

COUNTY OF SAN DIEGO TRACT NO. TM 5223 RPL-3

SHADOW RUN RANCH, PAUMA VALLEY

PRELIMINARY GRADING PLAN

Draft Grading Plan Notes (must be included on the Preliminary Grading Plan for public review and public hearing):

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

(BIOLOGICAL RESOURCES)

BIO GR#1 – TEMPORARY FENCING: [PDS, PCC] [DPW, PDC] [PC] [PDS, FEE] **INTENT:** In order to prevent inadvertent disturbance to onsite open space and adjacent areas containing native habitat, 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 of proposed onsite open space and adjacent offsite native habitat. The placement of such fencing shall be approved by the PDS, Permit Compliance Section. 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 provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval. **TIMING:** Prior to Preconstruction Conference, 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 grading and clearing. **MONITORING:** The [PDS, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.

BIO GR#2 – RESOURCE AVOIDANCE: [PDS, PCC] [DPW, PDC] [PDS, FEE X2]

INTENT: In order to avoid impacts to Least Bell's vireo and Southwestern willow flycatcher, which are a sensitive biological resource pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 500 feet of raptor nesting habitat during the breeding season of Least Bell's vireo and Southwestern willow flycatcher within Resource Avoidance Area (RAA) as indicated on these plans. The breeding season is defined as occurring between March 15th and September 15th, and May 1st thru September 1st. The Director of Planning and Land Use [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no raptors are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

(CULTURAL RESOURCES)

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

INTENT: In order to comply with the Mitigation Monitoring and Reporting Program for PDS2001-3100-5223 and the County of San Diego Guidelines for Significance – Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist, Luiseno Native American Monitor, and [PDS, 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 Luiseno Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological and Historic Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Archaeologist and Luiseno Native American attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDC] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Archaeological Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Archaeologist.

(PALEONTOLOGICAL RESOURCES)

PALED GR#1 – PALEONTOLOGICAL MONITORING: [DPW, PDC] [PDS, PCC] [PC] [PDS, FEE X2]

INTENT: In order to comply with the Mitigation Monitoring and Reporting Program pursuant to PDS2001-3100 5223, a Paleontological Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Paleontologist, and the PDS Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting and coordinate the requirements of the grading monitoring program. The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>. **DOCUMENTATION:** The applicant shall have the contracted Project Paleontologist attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDC] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Paleontological Resource Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

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

(AIR QUALITY)

AIR GR#1-AIR QUALITY

INTENT: In order to mitigate for construction phase particulate emissions. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measures:
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/scrapper passes and on any unpaved roads within the project limits.
c. Grading is to be terminated in winds exceed 25 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-roadsways will be stabilized by paving, chip sealing or chemicals after rough grading.
g. A minimum of four 15 mph signs shall be posted and enforced on unpaved areas during construction.
h. Electricity from the utility grid shall be used to power construction equipment to the maximum extent feasible.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDC] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDC] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

(BIOLOGICAL RESOURCES)

BIO GR#3 – BIOLOGICAL MONITORING [PDS, FEE X3]

INTENT: In order to prevent inadvertent disturbance to Least Bell's vireo and Southwestern willow flycatcher, all grading located adjacent to Frey creek shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. The monitor(s) shall be on site during all grading and clearing activities that are in or adjacent to any wetland or potential occupied habitat, Biological open space areas or sensitive habitats. If there are disturbances, the monitor must report them immediately to the [PDS, PCC]. Additionally, the biologist shall perform the following duties:

1. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;
2. Perform periodically monitor the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;
3. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, selectively placed, shielded, and directed away from preserved habitat;
4. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US;
5. Monitor noise levels to ensure they are not in excess of 60 decibels during the breeding season of Least Bell's vireo and Southwestern willow flycatcher defined as April 15 to September 15;
6. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and [PDS, PCC] within 24 hours; (8) produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and the PDS (final report will release bond);
7. Confer with the Wildlife Agencies and [PDS, PCC] within 24 hours any time protected habitat or Least Bell's vireo and Southwestern willow flycatcher are being affected by construction;
8. Attend construction meetings and other meetings as necessary.

DOCUMENTATION: The Project Biologist shall prepare and submit to the satisfaction the [PDS, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated above. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDC] 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, PDC] shall contact the [PDS, PCC] if the Project Biologist or applicant fails to comply with this condition. The [PDS, PCC] shall review and approve the monitoring reports for compliance with this condition.

