

## CHAPTER 5 MITIGATION MEASURES

This chapter provides a consolidated listing of all mitigation measures for the Proposed Project. The mitigation measures are listed by environmental topic.

### AESTHETICS

- M-AE-1** Inverter enclosures shall be a non-reflective color. If the enclosures are not manufactured as non-reflective, the enclosures shall be painted a non-reflective color.
- M-AE-2** Energy storage containers shall be a non-reflective color. If the containers are not manufactured as non-reflective, the containers shall be painted a non-reflective color.
- M-AE-3** All new transmission line conductors shall be non-reflective in design to reduce conductor visibility and visual contrast.
- M-AE-4** A minimum set-back of 75 feet from residential property lines to solar panels shall be provided along the western Project boundary. This setback shall be provided where the western Project boundary parallels residential property lines in Jacumba Hot Springs. Setbacks shall be provided pursuant to Section 4800, Setback Regulations, of the County's Zoning Ordinance and shown on Project Plot Plans.
- M-AE-5** Landscaping shall be installed to provide visual screening of the solar facility. The proposed rows of landscaping will be approximately 15 feet wide and will include drought tolerant trees (approximately 18 feet tall 10 years after planting) with native and/or drought tolerant shrubs and ground covers incorporated in between the fence line and the existing road and utility easements. As identified on the Project Conceptual Landscape Plan, landscaping shall be installed and shall run parallel to segments of the Project perimeter fence in the following specified sections: along the north and south sides of Old Highway 80 for entire length of the solar facility; along the east side of Carrizo Gorge Road; and along the southwestern portion of the solar facility adjacent to the community of Jacumba Hot Springs. The applicant shall prepare the Landscape Plans using the Landscape Documentation Package and pay all applicable review fees. Prior to approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, the Landscape Documentation Package shall be prepared and approved. Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed. The applicant shall submit to the [PDS LA, PCC], a Landscape Certificate of Completion from the project California licensed

Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist. Prior to project construction, the project applicant shall submit a conceptual landscape plan detailing the planting materials and sizes and location of landscaping shall be prepared and provided to the County for review and approval. Landscaping shall be planted and maintained accordingly to ensure continued screening of proposed solar panels by the Applicant and/or Project operator over the operational life of the Project.

- M-AE-6** As identified on the Project Plot Plans, tan-colored slats shall be installed along specific segments of the Project perimeter fence in the following specified sections: along the north and south sides of Old Highway 80 for entire length of solar facility; along the east side of Carrizo Gorge Road; and along the southwestern portion of the solar facilities adjacent to the community of Jacumba Hot Springs. Slats shall be maintained accordingly over the operational life of the Project. Slats shall be replaced as needed to ensure a unified and orderly appearance and to provide continued screening of Project components.

## AIR QUALITY

- M-AQ-1** Prior to the County of San Diego's (County's) approval of any construction or decommissioning-related permits, the Proposed Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during each construction phase to minimize diesel particulate matter emissions:
- a. Heavy-duty diesel-powered construction equipment shall be equipped with Tier 4 Final or better diesel engines for engines 75 horsepower or greater. The County shall verify and approve all pieces within the construction fleet that would not meet Tier 4 Final standards.
  - b. Vehicles in loading and unloading queues shall not idle for more than 5 minutes and shall turn their engines off when not in use to reduce vehicle emissions.
  - c. All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.
  - d. When construction equipment units that are less than 50 horsepower are employed, that equipment shall be electrical or natural gas-powered, where available.
- M-AQ-2** Prior to the County of San Diego's (County's) approval of any grading permits and during Proposed Project construction and decommissioning, a Fugitive Dust

Control Plan shall be prepared demonstrating compliance with San Diego Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance), to the satisfaction of the County. The Project applicant or its designee shall require implementation of the following fugitive dust measures to minimize PM<sub>10</sub> emissions as part of the Fugitive Dust Control Plan. All measures shall be designated on Grading and Improvement Plans.

- a. Prior to construction activities, the Project applicant shall employ a construction relations officer who shall address community concerns regarding on-site construction activity. The Project applicant shall provide public notification in the form of a visible sign containing the contact information of the construction relations officer who shall document complaints and concerns regarding on-site construction activity. The sign shall be placed in easily accessible locations and noted on Grading and Improvement Plans.
- b. Grading areas shall be watered, or another SDAPCD-approved dust control non-toxic agent shall be used, at least three times daily, to minimize fugitive dust only where chemical stabilizers are not used.
- c. All permanent roads and the paved access roadway improvements shall be constructed and paved as early as possible in the construction process to reduce construction vehicle travel on unpaved roads. Foundations shall be finalized as soon as possible following site preparation and grading activities to reduce fugitive dust from earth-moving operations.
- d. Grading areas shall be stabilized as quickly as possible to minimize fugitive dust.
- e. Wheel washers, grates, rock, or road washers shall be installed adjacent to the site access points for tire inspection and washing prior to vehicle entry on public roads.
- f. Visible track-out into traveled public streets shall be removed with the use of sweepers, water trucks, or similar method within 30 minutes of occurrence.
- g. Haul trucks shall be covered or at least 2 feet of freeboard shall be maintained to reduce blow-off during hauling.
- h. A 15-mile-per-hour speed limit on unpaved surfaces shall be enforced.
- i. Haul truck staging areas shall be provided for loading and unloading of soil and materials and shall be located away from sensitive receptors at the farthest feasible distance.

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## BIOLOGICAL RESOURCES

### **M-BI-1 Biological Monitoring.**

- (a) In order to prevent inadvertent disturbance to sensitive resource areas outside the approved area of impact, a County of San Diego (County)-approved biologist (Project Biologist) shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities.
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*. The contract provided to the County shall include an agreement that this will be completed, and a memorandum of understanding 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 shall also perform the following duties:
    - a. Attend the pre-construction 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 and clarifying that the Project Biologist has the authority to halt work that could harm or harass a protected species.
    - c. 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.
    - d. Discuss procedures/training 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.
    - 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. Supervise and monitor vegetation clearing, grubbing, and grading to ensure against direct and indirect impacts on biological resources that are intended to be protected and preserved.
    - g. Flush special-status species (i.e., avian or other mobile species) from occupied habitat areas immediately prior to brush-clearing and earthmoving activities. If brush-clearing and earth-moving activities take place within

the bird breeding season, flushing shall not occur in an area identified as having an active nest and thus resulting in a potential take of a species.

- h. Verify that grading plans include a stormwater pollution prevention plan (SWPPP) (if required pursuant to provisions of the State Water Resources Control Board 2009-0009-DWQ Construction General Permit, or equivalent applying the standards set forth in the County of San Diego Stormwater Standards Manual) to address hydrology impacts; see **M-BI-7**.
  - i. Periodically monitor the construction site to see that dust is minimized according to the fugitive dust control plan and that temporarily impacted areas are revegetated as soon as possible.
  - j. Periodically monitor the construction site to verify that artificial security light fixtures are directed away from open space and are shielded.
  - k. Oversee the construction site so that cover and/or escape routes for wildlife from excavated areas are provided on a daily basis during vegetation clearing, grubbing and grading. All steep 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 shall be covered at night to prevent wildlife from burrowing in. The edges of the sheeting shall be weighted down with 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 at the end of the day) by a qualified biologist to monitor for wildlife entrapment. Excavations shall provide an earthen ramp to allow for a wildlife escape route.
  - l. Except as stated otherwise herein, biological monitoring is daily during vegetation clearing, grubbing and grading. Once the PV field construction commences, the monitoring shall be weekly.
2. The cost of the monitoring shall be added to the grading bonds or bonded separately with the County Planning & 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/PDS shall add the cost of the monitoring to the grading bond costs.

- (b) In order 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 the final biological monitoring report. The report shall substantiate the supervision of the grading activities, and confirm that grading or construction activities did not impact any additional areas or any other sensitive biological resources. The report shall conform to the County *Report Format Guidelines for Biological Resources*, and include the following items:
- a. Photos of the fencing or temporary flagging 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 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 the applicant to release the bond back to the Applicant.

- (c) Compliance with this measure shall be required during decommissioning activities.

**M-BI-2 Temporary Construction Fencing.** Prior to issuance of permits, including clearing, grubbing, grading, and/or construction permits, the project applicant or its designee shall install fencing wherever the limits of grading are adjacent to sensitive vegetation communities or other biological resources, as identified by the Project Biologist. Fencing shall remain in place during all construction activities. All temporary fencing shall be shown on plans. Prior to release of grading and/or improvement bonds, a qualified biologist shall provide evidence to the satisfaction of the Director of the San Diego County Department of Planning and Development

Services (or his/her designee) that work was conducted as authorized under the approved permits and associated plans.

