

CHAPTER 7 LIST OF MITIGATION MEASURES

The following provides a consolidated list of mitigation measures for the Proposed Project for each environmental topic addressed in Chapter 2 of this environmental impact report (EIR). Through an extensive environmental constraints analysis, the Applicant (San Diego Gas & Electric) has designed the Proposed Project layout to avoid environmental constraints. Chapter 1, Project Description, describes the project as proposed by the Applicant and is used as the basis for the environmental analysis conducted. No project design features are associated with implementation of the Proposed Project; however, the Proposed Project does include an approximately 184-acre Open Space Preserve that includes approximately 181 acres of habitat, which will in perpetuity preserve wildlife movement and sensitive biological resources and protect cultural resources.

7.1 Aesthetics Mitigation Measures

- M-AE-1** Inverter enclosures shall be painted with a flat, non-reflective grayish or dark-green color to match the color of surrounding Project components and the existing landscape. Alternatively, enclosure walls shall have a coarse texture (such as a split-face concrete block) to reduce reflectivity and blend with surrounding vegetation; flat building surfaces should be avoided.
- M-AE-2** The installation of water tanks atop elevated landforms shall be avoided. If the installation of water tanks atop elevated landforms is required by San Diego Rural Fire Protection, then water tanks shall be installed with the top of the tank no more than 8 feet above the native terrain. Any remaining visible tank surface shall be painted with a flat, non-reflective grayish or dark-green color to match the color of surrounding Project components and the existing landscape.
- M-AE-3** Prior to the end of one year from the date of building permit issuance, the Project Applicant shall submit a Decommissioning Plan that shall at a minimum identify removal of all above-grade structures from the site and any non-shared transmission facilities, associated decompaction activities, recontouring, application of hydroseeding, and, if necessary, installation of permanent best management practices (BMPs). The Project shall comply with all requirements of San Diego Regional Water Quality Control Board General Construction Permit for Notice of Termination filing associated with site stabilization.
- M-AE-4** Energy storage containers shall be painted a flat, nonreflective color to match the color of surrounding Project components and the existing landscape.

7.2 Biological Resources Mitigation Measures

M-BI-1 To prevent inadvertent disturbance to areas outside the limits of grading, temporary fencing shall be installed and all grading shall be monitored by a biologist.

Temporary Fencing. In order to prevent inadvertent disturbance to sensitive biological resources, temporary construction fencing shall be installed. Temporary fencing is required in all locations of the project where proposed grading or clearing is within 300 feet of an open space easement boundary. The placement of such fencing shall be approved by the County of San Diego (County) Department of Planning and Development Services (PDS). Upon approval, the fencing shall remain in place until the conclusion of grading activities, after which the fencing shall be removed.

Monitoring. A County-approved biologist (Project Biologist) shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The following shall be completed:

1. The Project Biologist shall perform the monitoring duties before, during, and after construction pursuant to the most current version of the County *Biological Report Format and Requirement Guidelines* and this permit. The contract provided to the County shall include an agreement that this will be completed, and a Memorandum of Understanding (MOU) between the biological consulting company and the County shall be executed. The contract shall include a cost estimate for the monitoring work and reporting. In addition to performing monitoring duties pursuant to the most current version of the County *Biological Report Format and Requirement Guidelines*, the Project Biologist also will perform the following duties:
 - a. Attend the preconstruction meeting with the contractor and other key construction personnel prior to clearing, grubbing, or grading to reduce conflict between the timing and location of construction activities with other mitigation requirements (e.g., seasonal surveys for nesting birds).
 - b. Conduct meetings with the contractor and other key construction personnel describing the importance of restricting work to designated areas prior to clearing, grubbing, or grading.
 - c. Discuss procedures for minimizing harm to or harassment of wildlife encountered during construction with the contractor and other key construction personnel prior to clearing, grubbing, or grading.

- d. Review and/or designate the construction area in the field with the contractor in accordance with the final grading plan prior to clearing, grubbing, or grading.
 - e. Conduct a field review of the staking to be set by the surveyor, designating the limits of all construction activity prior to clearing, grubbing, or grading.
 - f. Be present during initial vegetation clearing, grubbing, and grading.
 - g. Flush special-status species (i.e., avian or other mobile species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities.
 - h. To address hydrology impacts, the Project Biologist shall verify that grading plans include a Stormwater Pollution Prevention Plan (SWPPP) (if required, or equivalent); see M-BI-2 for required best management practices (BMPs).
2. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works (DPW), or bond separately with the County Department of Planning and Development Services (PDS).

