

August 2019 | Mitigation Monitoring and Reporting Program

# SOLANA VISTA ELEMENTARY SCHOOL RECONSTRUCTION

Solana Beach School District

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# 1. Introduction

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## 1.1 PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The Solana Beach School District (District) is the lead agency for the proposed Solana Vista Elementary School Reconstruction project and has developed this Mitigation Monitoring and Reporting Program (MMRP) as a vehicle for monitoring mitigation measures outlined in the Solana Vista Elementary School Reconstruction Mitigated Negative Declaration (MND), State Clearinghouse No. 2019069037. As the lead agency, the District is responsible for implementing the MMRP, which has been prepared in conformance with Section 21081.6 of the Public Resources Code:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
  - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
  - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

The MMRP consists of mitigation measures that avoid, reduce, and/or fully mitigate potential environmental impacts. The mitigation measures have been identified and recommended through preparation of the Mitigated Negative Declaration and drafted to meet the requirements of Public Resources Code, Section 21081.6.

## 1. Introduction

### 1.2 PROJECT CHARACTERISTICS

#### 1.2.1 Project Location

The project site is at 780 Santa Victoria, in the City of Solana Beach, San Diego County, California and encompasses Assessor's Parcel Numbers (APNs): 263-291-3400 and 263-291-3300. The school is south and east of Victoria, north of San Patricio Drive, and west of residences. Regional access to the school is provided by Interstate 5 (I-5), approximately 0.4-mile west of the site.

#### 1.2.2 Proposed Improvements

The proposed project involves demolition of onsite structures and construction of a new main classroom building, a multipurpose building, new loading driveway, and improvements to hardscape and landscaped play areas. The proposed main classroom building would have 24 rooms (16 classrooms and 8 specialty rooms) and would result in a reduction of 4 classrooms from existing conditions. The proposed improvements would change the existing layout of the campus.

#### Construction Schedule

Construction activities include building and asphalt demolition and excavation, site preparation and rough grading, utility trenching, fine grading, building construction, architectural coating, asphalt paving, and finishing and landscaping.

Demolition will occur in June 2020. The baseball improvements will be protected in place; however, the fields will be used for construction equipment staging. There would be no public access to the site during project implementation. A construction worksite traffic control plan would be prepared and implemented by the District. The Plan would identify haul routes, hours of construction, protective devices, warning signs, and access. The active construction and staging areas would be on the campus and clearly marked with barriers to separate public access from the construction zone.

#### Interim Student Placement

Improvements to the parking lot and loading zone would be conducted in one phase starting June 2020, concurrently with demolition of the site. During the demolition and construction phase, students in kindergarten through second grade would temporarily attend Solana Highlands Elementary School, and students in third grade would temporarily attend Skyline School. Once the new facilities are constructed, all students would return to the new campus buildings.

### 1.3 ENVIRONMENTAL IMPACTS

#### 1.3.1 Impacts Considered Less Than Significant

The MND and supporting Initial Study identified various thresholds from the CEQA Guidelines in a number of environmental categories that would not be significantly impacted by the proposed project and therefore

## 1. Introduction

did not require mitigation. Impacts to the following environmental resources were found to be less than significant:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

### **1.3.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened**

Biological Resources, Cultural Resources, Geology and Soils, Noise, Transportation, and Tribal Cultural Resources were identified as having potentially significant impacts that could be reduced, avoided, or substantially lessened through implementation of mitigation measures. No significant and unavoidable impacts were identified.

## 2. Mitigation Monitoring Process

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### 2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

Overall MMRP management is the responsibility of the District. The District project manager and technical consultants (CEQA consultant, archaeologist, paleontologist, etc.) may perform related monitoring tasks under the direction of the environmental monitor (if they are contracted by the District).

### 2.2 SOLANA BEACH SCHOOL DISTRICT

The District is the designated lead agency for the MMRP and has the overall responsibility for the review of all monitoring reports, enforcement actions, and document disposition. The District will rely on information provided by individual monitors (e.g., CEQA consultant, archaeologist, paleontologist), presuming it to be accurate and up to date, and will field check mitigation measure status, as required.

### 2.3 MITIGATION MONITORING TEAM

The mitigation monitoring team, including the designated District project manager, construction contractor and technical advisors, is responsible for monitoring implementation/compliance with all adopted mitigation measures and conditions of approval. A major portion of the team's work is field monitoring and compliance report preparation. Implementation disputes are brought to the District project manager.

