and the applicant's choice of either the biological monitoring contract or a letter verifying that a biological monitor has been hired. The Biological Monitor shall certify that construction staff has been trained on the site sensitive biological resources that are to be avoided. Timing: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances. Monitoring: The cost estimate shall be forwarded to [DPW, Project Manager], for inclusion in the grading bond cost estimate, and grading bonds. The [DPW, PC] shall add the cost of the monitoring to the grading bond costs. The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference. The [DPLU, PCC] shall approve the training documentation prepared by the biologist, attend the preconstruction conference, and verify the installation of the temporary fencing.

GP2. TEMPORARY FENCING: [DPLU, PCC] [DPW,PDCI] [PC] [DPLU, FEE]. Intent: Prevent inadvertent disturbance to vernal pools and biological open space. Description of Requirement: In satisfaction of a condition of approval for TM 5139RPL6R, the applicant installed temporary fencing as specified in the 2003 RCP. The existing fencing shall remain in place until the conclusion of grading activities, after which the fencing shall be removed. Documentation: The applicant shall submit date—stamped photos of the fencing to the [DPLU, PCC] for approval. Timing: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the installation of the fencing shall confirmed. Monitoring: The [DPLU, PCC] shall review the pictures provided by the applicant confirming the temporary fencing is in place.

GP3. IMPLEMENTATION OF THE RESOURCE CONSERVATION PLAN: [DPLU, BPR] [UO] [DPLU, FEE] Intent: Mitigate for impacts to vernal pools. Description of requirement: According to the December 2003 approved RCP, the initial vernal pool restoration activities shall be completed to the satisfaction of the [DPLU, Landscape Architect, PCC] and the five—year maintenance and monitoring shall commence. The activities to be completed include the creation of five on-site basins within the J-22 vernal pool complex and the translocation of soil containing fairy shrimp cysts. Documentation: The applicant shall submit to the [DPLU Landscape Architect, PCC] a report from an approved revegetation consultant that the initial vernal pool creation and fairy shrimp translocation has occurred and the five—year maintenance and monitoring has commenced in accordance with the approved Revegetation Plan. Timing: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances. Monitoring: The [DPLU, Landscape Architect] shall review the revegetation report, and notify the [DPLU, PCC] [DPR, TC, PP] of compliance with the approved Revegetation Plan.

GP4. QUINO SURVEY: [DPLU, PCC] [GP, CP, UO] [DPLU, FEE X2] Intent: Comply with the Federal Endangered Species Act for impacts to Quino checkerspot butterfly. Description of Requirement: Provide the Director of Planning and Land Use with a copy of a survey for Quino Checkerspot butterfly conducted within the most recent survey season. This survey shall be prepared in compliance with the U.S. Fish and Wildlife Service (USFWS) protocols for conducting Quino Checkerspot butterfly surveys. Obtain take authorization if required based on the survey results.

- a. If the survey is negative, submit the survey for staff review and approval OR b. If Quino Checkerspot butterflies are found on the site, provide one of the following to the [DPLU, PCC] to the satisfaction of the Director of Planning and Land Use:
- 1. Section 7 or 10a take authorization and a Biological Opinion shall be obtained from the USFWS. 2. Take authorization for Quino Checkerspot butterfly may also be provided by the MSCP if the County's Quino Amendment has been approved.

Timing: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances, staff approval of a negative survey or take authorization shall be provided. Survey results must be from the most recent Quino survey season. Monitoring: The [DPLU, PCC] shall review the negative survey results or take authorization for compliance with this condition. Documentation of Quino survey or take authorization should be transmitted to the [DPW, ESU].

GP5. VARIEGATED DUDLEYA MITIGATION: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent: Mitigate for the impacts to variegated Dudleya, which is a sensitive biological resource pursuant to the BMO and CEQA. Description of Requirement: The applicant shall provide 1:1 off-site mitigation for impacted variegated Dudleya plants. The potential impact area shall be surveyed for variegated Dudleya during the blooming period (May to June). If variegated Dudleya are found on—site and outside of the open space easements within lots 28 and 55, the applicant shall purchase and preserve habitat supporting the same number of variegated dudleya plants to be impacted, located at a County approved location as indicated below.

a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game. The mitigation should be located within the South County MSCP. If mitigation is proposed outside of the South County MSCP, provide documentation that a current and thorough search was done and that mitigation land is not available within our subarea. The evidence of purchase shall include the following information to be provided by the mitigation bank:

1. Confirmation that the habitat credits purchased support at least the same number of variegated dudleya plants found in the impact area. Surveys of the impact site and mitigation site should be conducted within the same blooming season.

2. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased. . If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long—term management and monitoring of the preserved land. 4. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land. 5. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining

after utilization by this project. b. Option 2: If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat supporting at least the same number of variegated Dudleya plants found in the impact area to the satisfaction of the Department of Planning and Land Use as indicated below:

1. The type of habitat and the location of the proposed mitigation must be pre-approved by [DPLU, PCC] before purchase or entering into any agreement for purchase.

2. The mitigation should be located within the South County MSCP. If mitigation is proposed outside of the South County MSCP, provide documentation that a current and thorough search was done and that mitigation land is not available within our subarea.

3. If an offsite mitigation property is pursued that does not have an existing management plan that a Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of DPLU. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

4. An open space easement over the land shall be dedicated to the County of San Diego or like agency or the land shall be protected in perpetuity by other suitable mechanism to the satisfaction of the Director of DPLU.

5. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of DPLU: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

6. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title or function as grantee under an easement and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

### Documentation: a. Submit the survey for staff review and approval.

b. If the survey is positive, the applicant shall purchase the off-site mitigation credits and provide the evidence to the [DPLU, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [DPLU PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [DPLU, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [DPLU, ZONING].

Timing: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances, survey results shall be provided and mitigation shall be completed. Survey results must be from the most recent variegated Dudleya blooming season (May to June). Monitoring: The [DPLU, PCC] shall review the mitigation purchase for compliance with this

### (CULTURAL RESOURCES)

GP6. ARCHAEOLOGICAL GRADING MONITORING: [DPLU, PCC] [DPW, ESU] [MA, GP, IP] [DPLU, FEE X 2] Intent: Mitigate for potential impacts to undiscovered buried archaeological resources on the project site. Description of Requirement: A County approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform cultural resource grading monitoring and a potential data recovery program pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources during all grading, clearing, grubbing, trenching, and construction activities. The County approved 'Project Archaeologist,' Native American Monitor, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The Project Archeologist shall provide evidence that a Qualified Native American of the appropriate tribal affiliation has also been contracted to perform Native American Grading Monitoring for the project. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with the Department of Planning and Land Use.

Documentation: The applicant shall provide to the [DPLU, PCC] a copy of the cost estimate and the applicant's expice of either the Grading Monitoring Contract or a letter verifying that an archaeological monitor has been hired. Additionally, the cost amount of the monitoring work shall be added to the rading bond cost estimate. Timing: Prior to Preconstruction Conference, and prior to approval of any grading or improvement plan or issuance of any permit. Monitoring: The [DPLU, PCC] anall review the contract or verification and cost estimate or separate bonds for compliance with this condition. The cost estimate shall be forwarded to [DPW, LDR], for inclusion in the grading bond cost estimate, and grading bonds. The [DPW, PC] shall add the cost of the monitoring to the grading bond costs, and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit. The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference. The [DPLU, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Archeologist.

GP7. PREGRADE PLAN (MODIFIED DATA RECOVERY): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE]

Intent: Mitigate for potential impacts to significant cultural resources pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA). Description of Requirement: Implement the research design detailed in Appendix E of the archaeological extended study "Cultural Resources Survey for the Otay Tech Centre Project Otay Mesa, California", dated April 7, 2009, and prepared by Dennis Gallegos of Gallegos & Associates The implementation of the research design constitutes mitigation for the proposed destruction of site(s) CA-SDI-12337 Area A, which are not determined to be significant pursuant to Section 86.602.0 of the Resource Protection Ordinance (RPO). The Pregrade plan shall include the following:

a. Phase One: The Pregrade program shall comply with research design and performance standards that are in the approved Pregrade plan (modified data recovery program) in Appendix E of

b. Phase One: Upon completion a letter report shall be prepared, which evaluates the issues of site integrity, data redundancy, spatial and temporal patterning, features, and other relevant topics in order to assess the adequacy of the initial pregrade sample. Based on this assessment, the letter report shall recommend the need for and scope of a second phase of field investigations, subsurface artifact concentrations. If no artifacts are found, then a phase two pregrade plane is not required.