Documentation: The applicant shall provide a copy of the biological monitoring contract, cost estimate, and MOU to the PDS. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate.

Timing: Prior to approval of any grading and or improvement plans and issuance of any grading or construction permits.

Monitoring: The PDS shall review the contract, MOU, and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to the Project Manager, for inclusion in the grading bond cost estimate, and grading bonds. The DPW shall add the cost of the monitoring to the grading bond costs.

M-BI-1 is intended to mitigation for **Impacts BI-SP-1, BI-SP-3, BI-W-1, BI-W-4, BI-W-8, BI-W-9, BI-V-1, BI-V-4, BI-V-6, BI-WM-1, and BI-C-2.**

M-BI-2

If required, the SWPPP will include, at a minimum, the BMPs listed below. The combined implementation of these requirements shall protect adjacent habitats and special-status species during construction to the maximum extent practicable. At a minimum, the following measures and/or restrictions shall be incorporated into the SWPPP and noted on construction plans, where appropriate, to avoid

impacts on special-status species, special-status vegetation communities, and/or jurisdictional waters during construction. The Project Biologist shall verify the implementation of the following design requirements:

1. No planting or seeding of invasive plant species on the most recent version of the California Invasive Plant Council (Cal-IPC) California Invasive Plant Inventory for the Project region will be permitted.
2. Location and details will be provided for dust-control fencing, if any.
3. Construction activity will not be permitted in jurisdictional waters of the United States/state except as authorized by applicable law and permit(s), including permits and authorizations approved by the U.S. Army Corps of Engineers (ACOE), California Department of Fish and Wildlife (CDFW), and Regional Water Quality Control Board (RWQCB).
4. Silt settling basins installed during the construction process will be located away from areas of ponded or flowing water to prevent discolored, silt-bearing water from reaching areas of ponded or flowing water during normal flow regimes.
5. Temporary structures, staging, and storage areas for construction equipment and/or materials will not be located in jurisdictional waters, including wetlands and riparian areas.
6. Any equipment or vehicles driven and/or operated within a jurisdictional waters of the United States/state will be checked and maintained by the operator daily to prevent leaks of oil or other petroleum products that could be deleterious to aquatic life if introduced to the watercourse.
7. No stationary equipment, such as motors, pumps, generators, and welders, or fuel storage tanks will be located within jurisdictional waters of the United States/state.
8. No debris, bark, slash sawdust, rubbish, cement, or concrete, or washing thereof, oil, or petroleum products will be stored where it may be washed by rainfall or runoff into jurisdictional waters of the United States/state.
9. When construction operations are completed, any excess materials or debris will be removed from the work area.
10. No equipment maintenance will be performed within or near jurisdictional waters of the United States/state where petroleum products or other pollutants from the equipment may enter these areas.

11. Fully covered trash receptacles that are animal-proof and weather-proof will be installed and used by the operator to contain all food, food scraps, food wrappers, beverage containers, and other miscellaneous trash. Prohibit littering and remove trash from construction areas daily. All food-related trash and garbage shall be removed from the construction sites on a daily basis.
12. Pets on or adjacent to construction sites will not be permitted by the operator.
13. Enforce speed limits in and around all construction areas. Vehicles shall not exceed 15 miles per hour on unpaved roads and the right-of-way accessing the construction site or 10 miles per hour during the night.

M-BI-2 is intended to mitigation for **Impacts BI-SP-1, BI-SP-3, BI-W-1, BI-W-4, BI-W-8, BI-W-9, BI-V-1, BI-V-4, BI-V-6, BI-WM-1, and BI-C-2.**

M-BI-3

To ensure that the biological monitoring occurred during the grading phase of the Project, a final biological monitoring report shall be prepared. The Project Biologist shall prepare a final biological monitoring report. The report shall substantiate the supervision of the grading activities, and state that grading or construction activities did not impact any additional areas or any other special-status biological resources. The report shall conform to the *County Report Format Guidelines for Biological Resources*, and include the following items:

1. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities
2. Monitoring logs showing the date and time that the monitor was on site
3. Photos of the site after the grading and clearing activities.

