

Mitigation Monitoring and Reporting Program



Mitigation Monitoring and Reporting Program Westfield North County Theater Project Initial Study/Mitigated Negative Declaration

The City of Escondido adopts this Mitigation Monitoring and Reporting Program (MMRP) in accordance with Public Resources Code (PRC) Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines. The purpose of the MMRP is to ensure that the Westfield North County Theater Project (Project), which is the subject of the Initial Study/Mitigated Negative Declaration (IS/MND), complies with all applicable environmental mitigation requirements. The mitigation described in the IS/MND and summarized below provides a broad purpose and overview of actions that will occur in order to reduce identified environmental impacts.

For each project that is subject to CEQA, PRC Section 21081.6 requires the Lead Agency to monitor performance of the mitigation measures included in any environmental document to ensure that the specified mitigation is implemented. The City of Escondido is the designated Lead Agency for the Project. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition related to implementation of the MMRP.

After review and approval by the Lead Agency, minor changes to the MMRP are permitted but can only be made by the City of Escondido. No deviations from this MMRP shall be permitted unless it continues to satisfy the requirements of PRC Section 21081.6, as determined by the City of Escondido.

Mitigation Measure	Implementation Action	Method of Verification	Timing of Verification	Responsible Party	Verification Date
Biological Resources					
<p>BIO 4-1: The recognized nesting bird season in Southern California is from February 1 through August 30. All grading and other site preparation activities should avoid this period of time. If such avoidance is not feasible, then no more than 5 days prior to construction or site preparation activities the Applicant shall retain the services of a qualified biologist approved by the City. The biologist shall conduct on-site surveys to determine if active nests of special-status and common bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code, are present within 300 feet of the construction zone. If active nests are found on or immediately adjacent to the site, a minimum 300-foot buffer area (500 feet for raptors) shall be temporarily fenced around the nest site. No construction activities shall be permitted within this nest zone until the young birds have fledged, as determined by the biologist.</p>	Avoidance of impacts to bird species	Field survey, documentation and monitoring report	Prior to the initiation of construction activities	Project Applicant, City of Escondido	
Cultural Resources					
<p>CUL 5-1: If any archaeological materials are encountered during the course of the Project development, work in the area shall cease and deposits shall be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. As part of this effort, the services of an archaeologist meeting the Secretary of the Interior Professional Qualification Standards for Archaeology shall be secured by contacting the California Historical Resources Information System South Coastal Information Center (CHRIS-SCIC) at San Diego State University, or a member of the Register of Professional Archaeologists (RPA) to assess the resources and evaluate the impact.</p>	Assessment of resources encountered and evaluation of impacts	Field survey, documentation and monitoring report	During grading activities	Project Applicant, City of Escondido	

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In addition, if it is determined that an archaeological site is a historical resource, the provisions of Section 21084.1 of the Public Resources Code and CEQA Guidelines Section 15064.5 would be implemented.					
CUL 5-2: If any archaeological materials are encountered during the course of the Project development, a report on the archaeological findings shall be prepared by a qualified archaeologist. A copy of the report shall be submitted to the CHRIS-SCIC.	Documentation of archaeological findings	Documentation and monitoring report	During grading activities	Project Applicant, City of Escondido	
CUL 5-3: As required by State law (e.g., Public Resources Code Section 5097.98, State Health and Safety Code Section 7050.5, and California Code of Regulations Section 15064.5(e)), if human remains are discovered at the Project Site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the San Diego County coroner shall be immediately notified. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission shall be notified within 24 hours, and the guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.	Identification and proper treatment of human remains	Notification and consultation	During grading activities	Project Applicant, City of Escondido	
Geology and Soils					
Mitigation Measure GEO 6-1: All development activities conducted on the Project Site shall be consistent with the following: (1) The professional engineering recommendations contained in the Preliminary Geotechnical Investigation, Proposed Cinemas, Westfield North County Shopping Center, Escondido, California (Leighton Consulting, Inc., August 7, 2015), provided the recommendations meet the conditions specified in Subsection (3) of this Mitigation Measure.	Implementation of the recommendations contained in the preliminary geotechnical investigation and site-specific, design level geotechnical investigation(s)	Documentation and permit approval	Prior to issuance of a grading permit	Project Applicant, City of Escondido	

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<p>(2) Alternative recommendations based on the findings of site-specific, design-level geotechnical investigation(s) approved by the City of Escondido Department of Public Works, Engineering Division, including but not limited to the use of proven methods generally accepted by registered engineers to reduce the risk of seismic hazards to a less than significant level, provided such recommendations meet the conditions specified in Subsection (3) of this Mitigation Measure.</p> <p>(3) All recommendations shall comply with or exceed applicable provisions and standards set forth in or established by:</p> <ul style="list-style-type: none"> (a) California Geological Survey's Guidelines for Evaluating and Mitigating Seismic Hazards in California, Special Publication No. 117; (b) The version of the California Building Code, as adopted and amended by the City of Escondido, in effect at the time of approval of the geotechnical investigation(s) by the City of Escondido Department of Public Works, Engineering Division; (c) Relevant state and City laws, ordinances, and Code requirements; and (d) Current standards of practice designed to minimize potential geologic and geotechnical impacts. 					
Paleontological Resources					
<p>PAL 13-1: If any paleontological materials are encountered during the course of the Project development, work in the area shall be halted. The services of a qualified paleontologist shall be secured by contacting the San Diego Natural History Museum to assess the resources. In addition, a report on the paleontological findings shall be prepared by the</p>	<p>Assessment of resources encountered and evaluation of impacts</p>	<p>Field survey, documentation and monitoring report</p>	<p>During grading activities</p>	<p>Project Applicant, City of Escondido</p>	

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qualified paleontologist and a copy of the paleontological report shall be submitted to the San Diego Natural History Museum.					