c. Phase Two: Implement Phase Two fieldwork as necessary. For artifacts found during the phase one and phase two pregrade referenced above, conduct an artifact analysis, which includes the following: lithics, ceramics, faunal, floral, assemblage, and radiocarbon dating as referenced in the report above. The historical artifacts shall be identified and analyzed using historical archaeological analytical techniques such as artifact function patterning, bottled products pattern analysis and ceramic economic indexing. Additional historic research shall be conducted as necessary to aid in analyzing and explaining the significance of patterns.

d. Curation: All archaeological materials recovered during the data recovery and monitoring phases shall be professionally curated at a San Diego facility that meets federal standards per 36 CFR Part 79 and made available to other archaeologists/ researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.

Documentation: Upon completion of the phase one data recovery referenced above, the applicant shall submit the letter report to the [DPLU, PCC] for review and approval. If a phase two data recovery program is required, the applicant shall provide a Final Technical Report from the Principal Investigator to the [DPLU, PCC]. The final report shall include a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid. Timing: Prior to Preconstruction Conference for all Units, and prior to any clearing, grubbing, trenching, grading, or any land disturbances, the data recovery program shall be completed. Monitoring: The [DPLU, PCC] shall review the phase one letter from the project archaeologist (PI) for compliance with this condition. If a phase two data recovery program is required, the [DPLU, PCC] shall review the final data recovery program report for compliance with

## DURING CONTRUCTION: (The following actions shall occur throughout the duration of the grading construction).

GP8. BREEDING SEASON AVOIDANCE: [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2]. Intent: Avoid impacts to the northern harrier, burrowing owl and migratory birds, which are sensitive biological resources pursuant to CEQA, the BMO, and the Migratory Bird Treaty Act. Description of Requirement: There shall be no brushing, clearing and/or grading between February 1 and August 31. The Director of Planning and Land Use [DPLU, PCC] may waive this condition, provided that there are no nesting or breeding birds within 300 feet of the brushing, clearing or grading. The waiver shall be based on a pre-construction survey completed no more than 30 days before initial brushing, clearing, grubbing, or grading of the project site. Documentation: The applicant may submit a written request for waiver of this condition, approval of which shall be in writing. Throughout the duration of any clearing, grubbing, trenching, grading, or any land disturbances compliance with this condition is mandatory unless the requirement is waived by the County. Monitoring: The [DPW, PDCI] shall not allow any grading during the specified dates unless this condition is waived in writing by the [DPLU, PCC].

GP9. BURROWING OWL BRUSHING, GRADING, AND CLEARING RESTRICTIONS: [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2] Intent: Mitigate for potential impacts to the burrowing owl that could occur during brushing, grading, and clearing activities. Description of Requirement: For brushing, clearing and grading activities that take place outside of the burrowing owl breeding season (i.e., between September 1 and January 31), a pre-construction survey shall be conducted no more than 30 days before initial brushing, clearing, grubbing, or grading. a. If no burrowing owls are detected during the survey, the site must be monitored for new burrows each week throughout grading operations.

1. A qualified biologist shall implement passive relocation measures (installation of one—way doors) in accordance with CDFG regulations (CDFG 1995) and the County's Strategy for Mitigating Impacts to Burrowing Owls in the Unincorporated County.

2. Any eviction or passive relocation must be specifically approved by the Wildlife Agencies, and shall occur outside of the burrowing owl breeding season.

3. The applicant shall contact the [DPLU, PCC] to coordinate the attainment of wildlife agency concurrence.

4. Once all owls have vacated the burrows (at least 48 hours), a qualified biologist shall oversee the excavation and filling of the burrows. 5. In order to assure that burrowing owl burrows do not become reoccupied, construction equipment and materials (e.g., pipes, rubble piles, etc.) shall be closed off to prevent burrowing

Documentation: The results of the pre-construction survey must be provided to the County Mitigation Monitoring Coordinator, CDFG, and USFWS in writing, and include maps of the project site and burrowing owl locations on aerial photos in the format described in the County's mapping guidelines. If owls are determined to be present within the burrows, the applicant shall submit wildlife agency concurrence for eviction, a written report of the passive relocation measures undertaken to preclude direct impacts to burrowing owl individuals, and the Project biologist shall certify that all owls have vacated any occupied burrows. Timing: A pre-construction survey shall occur no more than 30 days prior to commencement of brushina. aradina. or clearing activities to determine the presence or absence of burrowing owls, with weekly monitoring thereafter. The written report must be submitted within 14 days of the survey or burrowing owl eviction. Monitoring: The [DPW, PDCI] shall not allow any grading unless a concurrence from the [DPLU, PCC] is received. The DPLU shall review the pre-construction survey results, along with evidence of any passive relocation measures, to ensure compliance with these requirements.