Documentation: The Project Biologist shall prepare the final report and submit it to the PDS for review and approval.

Timing: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be approved.

Monitoring: The PDS shall review the final report for compliance with this condition and the report format guidelines. Upon approval of the report, PDS shall inform DPW that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then PDS shall inform DPW to release the bond back to the applicant.

M-BI-3 is intended to mitigation for **Impacts BI-SP-1, BI-SP-3, BI-W-1, BI-W-4, BI-W-8, BI-W-9, BI-V-1, BI-V-4, BI-V-6, BI-WM-1, and BI-C-2.**

M-BI-4 The Applicant will preserve in permanent open space 180.4 acres of native habitats¹ generally consistent with the assemblage of vegetation communities impacted by the Project in an on-site Open Space Preserve area. This will include preservation of 183.5 acres (including 180.4 acres of native habitats) to mitigate for Project impacts to 99.9 acres of special-status upland vegetation communities, thereby preserving compensatory habitat that provides equal or greater benefit to plant and wildlife species. Proposed on-site Open Space Preserve has already been evaluated (see Appendix I of Appendix 2.2-1) and may be used to satisfy this requirement.

In order to provide for the long-term management of the proposed Open Space Preserve, a Resource Management Plan (RMP) will be prepared and implemented. The final RMP will be completed to the satisfaction of the Director of PDS or Department of Parks and Recreation (DPR), as follows: (1) the plan will be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements; (2) the habitat land to be managed will be owned by a land conservancy or equivalent; (3) open space easements will be dedicated in perpetuity; (4) a resource manager will be selected and approved, with evidence provided demonstrating acceptance of this responsibility; (5) the RMP funding mechanism will be identified and adequate to fund annual costs for implementation; and (6) a contract between the Applicant and County will be executed for the implementation of the RMP, and funding will be established with the County as the third party beneficiary.

Open Space Signage and Barriers. In order to protect the proposed open space easement from entry, informational signs will be installed, where appropriate, along all open space edges where open space is adjacent to Old Highway 80 and on-site dirt roads, and as indicated in the final RMP. The signs must be corrosion resistant, a minimum of 6 inches by 9 inches in size, on posts not less than 3 feet in height from the ground surface, and state “Sensitive Environmental Resources Protected by Easement. Entry without express written permission from the County of San Diego is prohibited.”

Additionally, some barriers will be constructed at select areas along the preserve boundary and within the Open Space Preserve in order to prevent access to the wider wash located in the western portion of the Open Space Preserve. These barriers may consist of large boulders, K-Rail barriers, fencing, or similar material

¹ Only considers habitat with equivalent function or value. An additional 3.1 acres is disturbed land (not included in the habitat with equivalent function or value acreage).

that will prevent OHV use but allow natural water flow to occur. Where barriers occur at drainages, ACOE and CDFW will be consulted regarding their placement such that no additional permitting is required.

M-BI-4 is intended to mitigation for **Impacts BI-SP-2, BI-SP-4, BI-W-3, BI-W-6, BI-W-7, BI-W-9, BI-V-2, BI-V-3, BI-V-5, BI-V-7, BI-WM-2, BI-WM-3, BI-WM-4, and BI-C-1.**

M-BI-5 Operation and maintenance personnel will be prohibited from:

1. Harming, harassing, or feeding wildlife and/or collecting special-status plant or wildlife species
2. Traveling (either on foot or in a vehicle) outside of the Project footprint in undisturbed portions of the Project area
3. Bringing pets on the Project area
4. Littering on the Project area
5. Allowing persons not employed at the facility to remain on site after daylight hours or exceeding normal nighttime operational noise or lighting.

M-BI-5 is intended to mitigation for **Impacts BI-SP-4, BI-W-1, BI-W-9, BI-V-5, and BI-V-7.**

M-BI-6 If construction work (i.e., grading, fence installation, trenching, auguring, lifting and setting in place panels using tractors or other similar equipment, and building construction) must occur during the avian nesting season (February 1 to August 31, and as early as January 1 for some raptors), the applicant shall have surveys conducted by a qualified biologist to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the impact area or within 300 feet (500 feet for raptors) of the impact area.

