

## Appendix L Mitigation Monitoring and Reporting Program

CEQA Section 21081.6 requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted along with a Mitigated Negative Declaration (MND) to ensure that proposed mitigation measures are implemented. The MMRP must specify what the mitigation measure requires, the entity responsible for monitoring the program, and when in the process it should be implemented. Table L-1 lists the mitigation measures identified in the analysis of this MND that would be required as part of the proposed project. Table L-2 identifies the Project Design Features and Best Management Practices (BMPs) to be implemented as part of the proposed project.

**Table L-1  
Mitigation Monitoring and Reporting Program**

Significant Impact	Mitigation Measure	Timing	Action Indicating Compliance	Responsible Entity
<i>Aesthetics</i>				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<b>AES-1: Mitigation for Loss of Trees.</b> Mitigation for loss of trees within the Camino del Mar public road right-of-way shall be covered by the City's Public Tree/Landscape Management program as administered by the City of Del Mar Public Works Department. Existing credits that have been added to the Program via Capital Improvement Program projects shall be applied to the project to ensure compliance with Chapter 23.50 of the DMMC.	Prior to construction	Proof of application of mitigation credits	City of Del Mar Planning Division
<i>Biological Resources</i>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<b>BIO-1: Pre-construction Protocol Surveys and Listed Species Avoidance.</b> In preparation for construction and to confirm the presence or absence of Belding's savannah sparrow, a pre-construction survey shall be conducted one year prior to construction during the breeding season (March 15 to June 30). If Belding's savannah sparrow is detected within 300 feet of the project impact footprint, the City shall notify CDFW, and if required by CDFW, shall prepare and submit an application for a Section 2081(b) Incidental Take Permit for impacts to Belding's savannah sparrow prior to construction. If it is determined by the survey that active territories for Belding's savannah sparrow are absent within 300 feet of construction, then construction shall be allowed to proceed.  If results of the pre-construction survey discussed above conclude Belding's savannah sparrow is absent, a subsequent survey shall be conducted prior to work if construction is	Prior to construction  During construction, March 15 to June 30	Retention of a qualified biologist.  Proof of completion of focused protocol surveys by a qualified biologist.  If Belding's savannah sparrow is detected within the project impact footprint during pre-construction surveys, the City shall notify CDFW, and prepare and submit an application for a Section 2081(b) Incidental Take Permit.	City of Del Mar Planning Division

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	<p>scheduled to commence between March 15 and June 30 (i.e., breeding season for Belding’s savannah sparrow) to ensure the absence of this species. If this subsequent survey finds active nesting territories belonging to this species, then construction shall: (1) be postponed until a qualified biologist determines the nest(s) is no longer active or until after the respective breeding season; (2) not occur until a temporary noise barrier or berm is constructed at the edge of the development footprint and/or around construction equipment to the satisfaction of the project biologist; and/or (3) shall be postponed until consultation with CDFW to address protection of this species has been completed by the City.</p>			
	<p><b>BIO-2: Construction Noise Abatement.</b>  If noise-generating construction activities are not completed prior to the breeding season for Belding’s savannah sparrow (March 15 through June 30) and this species is found present during the pre-construction surveys completed in accordance with BIO-1, then appropriate noise attenuation measures shall be implemented to reduce construction noise levels at the edge of occupied habitat to below 60 dBA LEQ (one hour average). Such measures shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Construction equipment shall be properly outfitted and maintained with manufacturer- recommended noise-reduction devices.</li> <li>• Diesel equipment shall be operated with closed engine doors and equipped with factory- recommended mufflers.</li> <li>• Mobile or fixed “package” equipment (e.g., arc-welders and air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.</li> <li>• Electrically powered equipment shall be used instead of pneumatic or internal-combustion powered equipment, where feasible.</li> <li>• Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) shall be prohibited.</li> </ul>	<p>During construction, February 15 through June 30</p>	<p>Proof of implementation of appropriate noise attenuation measures.</p>	<p>City of Del Mar Planning Division</p>

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	<ul style="list-style-type: none"> <li>• The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.</li> <li>• No project-related public address or music system shall be audible at any adjacent sensitive receptor.</li> <li>• Temporary sound barriers or sound blankets shall be installed between construction operations and adjacent noise-sensitive habitat. The project Contractor shall construct a temporary noise barrier at least 6 feet in height meeting the specifications listed below (or of a Sound Transmission Class 19 rating or better) to attenuate noise.</li> <li>• All barriers shall be solid and constructed of wood, plastic, fiberglass, steel, masonry, or a combination of those materials, with no cracks or gaps through or below the wall. Any seams or cracks must be filled or caulked. If wood is used, it can be tongue and groove or close butted seams and must be at least 3/4-inch thick or have a surface density of at least 3.5 pounds per square-foot. Sheet metal of 18-gauge (minimum) may be used if it meets the other criteria and is properly supported and stiffened so that it does not rattle or create noise itself from vibration or wind. Noise blankets, hoods, or covers also may be used, provided they are appropriately implemented to provide the required sound attenuation.</li> </ul>			
	<p><b>BIO-3: Nesting Bird and Raptor Avoidance.</b>  In order to avoid violation of the federal MBTA and California Fish and Game Code, site-preparation activities (removal of trees and vegetation) shall be avoided during the general avian breeding season (January 15 to July 30 for raptors; February 15 to September 30 for other avian species).</p> <p>If site-preparation activities are to occur during the general avian or raptor breeding season, a pre-construction nesting survey shall be conducted within three days prior to the commencement of construction. A qualified biologist shall perform the nesting survey to ascertain whether there are active raptor nests or sensitive avian species nesting within</p>	<p>Prior to construction</p> <p>During construction, January 15 to July 30 for raptors; February 15 to September 30 for other avian species</p>	<p>Retention of a qualified biologist.</p> <p>Proof of completion of pre-construction nesting bird and raptor surveys by a qualified biologist.</p> <p>If nesting birds present, biological monitor to provide proof of compliance with buffer area for duration of construction</p>	<p>City of Del Mar Planning Division</p>

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	<p>500 feet of the project footprint and/or other bird nests within 300 feet of the project footprint. This survey shall identify the species of nesting bird and to the degree feasible, nesting stage (e.g., incubation of eggs, feeding of young, near fledging). Nests shall be mapped (not by using GPS because close encroachment may cause nest abandonment). If the surveys conclude no active nesting, the work shall resume as planned. If project activities are delayed or suspended for more than five days during the breeding season, surveys shall be repeated prior to re-initiating work. If an active nest is observed, the nest location shall be fenced off surrounding an adequate radius buffer zone as determined by biological monitor. Buffer distances may include, but shall not be restricted to, 100 feet around non-listed active passerine (e.g., perching birds and songbirds) nests and 300 feet around listed passerine (e.g., Belding’s savannah sparrow) nests. The buffers may be reduced, if appropriate, and as directed by a qualified biologist. The reduction in no-work buffers shall be approved by the City prior to implementation. Each nest avoidance buffer zone shall not be disturbed until a qualified biologist has verified that the young have fledged or the nest has otherwise become inactive.</p>		<p>activities while nest is active.</p>	
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?</p>	<p><b>BIO-4: Habitat Restoration Plan.</b> The City shall prepare and implement a habitat restoration plan. Temporary impacts to 0.02 acre of Diegan coastal sage scrub shall be restored to a pre-construction or superior condition at a 1:1 replacement within the area impacted. Permanent impacts to 0.16 acre of Diegan coastal sage scrub shall be mitigated at a 2:1 ratio. Mitigation shall occur through on- or off-site restoration, enhancement, and/or establishment with a minimum 1:1 establishment component, or the purchase of credits at an approved mitigation bank. Mitigation may occur on- or off-site by converting habitat that has been mapped as disturbed, non-native vegetation, and/or ornamental into native habitat. The habitat restoration plan shall be submitted to CDFW for review and concurrence prior to ground disturbance that may impact Diegan coastal</p>	<p>Prior to construction, during construction, post construction</p>	<p>Proof of creation and implementation of Habitat Restoration plan</p>	<p>City of Del Mar Planning Division</p>

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	sage scrub. The habitat restoration plan shall be submitted to CDFW for review and concurrence prior to ground disturbance that may impact Diegan coastal sage scrub. Mitigation located outside of the Coastal Zone shall require approval by the City and CCC, as well as other applicable agencies such as the CDFW.			
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<b>BIO-5: Regulatory Permits.</b> Prior to project impacts to potentially jurisdictional resources, demonstration that regulatory permits from USACE, RWQCB, CDFW, and CCC, have been issued or that no such permits are required shall be provided to the City. Implementation of permit requirements, including additional mitigation, shall be required.	Prior to construction	Retention of a qualified and permitted biologist.  Proof of avoidance on a site plan, or proof of required permits from applicable state and regulatory agencies.	City of Del Mar, USACE, RWQCB, CDFW, and CCC
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<b>BIO-6: Eelgrass Avoidance and Mitigation.</b> A pre-construction eelgrass survey shall be conducted in accordance with NOAA Fisheries California Eelgrass Mitigation Policy and Implementation Guidelines. If the pre-construction survey demonstrates eelgrass presence within the 100 feet of the construction footprint, then a mitigation plan to achieve no net loss in eelgrass function shall be developed and conducted in accordance with the California Eelgrass Mitigation Policy and Implementation Guidelines. The mitigation plan shall be reviewed and approved in consultation with NOAA Fisheries prior to project impacts to eelgrass. Mitigation options include (1) development of comprehensive management plans that protect eelgrass resources within the context of broader ecosystem needs and management objectives; (2) in-kind compensatory mitigation (e.g., creation, restoration, or enhancement of the same habitat type to mitigate for adverse impacts) that achieves a minimum final mitigation ratio of 1.38:1 once mitigation is complete (3) credits purchased through a mitigation bank or in-lieu fee program at a 1:1 ratio where the credits have been established for a full three-year period prior to use (or higher ratio should the bank credits have been in place for a period less than three years); (4) out-of-kind compensatory mitigation (e.g., creation, restoration, or enhancement of	Prior to construction	Retention of a qualified and permitted biologist.  If eelgrass is present, proof of mitigation plan to achieve no net loss.  Proof of NOAA approval of mitigation plan.	City of Del Mar Planning Division, NOAA Fisheries

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	another habitat type to mitigate for adverse impacts) that demonstrates to the satisfaction of NOAA Fisheries such that it can be demonstrated that the proposed mitigation will compensate for the loss of eelgrass habitat function within the ecosystem; or (5) alternate mitigation recommendations provided by NOAA Fisheries that will achieve no net loss.			
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<b>See MM AES-1 and BIO-5.</b>	See MM AES-1 and BIO-5.	See MM AES-1 and BIO-5.	See MM AES-1 and BIO-5.
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<b>See MM BIO-1 through BIO-6.</b>	See MM BIO-1 through BIO-6.	See MM BIO-1 through BIO-6.	See MM BIO-1 through BIO-6.
<i>Cultural Resources</i>				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<b>CUL-1: Cultural Resource Monitoring.</b> A qualified archaeologist meeting the United States Secretary of the Interior's Professional Qualifications for prehistoric and historic archaeology and a Kumeyaay Native American monitor shall be retained to conduct a cultural resource monitoring program. The monitoring program shall include attendance by the archaeologist and Native American monitor at a pre-construction meeting with the construction contractor and the presence of an archaeological and Native American monitor during initial ground disturbance for the project. If it is determined by the archaeologist and Native American monitor that past grading and other disturbances have removed soils with a reasonable potential for containing cultural material, monitoring can be reduced and recommence when the ground-disturbing activities continue in native soil. If cultural material is encountered, the archaeologist and the Native American monitor shall have the authority to temporarily halt or redirect ground-disturbing activities while the cultural material is documented and assessed. If a cultural resource is determined to be significant, the	Prior to construction, during construction, post construction	Retention of a qualified archaeologist and Native American monitor.  Documentation of monitoring program by qualified archaeologist and Native American monitor.  If any artifacts collected, proof they have been cataloged, analyzed, and curated with accompanying catalog to current professional repository standards and transferred to an appropriate curating	City of Del Mar Planning Division

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	<p>archaeologist and Native American monitor shall coordinate with the City staff to develop and implement appropriate treatment measures. Artifacts collected (if any) shall be cataloged, analyzed, and curated with accompanying catalog to current professional repository standards and transferred to an appropriate curating facility within San Diego County. Alternatively, artifacts may be returned to the consulting tribe for reburial or for curation at a tribal facility. A report shall be completed by the qualified archaeologist describing the methods and results of the monitoring program. The final disposition of archaeological, historical, and paleontological resources recovered on State land under the jurisdiction of the California State Lands Commission must be approved by the California State Lands Commission.</p>		<p>facility within San Diego County.</p>	
<i>Geology and Soils</i>				
<p>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p><b>GEO-1: Paleontological Resources Monitoring and Treatment Plan.</b> Prior to the start of any ground-disturbing activity, a Paleontological Resources Monitoring and Treatment Plan (PRMTP) shall be prepared by a qualified paleontologist, subject to review and approval by the City of Del Mar. The PRMTP shall address construction monitoring procedures and provide treatment measures for paleontological resources discoveries, including the development of protocols for handling fossils discovered during construction, likely including temporary diversion of construction equipment so that the fossils could be recovered, identified, and prepared for dating, interpreting, and preserving at an established, permanent, accredited research facility.</p>	<p>Prior to construction</p>	<p>Retention of a qualified Paleontologist</p> <p>Proof of approval and implementation of a PRMTP</p>	<p>City of Del Mar Planning Division</p>
	<p><b>GEO-2: Paleontological Monitoring Program.</b> Prior to the start of any ground-disturbing activity, a qualified paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. A paleontological monitor shall be on site on a full-time basis during the original cutting of previously undisturbed deposits of high paleontological resource potential (Bay Point Formation and Delmar Formation) to inspect exposures for contained fossils. Grading</p>	<p>Prior to construction, during construction, post construction</p>	<p>Retention of a qualified Paleontologist</p> <p>Proof of Paleontologist attendance at the pre-construction meeting</p> <p>Documentation of monitoring program</p>	<p>City of Del Mar Planning Division</p>

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	<p>activities in previously undisturbed deposits of moderate paleontological resource potential (Torrey Sandstone) shall be monitored on a part-time basis.</p> <p>In the event that paleontological resources are discovered or unearthed during project subsurface activities, all earthmoving activities within radius of not less than 50 feet from the discovery shall be temporarily suspended or redirected until a certified paleontologist has recovered, identified, and/or evaluated the nature and significance of the find, in compliance with CEQA Guidelines 15064.5(f). After the find has been appropriately mitigated, work in the area may resume.</p> <p>Any fossil remains collected during monitoring and salvage shall be cleaned, repaired, sorted, and cataloged as part of the monitoring program. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. Donation of the fossils shall be accompanied by financial support for preparation, curation, and initial specimen storage, if this work has not already been completed. A final summary report shall be completed that outlines the results of the paleontological monitoring program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.</p>		<p>by qualified Paleontologist</p> <p>In the event that paleontological resources are discovered during project, all earthmoving activities within radius of not less than 50 feet from the discovery shall be temporarily suspended or redirected until a certified paleontologist has recovered, identified, and/or evaluated the nature and significance of the find.</p>	
<i>Hazards and Hazardous Materials</i>				
<p>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p>	<p><b>HAZ-1: Polychlorinated Biphenyl (PCB) Mitigation.</b> Should removal of pole-mounted transformers be required as part of the project, the local utility company shall be notified for proper testing and removal. If such removal is required, a survey shall be conducted prior to demolition to determine the presence or absence of PCBs in applicable power pole transformers. These surveys shall be conducted by qualified/certified personnel, such as federal- and/or state-certified inspectors/assessors. Evidence of survey completion shall consist of a signed and stamped statement submitted to the City from the person certified to complete the</p>	<p>Prior to construction, during construction</p>	<p>If removal of pole-mounted transformers is required, retention of qualified/certified personnel, such as federal- and/or state-certified inspectors/ assessors.</p> <p>Proof of survey completion</p>	<p>City of Del Mar Planning Division</p>

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	<p>facility survey, indicating that the survey has been completed and that either regulated PCBs are present or absent. If regulated PCBs are present, all related handling and disposal shall be conducted pursuant to applicable federal (e.g., 40 CFR Part 761) and state (e.g., Title 22). Verification that the specified procedures were followed shall be provided to the City.</p>		<p>submitted to the City.</p>	
<p>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p>	<p><b>HAZ-2: Asbestos Containing Materials (ACM) Survey.</b> An ACM survey shall be conducted by a qualified individual in conformance with NESHAP 40 Code of Federal Regulation (CFR) Part 61, Subpart M, and San Diego County Air Pollution Control District (SDCAPCD) Rule 1206, prior to the start of construction. Evidence of survey completion shall consist of a signed and stamped statement submitted to the City from the person certified to complete the facility survey, indicating that the survey has been completed and that either regulated asbestos is present or absent. If regulated ACMs are present, the statement shall describe the procedures that will be taken to remediate the hazard, including applicable regulations for demolition methods and dust suppression SDAPCD Rule 1206, and proper handling and disposal under CCR Title 22, Division 4.5. Verification that the specified procedures were followed shall be provided to the City.</p>	<p>Prior to construction</p>	<p>Retention of a qualified individual in conformance with NESHAP 40 Code of Federal Regulation (CFR) Part 61, Subpart M, and San Diego County Air Pollution Control District (SDCAPCD) Rule 1206.</p> <p>Proof of survey completion submitted to the City.</p> <p>If ACMs are present, proof of creation and implementation of procedures taken to remediate the hazard.</p>	<p>City of Del Mar Planning Division</p>
	<p><b>HAZ-3 Lead Based Paint (LBP) Survey.</b> An LBP survey shall be conducted by a qualified individual in accordance with CDPH guidelines, prior to the start of construction. Evidence of survey completion shall consist of a signed and stamped statement submitted to the City from the person certified to complete the facility survey, indicating that the survey has been completed and that either regulated LBP is present or absent. Lead containing materials shall be managed in accordance with applicable regulations including, at a minimum, the hazardous waste disposal requirements (CCR Title 22, Division 4.5); and the State Lead Accreditation, Certification and Work Practice Requirements (CCR Title 17, Division 1, Chapter 8). Verification that the specified procedures were followed shall be provided to the City.</p>	<p>Prior to construction</p>	<p>Retention of a qualified individual in accordance with CDPH guidelines.</p> <p>Proof of survey completion submitted to the City.</p> <p>If LBP is present, materials shall be managed in accordance with applicable regulations.</p>	<p>City of Del Mar Planning Division</p>

Significant Impact	Mitigation Measure	Timing	Action Indicating Compliance	Responsible Entity
<i>Noise</i>				
<p>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<p><b>NOI-1: Construction Noise Management Plan.</b> Prior to the initiation of construction activities, a Construction Noise Management Plan shall be prepared that identifies measures to comply with the following:</p> <ol style="list-style-type: none"> <li>1. The construction contractor shall be required to work in such a manner so as not to exceed a 1 hour average sound level of 75 dBA at any noise-sensitive land use (residential). Sound levels may be limited by sound control devices, limiting the number of equipment operating at once, or installation of temporary noise barriers between the construction site and sensitive receptors.</li> <li>2. Construction equipment shall be properly outfitted and maintained with manufacturer recommended noise-reduction devices to minimize construction-generated noise.</li> <li>3. Stationary construction noise sources such as generators or pumps shall be located at least 100 feet from noise-sensitive land uses.</li> <li>4. Laydown and construction vehicle staging areas shall be located as far from noise-sensitive land uses as feasible.</li> </ol>	<p>Prior to construction</p>	<p>Proof of creation and implementation of Construction Noise Management Plan.</p>	<p>City of Del Mar Planning Division</p>
	<p><b>NOI-2: Exterior Use Area Noise Barrier.</b> To reduce traffic noise levels at exterior use areas where Caltrans and City noise standards would be exceeded, either a six-foot-high, 87-foot-long noise barrier, or a seven-foot-high, 59-foot-long noise barrier shall be provided along the fence line of the exterior use area of NSLU R-5. Both are shown on Figure 21. The noise barrier must be solid. It can be constructed of masonry, wood, plastic, fiberglass, steel, or a combination of those materials, as long as there are no cracks or gaps, through or below the barrier. Any seams or cracks must be filled or caulked. If wood is used, it can be tongue and groove and must be at least one-inch total thickness or have a density of at least 3.5 pounds per square foot. Where architectural or aesthetic factors allow, glass or clear plastic 3/8 of an inch thick or thicker may be used, if it is desirable to preserve a view. Sheet metal of 18-gauge (minimum) may be used if it meets the other criteria and is properly supported and stiffened so that it does not rattle or create noise itself from vibration or</p>	<p>Prior to construction</p>	<p>Installation of noise barrier.</p>	<p>City of Del Mar Planning Division</p>

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	wind. Any door(s) or gate(s) must be designed with overlapping closures on the bottom and sides and meet the minimum specifications of the materials described above. The gate(s) may be of wood with a thickness of at least one inch, solid-sheet metal of at least 18-gauge metal, or an exterior-grade solid-core steel door with prefabricated door jambs.			
b) Generation of excessive groundborne vibration or groundborne noise levels?	<b>NOI-3 Vibratory Pile Driver Vibration Monitoring and Reduction.</b> If a vibratory pile driver is used within 110 feet of a residential dwellings, vibration monitoring shall be conducted at the residential locations. If the measured vibration level exceeds Caltrans' 0.1-inch per second PPV strongly perceptible annoyance potential criteria for steady state sources, the power level of the pile driver shall be reduced or vibration shielding via a trench or alternative method shall be implemented to reduce vibration levels below the 0.1-inch per second PPV level.	During construction	Retention of a qualified noise monitor.  If vibration levels exceed Caltrans' 0.1-inch per second PPV strongly perceptible annoyance potential criteria, vibration shielding or an alternative reduction method shall be used.	City of Del Mar Planning Division
<i>Tribal Cultural Resources</i>				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:  i. Listed or eligible for listing in the California Register of Historical	<b>See MM CUL-1.</b>	See MM CUL-1.	See MM CUL-1.	See MM CUL-1.

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<p>Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or</p> <p>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>				
<i>Mandatory Findings of Significance</i>				
<p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining</p>	<p><b>See MM BIO-1 through BIO-6 and CUL-1.</b></p>	<p>See MM BIO-1 through BIO-6 and CUL-1.</p>	<p>See MM BIO-1 through BIO-6 and CUL-1.</p>	<p>See MM BIO-1 through BIO-6 and CUL-</p>

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<p>levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>				
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?</p>	<p><b>See MM BIO-1 through BIO-5, CUL-1, GEO-1 and GEO-2, and HAZ-1 through HAZ-3</b></p>	<p>See MM BIO-1 through BIO-5, CUL-1, GEO-1 and GEO-2, and HAZ-1 through HAZ-3</p>	<p>See MM BIO-1 through BIO-5, CUL-1, GEO-1 and GEO-2, and HAZ-1 through HAZ-3</p>	<p>See MM BIO-1 through BIO-5, CUL-1, GEO-1 and GEO-2, and HAZ-1 through HAZ-3</p>
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<p><b>See MM NOI-1 and NOI-2</b></p>	<p>See MM NOI-1 and NOI-2</p>	<p>See MM NOI-1 and NOI-2</p>	<p>See MM NOI-1 and NOI-2</p>

**Table L-2  
Project Design Features and Best Management Practices**

Project Design Feature or Best Management Practice	Timing	Action Indicating Compliance	Responsible Entity
<p>Implement measures to control sediment and erosion during construction. Such measures may include, but are not limited to: (1) installing erosion and sediment control devices such as silt fences, fiber rolls, mulching or soil binders, plastic covers, and gravel bags in appropriate locations; (2) placing temporary filters at storm drain inlets (e.g., gravel bags/filter fabric); (3) designating containment areas for material storage (e.g., covering/berming of soil stockpiles); (4) providing containment areas for solid waste storage and concrete washout; (5) construction of temporary berms; (6) limiting fueling/maintenance of equipment to designated areas outside and away from waters or wetlands areas; and (7) installing material containment devices for refueling or fixing equipment that is not easily movable away from waters.</p>	<p>Measures to be included in construction documents for approval by City.</p> <p>Measures to be implemented during construction, prior to activities that may result in sedimentation and/or erosion.</p>	<p>Review and approval of construction documents by City.</p> <p>Proof of implementation of appropriate measures.</p>	<p>City of Del Mar Planning Division, Engineering Department</p> <p>Construction Contractor</p>
<p>Implement construction commitments and operating procedures for “in-water” work within the San Dieguito River mouth. Such procedures may include, but are not limited to: (1) installing impermeable barriers or turbidity curtains; (2) installing exclusionary fencing to exclude grunion entry into the project work areas between September 1 and February 28; (3) using temporary cofferdams or temporary berms where practicable; (4) employing air bubble curtain technologies or cushion block devices on the pile-driving, hammering, and drilling machinery to reduce vibrations, hydroacoustic, and channel bottom disturbances; (5) limiting the use of hammer-style or pile driver machinery; (6) wrapping pile and hammer drivers with sound blankets; (7) installing vibratory dampeners on driver/hammer heads, where feasible; (8) using electrically powered equipment instead of pneumatic or internal-combustion powered equipment; and (9) scheduling construction within water and wetlands to occur during low tides. Measures prescribed during the consultation review of the project by applicable agencies (e.g., CDFW, NOAA, etc.) would also be required.</p>	<p>Measures to be included in construction documents for approval by City.</p> <p>Measures to be implemented during construction, prior to in-water work.</p>	<p>Review and approval of construction documents by City.</p> <p>Review and approval of construction commitments and operating procedures by applicable agencies.</p> <p>Proof of implementation of appropriate measures.</p>	<p>City of Del Mar Planning Division, Engineering Department</p> <p>CDFW, NOAA, etc.</p> <p>Construction Contractor</p>
<p>Develop and implement a plan to keep debris out of the lagoon. Measures included in the plan may include suspending protective covers from the existing bridge, on the ground below, or floating on the water.</p>	<p>Measures to be included in construction documents for approval by City.</p> <p>Measures to be implemented during construction.</p>	<p>Review and approval of plan by City.</p> <p>Proof of implementation of appropriate measures.</p>	<p>City of Del Mar Planning Division, Engineering Department</p> <p>Construction Contractor</p>

Project Design Feature or Best Management Practice	Timing	Action Indicating Compliance	Responsible Entity
Conduct “worker environmental awareness training” at the project site prior to construction for each on-site construction crew member.	Measure to be implemented prior to construction.	Proof of implementation of training.	City of Del Mar Planning Division  Construction Contractor
A designated project biologist shall conduct regular construction monitoring to monitor environmental compliance and ensure the project mitigation measures, construction operating procedures, and BMPs are implemented/maintained. The frequency of monitoring shall be determined by the designated project biologist in coordination with the City and Construction Contractor.	Measure to be implemented during construction; frequency to be determined by designated project biologist.	Retention of a qualified biologist.  Proof of completion of regular construction monitoring by a qualified biologist.	City of Del Mar Planning Division, Engineering Department  Construction Contractor
A Traffic Control Plan (TCP) shall be prepared by a registered traffic engineer and implemented to ensure safe movement of vehicular, bicycle, and pedestrian traffic and adequate emergency access for police, fire, and medical services in the local area. The TCP shall include public information for motorists, bicyclists, and pedestrians; lane closures and road detours associated with overnight construction activities; incident management; and construction information. Temporary signs and traffic control advanced warning devices shall be placed along the roadway, within the street right-of-way. The contractor shall obtain traffic control permits from the City.	Measure to be implemented prior to and during construction.	Retention of a registered traffic engineer.  Review and approval of TCP by City.  Proof of obtaining traffic control permits.  Proof of implementation of appropriate measures.	City of Del Mar Planning Division, Engineering Department  Construction Contractor
Preparation of the beach areas on both sides of the bridge for construction, including establishing Construction Contractor fencing at the project boundaries, installing a covered pedestrian boardwalk (southwest corner) to provide pedestrian access to Del Mar Beach, and displaying signage that directs coastal visitors to coastal amenities in the area, including the beaches and the River Path Del Mar (River Path). The two crosswalks closest to each abutment shall be temporarily relocated during construction. The crosswalk at the southern abutment that connects to the River Path to the east and Del Mar Beach to the west shall be removed and a temporary crosswalk established further south at Sandy Lane, approximately 300 feet from the southern bridge abutment. The crosswalk at the northern abutment shall also be removed and the existing crosswalk to the north shall remain to provide pedestrian access to Del Mar Beach during construction.	Measure to be implemented prior to construction.	Review and approval of construction documents by City.  Proof of implementation of appropriate measures.	City of Del Mar Planning Division, Engineering Department  Construction Contractor
Installation of permanent water quality devices to treat and discharge road runoff during storm events. Such devices may include, but are limited to, “Green Street” tree wells that include biofiltration soil.	Measure to be implemented following completion of construction.	Proof of implementation of water quality devices.	City of Del Mar Planning Division, Engineering Department  Construction Contractor

Project Design Feature or Best Management Practice	Timing	Action Indicating Compliance	Responsible Entity
Implementation of temporary lighting shall be required to be oriented downward (toward the bridge deck) and the lighting source would be required to be shielded in order to minimize light spill.	Measure to be implemented during construction.	Proof of implementation of appropriate measures.	City of Del Mar Planning Division
Implementation of standard dust control BMPs to meet the requirements of San Diego County Air Pollution Control District (SDAPCD) Rule 55, including watering all exposed surfaces twice daily.	Measures to be included in construction documents for approval by City.  Measures to be implemented during construction, prior to activities that may result in dust.	Review and approval of construction documents by City.  Proof of implementation of appropriate measures.	City of Del Mar Planning Division, Engineering Department  Construction Contractor
Implementation of standard BMPs to meet the requirements of State of California Health and Safety Code Sections 41700 and 41705, and SDAPCD Rule 51 to minimize equipment idling and maintain equipment to reduce odor emissions from equipment exhaust.	Measures to be included in construction documents for approval by City.  Measures to be implemented during construction, prior to activities that may result in objectionable odors.	Review and approval of construction documents by City.  Proof of implementation of appropriate measures.	City of Del Mar Planning Division, Engineering Department  Construction Contractor
If unknown human remains are discovered during construction, project construction activities shall be required to comply with California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. Specifically, if human remains are discovered, the San Diego County Coroner shall be immediately contacted for a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American origin, the Coroner would notify the Native American Heritage Commission, which would determine and notify a Most Likely Descendant (MLD). With the permission of the City and/or its authorized representative, the MLD may inspect the site of the discovery, and shall complete the inspection within 24 hours of notification by the NAHC. The MLD would have the opportunity to make recommendations to the NAHC on the treatment and disposition of the remains.	Measures to be implemented during construction if human remains are discovered.	If human remains are discovered, proof of compliance with California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98.	City of Del Mar Planning Division  Construction Contractor  Native American Heritage Commission
Divert a minimum of 65 percent of construction and demolition debris, in compliance with the City's Construction and Demolition Waste Recycling Ordinance and California Green Building Standards requirements.	Measure to be included in construction documents for approval by City.	Review and approval of plan by City.	City of Del Mar Planning Division, Engineering Department

Project Design Feature or Best Management Practice	Timing	Action Indicating Compliance	Responsible Entity
	Measure to be implemented during construction.	Proof of implementation.	Construction Contractor
It shall be the responsibility of the Construction Contractor to remove demolition and construction materials from the site. The Construction Contractor shall be required to comply with federal, state, and local statutes and regulations related to solid waste reduction, including waste management, reduction, and recycling of demolition and construction debris and waste. Such waste would be source separated on-site for reuse, recycling, or proper disposal. For construction waste that cannot be diverted or recycled, such as material packaging and food-related trash generated by employees, landfills in the region would have adequate capacity to fulfill the project's solid waste generation needs.	Measures to be implemented during demolition and construction.	Review and approval of construction and demolition documents by City.  Proof of implementation of appropriate measures.	City of Del Mar Planning Division  City of Del Mar Engineering Department  Construction Contractor
Implementation of recommendations and seismic design considerations in the project Geotechnical Report and Foundation Report to provide suitable subsurface conditions to support the replacement bridge. Includes, but not limited to, recommendations for over-excavation and replacement with new, compacted engineered fill per ASTM International soil compaction standards.	Measures to be implemented during final design and construction.	Review and approval of construction documents by City.  Proof of implementation of appropriate measures.	City of Del Mar Planning Division, Engineering Department  Construction Contractor
Sampling of the sign, guard rail posts, or decking for the presence of wood-preserving chemicals shall be conducted prior to demolition and treated wood waste would be handled consistent with Caltrans' Standard Special Provisions 14-11.14.	Measure to be implemented prior to demolition.	Proof of implementation of sampling.	City of Del Mar Planning Division  Construction Contractor
Implementation of a project-specific SWQMP that includes specific BMPs to avoid or reduce potential impacts related to the use and potential discharge of construction-related hazardous materials. BMPs shall include, but not be limited to, the following: <ul style="list-style-type: none"> <li>• No demolition or construction materials, equipment, debris, or waste would be placed or stored where it may enter receiving waters or a storm drain or be subject to river, wind, rain, or tidal erosion and dispersion.</li> <li>• All stockpiles and construction materials would be covered and enclosed on all sides, be located as far away as possible from drain inlets and waterways, and may not be stored in contact with soil.</li> <li>• Machinery and equipment would be maintained and washed in confined areas specifically designed to control runoff. If thinners, petroleum products or solvents must be used on site, they would be properly recycled or disposed after use and may not be discharged into storm drains, sewers, receiving waters, or onto the unpaved ground.</li> </ul>	Measures to be included in SWQMP for approval by City.  Measures to be implemented during construction, prior to activities that may result in sedimentation and/or erosion.		City of Del Mar Planning Division, Engineering Department  Construction Contractor

Project Design Feature or Best Management Practice	Timing	Action Indicating Compliance	Responsible Entity
<ul style="list-style-type: none"> <li>• Spill prevention and control measures would be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures would include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage of gasoline or related petroleum products or contact with runoff. The designated area would be equipped with spill control materials and located to minimize the risk of spills reaching receiving waters, storm drains, sewers, or unpaved ground.</li> <li>• Reasonable and prudent measures would be taken to prevent discharge of fuel or oily waste from heavy machinery or construction equipment into coastal waters. Adequate equipment would be available to contain such spills immediately.</li> </ul>			