GP10. AIR QUALITY: [DPW, PDCI]. Intent: Lower construction emissions of particulate matter (PM10 and PM2.5) to below the County's established Screening Level Thresholds (SLTs) for construction activities. Description of Requirement: The following grading monitoring and emission reduction activities shall be undertaken during earthmoving activities to implement Section 87.428 'Dust Control Measures' of the County's Grading Ordinance:

a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least 2 feet of freeboard or cover loads of all haul/dump trucks securely (unnumbered design measure).

b. Dust control measures of the Grading Ordinance will be enhanced with a minimum of three (3) daily applications of water to the construction areas, between dozer/scraper passes and on any unpaved roads within the project limits. c. Grading is to be terminated when winds exceed 20 mph.

d. Sweepers and water trucks shall be used to control dust and debris at public street access points.

e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing or other suppression measures. f. Internal construction—roadways will be stabilized by paving, gravel, decomposed granite, chip sealing or chemicals after rough grading.

g. A minimum of 25 - 10 mph signs shall be posted and enforced on unpayed areas during construction. h. Inactive areas shall be stabilized using soil stabilizers, paving, gravel, decomposed granite, mulch, or hydro—seeding as soon as practical.

i. Ground cover in disturbed areas shall be replaced quickly, where possible. j. Simultaneous operation of multiple construction equipment units shall be minimized.

k. Areas being graded at any one time shall be minimized (i.e., only areas that will be developed in the immediate future shall be graded). I. Low-pollutant emitting and electrical construction equipment shall be used, as feasible.

m. Catalytic reduction technology shall be used for gasoline-powered equipment.

n. Injection timing retard shall be used for diesel-powered equipment. o. Ten percent (10%) of the construction fleet shall use any combination of diesel catalytic converters, diesel oxidation catalysts, diesel particulate filters and/or California Air Resources Board (CARB) certified Tier I, II, or III equipment.

p. Low sulfur diesel fuel shall be used in all diesel construction equipment.

Documentation: The applicant shall provide the Department of Public Works with evidence of compliance with this mitigation measure in the reports required pursuant to Section 87.422(a) of the County's Grading Ordinance, and shall make such evidence available when requested by the County. Timing: The listed actions shall occur throughout the duration of the grading construction. Monitoring: The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the applicant fails to comply with this condition.

GP11. BIOLOGICAL MONITORING: [DPLU, PCC] [DPW,PDCI] [PC] [DPLU, FEE X3]. Intent: Prevent inadvertent disturbance to San Diego barrel cactus, northern harrier, vernal pools, and other sensitive habitats and species. Description of Requirement: The Project Biologist shall supervise and monitor all grading, clearing, grubbing, and trenching activities on-site within 100 feet of the Open Space Easements shown on lots 28 and 55 of Tentative Map 5538. If there are disturbances, the monitor must report them immediately to the [DPLU PCC]. Additionally, the biologist shall perform the following duties during grading, clearing, grubbing, and trenching within 100 feet of the open space easements recorded as Document No. 2003-1392967: [DPLU, FEE]

a. Perform weekly inspection of fencing and erosion control measures (daily during rain events) and report deficiencies immediately to the DPW Construction Inspector;

b. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the sensitive species observed or expected on-site, and the conservation measures that should be implemented during project construction;

c. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, selectively placed, shielded, and directed away from preserved

d. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US;

e. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and DPLU Permit Compliance Section within 24 hours;

f. Produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and the DPLU (final report will release bond):

g. Confer with the Wildlife Agencies and DPLU Permit Compliance Coordinator within 24 hours any time protected habitat or gnatcatchers are being affected by construction;

h. Attend construction meetings and other meetings as necessary.

