

ATTACHMENT A
North Iris Lane Residential Project
Summary of Potential Impacts and Mitigation Measures

Biological Resources

Impact BIO-1 Candidate, Sensitive, or Special-Status Species (Migratory Bird Treaty Act)

MM-BIO-1 Trimming, grubbing, and clearing of vegetation shall be avoided during the avian breeding season, which generally runs from February 15 to August 31 (as early as January 1 for some raptors) to the extent feasible. If trimming, grubbing, or clearing of vegetation is proposed to occur during the general avian breeding season, a pre-construction survey shall be conducted by a qualified biologist no more than seven days prior to vegetation clearing to determine if active bird nests are present in the affected areas. If there are no nesting birds (includes nest building or other breeding/nesting behavior) within this area, trimming, grubbing, and clearing of vegetation shall be allowed to proceed. If active bird nests are confirmed to be present during the pre-construction survey, a buffer zone will be established by the biologist. Construction activities shall avoid any active nests until a qualified biologist has verified that the young have fledged, or the nest has otherwise become inactive.

Impact BIO-2 Sensitive Habitat Impacts

MM-BIO-2 Prior to impacts to any sensitive habitats (disturbed wetland and non-native grassland), the applicant shall purchase off-site mitigation credits at a mitigation bank approved by the City. Mitigation ratios shall be consistent with regional standards (i.e., the Escondido Draft Subarea Plan): non-native grassland minimum 0.5:1 and disturbed wetland minimum 1:1. The disturbed wetland mitigation shall consist of establishment/re-establishment mitigation to achieve regional no-net-loss standards for potential wetlands. Proof of mitigation purchase shall be provided to the City prior to issuance of the grading permit.

Impact BIO-3 Jurisdictional Habitat

MM-BIO-3 Prior to any project impacts to potentially jurisdictional resources, demonstration that regulatory permits from USACE, RWQCB, and CDFW have been issued or that no such permits are required shall be provided to the City. Permanent impacts to 0.05 acre of USACE/RWQCB jurisdictional non-wetland waters of the United States/State, 0.10 acre of CDFW jurisdictional habitat, and 0.02 acre of CDFW jurisdictional streambed shall be mitigated at a minimum 1:1 ratio through one or a combination of the following off-site

options, unless otherwise required by the USACE, RWQCB, and/or CDFW during the regulatory permitting process:

- Purchase of establishment/re-establishment, rehabilitation, enhancement, and/or preservation credits from an off-site mitigation bank with a service area that overlaps the project and that is approved by the USACE, RWQCB, and CDFW, such as the San Luis Rey Mitigation Bank, and Brook Forest Conservation/Mitigation Bank; and/or
- Acquisition or use of other off-site mitigation lands in the region to include establishment/re-establishment, rehabilitation, enhancement, and/or preservation of USACE, RWQCB, and CDFW jurisdictional resources.

Mitigation for RWQCB-jurisdictional waters shall include a minimum 1:1 establishment/ reestablishment to ensure no-net-loss. Final mitigation requirements shall be determined during the permitting process in coordination with the USACE, RWQCB, and CDFW, as appropriate.

Impact BIO-4 Mature and Protected Trees

MM-BIO-4 The project applicant shall replace impacted mature trees at a minimum 1:1 ratio, unless otherwise determined by the City. The project applicant shall replace protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the City's Director of Community Development. This condition can be satisfied on-site if the project's landscape plans include the appropriate number of oak trees and other tree species.

Impact BIO-5 Infectious Tree Diseases

MM-BIO-5 The project applicant shall prepare an infectious tree disease management plan for the project. This plan should include a description of how the infectious tree disease management plan will be implemented. All trees that would be removed by the project should be inspected for contagious tree diseases including, but not limited to, thousand canker fungus (*Geosmithia morbida*), polyphagous shot hole borer (*Euwallacea spp.*), and goldspotted oak borer (*Agrilus auroguttatus*). To avoid the spread of infectious tree diseases, diseased trees should not be transported from the project site without first being treated using best available management practices relevant for each tree disease observed.

Cultural Resources/Tribal Cultural Resources

Impact CR-1 Archaeological Resources

The following cultural resources mitigation measures shall apply for ground disturbing activities during the project construction phase.

MM-CR-1 Prior to the issuance of a grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-

Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the Project Location (“TCA Tribe”). The purposes of the agreement are (1) to provide the Applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in mitigation measures MM-CR-2 through MM-CR-10, and the following information:

- Parties entering into the agreement and contact information.
- Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors.
- Project grading and development scheduling, including determination of authority to adjust in the event of unexpected discovery, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement.
- Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials.
- Treatment of identified Native American cultural materials.
- Treatment of Native American human remains and associated grave goods.
- Confidentiality of cultural information including location and data.
- Negotiation of disagreements should they arise.
- Regulations that apply to cultural resources that have been identified or may be identified during project construction.

MM-CR-2

Prior to issuance of a grading permit, the Applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the Project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

- MM-CR-3** The qualified archaeologist and a Native American monitor shall attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to explain and coordinate the requirements of the monitoring program.
- MM-CR-4** During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the topsoil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits (i.e., soil conditions are comprised solely of fill or granitic bedrock).
- MM-CR-5** In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant resource, work may resume immediately, and no agency notifications are required. Isolates and clearly non-significant deposits shall be documented in the field and collected and monitored grading can immediately proceed. All unearthened archaeological resources or tribal cultural resources shall be collected, temporarily stored in a secure location, and repatriated for later reburial on the project site, pursuant to the terms of the Pre-Excavation Agreement.
- MM-CR-6** If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c), the archaeologist shall immediately notify the City of said discovery. The qualified archaeologist, in consultation with the City, the consulting TCA Tribe(s), and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified

archaeologist in consultation with the TCA Tribe(s) and be submitted to the City for review and approval. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c), appropriate treatment measures will be implemented. Work may not resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.

M-CR-7

All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the Project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and evaluated in consultation with the TCA Tribe(s) as required by CEQA and in compliance with all relevant mitigation measures for the Project. If any significant tribal cultural resource or unique archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City's Director of Community Development (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA Tribe(s), making a determination of infeasibility that takes into account the factors listed in California Public Resources Code sections 21061.1, 21081(a)(3), and CEQA Guidelines section 15091, and in accordance with all relevant mitigation measures for the Project), then culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. No artifact sampling for analysis is allowed, unless requested and approved by the consulting TCA Tribe(s). Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

M-CR-8

As specified by California Health and Safety Code section 7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to a temporary off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner

will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code § 5097.98) for proper treatment and disposition in accordance with California Public Resources Code section 5097.98. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code § 5097.94). If no agreement is reached, the remains shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they will not be further disturbed (California Public Resources Code § 5097.98). Work may not resume within the no work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on site in the presence of the MLD, unless the forensic anthropologist and the MLD agree to remove the remains to an off-site location for examination.

MM-CR-9

If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the Native American monitor may, at their discretion, collect said resources for later reburial on the Project site or storage at a local curation facility. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe for reburial on the Project site. Should the TCA Tribe(s) decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

MM-CR-10

Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the Project site, shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources. A copy of the final report will be submitted to the South Coastal Information Center after approval by the City.

Human Remains (Impact CR-2)

MM-CR-2

Please see mitigation measure MM-CR-8, above.

Geology/Soils

Impact GEO-1: Due to the fact that the Pleistocene old alluvial floodplain deposits have an unproven/undetermined sensitivity there is a potential that the site could contain

paleontological resources that could be disturbed during grading activities for the project. The following mitigation is required.

- MM-GEO-1** Prior to project grading the project applicant shall retain a qualified paleontologist to review the proposed project area to determine the potential for paleontological resources to be encountered. If there is a potential for paleontological resources to occur, the paleontologist shall identify the area(s) where these resources are expected to be present, and a qualified paleontological monitor shall be retained to monitor the initial cut in any areas that have the potential to contain paleontological resources.

Hazards/Hazardous Materials

Impact HAZ-1 Accidental Release of Hazardous Materials (ACM and LBPs)

- MM-HAZ-1a** Prior to demolition activities on the project site, the Applicant shall submit verification to the City of Escondido Building Department that an asbestos survey has been conducted on any buildings that are to be demolished or removed from the project site. If asbestos is found, the Applicant shall follow all procedural requirements and regulations to properly abate and dispose of all on-site asbestos-containing materials before general demolition activities commence.

- MM-HAZ-1b** Prior to demolition activities on the project site, the Applicant shall submit verification to the City of Escondido Building Department that a lead-based paint survey has been conducted at all existing buildings located on the project site. If lead-based paint is found, the applicant shall follow all OSHA procedural requirements and regulations for its proper removal and disposal before general demolition activities commence.

Impact HAZ-2 Hazardous Material Sites

- MM-HAZ-2** Prior to construction activities on the project site, the Applicant shall submit verification that the undocumented fill material placed in front of 2039 North Iris Lane has been removed or evaluated for the potential for contaminants. If contaminated, the soil must be removed and disposed of according to local and state regulations. If contaminated soil is identified, the applicant shall follow all procedural and regulatory requirements for its proper removal and disposal before general construction activities commence.

Noise

Impact N-1 Rock Drilling Noise During Project Construction

- MM-N-1** If rock drill staging occurs within 160 feet of any occupied noise sensitive land uses, sound levels could exceed 75 dBA at property lines. A noise mitigation plan based upon the location of the construction equipment, topography and construction schedule shall be prepared by an acoustical consultant. The noise mitigation plan shall identify measures to reduce sound levels to below 75

dBA. Such measures could include a temporary noise barrier along any property line where the impacts could occur. The proposed noise barrier shall be of solid non-gapping material to adequately reduce construction noise levels below the noise threshold of 75 dBA at the property lines. The noise mitigation plan shall determine the final height and location of a temporary barrier if one is necessary. The mitigation plan may also identify location and timing restrictions on drilling equipment usage. The mitigation plan shall be submitted to the City for review and approval prior to initiation of rock drill staging activities within 160 feet of any occupied noise sensitive land use.

Transportation

Impact TR-1 Vehicle Miles Traveled

MM-TR-1a The project shall implement CAPCOA reduction measure T-1 (Increase Residential Density).

MM-TR-1b The project applicant shall pay the City of Escondido \$67,500 for pedestrian improvements at the following five intersections to reduce VMT impacts:

- Intersection of Centre City Pkwy at Iris Lane (Install high-visibility crosswalks on each leg (4 crosswalks) and install pedestrian countdown timers on each corner (4 countdown timers)).
- Intersection of El Norte at South Iris Lane (Install high-visibility crosswalks on each leg (4 crosswalks) and install pedestrian countdown timers on each corner (4 countdown timers)).
- Intersection of Broadway at Vista Ave (Install high-visibility crosswalks on each leg (4 crosswalks) and install pedestrian countdown timers on each corner (4 countdown timers)).
- Intersection of El Norte Parkway at Mountain View (Install pedestrian countdown timers on each corner (4 countdown timers)).
- Intersection of Country Club Lane at Broadway (Install high visibility crosswalk on north, south and east legs (3 crosswalks)).