

Jamul Indian Village Gaming Development Project

Final Tribal Environmental Evaluation
Mitigation Monitoring and Reporting Plan

August 2013

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***MITIGATION MONITORING
AND REPORTING PLAN***

MITIGATION MONITORING AND REPORTING PLAN REV.

JANUL FINAL TRIBAL EE

Mitigation Measure	Timing	Implementing Entity (IE)/ Monitoring Entity (ME)	Compliance		Remarks
			Date/Initials	Action Taken	
<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p>					
<p>A. Hazardous Materials (4.6)</p>					
<p>1. Buried Hazards or Hazardous Materials – Construction (4.6(2))</p> <p>If contaminated soil or groundwater, or a buried hazardous material storage container, is encountered during project construction, work shall be halted in that area, and the type and extent of the contamination shall be identified and characterized by qualified professionals. A qualified professional, in consultation with regulatory agencies shall then develop an appropriate method to remediate the contamination. If necessary, a remediation plan shall be implemented in conjunction with continued project construction.</p> <p>If any hazardous materials issues are encountered, a Health and Safety Plan (HASP) should also be implemented. A HASP prepared for the construction process, consistent with general industry standards and the Occupational Safety and Health Administration, could address any risks to construction personnel and public safety such that these health and safety risks could be mitigated to an acceptable level.</p>	Throughout construction activities.	<p>IE: Prime Construction Contractor/Registered Site Assessor</p> <p>ME: Janul Tribe</p>			
<p>2. Risk of Causing Wildfire During Project Construction (4.6(4))</p> <p>A. Use spark arresters on construction equipment,</p> <p>B. Restrict vehicular parking to areas devoid of grasses or other fuels,</p> <p>C. Designate safe areas for welding and metal cutting operations,</p> <p>D. Prohibit smoking,</p> <p>E. Properly store flammable or explosive materials, and</p> <p>F. Keep construction areas wetted with water trucks and implement a fire safety/fire response plan.</p>	A-F: Throughout construction activities.	<p>IE: Prime Construction Contractor</p> <p>ME: Janul Tribe</p>			

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p>					
<p>B. Biological Resources (4.7)</p>					
<p>1. Special Status Species/Protected Species (4.7(1))</p>					
<p>A. Because special-status species or protected species that occur in the vicinity could migrate onto the Reservation between the time that the field surveys were completed and the start of construction, pre-construction surveys for special-status species and protected species should be performed by a qualified biologist to ensure that threatened or endangered species are not present. If any special-status species or protected species are detected, construction should be delayed, the appropriate wildlife agencies should be consulted (e.g. USFWS) and avoidance measures implemented. To comply with the federal laws protecting eagles and migratory birds, and to avoid any direct and indirect impacts to nesting birds (especially raptors and migratory species), pre-construction surveys for nesting birds will be performed. If active nesting is detected, the nesting area will be protected by creating a fenced buffer area that excludes construction activities until the young have fledged.</p>	<p>A. Prior to commencement of construction activities.</p> <p>B. Throughout construction activities. Selection of CDFW-approved biologist, development of pre-construction surveys and the undertaking of CDFW consultation, if needed, shall take place prior to commencement of construction activities.</p>	<p>A. IE: Prime Construction Contractor/Biologist</p> <p>ME: Jamul Tribe</p> <p>B. IE: Prime Construction Contractor/Biologist</p> <p>ME: Jamul Tribe</p>			
<p>B. To comply with Fish and Game Code sections protecting nesting birds, and to avoid any direct and indirect impacts to nesting birds (especially raptors and migratory species), grubbing and clearing of vegetation on non-federal lands that may support active nests and construction activities adjacent to nesting habitat, should occur outside of the breeding season (February 15 to September 15; and as early as January 1 for raptors). If removal of habitat and/or construction activities on non-federal lands is necessary adjacent to nesting habitat during the breeding season, the applicant should retain a CDFW-approved biologist to conduct a pre-construction survey to determine the presence or absence of non-listed nesting migratory birds on or within 100 feet of the construction area, determine the presence or absence of ESA- or CESA-listed birds (e.g., coastal California gnatcatcher, least Bell's vireo) on or within 300 feet of the construction area, and determine the presence or absence of nesting raptors within 500 feet of the construction area. The pre-construction survey should be conducted within 10</p>					