If active nests are found, clearing and construction within 300 feet of the nest (500 feet for raptors) shall be postponed or halted, at the discretion of the biologist in consultation with CDFW, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers, and construction personnel shall be instructed on the sensitivity of nest areas. A biological monitor shall serve as a construction monitor during those periods

when construction activities will occur near active nest areas to ensure that no inadvertent impacts to these nests occur. Results of the surveys shall be provided to CDFW in the annual mitigation status report.

This measure does not apply to nests that are started on construction equipment or panels or supporting structures.

M-BI-6 is intended as mitigation for **Impacts BI-W-1, BI-W-2, BI-W-5, BI-W-8, and BI-P-1.**

M-BI-7 As a condition on the grading plans, the Project Biologist shall cover and/or provide escape routes for wildlife from excavated areas and monitor these areas daily. All steep² trenches, holes, and excavations during construction shall be covered at night with backfill, plywood, metal plates, or other means, and the edges covered with soils and plastic sheeting such that small wildlife cannot access them. Soil piles will be covered at night to prevent wildlife from burrowing in. The edges of the sheeting will be weighed down by sandbags. These areas may also be fenced to prevent wildlife from gaining access. Exposed trenches, holes, and excavations shall be inspected twice daily (i.e., each morning and prior to sealing the exposed area) by a qualified biologist to monitor for, and release wildlife, if they become entrapped. All excavations shall provide an earthen ramp to allow for a wildlife escape route.

M-BI-7 is intended to mitigation for **Impacts BI-W-1 and BI-W-4.**

M-BI-8 The Applicant shall develop a Fugitive Dust Control Plan in compliance with San Diego County Air Pollution Control Regulations to reduce particulate matter less than 10 microns (PM₁₀) and fine particulate matter less than 2.5 microns (PM_{2.5}) emissions during construction. The Fugitive Dust Control Plan shall include:

1. Name(s), address(es), and phone number(s) of person(s) responsible for the preparation, submission, and implementation of the plan.
2. Description and location of operation(s).
3. Listing of all fugitive dust emissions sources included in the operation.
4. The following dust control measures shall be implemented:
 - a. The road leading to the facility entrance shall be paved as early as practical during construction.

- b. All other on-site unpaved roads shall be effectively stabilized using soil stabilizers that can be determined to be as efficient, or more efficient for fugitive dust control than California Air Resources Board–approved soil stabilizers, and that it shall not increase any other environmental impacts including loss of vegetation.
- c. All material excavated or graded will be sufficiently watered to prevent excessive dust. Watering will occur as needed with complete coverage of disturbed areas. The excavated soil piles are watered hourly for the duration of construction or covered with temporary coverings.
- d. Construction activities that occur on unpaved surfaces will be discontinued during windy conditions when winds exceed 25 miles per hour and when those activities cause visible dust plumes. All grading activities shall be suspended when wind speeds are greater than 30 miles per hour.
- e. Track-out shall not extend 25 feet or more from an active operation, and track-out shall be removed at the conclusion of each workday.
- f. All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).
- g. Soil loads should be kept below 18 inches of the freeboard of the truck.
- h. Drop heights should be minimized when loaders dump soil into trucks.
- i. Traffic speeds on unpaved roads shall be limited to 25 miles per hour.
- j. Disturbed areas should be minimized.
- k. Disturbed areas should be revegetated as soon as possible after disturbance.

M-BI-8 is intended to mitigate for **Impacts BI-SP-3, BI-SP-4, BI-W-8, BI-W-9, BI-V-5, BI-V-6, BI-V-7, and BI-C-2.**

M-BI-9

Prior to installation of any landscaping, plant palettes shall be reviewed by the Project Biologist to minimize the effects that proposed landscape plants could have on biological resources outside of the Project footprint due to potential naturalization of landscape plants in the undeveloped lands. Landscape plants will not include invasive plant species on the most recent version of the Cal-IPC California Invasive Plant Inventory for the Project region. Landscape plans will include a plant palette composed of native species that do not require high irrigation rates.

M-BI-9 is intended to mitigate for **Impacts BI-SP-4, BI-W-9, and BI-V-7.**

M-BI-10 To minimize the potential exposure of the Project area to fire hazards, all features of the Jacumba Solar Energy Project Fire Protection Plan (Appendix 2.4-2 of the Jacumba Solar Energy EIR) shall be implemented in conjunction with development of the Jacumba Solar Energy Project.