Documentation: The Project Biologist shall prepare and submit to the satisfaction the [DPLU, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated above. Timing: The specified actions shall occur throughout the duration of the grading construction. Monitoring: The [DPW, PDCI] shall assure that the Project Biologist is on—site performing the Monitoring duties of this condition during all applicable grading activities as determined by the Biologist. The [DPW, PDCI] shall contact the [DPLU, PCC] if the Project Biologist or applicant fails to comply with this condition. The [DPLU, PCC] shall review and approve the monitoring reports for compliance with this

GP12. ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [DPLU, FEE X2] Intent: Comply with Mitigation Monitoring and Reporting Program pursuant to TM 5538 and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources. Description of Requirement: The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off—site improvements. The grading monitoring program shall comply with the following requirements during grading:

a. 'During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist.

b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist, in consultation with the Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the DPLU Staff Archaeologist. The Project Archaeologist, in consultation with the DPLU Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the DPLU Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods.

c. 'If any human bones are discovered, the Project Archaeologist shall contact the County Coroner and the DPLU Staff Archaeologist. If 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 by the Project Archaeologist in order to determine proper treatment and disposition of the remains." d. "The Project Archaeologist shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the Notice to Proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and

Documentation: The applicant shall implement the grading monitoring program pursuant to this condition. Timing: The following actions shall occur throughout the duration of the grading construction for all Units. Monitoring: The [DPW, PDCI] shall make sure that the Project Archeologist is on—site performing the Monitoring duties of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the Project Archeologist or applicant fails to comply with this condition.

GP13. TEMPORARY NOISE IMPACTS: [DPLU, PCC] [DPW, PDCI] [DPLU, FEE X1]. Intent: Comply with the County of San Diego Noise Ordinance 36.409 and reduce the sound level generated from project construction equipment operations. Description of Requirement: The temporary noise attenuation barrier(s) shall be located along the eastern boundary of the project site and shall remain in place as indicated on this plan for construction equipment operations occurring 450 feet from the eastern property line for compliance with this condition. The mitigation is designed and placed to reduce construction noise that potentially will affect the adjacent residential use located immediately to the east of the project site. If the residential units are no longer occupied at the time construction commences, this condition shall not apply

a. The barrier shall be maintained for the duration of the construction activities that will create noise greater than 75 dB at the eastern property line as indicated above. Please note that the 24 foot high temporary construction noise barrier would reduce grading operations occurring within 450 feet from the eastern property line.

b. The temporary construction noise wall along the eastern property lines would be twenty—four feet (24') high with a minimum surface density of 3.5 pounds per square foot, consisting of masonry, wood, berm, plastic, fiberglass, steel or a combination of these material with no cracks or gaps through or below the wall. If wood is used, it shall be a minimum thickness of 7/8 of an inch.

c. Temporary construction noise barrier details and location are shown on Figure 4 in the noise report prepared by Kimley—Horn dated November 17, 2010. The temporary noise barrier located along the eastern property line(s) will remain during the pad grading phases. Noise report is on file with the Department of Planning and Land Use as case number 3100 5538 (Tentative Map).

d. If the equipment being used is different than what was proposed in the noise report, then a new construction noise analysis shall be provided to the satisfaction of the [DPLU, PCC]. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or elimination of the barrier may be approved if the construction activities will not create noise greater that 75 dB at the property line as indicated above.

Documentation: The applicant shall maintain the sound attenuation mitigation as indicated above until all grading activities within 450 feet from the eastern property line have been completed. The applicant shall submit a signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the temporary 24 foot high noise barrier has been constructed pursuant to the approved grading plan to the [DPLU, PCC] for review and approval. Timing: The noise attenuation shall occur throughout the duration of the grading construction within 450 feet from the eastern property line. Monitoring: The [DPLU, PCC] shall review the signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the temporary construction noise barrier has been constructed pursuant to the approved grading plan for compliance with this condition.

