

(R-96-436)

RESOLUTION NUMBER R- 286501

ADOPTED ON OCT 31 1995

WHEREAS, on February 2, 1995, BLACK MOUNTAIN RANCH, LIMITED PARTNERSHIP submitted an application to the Development Services Department for a Development Agreement, Vesting Tentative Map, Planned Residential Development Permit, Resource Protection Ordinance Permit, various street vacations and consideration of Findings for an Interim Habitat Loss Permit; and

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

WHEREAS, the issue was heard by the City Council on October 31, 1995; and

WHEREAS, the City Council of the City of San Diego considered the issues discussed in Environmental Impact Report No. 95-0173; NOW THEREFORE,

BE IT RESOLVED, by the City Council that it be, and it is hereby certified, that Environmental Impact Report No. 95-0173, in connection with the Development Agreement, Vesting Tentative Map, Planned Residential Development Permit, Resource Protection Ordinance Permit, Various Street Vacations, and Consideration of Findings for an Interim Habitat Loss Permit, DEP No. 95-0173 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 Administrative Code Section 15000 et seq.),

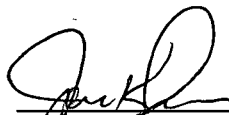
that the report reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code Section 21081 and Administrative Code Section 15091, the City Council hereby adopts the Findings made with respect to the project, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that pursuant to California Administrative Code Section 15093, the City Council hereby adopts the Statement of Overriding Considerations, a copy of which is attached hereto and incorporated herein by reference, with respect to the project.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code, Section 21081.6, the City 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 

John K. Riess
Senior Deputy City Attorney

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**FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE PROPOSED BLACK MOUNTAIN RANCH II PROJECT**

(a) No public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can or should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

(b) The findings required by subsection (a) shall be supported by substantial evidence in the record.

(c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.

STATEMENT OF OVERRIDING CONSIDERATIONS

(a) CEQA requires the decisionmaker to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable".

(b) Where the decision of the public agency allows the occurrence of significant effects which are identified in the final EIR but are not at least substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement may be necessary if the agency also makes a finding under Section 15091(a)(2) or (a)(3).

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

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**DRAFT CANDIDATE FINDINGS AND
STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING
THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
BLACK MOUNTAIN RANCH II, REVISED VESTING TENTATIVE MAP (95-0173)
PLANNED RESIDENTIAL DEVELOPMENT PERMIT,
RESOURCE PROTECTION PERMIT AND DEVELOPMENT AGREEMENT**

The following Findings and Statement of Overriding Considerations is made relative to the conclusions of the subsequent Environmental Impact Report (EIR) for the Black Mountain Ranch II Project (the "project") (DEP No. 95-0173/SCH No. 95041041). The EIR is incorporated by reference herein.

Black Mountain Ranch North and South Projects were approved in November 1992. The projects included residences, golf courses, neighborhood and community parks, segments of general plan circulation, roads, a regional potable water reservoir, a reclaimed water reservoir, and public and private open space. The projects have approved tentative maps, planned residential development permits (PRD), resource protection ordinance permits, conditional use permits and a development agreement. The revised project is comprised of a revised vesting tentative map (VTM), PRD, and a Revised Development Agreement. An initial study performed by the City of San Diego on March 29, 1995 determined that a subsequent environmental impact report should be prepared prior to consideration of the revised project.

The EIR for the project evaluates the following environmental issues in relation to the project: land use, transportation/traffic circulation, biological resources, hydrology/water quality, landform alteration, visual quality/community character, cultural resources, air quality, geology/soils, natural resources/agricultural, paleontology, noise, public facilities and services, water conservation, and safety. The EIR also analyzes the cumulative and growth inducing impacts of the project, as well as alternatives to the project. The EIR evaluates changes in the project or circumstances under which the project is proposed and identifies all significant impacts including any new impacts.

These findings do not identify and discuss impacts which were analyzed in the EIR and found not to be significant.

The EIR indicates that the project's direct impacts on the following environmental issues can be reduced to less-than-significant levels if all mitigation measures recommended in the EIR are implemented: biological resources, hydrology/water quality, water conservation, landform alteration, visual quality/community character, cultural resources, air quality, geology/soils, natural resources/agricultural, paleontology, noise, public facilities and services, and safety.