M-BI-10 is intended to mitigate for **Impacts BI-SP-4, BI-W-9, BI-V-5, and BI-V-7.**

M-BI-11 Weed control treatments shall include all legally permitted chemical, manual, and mechanical methods applied with the authorization of the San Diego County agriculture commissioner. The application of herbicides shall be in compliance with all state and federal laws and regulations under the prescription of a pest control adviser (PCA) and implemented by a licensed applicator working for the Project owner. Where manual and/or mechanical methods are used, disposal of the plant debris will follow the regulations set by the San Diego County agriculture commissioner. The timing of the weed control treatment shall be determined for each plant species in consultation with the PCA, the San Diego County agriculture commissioner, and Cal-IPC with the goal of controlling populations before they start producing seeds. Weed treatment shall occur at least once per year throughout the life of the Project.

M-BI-11 is intended to mitigate for **Impacts BI-SP-4, BI-V-5, and BI-V-7.**

M-BI-12 As a condition on the grading plans, minimize night construction lighting adjacent to native habitats. Lighting of construction areas at night shall be the minimum necessary for personnel safety and shall be low illumination, selectively placed, and directed/shielded appropriately to minimize lighting in adjacent native habitats.

M-BI-12 is intended to mitigate for **Impact BI-W-8.**

M-BI-13 Provide evidence to the Director of PDS that all transmission towers and lines are designed to conform to Avian Power Line Interaction **Committee** (APLIC) standards. The Proposed Project shall implement recommendations by the APLIC (2006), which will protect raptors and other birds. The evidence will be provided to PDS prior to approval of the building permit.

M-BI-13 is intended to mitigate for **Impacts BI-W-9 and BI-WM-5.**

M-BI-14 To comply with the state and federal regulations for impacts to waters of the United States/state, the following agency permits are required, or verification that they are not required shall be obtained.

1. The following permit and agreement shall be obtained, or provide evidence from the respective resource agency satisfactory to the director of the

Department of Planning and Development Services (PDS) that such an agreement or permit is not required:

- a. A Clean Water Act, Section 401/404 permit issued by the California RWQCB and the ACOE for all Project-related disturbances of waters of the United States and/or associated wetlands.
 - b. A Section 1602 Streambed Alteration Agreement issued by the CDFW for all Project-related disturbances of any streambed.
2. **Documentation:** The applicant shall consult each agency to determine if a permit or agreement is required. Upon completion of the agency review of this Project, the applicant shall provide a copy of the permit(s)/agreement(s), or evidence from each agency that such an agreement or permit is not required to the PDS for compliance.
 3. **Timing:** Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits.
 4. **Monitoring:** The PDS shall review the permits/agreement for compliance with this condition. Copies of these permits should be transmitted to the Department of Public Works (DPW) for implementation on the grading plans.

M-BI-14 is intended to mitigate for **Impacts BI-V-3** and **BI-V-5**.

M-BI-15 To address avian concerns pertaining to collisions, the project will conduct the following avian monitoring during construction and operations:

1. Implement a Worker Response Reporting System (WRRS). A WRRS will provide a means of recording and collecting information on incidental bird and bat species found dead or injured within the Project area by site personnel. The WRRS will be used by site personnel who discover bird and bat carcasses during construction and routine maintenance activities. Site personnel will be provided a set of standardized instructions to follow in response to wildlife incidents in the Project.
2. During construction, site personnel will notify the Project's biologist to collect the following data on the incidentally detected avian wildlife: species, date, time, location (e.g., nearest Project structure), and how the animal died, if known. Results will be reported to the CDFW and PDS on a quarterly basis unless listed species are involved. During operations, site personnel will collect the same data, take photographs, and notify the Project's environmental manager, who will then notify CDFW and PDS on a quarterly basis unless listed species are involved. In the event of an injury, CDFW will be contacted for instruction on how to handle the situation. Workers will be

trained on the WRRS during the Worker Environmental Awareness Program. The WRRS will be utilized for the life of the Project. In order to accommodate these requirements, a Project biologist will be on retainer throughout the construction period and one should be available during the life of the project to assist in avian identifications and injury cases if needed.

M-BI-15 is intended to mitigate for **Impact BI-WM-5**.