GP14. LANDSCAPE DOCUMENTATION PACKAGE: [DPLU, PPD] [DPR, TC, PP] [GP, IP, MA] Intent: Provide landscaping that complies with the County of San Diego's Water Efficient Landscape Design Manual, the County's Water Conservation in Landscaping Ordinance, and the landscape requirements identified within the East Otav Mesa Business Park Specific Plan. Description of requirement: The Landscape Documentation Package shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer and include the following information:

a. Indication of the proposed width of any adjacent public right\_of\_way, and the locations of any required improvements including all parkway and median planting as required by the Public Landscaping section within Chapter 2 of the East Otay Mesa Business Park Specific Plan and any proposed plant materials to be installed or planted therein. The applicant shall also obtain an encroachment permit from [DPW, LDR] approving the variety, location, and spacing of all trees proposed to be planted within said right(s)\_of\_way. A copy of this permit and a letter stating that all landscaping within the said right(s)\_of\_way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use. All Streetscape and Major Intersection plantings shall be per Appendix 1, Streetscape Plant List within the East Otay Mesa Business Park Specific Plan. Clearance Zones and the use of root barriers shall also be established as identified within the Public Landscaping section.

b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate given fire safety restrictions, native or naturalizing plant materials shall be used, which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings. All applicable Landscaping Standards as required within Chapter 3 of the East Otay Mesa Specific Plan, including Building Setback Landscaping for all Circulation Element and Specific Plan roads shall be addressed within the Landscape Documentation Package.

c. An irrigation plan including the location, size, and type of all backflow prevention devices, pressure, and non\_pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system pursuant to Section 86.725 (a) of the Water Conservation in Landscaping Ordinance. Section A—5.4 (Reclaimed

Water) within Appendix 6 of the East Otay Mesa Specific Plan requires the installation of a dual water distribution system throughout the development.

d. Spot elevations of the hardscape and buildings.

e. The location and detail of all walls, fences, and walkways, or references 'Z to the plans on which that information is presented, shall be shown on the plans, including height from grade and type of material.

f. A lighting plan and light standard details for the parking lots and decorative lighting shall be included in the plans (if applicable) and shall be in compliance with the County's Light Pollution Code.

Additional Landscape requirements include:

a. All slopes 3' in vertical height and above, including slopes associated with detention basins shall be landscaped to prevent soil erosion and to comply with the Manufactured Slopes portion of the Landscape Standards contained within the East Otay Mesa Business Park Specific Plan.

b. All planting adjacent to an open space easement, and vegetated swales shall be non-invasive.

Documentation: The applicant shall prepare the Landscape Plans using the Landscape Documentation Package Checklist (DPLU Form #404), submit them to the [DPLU, ZONING]. Timing: Prior to the approval of any grading plan, improvement plan, and issuance of building permit. Monitoring: The [DPLU, Landscape Architect] and [DPR, TC, PP] shall review the Landscape Plans for compliance with this condition.

GP15. SECURED REVEGETATION AGREEMENT: [DPLU, PPD] [MA, GP, IP] Intent: Assure project completion and success of the Revegetation Plan in condition 4. Description of Requirement: The applicant shall amend the Secured Revegetation Agreement LPR #03-010 with the County of San Diego dated December 12, 2003 as

a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the updated cost estimate associated with the implementation of the Resource Conservation Plan (filed with the County as a Revegetation Plan and a Resource Management Plan). This would replace the previous bond no. 6611872.

b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more

than \$30,000.

c. The security shall be released in increments upon completion of the respective elements of the cost

endowment shall be funded, and management of the open space (Lot 55 and open space easement on

Lot 28 of TM 5538) shall be transferred to the County of San Diego Department of Parks and Recreation

estimate provided the installed vegetation meets the success criteria specified in the approved Resource Conservation Plan. d. Following plan implementation and before release of the Secured Agreement and cash deposit, the

(DPR) or another conservation group or agency as approved by the County and Wildlife Agencies.

e. The endowment holder shall be either the County, CDFG, or another entity approved by the County and the

f. The applicant shall provide evidence as to the acceptance of the management responsibility and endowment amount by the proposed Resource Manager.

Documentation: The executed Agreement, and the security shall be submitted to the [DPLU, Landscape Architect] for final review and approval. Timing: the approval of any grading plan, improvement plan, and issuance of building permit. Monitoring: The [DPLU, LA] shall review and sign the Agreement for the Director of DPLU and ensure the security is received by [DPLU, FISCAL] and provide a confirmation letter—acknowledging acceptance of the security.

ROUGH GRADING: (Prior to rough grading approval and issuance of any building permit).