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>calendar days prior to the start of construction on non-federal lands, the results of which should be submitted to CDFW for review and approval prior to initiating any construction activities. If nesting birds are detected by the biologist, the following buffers should be established:</p> <p>(1) No work should occur within 100 feet of a non-listed nesting migratory bird nest, (2) No work should occur within 300 feet of a listed bird nest, and (3) No work should occur within 500 feet of a raptor nest.</p> <p>There may be a reduction of buffer size depending on site-specific conditions (e.g., the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction on non-federal lands must take place within the recommended buffer widths above, the project applicant should contact CDFW to determine the appropriate buffer.</p>					
<p>2. Operational Effects from Noise or Lighting (4.7(5)) Glass used in the proposed gaming facility will contain less than 10% reflectivity.</p>	<p>Prior to commencement of construction activities, a note shall be placed on the Final Plans regarding the glass specifications. The specified glass shall be installed prior to operation of gaming facility.</p>	<p>IE: Architect/Civil Engineer and Prime Construction Contractor ME: Jamul Tribe</p>			
<p>C. Transportation (4.9)</p>					
<p>1. Construction Traffic (4.9(1)) A. To lessen the concentration of construction traffic, the contractor shall implement a Construction Management Plan (CMP) for the project. This CMP shall be implemented as a project feature and shall include the following: (1) Encourage construction workers to rideshare to the site, (2) Staggering of work hours to avoid all workers arriving at the same time.</p>	<p>A. The CMP shall be submitted to Caltrans for its information prior to commencement of construction work for the gaming facility. B. Prior to commencement of construction work, contractual arrangements shall be made for implementation of the safety measures. If the measures will</p>	<p>A. IE: Traffic Engineer ME: Jamul Tribe B. IE: Traffic Engineer ME: Jamul Tribe</p>			

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>(3) Restrict alternative work hours to avoid the peak-hour commuter traffic along SR-94, and</p> <p>(4) Schedule deliveries or equipment hauling to occur at off-peak times.</p> <p>The above listed CMP strategies shall be documented in an appropriate format.</p> <p>B. To reduce traffic safety impacts related to construction activities, the Tribe shall implement the following listed measures or other equally effective measures, including but not limited to, the use of California Highway Patrol Personnel:</p> <p>(1) Speed reduction signs,</p> <p>(2) Temporary flashing beacons, and</p> <p>(3) Flagger managing the vehicular conflicts along SR-94 (Campo Road) and the construction entrance driveway. The flagger operations will force vehicles traveling along SR-94 (Campo Road) to reduce their speeds to a stop conditions to allow truck traffic to enter the SR-94 facility.</p>	<p>encroach into the SR-94 right-of-way, a construction period Encroachment Permit (and associated Traffic Management Plan) shall be approved by Caltrans.</p>				
<p>2. Existing Plus Project Conditions (4.9(2))</p> <p>The Tribe shall finance and implement the recommended intersection improvements shown in Table 4.9-51 (see Attachment 1).</p>	<p>The measures shall be financed and implemented when (1) plans for individual improvements are approved by Caltrans, and (2) the Encroachment Permit for the SR-94 roadway improvements has been approved by Caltrans.</p>	<p>IE: Jamul Tribe ME: Jamul Tribe</p>			
<p>3. Near Term (2015) Plus Project Conditions (4.9(3))</p> <p>A. The Tribe shall pay their fair share for the mitigation shown in Table 4.9-54 (see Attachment 2).</p> <p>B. The Tribe shall pay into the County's Transportation Impact Fee for cumulatively considerable traffic impacts on County of San Diego facility (Jamacha and Sweetwater Springs Boulevard).</p>	<p>A. The fair share contributions shall be made to Caltrans (1) prior to commencement of operation for the gaming facility and (2) if the parties, after undertaking good faith efforts, are able to reach consensus on the terms of a fair share agreement.</p> <p>B. The payment shall be made when (1) the Encroachment Permit for the SR-94 roadway improvements has been approved by Caltrans, and (2) if</p>	<p>A. IE: Jamul Tribe ME: Jamul Tribe B. IE: Jamul Tribe ME: Jamul Tribe</p>			