MM-BI-16 Prior to construction, rare plant surveys for Parry's tetracoccus, Tecate tarplant, pink fairy-duster, and Parish's desert-thorn will be conducted to determine presence/absence. If these species are found, the Applicant will develop a rare plant relocation plan within the on-site Open Space (prepared by a biologist with at least 5 years of experience in rare plant relocation) and plant specimens grown from on-site or local seed or cutting sources. The individuals would be planted within the open space to secure a 2:1 mitigation ratio for Parry's tetracoccus and Tecate tarplant and a 1:1 mitigation ratio for pink fairy-duster and Parish's desert-thorn. The rare plant relocation plan shall require the Applicant to submit a revegetation plan including annual monitoring reports for at least 5 years after the replanting to demonstrate the plants have been successfully established at the required mitigation ratio.

MM-BI-16 is intended to mitigated for **Impact BI-SP-2**.

7.3 Cultural Resources Mitigation Measures

M-CR-1 **ARCHAEOLOGICAL MONITORING: [PDS, PCC] [DPW, ESU] [GP, IP, UO] [PDS, FEE X 2]**

INTENT: In order to mitigate for potential impacts to undiscovered buried archaeological resources on the project site, an archaeological monitoring program and potential data recovery program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA).

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 during all grading, clearing, grubbing, trenching, and construction activities. The Grading Monitoring Program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and

Requirements for Cultural Resources, and this permit. The contract or Letter of Acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or Letter of Acceptance shall include a cost estimate for the monitoring work and reporting.

- b. The Project Archaeologist shall provide evidence that a Kumeyaay Native American has also been contracted to perform Native American Grading Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds or bonded separately.

DOCUMENTATION: The applicant shall provide a copy of the Grading Monitoring Contract or Letter of Acceptance from the Project Archaeologist, cost estimate, and MOU to the [PDS, PCC]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate.

TIMING: Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits.

MONITORING: The [PDS, PCC] shall review the contract or Letter of Acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, LDR], for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

OCCUPANCY: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

CULTURAL RESOURCES REPORT [PDS, FEE X2]

INTENT: In order to ensure that the Grading Monitoring occurred during the earth-disturbing phase of the project, a final report shall be prepared.

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. DPR Primary and Archaeological Site forms.

- b. Daily Monitoring Logs
- c. Evidence that all cultural materials have been curated that includes but is not limited to the following:
 - 1. The applicant shall provide evidence that all prehistoric archaeological materials collected during the survey, testing, and grading monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation 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 the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.
 - 2. Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.
- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the grading monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant's archaeologist shall prepare the final report and submit it to the [PDS, PCC] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC).

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared.

MONITORING: The [PDS, PCC] shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, [PDS, PCC] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is

complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PCC] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

GRADING PLAN NOTES

PRE-CONSTRUCTION MEETING: (Prior to Preconstruction Meeting, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

CULT#GR-1 ARCHAEOLOGICAL MONITORING [PDS, FEE X2]

INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The County approved Project Archaeologist and Native American Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and Native American Monitor shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources.

DOCUMENTATION: The applicant shall have the contracted Project Archeologist and Native American attend the preconstruction meeting to explain the monitoring requirements.

TIMING: Prior to the Pre-construction Meeting, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed.

MONITORING: The [DPW, PDCI] shall advise the [PDS, PCC] that the preconstruction conference has taken place.

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

CULT#GR-2 ARCHAEOLOGICAL MONITORING [PDS, FEE X2]

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The Project Archaeologist and Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

- a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American Monitor shall be on site 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 in consultation with the Native American monitor.
- b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist or 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 PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Native American monitor, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. Isolates and clearly non-significant resources shall be minimally documented in the field. Should the isolates or non-significant resources not be collected by the Project Archaeologist, then the Native American monitor may collect the cultural material for transfer to a Tribal Curation facility or repatriation program. A Research Design and Data Recovery Program is required to mitigate impacts to identified significant cultural resources. The Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Native American monitor. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall

include (1) avoidance of Traditional Cultural Properties, (2) reasonable efforts to preserve (avoidance) “unique” cultural resources pursuant to CEQA Section 21083.2(g) or Sacred Sites, (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible, and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

- c. If any human remains are discovered, the property owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission, shall be contacted by the property owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code Section 5097.98, CEQA Section 15064.5 and Health and Safety Code Section 7050.5 shall be followed in the event that human remains are discovered.

