

RESOLUTION No. R-250331 (R-80-1790)

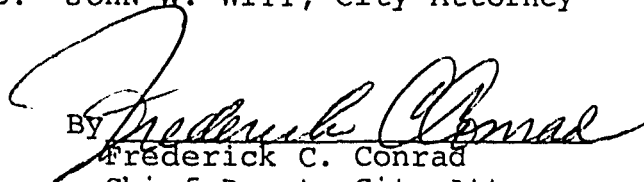
Adopted on OCT 2 1979

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. 79-05-11 are those findings marked Exhibit "A" which are attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

BY


Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
3/26/80
Or. Dept. Clerk
60-79-13

01008

ENVIRONMENTAL IMPACT REPORT
FINDINGS FOR
McKELLAR MIRAMAR ROAD

The following findings are recommended relative to the conclusions of the final environmental impact report (EIR) for the proposed McKellar Miramar Road project (EQD No. 79-05-11). These findings have been prepared pursuant to Sections 15088 and 15089 of the California Administrative Code and to Section 21081 of the California Public Resources Code.

FINDINGS

A. The Planning Commission, having reviewed and considered the information contained in the EIR for the proposed McKellar Miramar Road project (EQD No. 79-05-11), finds that changes or alterations are being required in, or have been incorporated into, the project which mitigate or avoid the significant environmental effects thereof, as identified in the final EIR. Specifically:

1. Biological Resources

Impact. Development as proposed would eliminate all of the vernal pool habitat on the property, representing approximately 18 percent of the 11.7 acre site, and would remove four sensitive plant species. Loss of the site's identified vernal pools and their associated plants would constitute a substantial adverse impact.

Finding. The applicant has agreed to contribute toward off-site vernal pool preservation through the fund which has been established by the city. While this contribution would not reduce the impact to the vernal pool habitat to an insignificant level, it would further the efforts of the city and other agencies to establish permanent preserve areas. Exhibit No. 1, incorporated into these findings describes the amount of money to be contributed and provides additional clarification regarding the preservation program.

2. Traffic Circulation

Impact. Due to the existing traffic congestion along Miramar Road, additions to local traffic levels by the project would represent a significant impact.

Finding. Roadway improvements required as conditions of approval of the tentative map will serve to partially reduce the impacts of the project. These improvements would sufficiently mitigate the project's contribution to traffic in the vicinity.

3. Air Quality

Impact. Since the San Diego area already experiences reactive hydrocarbon concentrations in excess of federal standards over a third of each year, any increases in air emissions could be considered a significant impact.

Finding. By virtue of the nature and location of the proposed project, an industrial center in the north city area which would provide employment for individuals in the nearby residential communities would also aid in reducing work trip lengths. With the availability of transit service along Miramar Road and the potential for carpool programs, numbers of potential work trips generated by this project may also be decreased.

B. The Planning Commission, having reviewed and considered the information obtained in the EIR, finds that the following changes or alterations which mitigate or avoid the significant environmental effects of the project are within the responsibility and jurisdiction of another public agency. Specifically:

1. Biological Resources

Impact. Development of the property would eliminate all of the vernal pool habitat and associated sensitive floral species from the property.

Finding. The sensitivity and value of the vernal pool habitat and associated species are defined by public and private agencies, including the U. S. Fish and Wildlife Service, the California Department of Fish and Game, and the California Native Plant Society. While the city recognizes and respects the designation of vernal pools as a resource warranting protection, the city alone does not have the financial resources or management framework to successfully implement a preservation program. The contribution fund established by the city and local developers represents an initial effort toward providing mitigation for the loss of vernal pools throughout the region. Without positive input in the form of direction, financial assistance, and a management program from these other agencies, however, it remains uncertain whether the permanent preservation of remaining significant vernal pool areas can occur.

To date, the California Department Fish and Game has funded a comprehensive survey of vernal pools in San Diego, and the U. S. Fish and Wildlife Service is in the process of establishing a designation of some vernal pool areas as critical habitat. These efforts should help to provide a focus for future action by both agencies toward preservation of representative vernal pool areas.

2. Air Quality

Impact. Since the San Diego area already experiences reactive hydrocarbon in excess of the federal standards over a third of each year, any increases in air emissions could be considered a significant impact.

Finding. Partial mitigation of anticipated air quality effects can be achieved as outlined in Section A of these findings. The further mitigation of air quality impacts is a regional problem which is not readily amenable to addressment on a project by project level. Action must be taken on an air basin-wide basis. Effective mitigation of air quality impacts is essentially the responsibility of agencies other than the City of San Diego, specifically, the Air Pollution Control District and the Comprehensive Planning Organization. These agencies have adopted basin-wide standards and are mandated to improve air quality.

C. The Planning Commission, having reviewed and considered the information contained in the EIR finds that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR. Specifically:

1. Biological Resources

The only way that the impact on the vernal pools on the property could be completely mitigated would be through a major reduction in scope of the project. Since vernal pools are found basically in the middle of the property, this action would essentially constitute a no project alternative. There is a recognized need for additional employment centers in the city, particularly near the northern residential communities. A drastic reduction in developable area on the property would render it unuseable as an industrial park. The additional employment that would be generated by the project, the industrial activity it would stimulate in the area, and the addition of facilities to support this industrial area are the major overriding concerns for project approval.

R-250331

PRELIMINARY
EXHIBIT NO. 1 TO FINDINGS

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 79-95-11.

- 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. 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 McKellar Development Company 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.
- 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 the Santa Fe Land Improvement Company 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 McKellar Development Company would be \$5,850.

R-250331

Passed and adopted by the Council of The City of San Diego on OCT 2 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

(Seal)

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-250331 Adopted OCT 2 1979