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p>	<p>the parties, after undertaking good faith efforts, are able to reach consensus on the terms of a fair share agreement.</p>				
<p>4. Horizon Year (2035) Plus Project Conditions (4.9(4)) To mitigate cumulatively considerable significant traffic related impacts at intersections and roadway segments within the Caltrans jurisdiction, the Tribe shall pay a fair-share contribution toward the construction of improvements identified in Table 4.9-5.7, as well as mitigation phasing displayed under Mitigation 4.9-2. To mitigate cumulatively considerable significant traffic related impacts at the intersections and roadway segments within the County of San Diego, pay toward the County's Transportation Impact Fee. The improvements shown are consistent with the County of San Diego's Mobility Element approved in 2011.</p>	<p>The fair share payments will be made when (1) the Encroachment Permit for the SR-94 roadway improvements has been approved by Caltrans, and (2) the agreed upon fair share contribution has been calculated.</p>	<p>IE: Jamul Tribe ME: Jamul Tribe</p>			
<p>D. Noise (4.10)</p>					
<p>1. Construction Noise and Vibration (4.10(1 and 2)) The following recommended noise abatement measures would reduce noise associated with project construction:</p> <p>A. Contractors should schedule construction activities to avoid simultaneous use of several pieces of high noise level-emitting equipment, to the extent practicable.</p> <p>B. Construction equipment shall be fitted with manufacturer's standard, or better, noise shielding and muffling devices to reduce noise levels to the maximum extent feasible, and</p> <p>C. Equipment maintenance and staging areas shall be located as far away from local residences and hotel uses, as feasible.</p> <p>D. Prepare and Implement a Blast Plan and Monitor and Record Each Blast Near Sensitive Receptors. To reduce impacts associated with air blast over-pressure generated by project-related construction activities, the project applicant(s) of all project phases shall conform to the following requirements.</p> <p>(1) All blasting shall be performed by a blast contractor</p>	<p>A-C. Throughout construction activities: D. Preparation of the Blast Management Plan shall be completed prior to any scheduled blasting activities. The measures of the Blasting Plan shall be implemented throughout construction/blasting activities.</p>	<p>A-D. IE: Prime Construction Contractor ME: Jamul Tribe</p>			

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>and blasting personnel licensed to operate in the County,</p> <p>(2) Each blast shall be monitored and recorded with an air blast over-pressure monitor and ground borne vibration accelerometer approved by the Tribe that is located outside the closest residence to the blast, and</p> <p>(3) A blasting plan, including estimates of the air blast over-pressure level and ground borne vibration at the residence closest to the blast, shall be submitted to the Tribe for review prior to the first blast. Blasting shall not commence until the Tribe has approved the blast plan.</p>					
<p>2. On Site Mechanical Equipment (4.10(4))</p> <p>Acoustical louvers capable of a 10 decibel reduction should be installed for all ventilation and when possible orientate the ventilation away from sensitive uses. Although not required to mitigate the impact, the Tribe will also consider the use of roof top parapet walls, screening barriers, and mechanical enclosures to ensure County Code requirements are met.</p>	<p>Prior to commencement of construction activities, a note shall be placed on the Final Plans regarding the acoustical louver specifications. The acoustical louvers shall be implemented prior to operation of the gaming facility.</p>	<p>IE: Architect/Civil Engineer and Prime Construction Contractor ME: Jamul Tribe</p>			
<p>E. Air Quality (4.11)</p>					
<p>1. Criteria Pollutants – Construction (4.11.3)</p> <p>A. Minimize land disturbance.</p> <p>B. Use watering trucks to minimize dust, watering should be sufficient to confine, dust plumes to the project work areas.</p> <p>C. Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes.</p> <p>D. Cover all trucks hauling dirt when traveling at speeds greater than 15 miles per hour.</p> <p>E. Stabilize the surface of dirt piles if not removed within 2 days.</p> <p>F. Limit vehicular paths on unpaved surfaces and stabilize any temporary roads.</p>	<p>A-J. Prior to commencement of construction activities, a note shall be placed on the Final Plans regarding Measures 4.11.3(A-J).</p>	<p>IE: Architect/Civil Engineer and Prime Construction Contractor ME: Jamul Tribe</p>			

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>G. Minimize unnecessary vehicular and machinery activities,</p> <p>H. Sweep paved streets at least once per day where there is evidence that dirt has been carried on to the roadway,</p> <p>I. Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities, and</p> <p>J. Remove unused material.</p>					
<p>2. On Site Mechanical Equipment (4.11(4))</p> <p>A. Install solar panels on the roof, where possible, in areas not being utilized for the green roof technologies,</p> <p>B. Provide shuttle and bus services to and from the project to reduce vehicle trips and miles traveled,</p> <p>C. Flare off and burned CH₄ produced at the wastewater treatment plant to reduce CH₄ emissions up to 95%,</p> <p>D. Utilize low flow water devices High Efficiency Toilets (HET) and with specifications meeting or exceeding standards set forth by the EPA,</p> <p>E. Install low energy utilities (i.e., lighting and appliances) to increase building efficiency and reduce power consumption,</p> <p>F. Promote employe and patron ridesharing to help reduce vehicle trips traveled, and</p> <p>G. Install dedicated parking stalls and charging stations for electric vehicles.</p>	<p>A-G: Measures shall be in place and operational prior to occupancy of the gaming facility.</p>	<p>A-G: IE: Prime Construction Contractor/Gaming Operator ME: Jamul Tribe</p>			
<p>F. Public Services (4.12)</p>					
<p>1. Law Enforcement (4.12(5))</p> <p>A. Provide on-site security for gaming operations to reduce and prevent criminal and civil incidents.</p> <p>B. All security guards would carry two-way radios so they are able to efficiently respond to back up and emergency related</p>					
	<p>A-G: Relevant measures shall be in place and operational prior to occupancy of the gaming facility.</p>	<p>A-G: IE: Gaming Operator/Jamul Tribe ME: Jamul Tribe</p>			

