

7.0 LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

7.1 Mitigation Measures

Traffic/Transportation

Mitigation for Impact M-TR-1: Cumulative Impact to Camino del Rey from Mission Road to Old River Road

TR-1 Prior to issuance of building permits, the proposed project shall participate in the County's Transportation Impact Fee (TIF) program by paying applicable development fees.

Agricultural Resources

Mitigation for Impact AG-1: Farmland of Statewide Importance: The project results in the conversion of 6.0 acres of PeC soils, which are characterized as Statewide Significance Soils and mapped as Farmland of Statewide Importance per the Farmland Mapping and Monitoring Program (FMMP).

AG-1 **Intent:** In order to protect agricultural resources, a 22.6-acre Agricultural Open Space Easement shall be granted over the areas shown on Tentative Map 5276 and Figure 2.2-1 of the Environmental Impact Report (EIR).

Description of Requirement: Grant to the County of San Diego by separate document, a 22.6-acre Agricultural Open Space Easement as shown on the Tentative Map. The purpose of the easement is to protect the viability of agricultural uses in the easement area. The easement prohibits all non-agricultural uses, including the construction or placement of any residence, garage, or recreational amenities.

1. The only exceptions to this prohibition are:
 - a. Construction and maintenance of access, wells, and water distribution systems for agricultural purposes,
 - b. Grading or clearing for agricultural purposes,
 - c. Fuel management activities by written order of the Fire Marshal,
 - d. Construction and maintenance of approved septic systems,
 - e. Percolation and other tests for septic systems and agricultural purposes, and
 - f. Activities necessary to restore agricultural soils during septic system and other permitted construction.

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2. The easement shall require the development and execution of an Agricultural Open Space Maintenance Agreement between the County and applicant. This Agreement may be transferred to individual property owners or the Home Owners Association (HOA) if one is formed. The Maintenance Agreement will address and include:
 - a. Construction and maintenance of agricultural fencing and signage to be placed along the easement boundaries and installed prior to approval of Grading and/or Improvement Plans;
 - b. Signage will be corrosion resistant, a minimum size of six inches by nine inches, spaced 100 feet apart, and attached to fencing not less than three feet in height from the ground surface, stating “County Easement: Agricultural Uses Only (Project Ref: 3100-5176)”;
 - c. Maintenance of wells and water distribution systems for use in the 22.6-acre Agricultural Open Space and then for other agricultural uses on the project site;
 - d. Construction and maintenance of leach field areas (original soils will be restored/replaced during septic system construction); and,
 - e. Evidence that security has been established for operations listed in (a) through (d), to recover costs over a 10-year period, and to be based on a cost estimate provided by the applicant and approved by the Director of DPLU, prior to approval of the Final Map.

Cultural Resources

Impact CR-1: Direct Impact to Undiscovered Archaeological Resources due to Project Grading

CR-1 To mitigate for potential direct impacts to undiscovered archaeological resources, during grading, the applicant shall implement a grading monitoring program to the satisfaction of the Director of Planning and Land Use that shall include, but not be limited to the following requirements:

- Provide evidence that a County approved archaeologist has been contracted to implement a grading monitoring and data recovery program to the satisfaction of the Director of Planning and Land Use. A letter from the Principal Investigator shall be submitted to the Director of Planning and Land Use.
- The project archaeologist shall contract with a Native American monitor to be involved with the grading monitoring program as outlined in the County of San Diego Report Format and Content Guidelines (2007).
- The County approved archaeologist and Native American monitor shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program as outlined in the County of San Diego Report Format and Content Guidelines (2007).
- The project archaeologist shall monitor all areas identified for development including off-site improvements.
- An adequate number of monitors (archaeological/Native American) shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored.

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- During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be on-site full-time to perform full-time monitoring. 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 Principal Investigator in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.
- Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.
- In the event that previously unidentified potentially significant cultural resources are discovered, the archaeologist 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. The archaeologist shall contact the County Archaeologist at the time of discovery. The archaeologist, in consultation with County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Principal Investigator and approved by the County Archaeologist, then carried out using professional archaeological methods.
- If any human bones are discovered, the Principal Investigator shall contact the County Coroner. 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.
- Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Principal Investigator shall determine the amount of material to be recovered for an adequate artifact sample for analysis.
- In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading monitoring program shall be processed and 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 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. 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.
- Monthly status reports shall be submitted 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 the overall monitoring program.
- In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction

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of the Director of Planning and Land Use prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site forms.

