



County of San Diego

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MITIGATED NEGATIVE DECLARATION

PROJECT NAME: DOLLAR GENERAL CAMPO

RECORD ID: PDS2019-LDGRMJ-30250

This Document is Considered *DRAFT* Until it is Adopted by the Appropriate County of San Diego Decision-Making Body.

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Ordinance Compliance Checklist and attached extended studies
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

ANY PERMIT: (Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).

BIO#1–OFFSITE MITIGATION [PDS, FEE X2]

INTENT: In order to mitigate for the impacts to granitic chamise chaparral, which is a sensitive biological resource pursuant to the County's Guidelines for Determining Significance for Biological Resources, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit or provide for the conservation of habitat of 0.8 acres of chaparral habitat, located Cleveland Corridor Mitigation Bank, as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in East San Diego County as indicated below:
1. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS].
 2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
 3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
 4. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
 5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

MONITORING: The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

BIO#2-OFFSITE MITIGATION [PDS, FEE X2]

INTENT: In order to mitigate for the impacts to non-native grassland, which is a sensitive biological resource pursuant to the County's Guidelines for Determining Significance for Biological Resources, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit or provide for the conservation of habitat of 0.3 acres of non-native grassland habitat, located at the Cleveland Corridor Mitigation Bank, as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
 1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in East San Diego County as indicated below:
 1. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [PDS].
 2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
 3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
 4. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.

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

DOCUMENTATION: The applicant shall purchase the offsite mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING]. **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 mitigation shall occur. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

CULT#1 - ARCHAEOLOGICAL MONITORING

INTENT: In order to mitigate for potential impacts to undiscovered buried archaeological resources and human remains, an Archaeological Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA). **DESCRIPTION OF REQUIREMENT:** A County Approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist and Kumeyaay Native American monitor shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide evidence that a Kumeyaay Native American has been contracted to perform Native American Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds or bonded separately.

DOCUMENTATION: The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to [PDS, PPD]. 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:** [PDS, PPD] shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

GEN#1–FILING OF NOD:

INTENT: In order to comply with CEQA and State law, the permit NOD shall be filed at the County Recorder's Office. **DESCRIPTION OF REQUIREMENT:** The applicant shall take the original NOD and required fees to the San Diego County Recorder's Office and file the document within five (5) days of plan approval and return a copy of the filed document to PDS. **DOCUMENTATION:** The filed NOD form. **TIMING:** Within the first five (5) days of the appeal period, the applicant/owner shall take the original NOD form and required filing fees to the San Diego County Recorder's Office and file the document. **MONITORING:** The PDS Land Development Counter shall verify that the NOD was filed and that a copy of the document is on file with PDS LD Environmental Planner.

ROADS#X DEBRIS MANAGEMENT PLAN (DMP)

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. **DESCRIPTION OF REQUIREMENT:** To divert (recycle, reuse, repurpose) 100% of excavated soils, trees, stumps, rocks, and associated vegetation and soils from the following types of projects: (1) non-residential excavation and grading projects; (2) residential projects that require Major Grading permits. Grading projects greater than 5,000 cubic yards shall prepare a Debris Management Plan (DMP) prior to plan approval. All documentation must be submitted and approved by a DPW Compliance Official. Specific requirements are as follows:

- a. Prior to Grading plan approval, a Debris Management Plan (DMP) is required, consisting of:
 - The type of project.
 - The total cubic yardage for the project.
 - The estimated weight of grading or land clearing debris, by material type, that the project is expected to generate.
 - The estimated maximum weight of grading or land clearing debris that can feasibly be diverted via reuse, salvage, or recycling.
 - The estimated weight of grading or land clearing debris that is planned to be disposed of in a landfill.
 - The name of the facility (or facilities) which debris will be exported to.

