

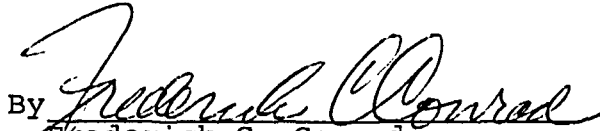
RESOLUTION No. R-223343 (R80-1508)

Adopted on APR 24 1979

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That pursuant to California Public Resources Code, Section 21081, those findings made with respect to Environmental Impact Report No. 78-08-56 are those findings marked Exhibit #1 which are attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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BE IT RESOLVED, by the City 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 related to vernal pools identified in Environmental Impact Report Number 78-08-56.

- A. Certain plant species found on the project are considered rare and endangered by the California Native Plant Society and some have been nominated for endangered or threatened status by the U.S. Fish and Wildlife Service. Effective October 29, 1978, San Diego Mesa Mint (*Pogogyne abramsii*), found on site, was officially listed under the Federal Endangered Species Act. In addition, some of these species are being considered for listing under the California Native Plant Protection Act.
- B. Miramar Mounds Natural Landmark consists of 415 acres described in the NAS Miramar Master Plan. This site lies south of Miramar Road and west of I-15. A large portion of the Landmark contains mima mounds and vernal pools which are biologically similar to the subject property.
- C. Other vernal pools and mima mounds similar to those on the subject property exist on undeveloped mesa lands within the City of San Diego.
- D. As partial mitigation for the significant biological impact described in the EIR, two actions will be undertaken, specifically:
 - (1) The Chillingworth Corporation will contribute to The City of San Diego, prior to site development, the sum of \$4,000 per acre of vernal pool habitat lost due to the project, but not to exceed an amount equal to \$500 per acre of the total site acreage. This compensation is to be applied to off-site vernal pool preservation as described in (2) below as partial mitigation of the on-site loss of this sensitive habitat.
 - (2) The City will participate with private and other public agencies to acquire and preserve existing vernal pools and if practicable, to foster development of new vernal pool habitat through use of induced conditions for preserving pool organisms.
- E. Results of a vernal pool survey to be completed under the direction of the California Department of Fish and Game should act as a guide to where representative land with vernal pools (critical habitat areas) would be acquired and/or permanently protected.

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- F. The money as described above, will be used only for the following purpose: 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.
- G. In the event these funds are not spent for the purposes in Section "F" above within three years, they shall be returned to the donor.
- H. The contribution described in paragraph D by Chillingworth Corporation and the actions described in paragraph F, serve to partially mitigate the significant biological effects of the project described in the final EIR, and may ultimately serve as complete mitigation.
- I. This resolution does not constitute a Finding or other Determination of full mitigation for the significant biological impact of the development project under consideration. The City of San Diego intends by this resolution to support a good-faith effort leading to satisfactory mitigation for apparent endangerment of certain species of plants, but cannot assume control of the manner of future implementation of either the Federal Endangered Species Act or the California Native Plant Protection Act.
- J. The vernal pool acquisition fund is City Fund No. 3021.
- K. The contribution from The Chillingworth Corporation would be \$32,000.00.

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Passed and adopted by the Council of The City of San Diego on APR 24 1979,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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.

(Seal)

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-223343</u>	Adopted <u>APR 24 1979</u>

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