- In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

7.2 Design Considerations

Aesthetics

- The project shall adhere to all requirements of the San Diego County Light Pollution Code to reduce potential for night sky pollution.

Air Quality

During project construction and grading, the following controls will be in place:

- Apply soil stabilizers to inactive areas
- Replace ground cover in disturbed areas as soon as possible
- Control during equipment loading/unloading
- Water active sites and haul roads a minimum of twice daily
- Reduce speeds on unpaved roads to 15 mph

Biological Resources

- The drainage on the project site will be within an Agricultural Open Space easement; therefore, there will be no change from the existing agricultural conditions.
- The project has been designed to avoid impact to southern coast live oak riparian forest located off-site to the northeast of proposed Lot 16. This area will be protected from off-site fire clearing by a dedicated Agricultural Open Space easement, to extend no less than 100 feet outwards from the property boundary in the vicinity of the off-site southern coast live oak riparian forest. This easement is approximately 150 feet away from the off-site oak riparian forest habitat. Therefore, in addition to prohibiting the construction of any habitable structures that might require off-site fire clearing into the southern coast live oak riparian forest, an adequate wetland buffer is included in the easement where it exists on-site and no changes from the existing agricultural conditions are allowed.

Cultural Resources

- If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the

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inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Fire Safety

- The project proposes fuel modification around each of the residential pads, as depicted in Figures 1-3 and 1-4 of the EIR. Fuel modification will occur in several zones. The first zone, represented in blue on Figures 1-3 and 1-4, is the Irrigated Zone and covers the first 50 feet from the future homes, or to the northern property line. This zone is maintained by the home owner and requires a permanent irrigation system to be installed and maintained and limits the types of landscaping to those species that are on the County's Suggested Plant List for a Defensible Space. No combustible structures, such as decks, patio covers or gazebos will be permitted within this area. The second zone is the Thinning Zone, as depicted in orange on Figures 1-3 and 1-4. The Thinning Zone is also maintained by the home owner and begins at the outer edge of the Irrigated Zone and extends for a distance of 50 feet. The Thinning Zone is a non-irrigated zone and includes all natural and manufactured slopes. All exotic and flammable native plants shall be removed and the remaining plants shall be thinned by 50 percent. The thinning will be ongoing and occur throughout year. Additional fuel modification is identified for the 30 feet adjacent to roadways and driveways, as well as for off-site property owners, as depicted on Figures 1-3 and 1-4. For Lot 27, the first zone will be 90 rather than 50 feet with no Zone 2 area.
- The fuel management zones will be required to be shown on the grading plans.
- The off-site fuel modification zones south of Lots 20 and 21 shall be conveyed to the County of San Diego prior to the recordation of the Final Map.
- All newly constructed structures will be built to the Enhanced Fire-Resistive Construction Requirements, as identified in Appendix D of Appendix J of the EIR.
- Install automatic interior sprinkler systems per National Fire Protection Association Standards.
- Tempered glass shall be used in at least one panel of all windows and openings in the outer walls.
- Future lot owners are personally responsible for all fuel treatment measures within their property lot. Where these zones extend onto an adjoining lot within the development, the lot owner benefiting from the fuel treatment shall be allowed to perform the work on the adjacent property.
- All property owners will be members of a Home Owners' Association (HOA), if in force, and will financially support the annual maintenance of all required Fuel Modification Areas within the common areas of the subdivision.
- All roadside fuel treatment within the subdivision as shown on the Fuel Modification Zone Map (Figures 1-3 and 1-4) is the maintenance responsibility of the HOA or applicable property owner except for private driveways which is the maintenance responsibility of the individual lot owners.
- All property owners will financially support their share of the annual maintenance of all required roadside fuel treatment of private roads leading from West Lilac Farms to West Lilac Drive.
- The HOA Board or the property owners will have the authority for enforcing required fuel treatment measures on all lots and restrictions on combustible structures on all areas.
- Trash dumping or disposal of yard trimmings in the fuel treatment zones shall not be allowed.

