

(R-93-1065)

RESOLUTION NUMBER R-281069

ADOPTED ON NOVEMBER 17, 1992

WHEREAS, Dr. and Mrs. Yuan Lin submitted an application to the Planning Department for a Coastal Development Permit, Hillside Review Permit, Planned Infill Residential Development Permit and Tentative Map; and

WHEREAS, the permit was set for a public hearing to be conducted by the Council of The City of San Diego; and

WHEREAS, the issue was heard by the Council on November 17, 1992; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration DEP No. 91-0335; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration DEP No. 91-0335, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Palomar Project.

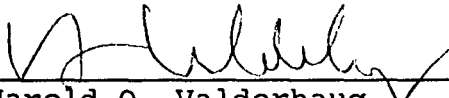
BE IT FURTHER RESOLVED, that the Council finds that project

revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: JOHN W. WITT, City Attorney

By



Harold O. Valderhaug
Chief Deputy City Attorney

HOV:lc
03/23/93
Or.Dept:Clerk
R-93-1065
Form=r.mnd



Development and Environmental
Planning Division
236-6460

Mitigated Negative Declaration

DEP No. 91-0335

SUBJECT: Palomar. COASTAL DEVELOPMENT/HILLSIDE REVIEW PERMIT, PLANNED INFILL RESIDENTIAL DEVELOPMENT PERMIT, and TENTATIVE MAP (DEP No. 91-0335) to subdivide a 7-acre lot zoned R1-8000 into six residential lots and one open space lot. The project proposes the construction of six single-family residential units. A 4.19-acre open space lot would preserve biological resources on-site. The project site is located at the terminus and east of Palomar Avenue, east of the Fay Avenue bike path in the La Jolla community (Lot 1 of Sands PRD, Map 9842). Applicant: Dr. and Mrs. Yuan Lin.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

The following mitigation measures are required to reduce the potentially adverse impacts of the proposed development on paleontological resources to a level below significant.

1. Grading plans and schedule shall be provided to a qualified paleontologist in advance of actual development.
2. A qualified paleontologist shall be retained to perform periodic inspections of excavations and, if necessary, salvage exposed fossils. The paleontologist shall be on-site during the original cutting of previously undisturbed sediments of potential fossil

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bearing formations. The frequency of inspections would depend on the rate of excavation, and the abundance of fossils.

3. The paleontologist shall be allowed to divert or direct grading in the area of any exposed fossil remains to facilitate evaluation of salvage, when necessary. At the time of discovery, the paleontologist shall immediately notify EAS staff of such findings. EAS staff shall approve salvaging procedures to be performed before construction activities are allowed to resume.
4. Provisions for preparation and curation shall be made before the fossils are donated to their final repository.
5. All fossils collected should be donated to a public non-profit institution with a research interest in the materials, such as the San Diego Natural History Museum.
6. As a condition of the PRD permit and prior to the issuance of building permits, a report shall be submitted to the Planning Department summarizing the results of the monitoring, even if negative.

The above-described monitoring program would be conditions of the Planned Infill Residential Development, Coastal Development/Hillside Review Permit, and Tentative Map and would be part of the City's environmental mitigation monitoring requirements for paleontological impacts related to the project.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

La Jolla Community Planning Association
La Jolla Town Council
Dave Odell
La Jolla Light
San Diego Museum of Man
South Coastal Information Center, SDSU
Kumeyaay Cultural Historical Society
San Diego County Archaeological Society
San Diego Natural History Museum
Sierra Club, San Diego Chapter
California Native Plant Society
City of San Diego
 Councilmember Wolfsheimer, District 1
 Planning Department
 Engineering and Development Department

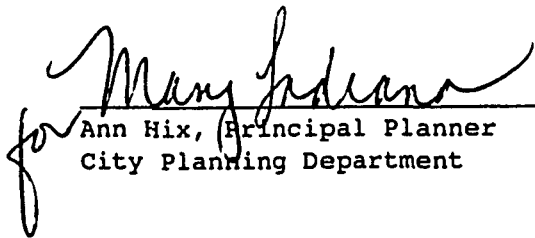
VII. RESULTS OF PUBLIC REVIEW:

() No comments were received during the public input period.

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- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (X) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Monitoring and Reporting Program and any Initial Study material are available in the office of the Development and Environmental Planning Division for review, or for purchase at the cost of reproduction.


for Mary Indiano
Ann Hix, Principal Planner
City Planning Department

December 17, 1991
Date of Draft Report

January 13, 1992
Date of Final Report

Analyst: Rundle

MITIGATION, MONITORING AND REPORTING PROGRAM

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331a

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

NOV 17 1992

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

(Seal)

By *Linda Legano* Deputy.

Office of the City Clerk, San Diego, California

Resolution *R.281069* Adopted *NOV 17 1992*

Number Adopted