- b. During grading activities, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed, must be prepared and retained onsite. The Daily Log must include all export receipts from an inert processing facility, green material processing operation, a C&D processing facility, or other vendor or disposal or transfer station facility that accepted grading material from the approved grading project. If material was reused onsite, other forms of documentation (such as photos) will be accepted in lieu of receipts. Daily logs shall include:
- Identify the project location.
 - Log the date that material was transported off site.
 - Log the type of graded or cleared material.
 - Estimated material weight, tonnage, or cubic yards.
 - Name of entity transporting the material.
 - Name of the receiving facility or exporter, and detailing whether the material was salvaged, recycled, or disposed of in a landfill.
 - Daily log entries shall correspond to receipts by materials transporter or receiving facility. If grading contractor exported materials off-site, receipts shall be compiled within 90 days of the receipts.
 - Daily logs shall include separate entries for each occurrence of materials reused on site.
 - Daily logs and all receipts shall be maintained at the project site and made available to any County Inspector for compliance with this condition.
- c. Exemption:
- Excavated soil and land-clearing debris that is contaminated by disease or pests are not required to be reused on- or off-site, provided that: (i) the County Agricultural Commissioner has made a determination of disease or pest contamination and permittee follows commissioner's direction for recycling or disposal of the material, (ii) the materials are generated in a known pest and/or disease quarantine zone identified by the California Department of Food and Agriculture, or (iii) the materials are otherwise not required to be reused under the CalGreen Code

DOCUMENTATION: The applicant shall prepare the Debris Management Plan (DMP) and submit the plan for review and approval by the DPW Recycling Compliance Official. During grading operations a daily log shall be prepared and kept on-site. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. Templates for all forms required are available at:

https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.html. **TIMING:** Prior to approval of any plan or issuance of any permit, the Debris Management Plan shall be prepared and submitted to the DPW Recycling Official [DPW CO] for review and approval. **MONITORING:** The [DPW, CO] shall review and approve the DMP documents for the project. The [DPW, CO], shall forward the approval of the DMP to [PDS, LDR] for compliance with this condition.

GRADING PLAN NOTES

The following notes shall be placed on the Grading Plan and made conditions of the issuance of said permits. A word document has been provided with the grading plan note language.

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

BIO#3-RESOURCE AVOIDANCE [PDS, FEE X2]

INTENT: In order to avoid impacts to migratory birds and raptors, which are a sensitive biological resource pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of migratory bird nesting habitat and 500 feet of raptor nesting habitat during the breeding season of the migratory bird and raptor within RAA as indicated on these plans. The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no migratory birds or raptors are present in the vicinity of the brushing, clearing or grading as demonstrated by a survey completed no more than 72-hours prior to grading or clearing. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

CULT#GR-1 - ARCHAEOLOGICAL AND TRIBAL MONITORING – PRECONSTRUCTION MEETING

INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and Kumeyaay Native American Monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and Kumeyaay Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The Project Archaeologist and Kumeyaay Native American monitor shall also evaluate fill soils to determine that they are clean of cultural resources. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist and Kumeyaay Native American attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall confirm the attendance of the approved Project Archaeologist.

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

CULT#GR-2 - ARCHAEOLOGICAL AND TRIBAL MONITORING – DURING CONSTRUCTION

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist and Kumeyaay Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

- a. **Monitoring.** During the original cutting of previously undisturbed deposits, the Project Archaeologist and Kumeyaay Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor.
- b. **Inadvertent Discoveries.** In the event that previously unidentified potentially significant cultural resources are discovered:
 1. The Project Archaeologist or the Kumeyaay Native American monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources.
 2. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist.
 3. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Kumeyaay Native American Monitor, shall determine the significance of the discovered resources.
 4. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation.
 5. Isolates and clearly non-significant deposits shall be minimally documented in the field. Should the isolates and/or non-significant deposits not be collected by the Project Archaeologist, then the Kumeyaay Native American monitor may collect the cultural material for transfer to a Tribal Curation facility or repatriation program.
 6. If cultural resources are determined to be significant, a Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

c. **Human Remains.** If any human remains are discovered:

1. The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
2. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Kumeyaay Native American monitor.
3. If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
4. 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.
5. The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
6. 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.

d. **Fill Soils.** The Project Archaeologist and Kumeyaay Native American monitor shall evaluate fill soils to determine that they are clean of cultural resources.

e. **Monthly Reporting.** The Project Archaeologist shall submit monthly status reports to the Director of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

DOCUMENTATION: The applicant shall implement the Archaeological Monitoring Program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PPD] if the Project Archeologist or applicant fails to comply with this condition.

AQ#1 – FUGITIVE DUST

INTENT: In order to mitigate for fugitive dust during construction activities. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measures:

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

- b. Dust control measures of the Grading Ordinance will be enhanced with a minimum of three (3) daily applications of water to the construction areas between dozer/scrapper passes and on any unpaved roads within the project limits.
- c. Grading is to be terminated in winds in excess of 25 miles per hour (mph).
- d. Sweepers and water trucks shall be used to control dust and debris at public street access points.
- e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing, or other suppression measures.
- f. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading.
- g. A 15-mph speed limit on unpaved surfaces shall be enforced.