**M-BI-3 Habitat Preservation.** In order to mitigate for impacts to loss of sensitive vegetation communities, plant and wildlife species habitat, special status plant species, burrowing owl occupied habitat, and wildlife movement, the applicant shall provide an on-site biological open space easement.

(a) In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance (RPO) and California Environmental Quality Act, a biological open space easement will be granted over up to 435.00 acres of sensitive vegetation communities, special-status plant species, and habitat for special-status species. The project is estimated to impact sensitive vegetation communities that require mitigation as summarized in the following table.

Vegetation Community/Land Cover	Ratio	Permanent Direct Impacts (Acres)	Required Mitigation (Acres)	Biological Open Space Easement (Acres)
*Desert saltbush scrub	2:1	50.39	100.78	4.69
*Desert sink scrub	3:1	—	—	12.43
*Disturbed freshwater marsh	3:1	—	—	0.08
*Mesquite bosque	3:1	2.64	7.92	126.12
*Sonoran mixed woody scrub	1:1	—	—	139.33
*Sonoran mixed woody and succulent scrub	1:1	72.85	72.85	132.05
*Tamarisk scrub	3:1	1.11	3.33	—
*Non-wetland waters of the United States/state	1:1	—	—	0.78
Fallow agriculture <sup>1</sup>	0.5:1	467.63	233.82	9.35
Disturbed habitat	N/A	27.27	—	10.17
Urban/developed	N/A	21.24	—	<0.01
<b>Total</b>	<b>—</b>	<b>643.13</b>	<b>418.70</b>	<b>435.00</b>

**Note:** An asterisk (\*) marks land cover types for which the County of San Diego (2010a) requires mitigation.

<sup>1</sup> The fallow agriculture is considered raptor foraging habitat mitigated at a 0.5:1 mitigation ratio.

This biological open space easement shall mitigate for project impacts to sensitive vegetation communities and habitat for wildlife species, thereby preserving compensatory habitat that provides equal or greater benefit to plant and wildlife species. This biological open space easement will be granted to the County of San Diego (County). Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. This easement is for the protection of biological resources 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. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exceptions to this prohibition are (1) vegetation clearing by hand, by written order of the fire authority for reduction of an identified fire hazard; (2) activities conducted pursuant to an approved revegetation or resource management plan; (3) vector control by written order of the County; and (4) construction, use, and maintenance of approved multi-use, non-motorized trails. No trails have been approved as part of this Project and would require subsequent environmental review and approval by PDS. Permanent signage indicating the area is a biological open space will be required and will be installed by the developer.

**Documentation:** The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the DGS, and concurrence with PDS, and pay all applicable fees associated with preparation of the documents.

**Timing:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit the easements shall be recorded.

**Monitoring:** The DGS shall prepare and approve the easement documents and send them to PDS for pre-approval. The PDS shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements, DGS shall forward a copy of the recorded documents to PDS for satisfaction of the condition.

- (b) **Special-Status Plants.** Mitigation shall be provided for one pygmy lotus (County List A) and 21 sticky geraea individuals (County List B). County List A plant species will be mitigated at a 3:1 ratio, and County List B species will be mitigated at a 1:1 mitigation ratio. Mitigation for these plants shall be achieved through a combination of (1) salvaging the plants located in proposed impact areas and replanting in suitable mitigation lands, and (2) establishment of additional plants to meet the mitigation requirements. The Resource Management Plan (RMP) for the biological open space easement shall include

the required measures to ensure viability of the transplanted and established individuals. The RMP (see M-BI-4) will include the locations of the plant restoration. The RMP will be the basis for monitoring and mitigation activities for the entire biological open space, including locations of plant mitigation.

**Documentation:** The applicant shall prepare an RMP and submit it to PDS and pay all applicable review fees.

**Timing:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit the easements shall be recorded.

**Monitoring:** A RMP Annual Report will be submitted to the County along with the submittal fee to cover County staff review time.

(c) **Burrowing owl occupied habitat.** Based on mitigation ratios provided in Table 1 of the Strategy for Mitigating Impacts to Burrowing Owls in the Unincorporated County (Attachment A, County of San Diego 2010b), the project is required to provide 1:1 mitigation ratio for impacts to occupied burrowing owl habitat. Impacts to burrowing owl habitat will be mitigated by dedicating 22 acres of suitable burrowing owl habitat as an on-site biological open space easement. This acreage is included in the overall up to 435-acre biological open space easement. This area is comprised of open, relatively flat habitat which contains similar vegetation communities as the impacted habitat. This biological open space easement shall mitigate for project impacts to occupied burrowing owl habitat. Refer to M-BI-3(a) which describes the biological open space easement requirements.

(d) **Wildlife Corridor Access.** The project shall provide a 50 to 100 foot opening in the perimeter fence north of the SDG&E easement to allow for wildlife moving within the easement corridor or north of the easement to move in and out of the easement. The opening in the fence will allow wildlife traveling along the fence line to find a break in the fencing leading them into the larger wildlife corridor. This opening in the fence shall be provided and maintained for the life of the project.

**Documentation:** The fencing on the construction plans shall show an opening in the perimeter fencing as described above. The applicant shall install the project fencing or walls as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the fencing has been installed to provide the required opening.

**Timing:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit the easements shall be recorded.

**Monitoring:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

**M-BI-4 Resource Management Plan (RMP).** In order to provide for the long-term management of the proposed on-site biological open space, an RMP will be prepared and implemented. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of Planning & Development Services as follows:

1. The plan will be prepared and approved pursuant to the most current version of the County of San Diego (County) 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 to the County in perpetuity, unless conveyed to another public agency subject to approval by the Director of PDS.
4. A resource manager will be selected and approved, with evidence provided demonstrating acceptance of this responsibility.
5. The RMP funding mechanism to fund annual costs for basic stewardship shall be identified and approved by the County. The RMP funding mechanism will be identified and adequate to fund annual costs for implementation; typically determined by a Property Analysis Record as a non-wasting endowment.
6. A contract between the applicant and County will be executed for the implementation of the RMP.

**Documentation:** The applicant shall prepare an RMP and submit it to PDS and pay all applicable review fees.

**Timing:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance on this permit, the RMP shall be approved.

**Monitoring:** The PDS shall review the RMP for compliance with the content guidelines, the conceptual RMP, and this condition.

**M-BI-5** This mitigation measure serves to avoid take of birds protected under the Migratory Bird Treaty Act and California Fish and Game Code during the nesting season (M-

BI-5(a)) and take avoidance for burrowing owls during the breeding and non-breeding season (M-BI-5(b)).

**(a) Nesting Bird Survey.** To avoid any direct impacts on raptors and/or any migratory birds protected under the Migratory Bird Treaty Act and California Fish and Game Code, removal of habitat that supports active nests on the proposed area of disturbance shall occur outside the nesting season for these species (which is January 15 through August 31, annually). If construction work must occur during the avian breeding season (January 15 to August 31, annually), the applicant shall:

1. Work with the County, CDFW and the USFWS to prepare a Nesting Bird Management, Monitoring, and Reporting Plan (NBMMRP) to address avoidance of impacts to nesting birds.
  - a. The applicant(s) will submit to the agencies the NBMMRP (see following for details) for review and approval prior to commencement of the project during the breeding season. The NBMMRP should include the following:
    - b. Nest survey protocols describing the nest survey methodologies
    - c. A management plan describing the methods to be used to avoid nesting birds and their nests, eggs, and chicks
    - d. A monitoring and reporting plan detailing the information to be collected for incorporation into a regular Nest Monitoring Log (NML) with sufficient details to enable USFSW and CDFW to monitor the applicant's compliance with Fish and Game Code Sections 3503, 3503.5, 3511, and 3513
    - e. A schedule for the submittal (usually weekly) of the NML
    - f. Standard buffer widths deemed adequate to avoid or minimize significant project-related edge effects (disturbance) on nesting birds and their nests, eggs, and chicks
    - g. A detailed explanation of how the buffer widths were determined.
    - h. All measures the applicant will implement to preclude birds from utilizing project-related structures (i.e., construction equipment, facilities, or materials) for nesting.
2. Conduct preconstruction nesting bird surveys within 72 hours of construction-related activities; conduct preconstruction survey sweeps immediately prior to ground-disturbing activities; and implement appropriate avoidance measures for identified nesting birds in the

NBMMRP. Resurvey, if construction activities are halted for ten consecutive days.