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- The Fuel Treatment Zones, as depicted in Figures 1-3 and 1-4 shall be shown on the conditions, covenants, and restrictions (CC&Rs) and recorded against all lots. The HOA will be responsible for enforcing all required fuel modification treatments on all lots.
- The HOA Board will be responsible to the Deer Springs Fire Protection District (DSFPD) Fire Marshal for the completion of all required Fuel Modification Treatments prior to the annual fire season. This includes the perpetual management of invasive species (exotics) in any zone required for approval of this development.
- All individual yard landscaping plans, including additional structures, will comply with the Fire Protection Plan (Appendix J of EIR). Landscape plans shall be approved by the HOA Board, if in force, and any disputes relating to HOA Board approval of individual yard landscaping, with regard to interpretation of the Fire Protection Plan, will be decided by the DSFPD Fire Marshal. The Fire Marshal's decision will be final and binding on the landowner and future owners of the lots.
- Trees shall be placed and maintained so that their crown cover at maturity will be more than ten feet from any structure.
- All plants will be in accordance with the San Diego County recommended plant list or as approved by the San Diego County Fire Marshal.
- Upon the sale of a lot to a new owner a copy of the Fire Protection Plan (Appendix J of EIR) shall be provided as a condition of the sale.
- The DSFPD will be designated as a third party beneficiary of a homeowners' association's duty to perform "Fire Prevention Maintenance" for all portions of the Association Property (or Common Area) that constitute Fuel Modification Zones to be maintained by the homeowners' association, and of any Owner's duty to comply with any Fuel Modification Zone restrictions applicable to their lot.
- The DSFPD shall have the right, but not the obligation, to enforce the property owners' or HOA's duty to perform such Fire Prevention Maintenance, and to enforce compliance by any Owner with any Fuel Modification Zone restrictions applicable to their lot. In furtherance of such right, the DSFPD shall be entitled to recover its costs of suit, including its actual attorneys' fees, if it prevails in an enforcement action against a homeowners' association and/or an individual lot owner.
- Firewood shall not be stored in unenclosed space beneath a building or structure, on a deck or under eaves, a canopy or other projection or overhang. When required by the fire code official, firewood or other combustible material stored in the defensible space surrounding a structure shall be located at least 30 feet from any structure and separated from the crown of any trees by a minimum of 15 feet, measured horizontally. Firewood and combustible materials not for use on the premises shall be stored so as not to pose a fire hazard.
- Brush/tree removal shall be completed prior to allowing any combustible material being delivered to the building site and the owner shall maintain the fuel modification zone during the duration of the project.
- During construction, at least 50 feet of clearance around the structures shall be kept free of all flammable vegetation as an interim fuel modification zone during construction of structures.
- No occupancy permit for any structure shall be issued until all the required fuel modifications zones specified in Figures 1-3 and 1-4 are established.

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- If the landowner is aware of any state or federal listed species on their property, the United States Fish and Wildlife Service will be notified prior to the abatement.
- Debris and trimmings produced by thinning and pruning will be removed from the site, or, if left, shall be converted into mulch and evenly dispersed to a maximum depth of four inches. Such trimmings will not be within 50 feet of structures.
- Any damaged or replacement window, siding, roof coverings, vent, and specific non-combustible wall will meet or exceed the original intent of the fire protection discussed in this plan.
- New property owners shall be provided with information regarding the wildfire mitigation efforts necessary for community fire safety that are contained in the fire protection plan.
- The HOA, if in force, shall yearly provide the lot owners with information regarding the wildfire mitigation efforts necessary for community fire safety that are contained within the Fire Protection Plan (Appendix J of EIR).
- Street name signs will be installed in accordance with San Diego County standards and in accordance with DSFPD requirements.
- The project includes the installation of nine fire hydrants as required by the DSFPD. Fire flow will meet DSFPD requirements of 1,500 gallons per minute at 20 pounds per square inch (PSI).
- Road and hydrant improvements will be installed and serviceable prior to the issuance of a building permit as mandated by the DSFPD.