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>calls. This would aid in the prevention of criminal activity within gaming facilities.</p> <p>C. Adopt a "Responsible Alcoholic Beverage Policy" which would include, but not be limited to, requiring patrons to prove their age and refusing service to those who have had too much to drink. This policy would be coordinated with the San Diego Sheriff's Office.</p> <p>D. All parking areas would be well lit and monitored by parking staff and/or roving security guards at all times during operation. This would aid in the prevention of auto theft and other related criminal activity.</p> <p>E. Areas surrounding the gaming facilities would have "No Loitering" signs in place, would be well lit and would be patrolled regularly by roving security guards. This would aid in the prevention of illegal loitering and all crimes that relate to, or require, loitering.</p> <p>F. Provide traffic control with appropriate signage and the presence of peak-hour traffic control staff. This would aid in the prevention of off-site parking, which could create possible security issues.</p> <p>G. The Tribe will make good faith efforts to enter into an agreement with the County regarding law enforcement services.</p>					
<p>2. Fire Protection and Emergency Medical Services (4.12(6))</p> <p>To reduce the risk of starting a wildfire during construction, the Tribe will make a good faith effort to implement the following best management practices during construction:</p> <p>A. Use spark arresters on construction equipment,</p> <p>B. Restrict vehicular parking to areas devoid of grasses or other fuels,</p> <p>C. Designate safe areas for welding and metal cutting operations,</p> <p>D. Prohibit smoking,</p> <p>E. Properly store flammable or explosive materials, and</p>	A-G: Throughout construction activities	A-G: IE: Prime Construction Contractor ME: Jamul Tribe			

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>F. Keep construction areas wetted with water trucks and G. Implement a fire safety/fire response plan.</p>										
<p>G. Effects of Mitigation Measures (4.15)</p>										
<p>1. Hydrology and Water Quality (4.15(2))</p> <p>A. Implement temporary and permanent BMPs including:</p> <p>(1) Temporary BMPs: fiber rolls, hydro-seeding, temporary drainage inlet protection, preserve existing vegetation, stabilized construction entrances, self-contained concrete washout area, and covered material delivery and storage areas, and</p> <p>(2) Permanent BMPs: vegetate all disturbed slopes, implementing biosrips or bioswales, and detention basins. Theses BMPs would be used to prevent pollutants from entering the Waters of the United States.</p> <p>B. The drainage crossing plans shall include a design that shows improvements to be located outside of the ordinary high water mark. If unable to design outside of high water make, the Tribe shall acquire a Clean Water Act Section 404 Permit from the USACOE prior to undertaking any grading activities and shall implement all permit requirements during construction and operation. Permit conditions may include the purchase of in-lieu credits at a mitigation bank, as well as the implementation of Best Management Practices during construction activities.</p> <p>C. Employ plywood shoring (or a similar temporary construction barrier) and the following erosion and sediment control measures to ensure that sediment does not enter Willow Creek during construction of retaining walls.</p> <p>(1) Existing vegetation will be preserved when feasible,</p> <p>(2) Erosion in concentrated flow paths will be controlled by applying fiber rolls, erosion control / fiber blankets, silt fences, and plastic sheeting, and/or lining swales as required,</p> <p>(3) Concentrated water flows shall be channeled away from disturbed soil areas and stockpiles. Concentrated water</p>						<p>A, C, D. Prior to commencement of construction activities, final plans shall have notes added to reflect identified measures. Identified measures shall be implemented throughout construction activities.</p> <p>B. Prior to commencement of construction activities, final plans shall show improvements being located outside the high water mark. If this is not possible, a 404 Permit shall be secured prior to commencement of any construction activities related to the access road.</p>	<p>A-D, IE: Architect/Civil Engineer and Prime Construction Contractor ME: Jamul Tribe</p>			