3. To determine presence of nesting birds that the project activities may affect, surveys shall be conducted beyond the project area—300 feet for passerine birds and 500 feet for raptors. The survey protocols shall include a detailed description of methodologies utilized by CDFW-approved avian biologists to search for nests and describe avian behaviors that indicate active nests. The protocols shall include but are not limited to the size of the project area being surveyed, method of search, and behavior that indicates active nests.
4. Each nest identified in the project area shall be included in the NML. The NMLs should be updated daily and submitted to the CDFW weekly. Since the purpose of the NMLs is to allow the CDFW to track compliance, the NMLs shall include information necessary to allow comparison between nests protected by standard buffer widths recommended for the project (300 feet for passerine birds, 500 feet for raptors) and nests whose standard buffer width was reduced by encroachment of project-related activities. The NMLs shall provide a summary of each nest identified, including the species, status of the nest, buffer information, and fledge or failure data. The NMLs shall allow for tracking the success and failure of the buffers and would provide data on the adequacy of the buffers for certain species.
5. The applicant(s) will rely on its avian biologists to determine the appropriate standard buffer widths for nests within the project corridor/footprint to employ based on the sensitivity levels of specific species or guilds of avian species. The determination of the standard buffer widths shall be site- and species-/guild-specific and data-driven and not based on generalized assumptions regarding all nesting birds. The determination of the buffer widths shall consider the following factors:
  - a. Nesting chronologies
  - b. Geographic location
  - c. Existing ambient conditions (human activity within line of sight—cars, bikes, pedestrians, dogs, noise)
  - d. Type and extent of disturbance (e.g., noise levels and quality—punctuated, continual, ground vibrations—blasting-related vibrations proximate to tern colonies are known to make the ground-nesting birds flush the nests)
  - e. Visibility of disturbance
  - f. Duration and timing of disturbance

- g. Influence of other environmental factors
  - h. Species' site-specific level of habituation to the disturbance.
6. Application of the standard buffer widths shall avoid the potential for project-related nest abandonment and failure of fledging and minimize any disturbance to the nesting behavior. If project activities cause or contribute to a bird being flushed from a nest, the buffer must be widened. This measure does not apply to nests that are started on construction equipment or panels or supporting structures.

**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 the applicant that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then the PDS shall inform DPW to release the bond back to the applicant.

**(b) Burrowing Owl Take Avoidance Surveys.** Take avoidance surveys are intended to detect the presence of burrowing owls on a project site at a fixed period in time and inform necessary take avoidance actions. Take avoidance surveys may detect changes in owl presence such as colonizing owls that have recently moved onto the site, migrating owls, resident burrowing owls changing burrow use, or young of the year that are still present and have not dispersed (CDFG 2012). Surveys must be completed no less than 14 days prior to the initiating ground disturbance activities.

1. If burrowing owls are detected during the breeding season (February 1 through August 1) surveys, a Burrowing Owl Management Plan will need to be written and approved by the County and the California Department of Fish and Wildlife before construction continues. The Plan shall include, at a minimum: 1) measures to protect burrowing owls during grading; 2) description of passive or active burrowing relocation during the non-breeding season; and 3) description of BMPs to implement during construction (e.g., ensure that the ends of all pipes and culverts are covered when they are not being worked on, and covering rubble piles, dirt piles, ditches, and berms). Table 6-2,

Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for Burrowing Owls, provides the CDFW-recommended restricted activity dates and setback distances around occupied burrowing owl nests for varying levels of disturbance (CDFG 2012).

2. If construction activities occur during the non-breeding season for burrowing owl (1 September – 31 January), a biologist shall conduct a take avoidance survey, following the methods described in the Burrowing Owl Staff Report (CDFG 2012). The take avoidance survey(s) can be conducted between 14 days and 24 hours prior to initiating ground disturbance activities; however, time lapses between project activities may require subsequent surveys within 24 hours prior to ground disturbance. If any burrowing owls are found during these surveys, avoidance and minimization measures must be implemented.

The following avoidance and minimization measures shall be implemented:

- a. Avoid working within 50 meters (160 feet) from the occupied burrow during the non-breeding season;
- b. Avoid direct destruction of occupied burrows during the non-breeding season until the burrowing owl has vacated the burrow (determined through monitoring of the burrow);

If these measures cannot be implemented, the applicant shall obtain written approval of an accepted plan (written or verbal) from the County and the California Department of Fish and Wildlife before construction continues. The plan shall include 1) identification of artificial burrow sites, 2) passive relocation methods, 3) monitoring and management of the artificial burrow site, and 4) reporting.

**Documentation:** The Project Biologist shall prepare the final survey report and/or Burrowing Owl Management Plan and submit it to the PDS for review and approval.

**Timing:** Prior to final grading release, or use of the premises in reliance of this permit, the final survey report and/or Burrowing Owl Management Plan shall be approved.

**Monitoring:** The PDS shall review the final survey report and/or Burrowing Owl Management Plan for compliance with this condition

and the report format guidelines. Upon approval of the report, PDS shall inform the applicant that the requirement is complete and the bond amount can be relinquished.

- (c) In order to avoid impacts to nesting birds and burrowing owls during decommissioning the Project operator shall be required to implement the measures outlined in subsections (a) and (b) prior to undertaking decommissioning activities.

**M-BI-6 Bat Surveys and Roost Avoidance or Exclusion.** To determine whether there is an active maternity roost within the buildings and other structures to be demolished, a bat biologist shall conduct surveys prior to demolition of the buildings or any other areas that provide suitable roosting habitat for bats. If a potential maternity roost is present, the following measures shall be implemented to reduce the potential impact on special-status bat species to a less than significant level:

- a. **Maternity Roosting Season Avoidance.** All demolition activities, or bat roost exclusion, shall occur outside the general bat maternity roosting season of March through August to reduce any potentially significant impact to maternity roosting bats. If the maternity roosting season cannot be avoided, then roost exclusion can occur outside the maternity roosting season (September through February) to exclude bats from the demolition area prior to the start of demolition during the maternity roosting season. Items b and c below will be required to ensure no impacts occur to roosting bats during the exclusion process.
- b. **Replacement Roost Installation.** If there is a potential or known maternity roost within a structure to be demolished, a replacement roost installation shall occur outside of the maternity roosting season within the biological open space easement. At least one month prior to the exclusion of bats from the roost(s), the project applicant will procure and install two bat boxes from a reputable vendor, such as Bat Conservation and Management, to allow bats sufficient time to acclimate to a new potential roost location. The bat boxes shall be installed in an area that is close to suitable foraging habitat as determined by a biologist who specializes in bats in consultation with County staff. Additionally, the bat boxes will be oriented to the south or southwest, and the area chosen for the bat boxes must receive sufficient sunlight (at least 6 hours daily) to allow the bat boxes to reach an optimum internal temperature (approximately 90°F) to mimic the existing bat roost. The bat boxes will be suitable to house crevice-roosting bat species, and large enough to contain a minimum of 50 bats (e.g., Four Chamber Premium Bat House or Bat Bunker Plus). The bat boxes shall be installed on a

20-foot-tall steel pole. Should the bat boxes be required, maintenance of the boxes will be included in the RMP to ensure long-term use/functionality.

- c. **Roost Exclusion.** Roost exclusion must only occur September through February to increase the potential to exclude all bats from roosts and minimize the potential for a significant impact to occur by avoiding the maternity roosting season. Approximately one month after bat boxes have been installed, exclusion of the existing roost within the buildings will occur. The primary exit points for roosting bats will be identified, and all secondary ingress/egress locations on the buildings will be covered with a tarp or wood planks to prevent bats from leaving from other locations. The primary exit point will remain uncovered to allow exclusion devices to be installed. Exclusion devices will consist of a screen (e.g., poly netting, window screen, or fiberglass screening) with mesh 1/6 of an inch or smaller, installed at the top of the roost location and sealed and passing 2 feet below the bottom of the primary exit point. The exclusion devices will be installed at night to increase the potential that bats will have already left the roost and are less likely to return. Exclusion devices will be left in place for one week to ensure that any remaining bats in the roost(s) are excluded. A passive acoustic monitoring detector will also be deployed during the exclusion period in order to verify excluded species and monitor whether bat activity has decreased during the exclusion period. Periodic monitoring should also be conducted during the exclusion period to observe whether any bats are still emerging from additional areas within the impact footprint, and an active monitoring survey should be conducted on the final night of exclusion to ensure that no bats are emerging from the buildings and determine whether exclusion has been successful. Any continued presence of roosting bats will require an adjustment to the exclusion devices and schedule. The exclusion devices may remain in place until the start of demolition activities. If any bats are found roosting in any proposed demolition areas prior to demolition, additional exclusion will be required and follow the same methodology described in this mitigation measure. This will occur until all bats are excluded.
- d. **Survey Report.** Following completion of the survey the bat biologist will complete a survey report which records the findings. If active roosts are observed, and the maternity roosting season cannot be avoided, and bats must be removed, the report will also document the replacement roost installation and roost exclusion.

