

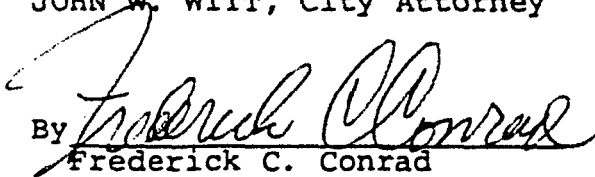
RESOLUTION No. 252777 (R- 81-1125)

Adopted on SEP 30 1980

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. 79-07-62, 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
12/15/80
5-80-047
Or.Dept. Clerk

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DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P. O. BOX 2711
LOS ANGELES, CALIFORNIA 90053

EXHIBIT A

SPLED-E

8 July 1980

Mr. James F. Gleason, Supervising Planner
City Planning Department
Environmental Quality Division
City Administration Building, M.S. 5A
202 "C" Street
San Diego, California 92101

Dear Mr. Gleason:

This is in response to a letter from your office which requested review and comments on the Draft Environmental Impact Report (DEIR) for the Penasquitos Park View Estates Units 6 and 7, EQD File No. 79-07-62. We offer the following comments:

1. Biology, page 3, Summary and Conclusions: Loss of 50 barrel cactus could be significant, especially if part of a cumulative loss of the species. Although transplantation is not considered acceptable mitigation for loss of vernal pool species, in the case of barrel cactus transplantation could be desirable.
2. As part of the mitigation package it should be noted that Penasquitos Properties will redesign a Park View Estates project north of Penasquitos Canyon to provide a 100 foot zone between some Hd vernal pools and planned development. Lots 2420-2426 will be eliminated from the final plans to preserve pools north of the development. In exchange, the boundary of the Hd series over which the Corps would exercise permit authority would be adjusted to exclude the area to the south containing pool areas H11 and 12, identified in the California Fish and Game survey. (The Park View Estates project will not require an individual 404 Permit.) This together with the land donation in the Bab Series and other conditions set forth in the approved Preservation Program of 17 June 1980, should be fully disclosed.
3. Pages 31-32, Impacts: Since this project would involve development of areas intended to be preserved as open space by the community plan (Eastern canyon in Unit 6 and tributary canyon in Unit 7), and in other ways does not conform with guidelines of the Community Environment and Design Element, the proposed development should not be approved without further mitigation. Project redesign should be considered and should not be limited to the alternatives listed in the DEIR. Conformance with the Vernal Pool Preservation Program previously cited must also be considered.

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SPLED-E
Mr. James Gleason

8 July 1980

4. Pages 37 and 41: If the community plan designates a given population and density, and if this and other projects are to use areas designated in the plan as open space for residential development, then the final population will be higher than that designated in the community plan. Although the No Project alternative is probably not feasible, a project reduced in scope would conform better with the community plan and would merit consideration.

5. Appendix-Findings: None of the three findings required in Section 21081 of the California Public Resources Code appear to have been met by the project proposal, viz:

a. Mitigation measures incorporated into the project reduce impacts, but not to insignificance.

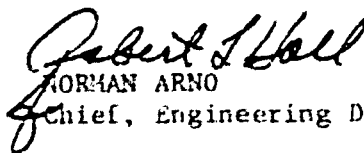
b. Mitigation is not the responsibility of another agency.

c. Economic and social considerations may indicate that a project within the Community Planning Guidelines is justified. These considerations do not indicate that the proposed project, which extends beyond these guidelines is justified. Additional mitigation should be required.

6. EIR Findings, Page 1, Land Use: Findings confirm that mitigation for loss of open space is only partial.

Thank you for the opportunity to review and comment on this report.

Sincerely,


NORMAN ARNO
Chief, Engineering Division

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Passed and adopted by the Council of The City of San Diego on SEP 30 1980,
 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"/>
Bill Cleator	<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"/>
Mike Gotch	<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.

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

(Seal)

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-252777 Adopted SEP 30 1980