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>flows shall be conveyed in a non-eroding fashion, and</p> <p>(4) Non-active areas, and all finished slopes, will be stabilized with effective soil cover (such as aggregate, paving, or vegetation) as soon as feasible after construction or disturbance is complete and no later than 14 days after construction or disturbance in that portion of the site has temporarily or permanently ceased.</p> <p>D. Designate riparian areas with warning signs and fencing and avoid completely, where feasible.</p> <p>2. Biological Resources (4.15(4))</p> <p>A. Implement Mitigation Measure 4.7(1).</p> <p>B. Implement Mitigation Measure 4.7(1)(B)</p> <p>C. A monitoring biologist (approved by CDFW) shall be on site during initial clearing and grubbing of habitat on non-federal lands, and project construction within 300 feet of preserved habitat, to ensure compliance with all conservation measures. The biologist shall be knowledgeable of upland and wetland biology and ecology. The applicant shall submit the biologist's name, address, telephone number, and work schedule on the Project to CDFW at least 30 days prior to initiating construction. The biologist shall perform the following duties:</p> <p>(1) Oversee installation of and inspect temporary fencing and erosion control measures within or up-slope of all restoration and/or preservation areas a minimum of once per week and daily during all rain events to ensure that any breaks in the fence or erosion control devices are repaired immediately.</p> <p>(2) Monitor the work area weekly to ensure that work activities do not generate excessive amounts of dust.</p> <p>(3) Train all contractors and construction personnel on the biological resources associated with this project and ensure that training is implemented by construction personnel. At a minimum, training shall include:</p> <ul style="list-style-type: none"> - The purpose for resource protection. - The conservation measures that shall be 	<p>A. Prior to commencement of construction activities, notes shall be placed on Final Plans for off-global Reservation intersections regarding the need for pre-construction surveys for special status/protected species and measures to avoid impacts to nesting birds. Measures shall be implemented prior to, and throughout construction activities associated with off-Reservation intersections. Pre-construction surveys and CDFW consultation shall take place prior to construction activities of off-Reservation intersections.</p> <p>B. Prior to commencement of construction activities, notes shall be placed on Final Plans of off-Reservation intersections regarding measures to avoid impacts to raptors and/or migratory birds. The pre-construction survey, if needed, shall be conducted within 10 calendar days prior to the start of construction on non-federal lands, the result of which shall be submitted to CDFW for review and approval prior to initiating any construction activities of off-Reservation intersections. If a buffer is needed, it shall be approved and in place prior to commencement of grading activities off-Reservation</p>	<p>A-D, IE: Architect/Civil Engineer, Prime Construction Contractor, and Jamul Tribe ME: Jamul Tribe</p>			

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>implemented during project construction, including strictly limiting activities, vehicles, equipment, and construction materials to the fenced project footprint to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps or on the project site by fencing).</p> <ul style="list-style-type: none"> - Environmentally responsible construction practices. - The protocol to resolve conflicts that may arise at any time during the construction process. <p>(4) Halt work, if necessary on non-federal lands, and confer with CDFW and County PDS to ensure the proper implementation of species and habitat protection measures. The biologist shall report any violation to CDFW within 24 hours of its occurrence.</p> <p>(5) Submit weekly letter reports (including photographs of impacted areas) to CDFW and County PDS during clearing of habitat and/or construction within 300 feet of preserved habitat on non-federal lands. The weekly reports will document that authorized impacts were not exceeded, and general compliance with all conditions. The reports will also outline the duration of species monitoring, the location of construction activities, the type of construction which occurred, and equipment used. These reports will specify numbers, locations, and sex of sensitive species (if present), observed species behavior (especially in relation to construction activities), and remedial measures employed to avoid, minimize, and mitigate impacts to sensitive species. Raw field notes shall be made available upon request by CDFW.</p> <p>(6) Submit a final report to CDFW and County PDS within 60 days of the project completion that includes: as-built construction drawings with an overlay of habitat that was impacted and protected, photographs of habitat areas that were to be avoided, and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance with all conditions was achieved.</p> <p>D. <u>Habitat Loss</u>: Prior to grading activities, the following habitat loss mitigation shall be implemented:</p>	<p>intersections.</p> <p>C. The monitoring biologist shall be on site prior to commencement of grading activities (within 300 feet of preserved habitat) associated with off-Reservation intersections/roadways. The biologist's name, address, telephone number, and work schedule shall be submitted to CDFW at least 30 days prior to initiating construction of off-Reservation intersections.</p> <p>D. Prior to grading of off-Reservation intersections.</p>				

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<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>(1) Prior to development of the access road, the loss of protected habitats (grasslands, coastal scrub, coast live oak riparian forest) shall be mitigated at the ratios specified by the Biological Mitigation Ordinance, which vary from 0.5:1 to 3:1 depending upon the Tier category and whether or not the land is in a Biological Resource Core Area (either by in lieu fee payment or by deed restriction of qualified lands).</p>					
<p>3. Cultural Resources (4.15(5))</p> <p>A. The Tribe shall implement inadvertent discovery measures during all construction activities within the access road and off-site intersection Improvement areas. Measures include:</p> <p>(1) A worker education course for all construction personnel covering immediate work curtailment to protect cultural resources and to be conducted prior to initiation of ground-disturbing activities.</p> <p>(2) Monitoring by a qualified archaeologist, who meets the Secretary of the Interior's Standards for archaeologists (found at 36 CFR §61), as well as a JIV tribal monitor, of all earth-disturbing activities in close proximity to site CA-SDI-7966/11410 and CA-SDI-11051, and of all off-site earth-disturbing activities in native soils/sediments; and</p> <p>(3) Procedures for discovery of cultural resources, including human remains, during construction or earth-disturbing activities if an archaeological monitor is not present.</p> <p>B. In the event that any prehistoric, historic, or paleontological resources are discovered during construction-related earth-moving activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist or paleontologist, as appropriate, shall be consulted to assess the significance of the find. If any find is determined to be significant by the qualified professional, then appropriate agency and project representatives and the qualified archaeologist and/or paleontologist shall meet to determine the appropriate course of action. All significant cultural or paleontological materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist or</p>	<p>A. The worker education course shall take place prior to grading activities associated with off-reservation intersections/roadways. The archaeologist shall be under contract prior to grading activities associated with off-reservation intersections/roadways. The procedures for discovery shall be developed by the archaeologist prior to grading activities.</p> <p>B,C. These measures shall be implemented throughout grading activities associated with the off-reservation intersections/roadways.</p>	<p>A-C. IE: Prime Construction Contractor and Archaeologist ME: Jamul Tribe</p>			