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

**Timing:** Prior to 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 the applicant that the requirement is complete and the bond amount can be relinquished.

**M-BI-7 Biological Monitoring of Stormwater Pollution Prevention Plan (SWPPP) Implementation.** During construction monitoring, the Project Biologist shall verify the following are implemented:

- a. No planting or seeding of invasive plant species on the most recent version of the California Invasive Plant Council's California Invasive Plant Inventory for the project region.
- b. Dust-control fencing is in place and intact if fencing is required.
- c. Construction activity is located outside of 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, California Department of Fish and Wildlife, and Regional Water Quality Control Board.
- d. Silt-settling basins installed during the construction process are 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. Design of drainage facilities shall incorporate long-term control of pollutants and stormwater flow to minimize pollution and hydrologic changes.
- e. Temporary structures, staging, and storage areas for construction equipment and/or materials are located outside of jurisdictional waters, including wetlands and riparian areas.
- f. No material stockpiles, debris, bark, slash sawdust, rubbish, cement, concrete or washing thereof, oil, or petroleum products are stored where they may be washed by rainfall or runoff into jurisdictional waters of the United States/state.
- g. When construction operations are completed, excess materials or debris have been removed from the work area.
- h. No equipment maintenance is performed within or near jurisdictional waters of the United States/state where petroleum products or other pollutants from the equipment may enter these areas.
- i. Fully covered trash receptacles that are animal-proof and weather-proof are installed and used by the operator to contain all food, food scraps, food wrappers, beverage containers, and other miscellaneous trash. Littering is prohibited and removal of trash from construction areas daily is required. All

food-related trash and garbage are removed from construction sites on a daily basis.

- j. There are no pets on or adjacent to construction sites.
- k. Speed limits in and around all construction areas are enforced so that vehicles do 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-8 Prevention of Chemical Pollutants.** Weed control treatments shall include all legally permitted chemical, manual, and mechanical methods applied with the authorization of the County of San Diego (County) agriculture commissioner. The application of herbicides shall be in compliance with all federal and state laws and regulations under the prescription of a licensed Pest Control Adviser with at least 2-years' experience and implemented by a licensed applicator. Where manual and/or mechanical methods are used, disposal of the plant debris shall follow the regulations set by the County agriculture commissioner. The timing of the weed control treatment shall be determined for each plant species in consultation with the Pest Control Adviser, the County agriculture commissioner, and the California Invasive Plant Council, with the goal of controlling populations before they start producing seeds.

During project operation, all areas that use chemicals that are potentially toxic or impactful to sensitive habitats or plants shall incorporate best management practices (e.g., avoid applications during or before rain events and avoid placing materials close to sensitive habitats) on site to reduce impacts caused by the application and/or drainage of such materials within the development footprint. In addition, use of rodenticides shall not be allowed. Weed treatment shall occur at least once per year throughout the life of the project.

**M-BI-9 Prevention of Invasive Plant Species.** A County of San Diego-approved plant list shall be used for areas immediately adjacent to open space. A hydroseed mix that incorporates native species, is appropriate to the area, and is free from invasive species shall be used for landscaped areas adjacent to the biological open space. The San Diego County Planning & Development Services landscape architect shall require that all final landscape plans comply with the following: no invasive plant species, as included on the most recent version of the California Invasive Plant Council's California Invasive Plant Inventory for the project region shall be included, and the plant palette shall be composed of native species that do not require high irrigation rates. The Project Biologist shall periodically check landscape products for compliance with these requirements.

**M-BI-10 Operations and Maintenance Signage.** Signage shall be posted at all entrances to the facility stating that operations and maintenance personnel shall be prohibited from the following:

- Harming, harassing, or feeding wildlife and/or collecting special-status plant or wildlife species
- Smoking
- Traveling (either on foot or in a vehicle) outside of the solar facility undisturbed portions of the Project site
- No pets
- No Littering
- No persons not conducting operations and maintenance activities shall remain at the facility after daylight hours or exceed normal nighttime operational noise or lighting

**M-BI-11 Noise Reduction.** Construction-related activities that are excessively noisy (e.g., clearing, grading, or grubbing) adjacent to breeding/nesting areas shall incorporate noise-reduction measures (described below) or be curtailed during the breeding/nesting season of sensitive bird species.

1. Trucks and other engine-powered equipment shall be equipped with noise reduction features, such as mufflers and engine shrouds, which are no less effective than those originally installed by the manufacturer.
2. Trucks and other engine-powered equipment shall be operated in accordance with posted speed limits and limited engine idling requirements.
3. Usage of truck engine exhaust compression braking systems shall be limited to emergencies.
4. Back-up beepers for all construction equipment and vehicles shall be adjusted to the lowest noise levels possible, provided that Occupational Safety and Health Administration (OSHA) and Cal OSHA's safety requirements are not violated. These settings shall be retained for the duration of construction activities.
5. Vehicle horns shall be used only when absolutely necessary, as specified in the contractor's specifications.
6. Radios and other noise-generating "personal equipment" shall be prohibited

If construction-related activities that are excessively noisy (e.g., clearing, grading, grubbing, or blasting) occur during the period of January 15 through August 31, a

County of San Diego-approved biologist shall conduct preconstruction surveys in suitable nesting habitat adjacent to the construction area to determine the location of any active nests in the area (see **M-BI-5**).

## CULTURAL RESOURCES

**M-CR-1 Temporary Fencing.** To prevent inadvertent disturbance of archaeological sites within the avoidance areas and to the unimpacted portions of the site outside of the ADI, temporary fencing shall be installed where resources are located within 50 feet of the Project ADI. The temporary fencing shall include the following requirements:

1. Prior to the commencement of any grading and/or clearing in association with the grading and/or improvement plan, temporary construction fencing shall be placed to protect from inadvertent disturbance archaeological sites or portions of sites (CA-SDI-4457/H, CA-SDI-6741, CA-SDI-7054, CA-SDI-7056/H, CA-SDI-8430, CA-SDI-11676, CA-SDI-11686, and CA-SDI-19910) adjacent to the Project ADI during earth-disturbing activities. Temporary fencing shall be installed prior to the pre-construction meeting and any clearing, grubbing, trenching, grading, or land disturbances and shall remain for the duration of earth-disturbing activities
  - Temporary fencing is required in all locations of the Project where proposed grading or clearing is within 50 feet of any archaeological site outside of the Project ADI (CA-SDI-11682, and CA-SDI-20985).
  - The placement of such fencing shall be approved by the County. Upon approval, the fencing shall remain in place until the conclusion of grading activities, after which the fencing shall be removed.
  - Installation of temporary fencing shall require the presence of monitor(s) (Archaeological & Native American) pursuant to M-CR-2.
  - A signed and stamped statement from a California Registered Engineer, or licensed surveyor shall be submitted to Planning & Development Services for approval. The statement shall identify that temporary fencing has been installed in all required locations where grading or clearing is within 50 feet of an archaeological site outside of the Project ADI.

**M-CR-2 Archaeological Monitoring.** To mitigate for potential impacts to undiscovered, buried archaeological resources within the Project ADI and to mitigate the additional impacts to known archaeological resources, an archaeological monitoring program and potential data recovery program shall be implemented pursuant to the County of San Diego's (County's) Guidelines for Determining

Significance and Report Format and Requirements for Cultural Resources and the California Environmental Quality Act (CEQA) and shall include the following requirements:

- Pre-Construction
  - The applicant shall contract with a County-approved archaeologist to perform archaeological monitoring. The project archaeologist shall contract with a Kumeyaay monitor to conduct Native American monitoring for the Proposed Project.
  - Pre-construction meeting to be attended by the Project Archaeologist and Kumeyaay Native American monitor(s) to explain the monitoring requirements.
- Construction
  - Temporary Fencing. Temporary orange construction fencing shall be installed around unimpacted portions of CA-SDI-4457/H, CA-SDI-6741, CA-SDI-7054, CA-SDI-7056/H, CA-SDI-8430, CA-SDI-11676, CA-SDI-11686, and CA-SDI-19910 and along the MUP boundaries where cultural resources (CA-SDI-11682, and CA-SDI-20985, and CA-SDI-21757) are within 50 feet of the Project ADI. An archaeological monitor and Kumeyaay Native American monitor shall be present to assure proper placement of construction fencing and to prevent impacts to cultural resources.
  - Monitoring. Both the archaeological and Kumeyaay Native American monitor(s) are to be on site during earth disturbing activities. The frequency and location of monitoring of native soils will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American monitor(s). Both the archaeological and Kumeyaay Native American monitor(s) shall evaluate fill soils to ensure that they are negative for cultural resources
  - If cultural resources are identified:
    - Both the archaeological and Kumeyaay Native American monitor(s) have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
    - The archaeological monitor shall contact the Project Archaeologist.
    - The Project Archaeologist shall contact the County Archaeologist.
    - The Project Archaeologist in consultation with the County Archaeologist and Kumeyaay Native American monitor(s) shall determine the significance of discovered resources.
    - Construction activities will be allowed to resume after the County Archaeologist has concurred with the significance evaluation.