Hydrology and Water Quality

Construction BMPs

- Rip rap energy dissipaters
- Provide silt fences, jute mats, track rolling, etc., on slopes.
- Bonded fiber matrix slope protection and stabilized construction entrances.
- Control erosion by soil stabilization methods such as watering, planting, covering, etc.
- Install, or have ready to install, gravel bags, straw bale dikes, earth dikes, fiber rolls, etc., at appropriate locations.
- Construct a stabilized construction entrance/exit and tire wash.
- Permanent revegetation of all disturbed uncovered areas.

Post-Construction BMPs

- Minimal impervious areas- Reduced length of streets and use of cul-de-sacs.
- Natural drainage swales vegetated with seasonal plants and grasses for filtration for storm runoff.
- Residences will be setback to provide drainage from rooftops into landscaped areas.
- Rip rap energy dissipaters located at all storm drain and spillway outfalls.
- Implement a homeowner education program regarding storm water runoff will be implemented.
- Roof drainages will deposit into landscaped areas.

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- Storm water runoff will be conveyed under the access roads through culvert undercrossings.
- Rip rap energy dissipaters will be located at spillways and culvert outfalls to provide runoff velocity reduction.
- Runoff from private streets will be deposited into vegetated swales.
- Storm runoff will be filtered through landscaping and vegetated swales.

Low Impact Development (LID) Features

- Maintenance of the LIDs on the building pads will be the responsibility of the individual property owners.
- Maintenance of the LIDs for the private roads will be the responsibility of the HOA, if in effect. The HOA will be given the authority to ensure the long-term preservation and maintenance of the homeowners' on-site LIDs via the CC&Rs. If an HOA is not in effect, then the individual property owners will be responsible for maintaining the LIDs on their properties.
- A specific plan, design, and maintenance of the LIDs for the private roads will be implemented during the final engineering phase of the development.
- A specific plan, design, and maintenance of the LIDs for the building pad area will be implemented during the Building Permit Phase of the development.
- The project incorporates the following LID features:
 - Bio-filtration basins
 - Preservation of natural drainages
 - Preservation of trees
 - Set-back development envelopes from drainages
 - Restrict heavy construction equipment access to planned green/open space areas.
 - Re-till soils compacted by construction vehicles/equipment
 - Collect and reuse upper soil layers of development site containing organic materials
 - Curb cuts to landscaping
 - Use of rural swales
 - Pitch pavement towards landscaping
 - Downspouts drain to swales
 - Reuse of native soils
 - Use of smart irrigation systems

Noise

- Site grading and/or the removal of vegetation on Lot 16 from January 1 to August 31 will require a pre-construction nesting survey to preclude sensitive nesting birds in the adjacent riparian areas. If the pre-construction survey indicates the presence of sensitive birds, then a noise report shall be prepared and submitted to the County and shall include measures to reduce noise during construction in the occupied habitat to maintain noise at or below the standard noise levels of 60 A-weighted decibels (dB(A)), or the noise producing construction activities shall be prohibited until after the breeding season.
- If construction noise levels exceed 75 dB(A) L_{eq} at the property line of adjacent occupied property, eight-foot tall temporary noise barriers will be installed.

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Traffic/Transportation

- Widen Aqueduct Road to 24 feet of pavement on 28 feet of graded width.
- Widen Via Ararat to provide 22.5 feet of pavement and place four-inch white edge line along each side of the roadway and place delineators or reflective markings at each power pole along Via Ararat.
- Neighboring residents have raised concerns about the project traffic utilizing the private road Via Urner Way, as a cut-through route to get to Old Highway 395. Via Urner Way is located south of the project access point of Aqueduct Road and Street “A”. To ameliorate this concern, the HOA or project applicant will install and maintain a “Left Turn Only” sign at the Street “A” exiting onto Aqueduct Road. The signage will direct project traffic to travel north on Aqueduct Road and away from Via Urner Way and minimize any cut through traffic onto Via Urner Way to Old Highway 395.

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