#### 2.3.1 Monitoring Team

The following summarizes key positions in the MMRP and their functions:

- **District Project Manager:** Responsible for coordination of mitigation monitoring team, technical consultants, report preparation, and overall program administration and document/report clearinghouse.
- **Construction Contractor:** Responsible for coordination of mitigation monitoring team; technical consultants; report preparation; and implementing the monitoring program, including overall program administration, document/report clearinghouse, and first phase of dispute resolution.
- **Technical Advisors:** Responsible for monitoring in their areas of expertise (CEQA, archaeology, paleontology). Report directly to the District project manager.

#### 2.3.2 Recognized Experts

Recognized experts are required on the monitoring team to ensure compliance with scientific and engineering mitigation measures. The mitigation monitoring team's recognized experts will assess compliance with

## 2. Mitigation Monitoring Process

required mitigation measures, and recognized experts from responsible agencies will consult with the District project manager regarding disputes.

### **2.4 ARBITRATION RESOLUTION**

If a mitigation monitor is of the opinion that a mitigation measure has not been implemented or has not been implemented correctly, the problem will be brought before the District project manager for resolution. The decision of the District project manager is final unless appealed to the District's Superintendent. The District project manager will have the authority to issue stop work orders until the dispute is resolved.

### **2.5 ENFORCEMENT**

Agencies may enforce conditions of approval through their existing police power using stop work orders; fines; infraction citations; or in some cases, notice of violation for tax purposes.

## 3. Mitigation Monitoring Requirements

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### 3.1 PREMONITORING MEETING

A premonitoring meeting will be scheduled to review mitigation measures, implementation requirements, schedule conformance, and monitoring team responsibilities. Team rules will be established, the entire mitigation monitoring program presented, and any misunderstandings resolved.

### 3.2 CATEGORIZED MITIGATION MEASURES/TABLE

Project-specific mitigation measures have been categorized in Table 3-1, *Mitigation Monitoring Requirements*. The table identifies the environmental impact, specific mitigation measures, schedule, and responsible monitor. The mitigation table will serve as the basis for scheduling the implementation of and compliance with all mitigation measures.

### 3.3 FIELD MONITORING

Project monitors and technical consultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g., hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the District project manager.

### 3.4 COORDINATION WITH CONTRACTORS

The District project manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

### 3.5 PROJECT CONDITIONS

Based on the comments received during the IS/MND public comment period, the following conditions of approval have been incorporated into this MMRP:

- **Air Quality**
  1. The following Best Management Practices (BMPs) shall be included to reduce impacts caused by fugitive dust during construction and demolition of the proposed project:
    - a. Replace ground cover
    - b. Water exposed areas
    - c. Reduce vehicle speed on unpaved roads

### 3. Mitigation Monitoring Requirements

- d. Clean paved roads.
2. Consistent with San Diego Air Pollution Control District (SDAPCD) Rule 55, the project applicant shall ensure that fugitive dust generated by grading and construction activities shall be kept to a minimum with a goal of retaining dust on the site, by following the dust control best management practices listed below:
    - a. During clearing, grading, earthmoving, excavation, or transportation of cut or fill materials, the project applicant shall use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
    - b. During construction, the project applicant shall use water truck or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas at least twice per day, later in the morning, and after work is completed for the day, and whenever winds exceed 15 miles per hour.
    - c. The project applicant shall ensure that soil stockpiled for more than 2 days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
    - d. The project applicant shall post signs on-site to limit speeds on unpaved roads to not more than 15 miles per hour.
    - e. The project applicant shall halt all grading and excavation operations when speeds exceed 25 miles per hour.
    - f. The project applicant shall ensure that dirt and debris spilled onto paved surfaces at the project site and on the adjacent roadways shall be swept, vacuumed, and/or washed at the end of each workday.
    - g. The project applicant shall ensure that all trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be tarped and maintain a minimum 2 feet freeboard.
    - h. The project applicant shall, at a minimum, at each vehicle egress from the project site to a paved public road, install a pad consisting of washed gravel (minimum-size: 1 inch) maintained in a clean condition.
  3. The District shall implement the following best management practices during construction to reduce volatile organic compound (VOC) and oxides of nitrogen (NO<sub>x</sub>) emissions from construction equipment to the extent feasible:
    - a. The engine size of construction equipment shall be the minimum size necessary to accomplish the task for which it is used.