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

AQ#2 – CONSTRUCTION EXHAUST EMISSIONS

INTENT: In order to mitigate for exhaust emissions during construction activities. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality and Greenhouse Gas measures:

- a. The project shall require the construction contractor to provide a construction fleet that uses heavy-duty diesel-powered equipment equipped with Tier 4 diesel engines. An exemption from these requirements may be granted by the County in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the County, the applicant shall be required to demonstrate that three construction fleet owners/operators in the San Diego Region were contacted and that those owners/operators confirmed Tier 4 equipment could not be located within the San Diego region.
- b. The project shall require the construction contractor to equip all heavy-duty diesel-powered construction equipment with diesel particulate filters (DPFs).

DOCUMENTATION: The applicant or designee shall comply with the Air Quality and Greenhouse Gas requirements of this condition. The applicant shall show compliance with this measure by providing the construction bid/estimate from the construction contractor that will be used. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the applicant fails to comply with this condition.

DPW RECYCLING - GRADING MATERIAL DIVERSION:

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. **DESCRIPTION OF REQUIREMENT:** For all grading projects >5,000 cubic yards, a Daily Log of all grading, land clearing, and brushing

material that is exported or reused/repurposed must be retained onsite. The Daily Log must include all export receipts or other vendor or disposal or transfer station facility information that accepted grading material from the approved grading project. **DOCUMENTATION:** Daily Logs shall be prepared and kept on-site for inspection and include the following:

- A. Identify the project location.
- B. Log date that material was transported off the site
- C. Log type of grading or clearing material
- D. Weight of the material or its approximate tonnage or cubic yards
- E. Name of the party transporting the materials
- F. Name of the receiving facility or exporter, and whether the material was disposed of in a landfill, salvaged for future use off-site, or recycled.
- G. Each log entry shall correspond with a receipt issued by the party that transported the material off-site or by facility that accepted the materials. If the materials were hauled by the grading contractor, export receipts shall be compiled within 90 days of the date of the log entry.
- H. The Daily Log shall include separate entries for each occurrence of materials reused on-site.
- I. The Daily Log and all receipts shall be maintained at the project site and made available to any County inspector responsible to ensure compliance with this requirement

TIMING: The following actions and logs shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall ensure that the grading contractor is preparing and maintaining the daily logs on-site. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.

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

CULT#GR-3 - ARCHAEOLOGICAL AND TRIBAL MONITORING – ROUGH GRADING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

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

DOCUMENTATION: The applicant shall submit the Archaeological Monitoring Report to [PDS, PPD] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center and any culturally affiliated Tribe who requests a copy. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** [PDS, PPD] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

DPW RECYCLING - GRADING MATERIAL DIVERSION:

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. **DESCRIPTION OF REQUIREMENT:** At the conclusion of the grading activities and prior to the release of Rough Grade Inspection, and prior to issuance of any building permit, the Final Debris Management Report (DMR) must be prepared and submitted for review and approval. **DOCUMENTATION:** The DMR final report (see template) shall be prepared and submitted for review and approval by the [DPW, CO] and shall include:

- A. Project name.
- B. List of total weight, tonnage, or cubic yards of materials, by type, which was recycled, salvaged, or disposed of in a landfill.
- C. Provide copies of receipts for export facilities, haulers, or materials reused on site.
- D. Signed self-certification letter (see template).

TIMING: The final report shall be prepared and submitted at Rough Grade inspection.

MONITORING: The [DPW, PDCI] shall ensure that the grading contractor has prepared and submitted the final report to [DPW, CO]. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.

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

CULT#GR-4 - ARCHAEOLOGICAL AND TRIBAL MONITORING – FINAL GRADING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials have been conveyed as follows:

- (1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

OR

Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity and shall be accompanied by payment of the fees necessary, if required. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

- (2) Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

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

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** [PDS, PPD] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete, and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

Refer to the attached Environmental Initial Study for the rationale for requiring the mitigation measures:

The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components which will mitigate potential cumulative traffic impacts to less than significant.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

Director of Planning & Development Services

September XX, 2021

Diana Perez, Project Manager
Land Development Division

DP: MD: dk