- Isolates and non-significant deposits shall be minimally documented in the field. Should the isolates and non-significant deposits not be collected by the archaeological monitor, the Kumeyaay Native American monitor(s) may collect the cultural material for transfer to a Tribal curation facility or repatriation program.
- If cultural resources are determined to be significant, a Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in consultation with the Kumeyaay Native American monitor(s) and approved by the County Archaeologist. The program shall include reasonable efforts to preserve (avoid) unique cultural resources of Sacred Sites; the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap if avoidance is infeasible; and data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).
- Human Remains.
  - The Property Owner or their representative shall contact the County Coroner and the County Planning & Development Services (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. Should the human remains need to be taken offsite for evaluation, they shall be accompanied by a Kumeyaay Native American monitor.
  - If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), 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 §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- Rough Grading
  - Upon completion of Rough Grading, a monitoring report shall be prepared identifying whether resources were encountered. A copy of the monitoring

report shall be provided to any culturally affiliated tribe who requests a copy.

- Final Grading
  - A final report shall be prepared substantiating that earth-disturbing activities are completed and whether cultural resources were encountered. A copy of the final report shall be submitted to the South Coastal Information Center, and any culturally affiliated tribe who requests a copy.
  - Cultural Material Conveyance
    - The final report shall include evidence that all prehistoric materials have been curated at a San Diego curation facility or Tribal curation facility that meets federal standards per 36 CFR Part 79, or alternatively have been repatriated to a culturally affiliated tribe.
    - The final report shall include evidence that all historic materials have been curated at a San Diego curation facility that meets federal standards per 36 CFR Part 79.

### **M-CR-3 Cultural Resources Treatment Agreement and Preservation Plan**

Prior to the approval of any plan or issuance of any permit, and prior to use of the premises in reliance on this permit, the Cultural Resources Treatment Agreement and Preservation Plan shall be submitted to County of San Diego Director of Planning & Development Services for review and approval. The Plan shall be prepared by the Project archaeologist and the Kumeyaay Native American Monitor and shall include but not be limited to the following:

- Parties entering into the agreement and contact information.
- Responsibilities of the Property Owner or their representative, Principal Investigator, archaeological monitors, Kumeyaay Native American monitors, and the Tribe.
- Requirements of the Archaeological Monitoring Program including unanticipated discoveries. The requirements shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials (both in the field and lab settings), and onsite storage of cultural materials, as necessary and if required.
- Treatment of identified Native American cultural materials.
- Treatment of Native American human remains and associated grave goods.
- Requirements for Temporary Fencing for 10 sites that partially intersect or are within 50 feet of the Project ADI (CA-SDI-4457/H, CA-SDI-6741, CA-SDI-7054, CA-SDI-7056/H, CA-SDI-8430, CA-SDI-11676, CA-SDI-11682, CA-SDI-11686, and CA-SDI-19910, and CA-SDI-20985).

- Confidentiality of cultural information including location and data.
- Negotiation of disagreements should they arise during the implementation of the Agreement and Preservation Plan.
- Regulations that apply to cultural resources that have been identified or may be identified during project construction.

#### **M-CR-4 Long-Term Preservation of Resources**

All O&M and decommissioning activities will be performed within the Project ADI – no ground-disturbing activities shall occur outside the Project ADI. Employees and contractors performing O&M and decommissioning activities will receive training or instructions regarding the archaeological and cultural sensitivity of the Project Area to ensure no inadvertent impacts occur to the 11 potentially significant sites (or portions thereof) that are adjacent to the Project ADI. These include the eight sites that were fully or partially tested because they intersect the Project ADI and the three sites that were not evaluated because they are outside of the Project ADI but require protection because they are within 50 feet of the Project ADI. Temporary fencing shall be installed during decommissioning activities to delineate the ADI. Temporary fencing requirements are provided in **M-CR-1**

### **GEOLOGY, SOILS AND SEISMICITY**

**M-GEO-1** Prior to the issuance of a building permit, the Project applicant shall retain a California Certified Engineering Geologist to perform a detailed site-specific subsurface report or preliminary geotechnical investigation, consistent with the California Building Code. The California Building Code (which incorporates the International Building Code) is contained in the California Code of Regulations, Title 24, Part 2, which is a portion of the California Building Standards Code, and includes design and construction requirements related to life safety and structural safety. The geotechnical study shall include subsurface investigation, laboratory testing, and additional deep explorations using borings of 60 feet or more and/or cone penetrometer tests across the alluviated portions of the Proposed Project site to further define the alluvium profile and quantitatively address the potential for soil liquefaction and lateral spreading across the site. The subsurface geotechnical study shall also include recommendations for the proposed construction and grading such as remedial grading, ground improvement techniques, special foundation design, and other recommendations to ensure that construction of the project does not result in substantial liquefaction, subsidence, or seismic-related ground failure due to lateral spread. In addition, the Proposed Project shall

implement any necessary measures required to comply with existing building codes and regulations.

## HYDROLOGY AND WATER QUALITY

**M-HYD-1** Prior to approval of final design plans, the applicant shall demonstrate to the satisfaction of the County DPW Flood Control through hydrologic and hydraulic analyses, acceptable to DPW Flood Control and performed by a California licensed engineer in accordance with standard engineering practice, that the design features for the perimeter fencing avoids the blockage and/or redirection of storm flows resulting from the accumulation of debris and/or detritus at wash crossings. This can be accomplished through a number of means such as a) use of breakaway fencing perpendicular to flood flows, b) use of fencing that spans washes (without posts) above the anticipated peak flow depth, c) or an alternative design measure that would avoid accumulations of detritus at perimeter fence wash crossings, subject to County approval.

**DOCUMENTATION:** The applicant shall show the proposed fencing design or alternative design measure on the Final Grading Plans. The associated Drainage Study shall contain hydrologic and hydraulic analyses, acceptable to DPW Flood Control and performed by a California licensed engineer in accordance with standard engineering practice, that model the proposed fencing and/or design measures and demonstrate that the fencing will not cause alteration of drainage patterns and/or flood hazards from pre-project conditions. The Drainage Study shall be in compliance with the County Hydrology Manual and the County Hydraulic Design Manual.

**TIMING:** Prior to the approval of any grading and/or improvement plans and issuance of Grading or Construction Permits, the Drainage Study and Plans shall be approved.

**MONITORING:** The County DPW Flood Control shall review and approve the hydrologic and hydraulic analyses contained in the Drainage Study and the final fencing design and layout to ensure the flood flow is fully mitigated to pre-project conditions.

## NOISE

**M-NOI-1** The Proposed Project would comply with the County's Noise Ordinance §36.404 based upon the current proposed layout of the Proposed Project and the anticipated

major noise producing operating stationary equipment (Equipment) deployed for the Proposed Project. The Equipment modeled in the Acoustical Analysis Report (AAR) prepared for the EIR was selected as representative technology at the time the 2020 AAR was prepared. The Project applicant may propose to use different Equipment than what was used to perform the noise modeling in the AAR or propose a change in the Equipment layout. If different Equipment is selected and/or the layout of Equipment is changed subsequent to Project approval, the applicant will be required to submit a revised AAR, and a revised site plan if needed, as follows:

- a. The Project applicant shall retain a County Approved CEQA Noise Consultant to prepare a new predictive operations noise analysis in accordance with the County's Noise Report Format and Content requirement
- b. Any proposed Equipment selections, equipment duty cycles, Project layout alterations, and/or the addition, modification, reduction of the preceding equipment noise limits and measures may be approved, if they are demonstrated to comply with applicable outdoor hourly  $L_{eq}$  noise limits per Section 36.404(a) of the County's Noise Ordinance at the property line.
- c. The above identified measures shall take place prior to approval of any building plans for the Proposed Project. Any alterations or modifications proposed and approved pursuant to this procedure shall be included in the proposed Project design plans.