### 3. Mitigation Monitoring Requirements

- b. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practicable number is operating at any one time.
    - c. Construction equipment shall be maintained in tune per the manufacturer's specifications.
    - d. Electric equipment shall be utilized in lieu of diesel-powered equipment, where feasible.
    - e. Delivery or haul truck idling time shall not exceed 5 minutes at any single location per the California Air Resources Board (CARB) Airborne Toxic Control Measure 13 (13 California Code of Regulations Section 2485), unless additional time is required for safety reasons, per engine manufacturers' specifications or reasons stated in the Final Regulation Order of 13 California Code of Regulations Section 2485.
  4. The following shall be implemented to reduce impacts to water supplies:
    - a. Install low flow bathroom faucet
    - b. Install low flow kitchen faucet
    - c. Install low flow toilet
    - d. Install low flow shower
    - e. Use water efficient irrigation system
  5. The following shall be implemented to reduce impacts to solid waste disposal:
    - a. Institute Recycling and Composting Services.
    - b. Institute percent reduction in waste disposed.
- **Noise**
  1. During all phases of demolition, grading, and construction, the applicant shall ensure that vehicle staging areas and stockpiling shall be located as far as is practicable from existing nearby sensitive uses.
  2. Prior to issuance of any demolition or grading permit, the applicant shall establish a noise complaint response program subject to the approval of the City. The noise complaint response program shall require that all residences and noise-sensitive land uses within 300 feet of construction site shall be notified by the applicant of the construction. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of a complaint and response procedure. Additionally,

### 3. Mitigation Monitoring Requirements

as part of the noise complaint response program, the applicant shall designate an on-site “Construction Liaison” who will be responsible for notifying the City Engineer and responding to any local complaints about construction noise. The Construction Liaison (1) shall determine the cause of the noise complaints (starting too early, bad muffler, etc.), (2) shall respond to any noise complaints received for this project by measuring noise levels at the affected receptor site, and (3) shall institute reasonable measures, approved by the City Engineer, to correct the problem within 48 hours after receiving a complaint. The Construction Liaison shall maintain a written log of all complaints received and the resolution thereof during the demolition and construction period, which log shall be available for inspection by the City Engineer upon request.

3. In the event construction noise levels exceed 10 dBA above existing noise levels or City noise standards, the applicant shall immediately alter construction activities to achieve compliance with Monitoring and shall also be required following installation of any noise barriers.
4. No erection, demolition, construction, alteration, or repair of any building structure or grading or excavation of land shall occur:
  - a. Before 7:00 AM or after 7:00 PM, Monday through Friday, and before 8:00 AM or after 7:00 PM Saturday.
  - b. Nor on Sundays, New Year’s Day, Martin Luther King Day, President’s Day, Memorial Day, Independence Day, Labor Day, Veteran’s Day, Thanksgiving Day, and Christmas Day.

▪ **Parking**

1. Construction vehicles and construction employee vehicles shall be parked on subject property at all times. If construction activity prohibits parking on the subject property, the District shall ensure construction vehicles are parked in such a way to allow sufficient vehicular access on the street and minimize impact to the surrounding neighbors.

### 3. Mitigation Monitoring Requirements

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### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>BIOLOGICAL RESOURCES</b>				
BIO-1 Vegetation clearing/grubbing and construction activities shall be planned, where possible, to occur outside of the general nesting bird/raptor breeding season (between September 1 and January 14). If construction cannot be planned to occur outside of this season, a pre-construction nesting bird survey shall be conducted. Pre-construction surveys must be conducted by a qualified biologist within three days prior to commencement of construction activities (including staging of equipment, clearing and grubbing). The biologist shall survey for signs of breeding and nesting activity. Incidental observations of any sensitive biological resources within 500 feet of the project area shall also be recorded. If access is limited during the pre-construction survey, binoculars shall be used to survey up to 500 feet from the project area, where possible. If a breeding and nesting activity or sensitive biological resource is identified during the pre-construction survey, the potential for direct or indirect impacts from the project shall be evaluated, and an avoidance plan (as deemed appropriate) shall be developed in coordination with the District. The results of the pre-construction survey will be reviewed and approved by the District prior to initiating any construction activities. The avoidance plan shall include proposed measures to be implemented to ensure that disturbance of breeding activities is avoided and implemented to the satisfaction of the District. Monitoring may be required to determine when the nest is no longer active (i.e., the nestlings fledge, the nest fails, or the nest is abandoned, as determined by a qualified biologist). The District will have a contracted Biological Monitor verify and approve that all measures identified in the plan are in place prior to and/or during construction. The District shall be responsible for implementing restrictions on clearing and grubbing of habitats and construction activity that could result in violations to the	Qualified Biologist	Outside of nesting bird/raptor breeding season (between September 1 and January 14)	District	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
MBTA or Section 3503 of the Fish and Game Code.				
<b>CULTURAL RESOURCES</b>				
CUL-1 Prior to the start of construction, the project proponent shall retain a qualified professional archaeologist to monitor ground-disturbing activities. The archaeologist shall meet the Secretary of the Interior's professional qualifications standards for archaeology. The archaeologist shall have the authority to stop grading or construction work within 50 feet of any discovery of potential historical or archaeological resources in order to implement the procedures in Mitigation Measure CUL-2 and make a finding of significance under Section 15064.5 of the California Environmental Quality Act Guidelines.	Qualified Archaeologist	Prior to the start of construction	District	
CUL-2 If subsurface deposits believed to be cultural or human in origin are discovered during construction, either with or without an archaeological monitor present, all work must halt within a 50-foot radius of the discovery. The qualified archaeologist shall be called upon to evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find: <ul style="list-style-type: none"> <li>a. If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.</li> <li>b. If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the District and landowner. The District shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the California Register of Historic Resources</li> </ul>	Qualified Archaeologist	During construction	District	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>(CRHR). If the find is reasonably associated with Native American culture, the District shall also contact the liaisons for Native American tribes that requested such notification to determine whether or not the find represents a tribal cultural resource and, if so, to consult on appropriate treatment. Work may not resume within the no-work radius until the District, through consultation as appropriate, determines that the site either: 1) is not a historical resource or tribal cultural resource under CEQA; or 2) that the treatment measures have been completed to its satisfaction.</p> <p>c. If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the County Coroner or Medical Examiner (as per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Medical Examiner determines the remains are Native American and not the result of a crime scene, the Medical Examiner will notify the California Native American Heritage Commission (NAHC), who then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). 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 landowner does not agree with the recommendations of the MLD, the NAHC may mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains</p>				

