

BE IT RESOLVED, by the Council of The City of San Diego, that pursuant to California Public Resources Code, Section 21081, the following findings are made with respect to the environmental impacts identified in Environmental Impact Report No. 77-04-19:

1. Land Use - Topographic Resources - Land Form Modification

a. Economic and social considerations make infeasible the mitigating measures for project alternatives identified in the final E.I.R.

b. The project represents the lowest price unsubsidized single-family housing which can be produced in the community, and requires economies of scale in its development; a reduced scale to minimize grading impact would significantly increase the price and reduce the availability of housing.

c. The project has been substantially redesigned during design reviews and revisions by various departments of The City of San Diego since 1973 when the project was first submitted. The project now conforms to all City engineering requirements.

d. The Pardee Construction Company continues to effectuate a strong affirmative marketing program. The home sales recorded by the Company in Mira Mesa to date show more than 23% of its units have been sold to racial minorities. The increased unit cost resulting from a reduction in the scale of the development would endanger the success of this program. The increased cost would limit the ability of minorities to purchase homes in the project.

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2. Biology.

a. Certain plant species found on the project are considered rare and endangered by the California Native Plant Association and some have been nominated for endangered or threatened status by the U. S. Fish and Wildlife Service. As yet none of the species known to exist on the property have been approved for official listing under the Federal Endangered Species Act.

b. The coast barrel cactus can still be found throughout the lower coastal elevations in San Diego County, and has a range extending from the latitude of Black Mountain south into northern Baja California. Elimination of the two sites on the project containing the cactus will not substantially affect the existence of this species.

c. The project vernal pools and mima mounds are currently impacted by trail bike activity and trash deposition. The impact has increased greatly during the past year. The adjacent urbanization makes it difficult to protect and defend these pools.

d. Given the scope and design of the proposed project and the emphasis on human access to the retained open space, no effective mitigation of the overall limitation of native plant and animal associations on the subject site appears possible.

e. Miramar Mounds Natural Landmark consists of approximately 415 acres described in the NAS Miramar Master Plan. This site is approximately three miles southeast of the project. A large portion of the Landmark contains mima

mounds and vernal pools which are comparable floristically and botanically with the subject property.

f. Other vernal pools and mima mounds comparable to those on the subject property exist on undeveloped land in the Del Mar Mesa and Penasquitos areas of the City of San Diego within seven miles of the project area.

g. As mitigation for the significant biological impact described in the E.I.R., two actions will be undertaken, specifically:

(i) The Pardee Construction Company will contribute to the City of San Diego, upon recordation of the first final subdivision map in the development, the sum of \$5,000 for the purpose of funding a biological study to inventory mima mounds and vernal pools in the City north of Mission Valley. This inventory to locate and evaluate vernal pools will be used to determine an equitable basis for assessing costs against properties whose development would affect the vernal pool resources identified in the E.I.R.

(ii) In addition, the Company will further contribute \$50 for each building permit issued for homes within the Mira Mesa West project, with the \$5000 contributed for the biological study to be credited against ~~the first~~ one hundred building permits issued in the project. Following the results of the biological study as to where representative land with vernal pools would be acquired

and/or permanently protected, if it is determined that the fair share of the Company is more than \$50 per lot, Pardee will make an additional contribution, with the total contribution not to exceed \$100,000.

(iii) The monies described above will be used only for the following purposes:

1. To assist the implementation of a plan for the permanent physical protection of those vernal pools within the Miramar Mounds Natural Landmark on the Miramar Naval Air station, or

2. To acquire and physically protect other property containing vernal pools within the City of San Diego northerly of Mission Valley.

h. The contribution described in Paragraph 2(g) by the Pardee Construction Company and the actions described in subparagraph (iii) mitigate the significant biological effects of the project described in the final E.I.R.

i. The City of San Diego commits itself to implement the mitigation measures by resolving that at least one of the actions described in 2g(iii) will be carried out.

3. Water/Energy Conservation.

The applicant has implemented specific plans for utilization of special construction methods, fixtures and appliances which would reduce significantly project water and energy usage below presently normal levels. The developer will cooperate in distributing information supplied by the City regarding use of

drought-resistant landscaping. The developer's model home complex for the project will feature a number of drought-resistant plant materials which will be labeled and identified for the benefit of prospective home buyers.

4. Cumulative Impacts.

a. Regional air quality and downstream water degradation would occur for any similar project, regardless of location in the region. These impacts are within the responsibility and jurisdiction of the Regional Air Pollution Control District, the Federal Environmental Protection Agency and the State Air Resources Boards. These agencies are actively engaged in the development of regional conservation and mitigation programs.

b. No rare or endangered animal species as designated by the California Department of Fish and Game were found on or thought to utilize the subject property.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad
Chief Deputy City Attorney

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Or.Dept.:Clerk

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Passed and adopted by the Council of The City of San Diego on
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maurcen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Kathleen Martinez*, Deputy.

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