**M-NOI-2 PV Panel Washing Protocol:** To ensure noise from mobile operating equipment associated with regular cleansing of Project PV panel surfaces complies with daytime County noise standards, the following shall be implemented:

- a. As part of the Project operations and maintenance program, the Applicant shall prepare a PV Panel Washing Plan (PVPWP) that addresses the usage of self-propelled or towed washing systems during the expected quarterly (or other frequency as reasonably anticipated annually) PV panel washing. The PVPWP shall demonstrate compliance with the County Noise Ordinance for avoiding potential impacts caused by operating PV panel washing equipment and vehicle noise sufficiently proximate to the property on which the noise is produced or at any location on a property that is receiving the noise. The PVPWP shall be submitted to County Planning & Development Services (PDS) a minimum of 30 days prior to the first PV panel washing. The County shall review the PVPWP to ensure compliance with the County Noise Ordinance prior to any panel washing.

A subsequent plan shall be submitted to County PDS if there are any anticipated changes to the panel washing in the future. The subsequent Plan shall be submitted to the County 30 days prior to any new PV panel washing procedures occur. Components of the PVPWP shall include the following:

- Affected property owners shall be notified in writing two weeks prior to PV panel washing activity within 500 feet of their property boundaries.
- Noise emission from a self-propelled PV panel washer (Mazaka, MultiOne, or comparable) must not exceed 83 dBA Leq at 16 feet over a full hour; and its operation must be restricted to daytime operation at the specified distance between it and a position along the property line that adjoins S80, RR or similar County-classified Noise Zone 1 property:
  - within 150 feet – not permitted;
  - 150 to 250 feet – up to five minutes within any hour;
  - 250 to 300 feet – up to fifteen minutes within any hour;
  - 300 to 450 feet – up to thirty minutes within any hour; and,
  - beyond 450 feet – no restriction.
- Noise emission from a self-propelled PV panel washer (Mazaka, MultiOne, or comparable) must not exceed 83 dBA Leq at 16 feet over a full hour; and its operation must be restricted to daytime operation at the specified distance between it and a position along the property line that adjoins C44 or similar County-classified Noise Zone 3 property:
  - within 100 feet – not permitted;
  - 100 to 150 feet – up to five minutes within any hour;
  - 150 to 200 feet – up to fifteen minutes within any hour;
  - 200 to 250 feet – up to thirty minutes within any hour; and,
  - beyond 250 feet – no restriction.
- Noise emission from a pick-up truck (or ATV) and its towed IPC Eagle wash station (or comparable equipment) must not exceed 74 dBA Leq at 9 feet over a full hour; and, its operation must be restricted to daytime operation at the specified distance between it and a position along the property line that adjoins S80, RR or similar County-classified Noise Zone 1 property:
  - within 50 feet – not permitted;
  - 50 to 75 feet – up to five minutes within any hour;

75 to 100 feet – up to fifteen minutes within any hour;  
 100 to 125 feet – up to forty-five minutes within any hour; and,  
 beyond 125 feet – no restriction.

- Noise emission from a pick-up truck (or ATV) and its towed IPC Eagle wash station (or comparable equipment) must not exceed 74 dBA Leq at 9 feet over a full hour; and, its operation must be restricted to daytime operation at the specified distance between it and a position along the property line that adjoins C44 or similar County-classified Noise Zone 3 property:
    - within 25 feet – not permitted;
    - 25 to 40 feet – up to five minutes within any hour;
    - 40 to 60 feet – up to fifteen minutes within any hour;
    - 60 to 75 feet – up to thirty minutes within any hour; and,
    - beyond 75 feet – no restriction.
  - Visual guides (flags, reflectors, or other markers) shall clearly delineate distances or zones of operation allowed for either of the afore-mentioned PV panel washing systems (self-propelled or towed).
- b. Operators of the PV panel washing equipment shall be informed of the PVPWP as part of customary on-site Project training and awareness of County noise standard compliance to avoid potential noise impacts to the Jacumba Hot Springs community

**M-NOI-3 Construction Noise Management Plan:** Prior to construction and decommissioning, the Applicant shall prepare a construction noise management plan (CNMP) which establishes construction activity restrictions in order to reliably achieve compliance with the County’s 8-hour 75 dBA Leq standard at the Project property lines adjoining existing occupied properties (defined by Section 36.402.m as “property on which there is a building for which a certificate of occupancy has been issued”). The CNMP shall demonstrate compliance with the County Noise Ordinance for avoiding potential impacts caused by operating construction equipment and vehicle noise sufficiently proximate to these property lines of occupied properties. The CNMP shall be submitted to County Planning & Development Services (PDS) thirty (30) days prior to any land disturbance. Components of the CNMP shall include the following:

- a. Affected property owners shall be notified in writing two weeks prior to construction activity within 500 feet of their property boundaries.

- b. In order to comply with the County Noise Ordinance (Section 36.409 – Construction Equipment), the acoustical usage factors (AUF) of heavy construction equipment used on the Project site shall be comparable to those listed on Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) User’s Guide Table 1, reference  $L_{\max}$  values at 50 feet shall be the lower of either the “Spec. 721.560” or “Actual Measured” values from the same RCNM User’s Guide Table 1, and duration of heavy equipment operating for construction shall comply with the following limitations by activity, for the specified distance between the indicated heavy equipment operations and a position along the property line of an occupied parcel:
- Perimeter fence installation – up to two flatbed trucks and a front end loader:
    - within 15 feet – not permitted;
    - 15 to 25 feet – no more than twenty minutes per 8-hour period;
    - 25 to 50 feet – no more than one hour per 8-hour period;
    - 50 to 75 feet – no more than 4 hours per 8-hour period; and,
    - beyond 75 feet – no restriction.
  - Site preparation (clearing) – water truck and tractor (mowing attachment):
    - within 20 feet – not permitted;
    - 20 to 25 feet – no more than twenty minutes per 8-hour period;
    - 25 to 50 feet – no more than thirty minutes per 8-hour period;
    - 50 to 75 feet – no more than 2 hours per 8-hour period;
    - 75 to 100 feet – no more than 4 hours per 8-hour period; and,
    - beyond 100 feet – no restriction.
  - Site preparation (earth-moving) – bulldozer, water truck, and scraper:
    - within 25 feet – not permitted;
    - 25 to 50 feet – no more than twenty minutes per 8-hour period;
    - 50 to 75 feet – no more than one hour per 8-hour period;
    - 75 to 100 feet – no more than three hours per 8-hour period;
    - 100 to 125 feet – no more than six hours per 8-hour period; and,
    - beyond 125 feet – no restriction.
  - Site preparation (grading) – flatbed truck, grader, water truck, and sheepsfoot roller:
    - within 25 feet – not permitted;
    - 25 to 50 feet – no more than twenty minutes per 8-hour period;
    - 50 to 75 feet – no more than one hour per 8-hour period;
    - 75 to 100 feet – no more than three hours per 8-hour period;
    - 100 to 125 feet – no more than six hours per 8-hour period; and,
    - beyond 125 feet – no restriction.

- Underground work (trenching) – excavator, sheepsfoot roller, water truck, 5kW generator, and gradall (4x4 forklift):
  - within 25 feet – not permitted;
  - 25 to 50 feet – no more than twenty minutes per 8-hour period;
  - 50 to 75 feet – no more than 1.5 hours per 8-hour period;
  - 75 to 100 feet – no more than 3 hours per 8-hour period; and,
  - beyond 100 feet – no restriction.
- Underground work (back-filling) – Aussie padder, sheepsfoot roller, water truck, 5kW generator, and gradall (4x4 forklift):
  - within 25 feet – not permitted;
  - 25 to 50 feet – no more than twenty minutes per 8-hour period;
  - 50 to 75 feet – no more than 1.5 hours per 8-hour period;
  - 75 to 100 feet – no more than 3 hours per 8-hour period; and,
  - beyond 100 feet – no restriction.
- System installation – gradall (4x4 forklift), crane, ATV, vibratory pile driver (RGT Model RG21T or comparable), pick-up truck, and 5kW generator:
  - within 25 feet – not permitted;
  - 25 to 50 feet – no more than twenty minutes per 8-hour period;
  - 50 to 75 feet – no more than 1.5 hours per 8-hour period;
  - 75 to 100 feet – no more than 4 hours per 8-hour period; and,
  - beyond 100 feet – no restriction.

All construction equipment operations shall incorporate all recommended noise reducing measures such as, but not limited to, limiting construction equipment operations, installation of temporary noise barriers, and implementation of the recommendations within the CNMP to demonstrate compliance with the County Code Noise Ordinance, Sections 36.408 and 36.409.

Concurrent construction activities may occur so long as next closest construction activity to the same studied property line position is at least four times its “no restriction” distance away. By way of example, if earth-moving was occurring near a fixed point on the potentially affected property line, the next-closest set of earth-moving equipment performing like work, or perhaps an overlapping and comparable scheduled activity (e.g., grading), would be permitted if no closer than 500 feet (= 4 x 125’) from the same receptor point.