GP16. BIOLOGICAL MONITORING FINAL REPORT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent: Comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to TM 5538 and the County of San <u>Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological</u> Resources. Description of Requirement: The Project Biologist shall prepare and submit a final letter report substantiating his/her supervision of the grading activities and substantiating that grading did not impact sensitive biological resources, that open space easements were avoided during the grading construction, and that no impacts or encroachment into the open space occurred. The report shall conform to the <u>County of</u> San Diego Report Format Guidelines for Biological Resources. It shall also include but not be limited to the

a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.

b. Monitoring logs showing the date and time that the monitor was on site.

c. Photos of the site after the grading and clearing activities.

Documentation: The applicant shall submit the final biological monitoring report to the [DPLU, PCC] for review and approval. Timing: Upon completion of all grading activities, and prior to Rough Grading final Inspection (Grading Ordinance SEC 87.421.a.2), the final report shall be completed. Monitoring: The [DPLU, PCC] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is

FINAL GRADING RELEASE: (Prior to any occupancy, final grading release, or use of the premises in reliance of

### (BIOLOGICAL RESOURCES)

OPEN SPACE SIGNAGE & FENCING: [DPLU, PCC] [DPW, PDCI] [FG, UO] [DPLU, FEE]. Intent: Protect the biological open space. Description of Requirement: The permanent fences and open space signs shall be installed along the perimeter of the open space easements on Lot 55 and Lot 28 as described in the approved Resource Conservation Plan and shown on the plans and the Approved Conceptual Grading and

a. Materials and design of fence and/or wall shall conform to the East Otay Mesa Specific Plan, subject to approval by the Department of Planning and Land Use. Fencing along Lone Star Road shall provide biological protection equivalent to chain link fencing. Fencing along the remaining open space perimeter shall be three-strand non-barbed wire. Fence or wall height shall be no less than four feet and no more

b. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.

b. The signs must be placed at intervals of 100 feet or less, corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the

Sensitive Environmental Resources Area Restricted by Easement Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego, Department of Planning and Land Use Reference: TM 5538

Documentation: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [DPLU, PCC]. Timing: Prior to the occupancy of any structure or use of the premises, and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3) the fencing and signage shall be installed. Monitoring: The [DPLU, PCC] shall review the photos and statement for compliance with this

GP18. SPILL PREVENTION: [DPLU, PCC] [DPW, PDCI] [DPLU, FEE]. Intent: Protect drainages and open space easements from fuel spills pursuant to County Grading Ordinance Section 87.112. Description of Requirement: Prior to issuance of a grading permit, grading plans shall require "no fueling" zones within 25 feet of all drainages and open space easements during construction; the maintenance and inspection of all construction—related equipment; the immediate repair of all major construction equipment leaks; and the placement of emergency spill provisions near drainage crossings during construction. Documentation: The applicant shall provide a letter statement to the [DPLU, PCC] stating that the above requirements were met. Timing: Prior to Final Grading Release the letter shall be submitted. Monitoring: The [DPW, PDCI] shall monitor grading operations for spill prevention compliance.

## (CULTURAL RESOURCES)

GP19. CULTURAL RESOURCES REPORT: [DPLU, PCC] [UO, FG] [DPLU, FEE X2]. Intent: Ensure that the Grading Monitoring occurred during the grading phase of the project pursuant to condition 37. Description of Requirement: A final Grading Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

a. Department of Parks and Recreation Primary and Archaeological Site forms.

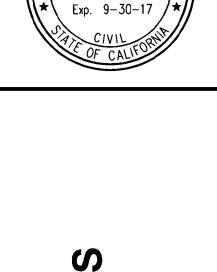
b. Daily Monitoring Logs

c. Evidence that all cultural resources collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to an appropriate curation facility in San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

d. If no cultural resources are discovered, a brief letter to that effect must be submitted stating that the grading monitoring activities have been completed. Daily Monitoring Logs must be submitted with the

Documentation: The applicant's archaeologist shall prepare the final report and submit it to the [DPLU, PCC] for approval. Timing: Prior to any occupancy or final grading release for all Units, the final report shall be prepared. Monitoring: The [DPLU, PCC] shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, [DPLU, PCC] shall inform [DPW, LDR] and [DPW, PDCI, that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [DPLU, PCC] shall inform [DPLU, FISCAL] to release the bond back to the applicant.





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b. If owls are present in the burrows: