

**ATTACHMENT A**  
**Cleveland Residential Subdivision (PL25-0030) Project**  
**Summary of Potential Impacts and Mitigation Measures**

**Biological Resources**

**Potential Impact to Cooper’s Hawk (Impact BIO-1)**

**Impact BIO-1:** The project has the potential for to impact adjacent off-site nesting Cooper’s Hawk due to construction noise. The project also results in impact to potential foraging habitat for Cooper’s Hawk.

**MM-BIO-1a Sensitive Upland Vegetation**

The project would permanently impact 10.13 acres of non-native grassland and 0.07 acres of non- native grassland: broadleaf-dominated vegetation, which are categorized as Group E Annual Grassland habitat. **Table 1** provides the acreage of mitigation required per the mitigation ratios outlined in the MHCP (SANDAG 2003). Mitigation may occur through the following two options:

- (1) purchase non-native grassland credits at Daley Ranch Conservation Bank, an approved mitigation bank, if available; or
- (2) if non-native grassland credits are not available, then preservation of non-native grassland habitat at an off-site location within a FPA may occur (SANDAG 2003)

**Table 1. Mitigation for Permanent Impacts to Vegetation Communities/Land Cover Types**

Habitat Type	MHCP Group	Permanent Impacts (acres)	Mitigation Ratio	Mitigation Required (acres)
Non-native Grassland	Group E Annual Grassland	10.13	0.5:1	5.07
Non-native Grassland: Broadleaf-dominated		0.07	0.5:1	0.03
Developed Land	N/A	0.17	--	0
<b>TOTAL</b>		<b>10.38</b>	<b>–</b>	<b>5.10</b>

*Source: RECON 2025a.*

**MM-BIO-1b Avian Protection Requirements**

To remain in compliance with the Migratory Bird Treaty Act and California Fish and Game Code 3503, no direct impacts shall occur to any nesting birds or their eggs, chicks, or nests during the breeding season. This project may directly impact nesting birds on or adjacent to the property if construction occurs during the typical breeding season for birds and raptors (January 1 to September 15). While no trees occur within the project boundary, mature trees occur within 150 feet on all sides of the proposed project footprint. Additionally, there is potential for ground nesting birds to nest within the project footprint. The following measures are recommended to avoid or mitigate potential impacts to nesting birds:

- To avoid impacts to nesting birds and raptors, it is recommended that project construction occur outside of the breeding season. If construction must occur within the bird breeding season, a qualified biologist shall determine if any active bird or raptor nests occur on or in the immediate vicinity of the project. The entire project footprint as well as a 150-foot buffer shall be surveyed for nesting birds and raptors, where access allows. If active nests are found, their situation shall be assessed based on topography, line of sight, existing disturbances, and proposed disturbance activities to determine an appropriate distance of a temporal avoidance buffer.
- Surveys shall be conducted at the appropriate time of day, no more than three days (72 hours) prior to vegetation removal or disturbance. Documentation of surveys and findings shall be submitted to the City for review and concurrence prior to conducting project activities. If no nesting birds were observed and concurrence was received, project activities may begin. If an active bird nest is located, the nest site shall be avoided using an avoidance buffer of sufficient distance that no harassment or harm occurs to the nesting pair or its chick/eggs. A qualified biologist shall make the determination for the avoidance buffer distance considering the species tolerance for human disturbance and through regular monitoring checks to ensure the avoidance buffer is sufficiently large to avoid harm to the nest. If regular biological monitoring by a biological monitor does not occur, the nest shall be fenced a minimum of 200 feet (500 feet for special status species and raptors) in all directions on-site, and this area shall not be disturbed until after September 15 or until the nest becomes inactive. If threatened or endangered species are observed within 500 feet of the work area, no work shall occur during the breeding season (January 1 to September 15) to avoid direct or indirect (noise) take of listed species.

**Crotch's Bumble Bee (CBB) (Impact BIO-2)**

**Impact BIO-2:** Existing rodent burrows and debris piles on-site may provide nesting habitat for CBB. Direct impacts to CBB could also occur if floral resources on which this species is foraging are removed, trimmed, or trampled during project work activities conducted during the Colony Active Period (April 1 and August 31).

**MM-BIO-2 Crotch's Bumble Bee Take Avoidance**

A preconstruction focused survey would be required to verify the presence or absence of Crotch's bumble bee at the time of construction as described below. Prior to the Notice to Proceed for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the City of Escondido's Development Services Department shall verify the following project requirements regarding the Crotch's bumble bee are shown on the construction plans:

- To avoid impacts to Crotch's bumble bee, removal, trimming, or trampling of habitat in the proposed area of disturbance should occur outside of the Colony Active Period between April 1 and August 31. If removal of floral resources must occur during the Colony Active Period, a Qualified Biologist shall conduct one pre-activity survey to determine the presence or absence of Crotch's bumble bee within the proposed area of disturbance.
- The pre-activity survey must be conducted by a Qualified Biologist meeting the qualifications discussed in the CDFW guidance (i.e., Survey Considerations for California Endangered Species Act [CESA] Candidate Bumble Bee Species, dated June 6, 2023). The Qualified Biologist should hold the appropriate authorization (e.g., Memorandum of Understanding) for capture/handling if necessary for identification. The pre-activity survey shall be conducted within 7 days of the start of removal, trimming or trampling of habitat and within 50 feet of project work resulting in removal, trimming or trampling of habitat.
- If the pre-activity survey does not identify Crotch's bumble bee individuals on-site during the Colony Active Period based on surveys described above, removal of floral resources can proceed within the Colony Active Period without further avoidance measures.
- If the pre-activity survey does identify Crotch's bumble bee individuals on-site, the Qualified Biologist shall notify CDFW and consult with CDFW to determine whether project activities would result in impacts to Crotch's bumble bee, in which case an Incidental Take Permit (ITP) may be required. Take of any endangered, threatened, or candidate species that results from the project is prohibited, except as authorized by state law (California Fish and Game Code Sections 86, 2062, 2067, 2068, 2080, 2085; California Code of Regulations, Title 14, Section 786.9) under the CESA.

## Cultural Resources/Tribal Cultural Resources

### Archaeological Resources (Impacts CR-1 and TCR-1)

**Impacts CR-1 and TCR-1:** Due to grading and ground disturbing activities, the proposed project has the potential to impact unidentified archaeological resources on the project site.

**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 **M-CR-2** through **M-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.

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**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** City Staff, a 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 top soil 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 unearthed 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.

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**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.

**MM-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.

**MM-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

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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.

## **Geology and Soils**

### **Expansive Soils (Impact GEO-1)**

**Impact GEO-1:** While the expansion index test results indicate that the site surficial soils have “very low” to “low” potential for expansion, the existing fill and older alluvium are not considered suitable for support of structural site improvements

**MM-GEO-1** The project applicant shall implement the geotechnical recommendations identified beginning on pages 8 through 23 of the preliminary geotechnical report prepared by GeoTek (2024a) for the project site. These recommendations address earthwork considerations, design recommendations,

### **Paleontological Resources (Impact GEO-2)**

**Impact GEO-2:** Project grading may result in disturbance of previously unknown paleontological resources.

**MM-GEO-2** The proposed project shall implement a limited paleontological resource mitigation program during construction to consist of initial monitoring of shallower excavation activities that are anticipated to impact Pleistocene-age old alluvial flood plain deposits (remedial grading, overexcavation, trenching for subgrade utilities, and excavation of stormwater basins). Based on initial observations made during monitoring, the monitoring schedule may be increased (i.e., to full time) or reduced (i.e., to spot checks) at the discretion of the qualified Project Paleontologist. Monitoring is not recommended for earthwork impacting undocumented fill or intrusive igneous rocks. In addition, monitoring is not recommended for site clearing or placement of fill.

## **Noise**

### **Noise Levels During Rock Drilling and Blasting (Impact N-1)**

**Impact N-1:** Potential for noise impacts due to rock drilling for blasting activities.

**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 12-foot 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.

### **Noise Levels During Rock Crushing (Impact N-2)**

**Impact N-2:** Potential for noise impacts due to the use of a temporary rock crusher.

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**MM-N-2** Prior to issuance of a Grading Permit for a rock crusher, the project applicant or contractor shall provide the final location and rock crusher type to the Planning Division. If the rock crusher is shown to be located within 75 feet of a single-family residential use without shielding, an acoustical engineer shall prepare a noise assessment to determine whether noise levels would be above the applied thresholds of 60 dBA at any existing single family residential use and 65 dBA for multi-family. This requirement shall be noted on the grading plans.

If the rock crushing noise assessment determines noise levels at the affected property lines would exceed the standards, the acoustical engineer shall develop a mitigation plan to reduce noise levels to 60 dBA at any existing single-family use. Mitigation may include sound barriers, sound absorbing materials, and/or operational limits on the crusher equipment's usage. The mitigation plan shall be submitted to the Planning Division and implemented by the contractor.