DOCUMENTATION: The applicant shall implement the archaeological monitoring program pursuant to this condition.

TIMING: The following actions shall occur throughout the duration of the grading construction.

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 [PDS, PCC] if the Project Archeologist or applicant fails to comply with this condition.

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

CULT#GR-3 ARCHAEOLOGICAL MONITORING [PDS, FEE]

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

- a. If no archaeological resources are encountered during grading, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site must be included in the Negative Monitoring Report.
- b. If archaeological resources were encountered during earth-disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the earth-disturbing activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the Archaeological Monitoring Report to the [PDS, PCC] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center.

TIMING: Upon completion of all earth-disturbing activities, and prior to Rough Grading final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed.

MONITORING: The [PDS, PCC] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

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

CULT#GR-4 ARCHAEOLOGICAL MONITORING [PDS, FEE]

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of

the Grading Monitoring Program if cultural resources were encountered during grading. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials have been curated that includes but is not limited to the following:
 1. Evidence that all prehistoric archaeological materials collected during the survey, testing, and archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation 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 the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.
 2. Historic materials shall be curated at a San Diego curation facility and shall not be curated a Tribal curation facility. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.
- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the grading monitoring activities have been completed. Archaeological Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant's archaeologist shall prepare the final report and submit it to the [*PDS, PCC*] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC).

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared.

MONITORING: The [PDS, PCC] shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, [PDS, PCC] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PCC] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

M-CR-2 TEMPORARY FENCING/OPEN SPACE: [PDS, PCC] [DPW, PDCI] [PC] [PDS, FEE].

INTENT: In order to prevent inadvertent disturbance to archaeological sites within the avoidance areas (open space) and to the unimpacted portions of sites outside of the Major Use Permit boundaries, temporary construction fencing shall be installed.

DESCRIPTION OF REQUIREMENT: Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance archaeological sites within the avoidance areas (open space) and to the unimpacted portions of sites outside of the Major Use Permit boundaries during all earth disturbing activities. Temporary fencing shall include but is not limited to the following:

- a. Temporary fencing is required in all locations of the project where proposed grading or clearing is within 100 feet of any archaeological site within avoidance areas (open space) or the unimpacted portions of sites outside of the Major Use Permit boundaries.
- b. The placement of such fencing shall be approved by PDS. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

DOCUMENTATION: The applicant shall have a California licensed surveyor install and certify the installation of the temporary fencing in consultation with the Project Archaeologist. The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval.

TIMING: Prior to the Preconstruction Meeting, and prior to any clearing, grubbing, trenching, grading, or any land disturbances, the fencing shall be installed, and shall remain for the duration of the earth-disturbing activities.

MONITORING: The [PDS, PCC] shall review the certification and pictures provided by the applicant's surveyor."

7.4 Hazards and Hazardous Materials Mitigation Measures

M-HZ-1 The Proposed Project Applicant would prepare a construction fire prevention plan (CFPP), and have the CFPP reviewed and approved by the San Diego County Fire Authority and the California Department of Forestry and Fire Protection a minimum of 45 days prior to issuance of the first construction permit, such as a grading permit. The CFPP will identify potential sources of ignition and fuel during construction, and will detail the specific fire-prevention measures that will be employed during construction. Appendix 2.4-2 provides a conceptual CFPP.

M-HZ-2 To ensure that the Proposed Project would not impact emergency medical response capabilities in the area, prior to the issuance of a building permit, the Applicant shall demonstrate it has either participated in the San Diego Regional Fire Protection District Community Facilities District or entered into a Fire and Emergency Services Agreement or similar development agreement, through which a fair-share contribution toward local emergency response capabilities will be paid. At a minimum the fair share amount will be sufficient to fund emergency medical services during construction phases to assure response times of 20 minutes or less.