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Mitigation Measure	Timing	Implementing Entity (IE)/ Monitoring Entity (ME)	Compliance		Remarks
			Date/Initials	Action Taken	
<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>paleontologist according to current professional standards.</p> <p>C. If human bone or bone of unknown origin is found during construction, all work shall stop within 50 feet of the find and the San Diego County Coroner and the Tribe shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) who shall identify the most likely descendant. The most likely descendant shall work with the Tribe and the Lead Agency, as appropriate, to develop a plan for re-interment of the human remains and any associated artifacts. No additional work shall take place within the immediate vicinity of the find until the identified actions have been implemented.</p>					
<p>4. Off Site Intersection Improvements</p> <p>A. Implement Mitigation Measures 4.6(2) and 4.12(6) to reduce potential Hazardous Materials impacts to a less than significant level.</p> <p>B. Prior to grading activities for any intersections impacting jurisdictional waters, the improvement plans shall include a design that shows improvements to be located outside of the ordinary high water mark. If unable to design outside of high water mark, the developer shall acquire a Clean Water Act Section 404 Permit from the USACE prior to undertaking any grading activities. Permit conditions typically include the purchase of in-lieu credits at a mitigation bank as well as the implementation of Best Management Practices during construction activities.</p> <p>C. Prior to development of any of the intersection improvement areas, impacted protected habitats (grasslands, coastal scrub, coast live oak riparian forest) shall be mitigated at the ratio specified by the Biological Mitigation Ordinance, which vary from 0.5:1 to 3:1 depending upon the Tier category and whether or not the land is in a Biological Resource Core Area (either by in lieu fee payment or by deed restriction of qualified lands).</p> <p>D. Implement Mitigation Measure 4.15(2)(B) to reduce potential Jurisdictional Waters impacts to a less than significant level.</p> <p>E. Implement Mitigation Measure 4.15(4) to reduce biological resource impacts to a less than significant level.</p>	<p>A. Throughout construction activities.</p> <p>B, D. Prior to commencement of construction activities, final plans shall show improvements being located outside the high water mark. If this is not possible, a 404 Permit shall be secured prior to any construction activities related to the access road.</p> <p>C, G. Prior to grading of off-reservation intersections/roadways.</p> <p>E. See G(2) above.</p> <p>F. See G(3) above.</p> <p>H. Prior to commencement of construction activities, final plans shall have notes to reflect identified measures. Identified measures shall be implemented throughout construction activities.</p>	<p>A. IE: Prime Construction Contractor/Registered Site Assessor</p> <p>ME: Jamul Tribe</p> <p>B, D, H.</p> <p>IE: Architect/Civil Engineer and Prime Construction Contractor</p> <p>ME: Jamul Tribe</p> <p>C, G. IE: Architect/Civil Engineer, Jamul Tribe and Prime Construction Contractor</p> <p>ME: Jamul Tribe</p> <p>E. See G(2) above.</p> <p>F. See G(3) above.</p>			