(CULTURAL RESOURCES)

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

INTENT: In order to comply with the Mitigation Monitoring and Reporting Program for PDS2001-3100-5223 and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological and Historic Resources <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist and Luiseno Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological grading 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 Luiseno 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 Luiseno Native American Monitor. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseno Native American Monitor.

- a. 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 Luiseno 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 deposits shall be minimally documented in the field. Should the cultural materials for isolates and non-significant deposits not be collected by the Project Archaeologist, then the Native American monitor may collect the cultural material for transfer to a Tribal Duration facility or repatriation program. A Research Design and Data Recovery Program to mitigate impacts to significant cultural resources shall be prepared by the Project Archaeologist in coordination with the Luiseno Native American monitor. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Research Design and Data Recovery Program shall include (1) pursuant to CEQA §21083.2(g), reasonable efforts to preserve (avoidance) "unique" cultural resources 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. 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 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 §5097.98, CEQA §5064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- d. The Project Archaeologist shall submit monthly status reports to the Director of PDS 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 after construction.

DOCUMENTATION: The applicant shall implement the archaeological grading monitoring program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDC] shall make sure that the Project Archaeologist is on-site performing the monitoring duties of this condition. The [DPW, PDC] shall contact the [PDS, PCC] if the Project Archaeologist or applicant fails to comply with this condition.

(PALEONTOLOGICAL RESOURCES)

PALED GR#2 – PALEONTOLOGICAL MONITORING: [DPW, PDC] [PDS, PCC] [PC] [PDS, FEE X2]

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to 3100-5223, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the following requirements during grading:
a. If paleontological resources are encountered during grading/excavation, the following shall be completed:
1. The Qualified Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
2. The Qualified Monitor shall immediately contact the Qualified Paleontologist.
3. The Qualified Paleontologist shall contact the County's Permit Compliance Coordinator immediately.
4. The Qualified Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading/excavation shall resume.
b. If the paleontological resource is significant or potentially significant, the Qualified Paleontologist or Qualified Paleontological Resources Monitor, under the supervision of the Qualified Paleontologist, shall complete the following tasks in the field:
1. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, slister-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
2. 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 project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
3. Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

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. **MONITORING:** The [DPW, PDC] shall make sure that the Project Archaeologist is on-site performing the Monitoring duties of this condition. The [DPW, PDC] shall contact the [PDS, PCC] if the Project Paleontologist or applicant fails to comply with this condition.

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

(BIOLOGICAL RESOURCES)

BIO GR#4 – BIOLOGICAL MONITORING [PDS, FEE]

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MRRP) pursuant to PDS2001-3100-5223 and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, a Grading Monitoring Program shall be implemented. **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 additional areas of the site's vireo and Southwestern willow flycatcher or other sensitive biological resources. The report shall conform to the County of San Diego Report Guidelines for Biological Resources <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>. It shall also include but not be limited to the following items:
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 [PDS, 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) <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, the final report shall be completed. **MONITORING:** The [DPW, PDC] shall review the final report for compliance with the project MRRP, and inform [DPW, PDC] that the requirement is completed.

(CULTURAL RESOURCES)

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

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MRRP) pursuant to PDS2001-3100-5223, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, an Archaeological Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the grading activities that require monitoring:
a. If no archaeological resources are encountered during earth-disturbing activities, 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 and any comments from the Luiseno Native American monitor must be included in the Negative Monitoring Report.
b. If archaeological resources were encountered during the earth-disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring 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.

- a. If no archaeological resources are encountered during earth-disturbing activities, 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 and any comments from the Luiseno Native American monitor must be included in the Negative Monitoring Report.
- b. If archaeological resources were encountered during the earth-disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring 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. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading final inspection (Grading Ordinance SEC 87.421.a.2) <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, the report shall be completed. **MONITORING:** The [DPW, PDC] shall review the report or field monitoring memo for compliance with the project MRRP, and inform [DPW, PDC] that the requirement is completed.

(PALEONTOLOGICAL RESOURCES)

PALED GR#3 – PALEONTOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE]

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MRRP) pursuant to PDS2001-3100 5223, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:
a. If no paleontological resources were discovered, submit a "No Fossils Found" letter from the grading contractor to the [PDS, PCC] stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
b. If Paleontological resources were encountered during grading, a letter shall be prepared stating that the field grading monitoring activities have been completed, and that resources have been encountered. The field grading monitoring activities shall detail the anticipated time schedule for completion of the curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, 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) <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, the letter report shall be completed. **MONITORING:** The [DPW, PDC] shall review the final negative letter report or field monitoring memo for compliance with the project MRRP, and inform [DPW, PDC] 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).