- c. If distance buffers or duration limits cannot be maintained, then the Project Applicant or its contractor will implement on-site temporary sound abatement

measures, such as a field-erected noise barrier (e.g., sound blankets) of sufficient height and horizontal extent, or the placement of storage containers and other similarly solid sound-occluding structures, to ensure construction activity noise at the Project property line complies with County standards.

- d. The CNMP will also include direction for the Project applicant or its contractor(s) to implement the following:
- Trucks and other engine-powered equipment shall be equipped with noise reduction features, such as mufflers and engine shrouds, which are no less effective than those originally installed by the manufacturer;
  - Trucks and other engine-powered equipment shall be operated in accordance with posted speed limits and limited engine idling requirements;
  - Usage of truck engine exhaust compression braking systems shall be limited to emergencies;
  - Back-up beepers for all construction equipment and vehicles shall be adjusted to the lowest noise levels possible, provided that Occupational Safety and Health Administration (OSHA) and Cal OSHA's safety requirements are not violated;
  - Vehicle horns shall be used only when necessary, as specified in the contractor's specifications; and,
  - Radios and other noise-generating "personal equipment" shall be prohibited

## PALEONTOLOGICAL RESOURCES

**M-PR-1** Prior to commencement of any grading activity on-site, the applicant shall retain a qualified paleontologist, subject to the review and approval of the County. The paleontologist shall prepare a Paleontological Resources Monitoring Program (PRMP) for the project. The PRMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (2010). The qualified paleontologist shall attend the preconstruction meeting and the paleontological monitor shall be on-site during rough grading and other significant ground-disturbing activities in previously undisturbed geological units with moderate to high paleontological resource sensitivity. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor shall temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery shall be contained with temporary orange construction fencing and shall include a 50-foot radius buffer. Once documentation and collection of the find is completed, the paleontological monitor shall remove the temporary orange construction fencing and grading will be allowed to recommence in the area of the find. Upon completion of the paleontological monitoring program, the qualified paleontologist shall prepare a final monitoring report

documenting the results of the monitoring program. This report shall include a description of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

## TRIBAL CULTURAL RESOURCES

**M-TCR-1 Temporary Fencing.** To prevent inadvertent disturbance of tribal cultural resources (TCRs) within the avoidance areas (land outside of the Project ADI), temporary fencing shall be installed where resources are located within 50 feet of the Project ADI. The temporary fencing shall include the following requirements:

- Prior to the commencement of any grading and/or clearing in association with the grading and/or improvement plan, temporary construction fencing shall be placed to protect archaeological sites or portions of sites adjacent to the Project ADI during earth-disturbing activities. Temporary fencing shall be installed prior to the pre-construction meeting and any clearing, grubbing, trenching, grading, or land disturbances; remain for the duration of earth-disturbing activities; and include the following:
  - Temporary fencing is required in all locations of the Project where proposed grading or clearing is within 50 feet of any archaeological site outside of the Project ADI.
  - The placement of such fencing shall be approved by the County. Upon approval, the fencing shall remain in place until the conclusion of grading activities, after which the fencing shall be removed.
  - Installation of temporary fencing shall require the presence of monitor(s) (Archaeological & Native American) pursuant to M-CR-2.

**M-TCR-2 Archaeological and Tribal Monitoring.** To mitigate for potential impacts to undiscovered, buried tribal cultural resources (TCRs) within the Project ADI, an archaeological and tribal monitoring program and potential data recovery program shall be implemented pursuant to the County of San Diego's (County's) Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources and the California Environmental Quality Act (CEQA) and shall include the following requirements:

- a. Pre-Construction
  - The project developer shall contract with a County-approved archaeologist to perform archaeological monitoring. The Project archaeologist shall contract with a Kumeyaay Native American monitor(s) to conduct Native American monitoring for the Project.

- The pre-construction meeting shall be attended by the Project archaeologist and the Kumeyaay Native American monitor(s) to explain the monitoring requirements.
- b. Construction
- Monitoring
    - Both the Project archaeologist and Kumeyaay Native American monitor(s) are to be on site during all earth-disturbing activities. The frequency and location of monitoring of native soils shall be determined by the Project archaeologist and the Kumeyaay Native American monitor. Both the Project Archaeologist and Kumeyaay Native American monitor(s) will evaluate fill soils to ensure that they are negative for cultural resources
  - Inadvertent Discoveries
    - Both the Project archaeologist and the Kumeyaay Native American monitor have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
    - The Project archaeologist shall contact the County archaeologist.
    - The Project archaeologist, in consultation with the County archaeologist and the Kumeyaay Native American monitor, shall determine the significance of discovered resources and whether they constitute a TCR.
    - Construction activities shall be allowed to resume after the County archaeologist has agreed with the significance evaluation.
    - Isolates and non-significant deposits shall be minimally documented in the field. If the isolates and non-significant deposits are not collected by the Project archaeologist, the Kumeyaay Native American monitor may collect the cultural material for transfer to a tribal curation facility or repatriation program.
    - If cultural resources are determined to be significant, a research design and data recovery program shall be prepared by the Project archaeologist in consultation with the Kumeyaay Native American monitor and approved by the County archaeologist. The program shall include reasonable efforts to preserve (avoid) unique cultural resources or sacred sites, to cap identified sacred sites or unique cultural resources and to place development over the cap if avoidance is infeasible; and to perform data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).
- c. Human Remains
- The property owner or their representative shall contact the County coroner and the County Planning & Development Services 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. Should the human remains need to be taken offsite for evaluation, they shall be accompanied by a Kumeyaay Native American monitor.
  - If the remains are determined to be of Native American origin, the most likely descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the property owner or their representative 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 California Public Resources Code, Section 5097.98, has been conducted.
  - California Public Resources Code, Section 5097.98; CEQA Guidelines, Section 15064.5; and California Health and Safety Code, Section 7050.5, shall be followed in the event that human remains are discovered.
- d. Rough Grading
- Upon completion of rough grading, a monitoring report identifying whether resources were encountered shall be prepared. A copy of the monitoring report shall be provided to any culturally affiliated tribe that requests a copy.
- e. Final Grading
- A final report substantiating that native soil-disturbing activities are completed and whether cultural resources were encountered shall be prepared. A copy of the final report shall be submitted to the South Coastal Information Center (SCIC) and any culturally affiliated tribe that requests a copy.
- f. Cultural Material Conveyance
- The final report shall include the following:
- Evidence that all prehistoric materials have been curated at a San Diego curation facility or tribal curation facility that meets federal standards according to Title 36, Part 79, of the Code of Federal Regulations or alternatively have been repatriated to a culturally affiliated tribe.
  - Evidence that historic materials have been curated at a San Diego curation facility that meets federal standards according to Title 36, Part 79, of the Code of Federal Regulations.

**M-TCR-3 Long-Term Preservation of Resources.** All O&M and decommissioning activities will be performed within the Project ADI – no ground-disturbing

activities shall occur outside the Project ADI. Employees and contractors performing O&M and decommissioning activities will receive training or instructions regarding the archaeological and cultural sensitivity of the Project Area to ensure no inadvertent impacts occur to the 11 potentially significant cultural sites (or portions thereof) that are located within 50 feet of the Project ADI, including the eight sites that were fully or partially tested and the three that were not evaluated). Temporary fencing will be installed during decommissioning activities to delineate the ADI.

## WILDFIRE

### **M-WF-1 Fire Protection Plan**

#### **Fire Protection Measures**

The Project's Fire Protection Plan (FPP) provides customized measures that address the identified potential fire hazards on the site. The measures are independently established but will work together to result in reduced fire threat and heightened fire protection. The following measures identified in Section 7 of the FPP will be implemented:

- Fuel Modification throughout the solar facility site from boundaries inward, including beneath PV modules, around the collector substation and adjacent switchyard, with restrictions on plant species, heights, densities, and locations (Required measure).
- Provide a technical report indicating special precautions for firefighting response (included as Appendix G of the FPP) (Code-exceeding measure).
- Minimum 20-foot interior on-site inverter fore access driveways and a minimum improved 24-foot wide perimeter on-site driveways would be constructed (Required measure).
- Participation in a County Fire Protection and Mitigation Agreement, for funding firefighting and emergency medical resources of which the details will be determined in the Project Fire Protection and Mitigation Agreement (Required measure).
- Project funded annual fuel modification inspections to ensure compliance with this FPP (Code-exceeding requirement).