Mitigation Measure	Timing	Implementing Entity (IE)/ Monitoring Entity (ME)	Compliance		Remarks
			Date/Initials	Action Taken	
<p>The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.</p> <p>F. Implement Mitigation 4.15-5 to reduce cultural resource impacts to a less than significant level.</p> <p>G. Prior to development of the intersection improvement areas, any impacted County-protected plants (Group A Plants defined by County PDS), such as San Diego thornmint or Palmer's Goldenbush, shall be compensated at a 3:1 acreage ratio (either in lieu fee payment to the County or by deed restriction of qualified lands) to the satisfaction of the County of San Diego Director of Planning and Development Services.</p> <p>H. The following Best Management Practices shall be implemented to protect water bodies from impacts:</p> <p>(1) create and implement a Hazardous Materials Management Plan and Spill Response Plan, including the identification of specific refueling areas,</p> <p>(2) create and implement an erosion control plan and a sediment monitoring plan, including the placement of jute mats, straw bales and wattles, sand bags, and vegetative covers (e.g. Hydroseed), weather monitoring, and specific inspection protocols,</p> <p>(3) designated concrete washout areas and other filters for construction materials,</p> <p>(4) a visual monitoring program and a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs,</p> <p>(5) create and implement a Hazardous Materials Management Plan and Spill Response Plan, including the identification of specific refueling areas,</p> <p>(6) create and implement an erosion control plan and a sediment monitoring plan, including the placement of jute mats, straw bales and wattles, sand bags, and vegetative covers (e.g. Hydroseed), weather monitoring, and specific inspection protocols,</p> <p>(7) designated concrete washout areas and other filters for construction materials, and</p> <p>(8) a visual monitoring program and a chemical monitoring program for "non-visible" pollutants to be implemented</p>					

MITIGATION MONITORING AND REPORTING PLAN REV.

JAMUL FINAL TRIBAL EE

Mitigation Measure	Timing	Implementing Entity (IE)/ Monitoring Entity (ME)	Compliance		Remarks
			Date/Initials	Action Taken	
The Tribe will make good faith efforts to implement the mitigation measures below in accordance with the terms of Tribal Ordinance 2011-01.					
if there is a failure of BMPs.					

ATTACHMENT 1

TRAFFIC IMPROVEMENTS FOR EXISTING PLUS PROJECT CONDITIONS

**TABLE 4.9-51
RECOMMENDED IMPROVEMENTS FOR EXISTING PLUS PROJECT CONDITIONS
(UPDATED OCTOBER 2012)**

FACILITY	DESCRIPTION OF IMPROVEMENT			
	NO BUILD ⁽¹⁾	PROPOSED PROJECT	ALTERNATIVE 1	ALTERNATIVE 2
2 SR 94 (Campo Rd) & Jamacha Blvd (intersection)	--	Restripe NB through shared left-turn lane to a NB through shared right-turn lane (including required traffic signal modifications).	Restripe NB through shared left-turn lane to a NB through shared right-turn lane (including required traffic signal modifications).	Impact is less than significant so no mitigation measure is required
3 SR 94 (Campo Rd) & Jamacha Rd (intersection)	--	Restripe NB through lane to a NB left-turn lane and northbound right-turn lane to a shared through right-turn lane (including required traffic signal modifications). Add second EB right-turn lane.	Impact is less than significant so no mitigation measure is required	Impact is less than significant so no mitigation measure is required
5 SR 94 (Campo Rd) & Steele Canyon Rd (intersection)	--	Add a second EB and WB through lanes.	Add a second EB and WB through lanes.	Impact is less than significant so no mitigation measure is required
6 SR 94 (Campo Rd) & Lyons Valley Rd (intersection)	Install Traffic Signal	Install Traffic Signal	Install Traffic Signal	Install Traffic Signal
8 SR 94 (Campo Rd) & Melody Rd (intersection)	--	Install Traffic Signal. Restripe NB shared left-through-right lane to a through-right lane and add a NB left turn lane. Restripe SB shared left-through-right lane to a through-right lane and add a SB left turn lane.	Install Traffic Signal. Restripe NB shared left-through-right lane to a through-right lane and add a NB left turn lane. Restripe SB shared left-through-right lane to a through-right lane and add a SB left turn lane.	Install Traffic Signal. Restripe NB shared left-through-right lane to a through-right lane and add a NB left turn lane. Restripe SB shared left-through-right lane to a through-right lane and add a SB left turn lane.
10 SR 94 (Campo Rd) & Reservation Rd. (intersection)	--	Construct a new access point for the project either at Reservation Road, the adjacent 4-acre parcel north of the Reservation or at Melody Road. ⁽¹⁾	Construct a new access point for the project either at Reservation Road, the adjacent 4-acre parcel north of the Reservation or at Melody Road. ⁽¹⁾	Construct a new access point for the project either at Reservation Road, the adjacent 4-acre parcel north of the Reservation or at Melody Road. ⁽¹⁾
19 SR 94 (Campo Rd) & Maxfield Rd. (intersection)	--	Restripe northbound and southbound approaches along SR-94 to include a two-way-left-turn acceleration lane	Restripe northbound and southbound approaches along SR-94 to include a two-way-left-turn acceleration lane	Impact is less than significant so no mitigation measure is required

Notes:
 NB= Northbound, SB= Southbound, EB= Eastbound, WB= Westbound
 (1) See Chapter 10 for access alternative analysis.