The EIR indicates that the project's direct impacts on the following environmental issues will remain significant even after all feasible mitigation measures recommended in the EIR are implemented: land use (inconsistency with RPO); traffic circulation (adverse impacts to levels of service along Carmel Valley Road from the west end of SR-56 to Black Mountain Road and at the intersection of Black Mountain Road and Park Village Road); landform alteration/visual quality (grading in excess of 10,000 cubic yards per graded acreage and creation of numerous slopes in excess of 30 feet in height).

The EIR indicates that the project's cumulative impacts on the following environmental issues will remain significant even after all feasible mitigation measures in the EIR are implemented: traffic transportation/circulation; biological resources; hydrology/water quality; landform alteration; visual quality/community character; cultural resources and paleontology; air quality; natural resources/agriculture; public facilities and services; water conservation; and noise.

A. Section 21081(a) Findings

The City Council, having reviewed and considered the information contained in the EIR for the project and the public record finds, pursuant to the California Environmental Quality Act ("CEQA") and the CEQA Guidelines, that changes or alterations have been required in or incorporated into the project which avoid the significant environmental effects as identified in the EIR with respect to the areas of 1) potential conflict with open space uses, 2) modification of natural drainage system, 3) cultural resources, 4) geologic conditions and soils, 5) paleontological resources, 6) noise, 7) public facilities and services, and 8) public safety, and which substantially lessen the environmental effects as identified in the EIR with respect to the areas of (1) traffic circulation, (2) biological resources, (3) erosion siltation and decrease in water quality in the San Dieguito River, (4) landform alteration, and (5) visual quality/community character.

1.0 Land Use

1.1 Impact(s): As discussed on pages 4A-30-35 of the EIR, which is incorporated herein by reference, the project is inconsistent with Resource Protection Ordinance (RPO) absent findings of alternative compliance.

The project would encroach into 3.9 acres of wetlands and 2.1 acres of vegetatively distributed wetlands. No encroachment into wetlands is allowed pursuant to RPO.

The project as a whole would impact 11 percent (88 acres) of sensitive slopes and 17 percent (173 acres) of sensitive biological lands for an adjusted total of 104 acres of encroachment over that allowed by RPO.

Therefore, the current project is not consistent with the provisions of RPO, which represents a significant, direct land use impact.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

The applicant proposes mitigation for impacts to biologically sensitive lands consistent with the RPO guidelines requirements for alternative compliance. The mitigation is presented in the Biology section of the EIR and incorporates proposed conservation of coastal sage scrub, native grasslands, chaparral and riparian habitat in dedicated open space, and restoration of riparian habitat. The two RPO significant cultural resources would be preserved by placing the areas of the sites in dedicated open space and including specific limitations on uses within the open space consistent with a preservation plan. No mitigation is available for encroachment to steep slopes.

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The conservation of habitat would be in excess of mitigation requirements under RPO guidelines for encroachment into sensitive biological habitats (a ratio of 3:1 of conserved habitat to impacted habitat is proposed). Consequently, no off-site acquisition is proposed to mitigate inconsistency with RPO. Biological mitigation will reduce land use impacts, but not to below a level of significance. The inconsistency with RPO can only be completely avoided with the No Project alternative. A discussion of the No Project alternative is found in Section C-1.1 on pages 30-32 of these findings.

1.2 **Impact(s):** As discussed on pages 4A-33-35 of the EIR, which is incorporated herein by reference, future development has the potential to conflict with open space uses in the San Dieguito River Valley Regional Open Space Park ("SDRP") La Jolla Valley landscape unit.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

Proposed development bordering open space along La Jolla Valley would be mitigated by the proposed Design Review Guidelines that would reduce visual encroachment of the development into the FPA. The Design Review Guidelines have been submitted as part of the PRD application. The project would construct hiking and equestrian trails within the open space area for the SDRP. Trails design and specifications shall be prepared to the satisfaction of the Director of the Parks and Recreation Department prior to issuance of the final maps for the project and trail construction shall be completed to the satisfaction of the Director of Parks and Recreation prior to the issuance of building permits. Trail construction can be phased to correspond to open space phasing. Therefore there will be no significant impact due to a conflict with open space uses.