(BIOLOGICAL RESOURCES)

BIO GR#5 – OPEN SPACE SIGNAGE & FENCING [PDS, FEE]

INTENT: In order to comply with Condition BIO# 4, 5 pursuant to the adopted Mitigation Monitoring and Reporting Program (MRRP) for PDS2001-3100-5223, the fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences or walls, and open space signs shall be placed along the open space boundary of lots(s) 12-24, 17-20, 23-36, and 45 as shown on Figure 5 – Open Space, Fencing, and Signage Exhibit of the approved Biological Resources Survey Report for the Shadow Run Ranch Project, prepared by Vincent Scheidt.

- a. 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 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 following:
Sensitive Environmental Resources
Area Within 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, Planning & Development Services
Reference: (PDS2001-3100 5223 Env. Reg. 3910-00-02-035)

DOCUMENTATION: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [PDS, PCC]. **TIMING:** The applicant shall provide a letter statement to the [PDS, PCC] for review and approval. **MONITORING:** The [DPW, PDC] shall review the photos and statement for compliance with this condition.

BIO GR#6 – EASEMENT AVOIDANCE [PDS, FEE]

INTENT: In order to protect sensitive resources, pursuant to County Grading Ordinance Section 87.112 <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, the open space easements shall be avoided. **DESCRIPTION OF REQUIREMENT:** The easement indicated on this plan is for the protection of native habitat within Frey creek that is a sensitive environmental resource and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. It is unlawful to grade or clear within an open space easement; any disturbance shall constitute a violation of the County Grading Ordinance Section 87.112 <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf> and will result in enforcement action and restoration. **DOCUMENTATION:** The applicant shall provide a letter statement to the [PDS, PCC] for review and approval. **MONITORING:** The [DPW, PDC] shall review the letter verifying the easements were not disturbed shall be submitted. **TIMING:** Prior to Final Grading Release the letter verifying the easements were not disturbed shall be submitted. **MONITORING:** The [DPW, PDC] shall not allow any grading, clearing or encroachment into the open space easement."

(CULTURAL RESOURCES)

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

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MRRP) pursuant to PDS2001-3100-5223, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, an Archaeological Grading 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 Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following:
a. Department of Parks and Recreation Primary and Archaeological Site forms.
b. Daily Monitoring Logs
c. Evidence that all prehistoric cultural resources collected during the archaeological grading monitoring program have been submitted to a San Diego curation facility or a culturally affiliated 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 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 archaeological materials have been received and that all fees have been paid. Evidence that all historic cultural resources collected during the archaeological grading monitoring program have been submitted to a San Diego 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 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 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 archaeological grading monitoring activities have been completed. Daily Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant shall submit the 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 (SCIC) and the culturally-affiliated tribe. **TIMING:** Prior to the occupancy of any structure or use of the premises in reliance of PDS2000-3300-030, and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3) <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, the final report shall be completed. **MONITORING:** The [PDS, PCC] shall review the final report for compliance with the project MRRP and the report format guidelines. Upon acceptance of the report, [PDS, PCC] shall inform [PDS, PCC] and [DPW, PDC] that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PCC] shall inform [PDS, PCC] or [DPW, PDC] to release the bond back to the applicant.

(PALEONTOLOGICAL RESOURCES)

PALED GR#5 – PALEONTOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE]

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MRRP) pursuant to PDS2001-3100 5223, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:
a. If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Project Paleontologist:
1. 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;
2. Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;
3. Submit a detailed report prepared by the Project Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources and identifying which accredited institution has agreed to accept the curated fossils. 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 complete report in Microsoft Word on a CD. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.
4. Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of PDS verifying that the curated fossils from the project site have been received by the institution.
b. If no resources were discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Paleontologist.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PCC] for review and approval. **TIMING:** Prior to the Final Grading Release (Grading Ordinance Sec. 87.421.a.3) <http://www.sdcounity.ca.gov/dpw/docs/progrador.pdf>, the final report shall be completed. **MONITORING:** The [PDS, PCC] shall review the final report for compliance with the project MRRP, and inform [DPW, PDC] that the requirement is completed."