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the District, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.</p>				
<b>GEOLOGY AND SOILS</b>				
<p>GEO-1 Prior to the start of construction, Solana Beach School District shall retain a qualified paleontologist to monitor ground-disturbing activities. The paleontologist shall attend a meeting with the grading contractor, engineering geologist, grading engineer, and school authorities to establish a protocol for monitoring during all earth-disturbing activities. The paleontologist shall be on call and available for monitoring should resources be found during construction. If unique paleontological resources are discovered during excavation and/or construction activities, then construction shall stop within 25 feet of the find, and the qualified paleontologist shall be consulted to determine whether the resource requires further study. The paleontologist shall make recommendations to the Solana Beach School District to protect the discovered resources. Any paleontological resources recovered shall be donated to the San Diego Natural History Museum to preserve for future scientific study.</p>	Qualified Paleontologist	Prior to the start of construction	District	
<b>NOISE</b>				
<p>NOI-1 If final plan drawings locate HVAC equipment within 75 feet of nearby residences, the equipment shall be shielded by a rooftop parapet wall (or wall or enclosure if at ground level) so</p>	Construction Contractor	Final plan check	District	

### 3. Mitigation Monitoring Requirements

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
as to block line-of-sight to nearby residences.				
<b>TRIBAL CULTURAL RESOURCES</b>				
TCR-1 Mitigation Measure CUL-1 requires a professional archaeologist to monitor ground-disturbing activities for the discovery of potential historical or archaeological resources. In the event of the discovery of any cultural resources that may be reasonably associated with Native American culture, the archaeological monitor shall implement the procedures in Mitigation Measure CUL-2(b).	Qualified Archaeologist	During ground-disturbing activities	District	

## 4. Mitigation Monitoring Reports

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Mitigation monitoring reports are required to document compliance with the Mitigation Monitoring Program and to dispute arbitration enforcement resolution. Specific reports include:

- Field Check Report
- Implementation Compliance Report
- Arbitration/Enforcement Report

### 4.1 FIELD CHECK REPORT

Field check reports are required to record in-field compliance and conditions.

### 4.2 IMPLEMENTATION COMPLIANCE REPORT

The Implementation Compliance Report is prepared to document the implementation of mitigation measures, based on the information in Table 3-1. The report summarizes implementation compliance, including mitigation measures, date completed, and monitor's signature.

### 4.3 ARBITRATION/ENFORCEMENT REPORT

The Arbitration/Enforcement Report is prepared to document the outcome of arbitration review and becomes a portion of the ICR.

## 4. Mitigation Monitoring Reports

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## 5. Community Involvement

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Monitoring reports are public documents and are available for review by the general public. Discrepancies in monitoring reports can be taken to the District Superintendent and his or her designee by the general public.

## 5. Community Involvement

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## 6. Report Preparation

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### 6.1 LIST OF PREPARERS

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## Report Preparation

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