ATTACHMENT 2

TRAFFIC IMPROVEMENTS FOR NEAR TERM PLUS PROJECT CONDITIONS

**TABLE 4.9-54
RECOMMENDED IMPROVEMENTS FOR NEAR TERM (2015) PLUS PROJECT/ALTERNATIVE CONDITIONS
(UPDATED OCTOBER 2012)**

FACILITY	DESCRIPTION OF IMPROVEMENT			ALTERNATIVE 1	ALTERNATIVE 2
	NO BUILT (1)	PROPOSED PROJECT	ALTERNATIVE 1		
1 SR 94 (Campo Rd) & Via Mercado (intersection)	Add a second SB left-turn lane.	Add second SB left-turn lane.	Add second SB left-turn lane.	Add exclusive WB right-turn lane.	
2 SR 94 (Campo Rd) & Jamacha Blvd (intersection)	Restripe NB thru shared left lane to a NB thru shared right lane.	Add a second NB right-turn lane.	Add a second NB right-turn lane.	Add a second NB right-turn lane.	
3 SR 94 (Campo Rd) & Jamacha Rd (intersection)	Restripe the NB thru lane to a NB thru shared left-turn lane.	Restripe NB through lane to a NB left-turn lane and northbound right-turn lane to a shared through right-turn lane (including required traffic signal modifications). Add second EB right-turn lane.	Restripe NB through lane to a NB left-turn lane and northbound right-turn lane to a shared through right-turn lane (including required traffic signal modifications). Add second EB right-turn lane.	Impact is less than significant so no mitigation measure is required.	
4 SR 94 (Campo Rd) & Cougar Canyon Rd (intersection)	Add a second EB and WB thru lanes.	Add a second EB through lane.	Impact is less than significant so no mitigation measure is required.	Impact is less than significant so no mitigation measure is required.	
5 SR 94 (Campo Rd) & Steele Canyon Rd (intersection)	Add a second EB and WB thru lanes.	Add a second EB and WB through lanes.	Add a second EB and WB through lanes.	Add a second EB and WB through lanes.	
6 SR 94 (Campo Rd) & Lyons Valley Rd (intersection)	Install Traffic Signal	Install Traffic Signal	Install Traffic Signal	Install Traffic Signal	
7 SR 94 (Campo Rd) & Jefferson Rd (intersection)	Add NB and SB left-turn lanes.	Add a NB and SB left-turn lanes and a second EB through lane.	Add a NB left-turn lane.	Add a NB left-turn lane.	
8 SR 94 (Campo Rd) & Melody Rd (intersection)	Add a NB left-turn lane and SB left-turn lane.	Install Traffic Signal. Restripe NB shared left-through-right lane to a through-right lane and add a NB left turn lane. Restripe SB shared left-through-right lane to a through-right lane and add a SB left turn lane.	Install Traffic Signal. Restripe NB shared left-through-right lane to a through-right lane and add a NB left turn lane. Restripe SB shared left-through-right lane to a through-right lane and add a SB left turn lane.	Install Traffic Signal. Restripe NB shared left-through-right lane to a through-right lane and add a NB left turn lane. Restripe SB shared left-through-right lane to a through-right lane and add a SB left turn lane.	
10 SR 94 (Campo Rd) & Reservation Rd (intersection)	-	Construct a new access point for the project either at Reservation Road, the adjacent 4-acre parcel north of the Reservation or at Melody Road. (1)	Construct a new access point for the project either at Reservation Road, the adjacent 4-acre parcel north of the Reservation or at Melody Road. (1)	Construct a new access point for the project either at Reservation Road, the adjacent 4-acre parcel north of the Reservation or at Melody Road. (1)	
12 SR 94 (Campo Rd) & Ory Lakes Rd (intersection)	-	Add a SB exclusive right-turn lane.	Impact is less than significant so no mitigation measure is required.	Impact is less than significant so no mitigation measure is required.	
13 Jamacha Blvd & Sweetwater Springs Blvd (intersection)	-	Pay County of San Diego's TIF so County can add a second EB exclusive right-turn lane and restripe SB right-turn lane to a shared through-right lane.	Pay County of San Diego's TIF so County can add a second EB exclusive right-turn lane and restripe SB right-turn lane to a shared through-right lane.	Impact is less than significant so no mitigation measure is required.	
19 SR 94 (Campo Rd) & Maxfield Rd (intersection)	-	Restripe northbound and southbound approaches along SR-94 to include a two-way-left-turn acceleration lane.	Restripe northbound and southbound approaches along SR-94 to include a two-way-left-turn acceleration lane.	Impact is less than significant so no mitigation measure is required.	

Notes:

NB= Northbound, SB= Southbound, EB= Eastbound, WB= Westbound
(1) See Chapter 10 for access alternative analysis

(2) The project would be responsible for its fair share contribution toward the improvements listed in this table. The project would be fully responsible for the cost of the improvements listed in Table 5-1.2.