7.5 Noise Mitigation Measures

M-N-1 To ensure that the Proposed Project-generated noise from the PV inverters, HVAC systems and power inverters associated with the energy storage facilities comply with the County's Noise Ordinance:

1. For the PV inverters within 1,200 feet of the property lines: Selection of PV inverters that do not exceed 45dBA L_{eq} emission level at the property boundary, such as the GE 4 MVA 1500V inverter, which according to the product engineers produces a noise level of 61.5 dB(A) at a distance of 1 meter, or equivalent device / technology producing this noise level or lower. The proposed inverters shall be located at a distance no closer than shown on the approved plot plan.
2. The Project applicant shall not install an HVAC system that exceeds 60 dBA at 30 feet.
3. The enclosures containing the storage batteries shall be configured in a north-south direction so as to provide acoustical barrier shielding to the boundary on the east side of the Proposed Project site. The HVAC units, step-up

transformers, and power inverters shall be located on the west side of the enclosures at ground level so as to be completely shielded from a direct line of site to the eastern Project boundary.

4. If new information is provided to prove and certify that the equipment being used is different than what is proposed currently (because of updates in solar technology and the associated equipment choices), than a new analysis which addresses these proposed changes may be prepared and reviewed to the satisfaction of the [PDS, PCC]. The supplemental analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements of the County of San Diego. Any proposed alternative methods, and/or the addition, modification, reduction of the noise measures may be approved if the activities will not result in noise levels greater than 45 dB at the property line (N.O. 36.404). The applicant may be subject to obtaining deviation or modification contingent of the new information provided.

Prior to the approval of any grading permit, the above-identified measures shall be included in the Proposed Project design plans and subject to the approval of the County of San Diego's Development and Development Services Director (or designee).

7.6 Paleontological Resources Mitigation Measures

M-PR-1: Paleontological Resources Monitoring

For excavation into geologic units of high or moderate paleontological potential (i.e., 30% of the site), a Project Paleontologist or Paleontological Resources Monitor (under the supervision of the Project Paleontologist) shall be on site during initial cutting, grading, or excavation into the substratum. The Project Paleontologist is a person with a PhD or master's degree in paleontology or a related field, and who has knowledge of San Diego County paleontology and documented experience in professional paleontological procedures and techniques. A Paleontological Resources Monitor is defined as an individual with at least one year of experience in field identification and collection of fossil materials under the supervision of a Project Paleontologist. The Paleontological Resources Monitor shall work under the direct supervision of the Project Paleontologist. The applicant shall authorize the Project Paleontologist and/or Paleontological Resources Monitor to direct, divert, or halt any grading activity, and to perform all other acts required by the provisions listed below.

1. Monitor initial cutting, grading or excavation into the substratum;

2. If paleontological resources are unearthed the Project Paleontologist or Paleontological Monitor, under supervision by the Project Paleontologist, shall:
 - a. Direct, divert, or halt any grading or excavation activity until such time that the sensitivity of the resource can be determined and the appropriate recovery implemented;
 - b. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
 - c. Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the stratigraphic section, if feasible, and photographic documentation of the geologic setting;
 - d. Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 - e. Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assign catalog numbers, and enter the appropriate specimen and locality data into a collection database; and
 - f. Transfer the cataloged fossil remains to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display. The transfer shall include copies of relevant field notes, maps, stratigraphic sections, and photographs.
3. The Project Paleontologist shall prepare a final Paleontological Resources Mitigation Report summarizing the field and laboratory methods used, the stratigraphic units inspected, the types of fossils recovered (if applicable), and the significance of the curated collection (if applicable).
4. Submit two hard copies of the final Paleontological Resources Mitigation Report to the Director of PDS for final approval of the mitigation, and submit an electronic copy of the report according to the County PDS's Electronic Submittal Format Guidelines.

For any excavation into the substratum in areas of low or marginal potential (i.e., 70% of the site), monitoring by the on-site contractor (Monitor) is required. A Monitor is any one person who is on the site during all the original cutting of undisturbed substratum. A Monitor must be designated by the Applicant and given the responsibility of watching for fossils so that the project is in conformance with Section 87.430 of the Grading Ordinance. If a fossil of greater than twelve inches in any dimension, including circumference, is encountered during excavation or grading, all excavation operations in the area where the fossil was found shall be suspended

immediately, the PDS's Permit Compliance Coordinator shall be notified, and a Project Paleontologist shall be retained by the applicant to assess the significance of the find and, if the fossil is significant, to oversee the salvage program, including salvaging, cleaning, and curating the fossil(s), and documenting the find, as described under Item 2 above.

Mitigation will be deemed complete when the County's Permit Compliance Coordinator, on behalf of the Director of Planning and Development Services, receives the final report.