- Motion sensor illuminated (and/or reflective) signage at main entrance with inverter and electrical grid disconnect and isolation information and identification (Required measure).
- Training program for local fire agencies on the deenergizing process that is controlled by the California Independent System Operator (CAISO), as described in Section 5.2.3 of the FPP. (Required measure).
- Training program for local fire agencies including preparation of a technical training video with County input and customized for this facility that can be easily viewed by new firefighters who rotate through the local fire stations (Code-exceeding measure).
- Preparation of a construction fire prevention plan (CFPP) for this project to be implemented by all contractors working on this project (CFPP included as Appendix A of the FPP) (Code-exceeding measure).
- Portable carbon dioxide (CO<sub>2</sub>) fire extinguishers mounted at the inverters and medium voltage transformer units.
- Six (6) 10,000-gallon water tanks dedicated for firefighting purposes; one tank will be provided at each driveway entrance to the solar panel areas as defined by geographic isolation from other sections and one tank will be provided near the substation (Required measure).
- System contact information with local fire agencies/stations to assist responding firefighters during an emergency (Required measure).
- Committed on-going maintenance of all facility components for the life of the project (Required measure).
- Maintenance logs to be kept and made available upon request to SDCFA/CAL FIRE (Required measure).
- Consistent placarding and labeling of all components for fire safety/response (Required measure).

### **Defensible Space and Fuel Modification**

The Project would provide defensible space by setting back all PV modules a minimum 30-feet from the solar facility's perimeter fence and modifying the fuels on-site by removing and grading them to a height of 6 inches, or, in the case of perimeter areas, drivable surfaces and vegetation free areas. The perimeter Fuel Modification Zone (FMZ) buffer will include at least 30 feet of modified fuels and will include the 30-foot wide perimeter fire access road, and cleared, contiguous

modified fuel areas from the perimeter fence to the outermost panel racks. This area seamlessly meets the modified fuel areas that occur throughout the site where fuels are maintained at a 6-inch height. Defensible space around all electrical equipment would be provided by an FMZ buffer of 100 feet surrounding the project collector substation pad area and 100 feet surrounding the adjacent switchyard.

The entire solar facility site would include modified fuels with fire access roadways and service roads compartmentalizing the low-growing (less than 6-inch) maintained areas beneath all PV modules, surrounding the collector substation pad area, and surrounding the adjacent switchyard.

Fuel modification requirements are detailed in the Project FPP.

## **M-WF-2 Construction Fire Protection Plan**

### **Risk Reduction Measures**

Risk Reduction Measures as identified in the Project Construction Fire Protection Plan (included as Appendix A to the Fire Protection Plan) will be implemented, as appropriate, during the construction phase of the Project to reduce the risk of ignitions. These measures will be enforced through the Site Safety Officer (SSO) and ongoing worker safety training:

- Fire rules shall be posted on the Project bulletin board at the contractor's field office and areas visible to employees. This shall include all contractors and subcontractors if more than one.
- All internal combustion engines used at the Project site shall be equipped with spark arrestors that are in good working order.
- Once initial two-track roads have been cut and initial fencing completed, light trucks and cars shall be used only on roads where the roadway is cleared of vegetation. Mufflers on all cars and light trucks shall be maintained in good working order.
- The Project will be equipped with at least one and up to two water trucks each of 4,000- gallon capacity. Each truck will be equipped with 50 feet of 0.25-inch fast response hose with fog nozzles. Any hose size greater than 1.5 inches shall use National Hose (NH) couplings.
- During construction, the project site will have at a minimum two pick-up trucks outfitted with Type-6 Skid-Mounted Units, including fire pump, hose, and nozzle, that are staffed with personnel properly trained to use the equipment.

- A cache of shovels, McLeods, and Pulaskis shall be available at staging sites. The amount of equipment will be determined by consultation between SSO and SDCFA/CAL FIRE. Additionally, on-site pickup trucks will be equipped with first aid kits, fire extinguishers, and shovels. Contractor vehicles will be required to include the same basic equipment.
- Equipment parking areas and small stationary engine sites shall be cleared of all extraneous flammable materials and provided with a gravel surface.
- A fire watch (i.e., person responsible for monitoring for ignitions) shall be provided during hot work and shall occur for up to one hour following completion of the hot work activities.
- Smoking will not be permitted on the site.
- Each Project construction site, if construction occurs simultaneously at various locations on the site, shall be equipped with fire extinguishers and firefighting equipment sufficient to extinguish small fires.
- The on-site contractor or Project staff shall coordinate with SDCFA/CAL FIRE to create a training component for emergency first responders to prepare for specialized emergency incidents that may occur at the Project site.
- All on-site employees shall participate in fire prevention and response training exercises with the SDCFA/CAL FIRE.
- The Project shall implement ongoing fire patrols during the fire season as defined by local and state agencies. The SSO will be assigned as fire patrol to monitor work activities when an activity risk exists for fire compliance. The SSO shall verify proper tools and equipment are on site, assess any fire agency work restrictions, and serve as a lookout for fire starts, including staying behind (e.g., a fire watch) to make certain no residual fire exists. Fire watch may be performed by any site personnel. A SSO shall perform routine patrols of the Project site during the fire season equipped with a portable fire extinguisher and communications equipment. The Project staff shall notify SDCFA/CAL FIRE of the name and contact information of the current SSO in the event of any change.
- Fires ignited on site shall be immediately reported via SDCFA and CAL FIRE.
- The engineering, procurement, and construction contracts for the Project shall clearly state the fire safety requirements that are the responsibility of any person who enters the site, as described in this CFPP.

### Daily Fire Prevention Measures

To limit the risk of fires, all site staff, employees, and contractors shall take the following precautions during Project construction:

- Fire safety shall be a component of daily tailgate meetings. Foremen will remind employees of fire safety, prevention, and emergency protocols on a daily basis.
- Smoking will not be permitted in the project site. Combustible materials shall be stored in areas away from native vegetation. Whenever combustibles are being stored in the open air, the SSO shall be informed of the situation.
- Evacuation routes shall be maintained and free of obstructions. Unavoidable evacuation route blockages shall be coordinated such that a secondary route is identified and available.
- Disposal of combustible waste in accordance with all applicable laws and regulations shall be required.
- Use and storage of flammable materials in areas away from ignition sources shall be required.
- Proper storage of chemicals such that incompatible (i.e., chemically reactive) substances would be separated appropriately shall be required.
- Performance of hot work (i.e., welding or working with an open flame or other ignition sources) in controlled areas under the supervision of a fire watch shall be required. Fire watch may be any site personnel who would watch for accidental ignitions. Hot work permits are required and shall be reviewed and granted by the SSO for all hot work.
- Equipment shall be kept in good working order by inspecting electrical wiring and appliances regularly and maintaining motors and tools free of excessive dust and grease.
- Ensuring that heating units are safeguarded shall be required.
- Immediate reporting of fuel or petroleum leaks. The site mechanic shall ensure that leaks are repaired immediately upon notification.
- Immediate repair and cleanup of flammable liquid leaks shall be required.
- Construction work areas shall be kept free of combustible materials.
- Extension cords shall not be relied on if wiring improvements are needed, and overloading of circuits with multiple pieces of equipment shall be prohibited.

- Turning off and unplugging electrical equipment when not in use.

### **Red Flag Warning Protocol**

Red Flag Warnings are issued by the National Weather Service and indicate that conditions are such (low humidity, high winds) that wildfire ignitions and spread may be facilitated. To ensure compliance with Red Flag Warnings restrictions, the National Weather Service website shall be monitored at the site (<http://www.srh.noaa.gov/ridge2/fire/briefing.php>). During Red Flag Warnings, construction activities shall be limited and precautions may be taken onsite during periods of a Red Flag Warning, when conditions such as low humidity and high winds are present. Upon announcement of a Red Flag Warning, red flags shall be prominently displayed at the entrance gate and main office, indicating to employees and contractors that restrictions are in place. Additionally, any hot work, grading, or other work that could result in heat, flame, sparks, or may cause an ignition to vegetation shall be limited to low fire hazard, non-hot work, unless within an ignition resistant structure until the Red Flag Warning has been lifted. Areas may be evacuated where personnel may be exposed to higher risks. If vehicles are required to be used during Red Flag Warning conditions, vehicles shall remain only on designated access roads on the site.

### **M-WF-3 Fire Protection and Mitigation Agreement**

As a condition to providing service and pursuant to the Safety Element of the General Plan, the applicant shall enter into a Fire Protection and Mitigation Agreement with the San Diego County Fire Authority prior to approval of a Major Use Permit to make a fair share contribution toward local emergency response capabilities. The funding shall be used by the SDCFA to mitigate risks of wildfires and to enhance fire suppression and emergency services capabilities for the Proposed Project and the southeast portion of CSA 135.