2.0 Traffic Circulation

2.1 **Impact(s):** As discussed on pages 4B-11-25 of the EIR, which is incorporated herein by reference, the project would incrementally contribute to significant adverse impacts to levels of service on segments of Black Mountain Road, south of Twin Trails Road and South of Park Village Road, the intersections of I-5 southbound ramps at Carmel Valley Road, Black Mountain Road/Park Village Road, SR-56 eastbound and westbound ramps at Black Mountain Road and SR-56 westbound ramps at Rancho Peñasquitos Boulevard. Levels of service for Carmel Valley Road between SR-56 and Camino Ruiz may exceed LOS D.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

The recommended street and intersection improvements would lessen traffic impacts of the project, but would not fully mitigate the significant circulation impacts to below a level of significance. Therefore, traffic impacts represent a direct and cumulative impact.

Proposed mitigation measures for street segments and intersections are described in Table 10 and Figure 25 of the EIR, attached hereto and incorporated by reference herein. The improvements shown in Table 10 would not fully mitigate the significant circulation impacts from the revised project identified above to below a level of significance. Two lane improvements for Carmel

Valley Road on and off-site would result in significant not-fully mitigated impacts to traffic circulation due to degraded LOS.

These improvements will be assured to the satisfaction of the City Engineer prior to recordation of the final maps; verification of installation of these improvements shall be provided to the City Engineer and Development Services Department prior to issuance of occupancy permits.

3.0 Biological Resources

Impact(s): As discussed on pages 4C-44-62 of the EIR, which is incorporated herein by reference, direct impacts to sensitive upland habitats (coastal sage scrub, native grassland, southern mixed chaparral) which also affect plant and wildlife species associated with such habitats are considered significant.

Direct impact to habitat associated with wetlands on- and off-site which will result in a net loss of a sensitive resource are considered significant. Impacts to two highly disturbed vernal pools and small acreages of southern willow scrub and mule fat scrub are also considered significant.

Direct impacts to a large acreage of non-native grassland in the area will have an affect on the distribution of foraging area for raptors and ground nesting birds. The loss of non-native grassland which will contribute to current and future cumulative loss of foraging habitat for raptor species is considered a significant cumulative impact.

Impacts from potential erosion, scoring and siltation, edge effects, noise, lighting and increased human presence are potentially significant.

Cumulative impacts to regional loss of habitat for sensitive plants and animals and intensification of human activities on-site, which may drive some species away from the site, are considered significant and not mitigable. Past, proposed and reasonably foreseeable projects could contribute to the loss of habitat, primarily coastal sage scrub and non-native grassland. Loss of coastal sage scrub habitat would in turn affect the wildlife species which utilize this habitat, such as the coastal California gnatcatcher, San Diego horned lizard, and orange-throated whiptail. Large open blocks of non-native grasslands, among other habitats, provide raptor foraging habitat. The cumulative loss of these habitats would be a cumulative impact. The conservation of open space and restoration or enhancement of disturbed habitat afforded by the lower density clustered development proposed in conformance with Policy 600-29 can serve to lessen the potential impacts, but not to a level below significance.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

The project would preserve native habitats and rare plants and animals in natural open space, revegetate and enhance habitat in excess of the areas directly impacted, impose restrictions on facilities and uses, and provide buffer areas to protect habitat and wildlife. The EIR provides alternative mitigation measures for impacts to coastal sage scrub (see EIR pages 4C-59-60). However, the applicant is not proposing to implement these measures because the following measures are sufficient to mitigate impacts on biology to below a level of significance.

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The conservation of coastal sage scrub habitat on-site, along with other sensitive habitats, wildlife and plants would be consistent with the Federal Endangered Species Act Section 4(d)/Natural Communities Conservation Program Act of 1991/Multiple Species Conservation Plan (4D/NCCP/MSCP) guidelines. Findings of consistency with the Interim Habitat Loss Ordinance (IHLO) can be made at this time. Issuance of a permit requires that the 5 percent regional habitat impact limit has not been exceeded. The proposed project and open space conservation proposed would not adversely affect the long-term conservation of biological resources as identified in the Biological Standards and Guidelines.

The current project open space system has been refined based upon the development of the MSCP. Taking the basic open space system that was approved, modifications to expand the width of the southern corridor have been made by moving residential development areas and realigning an internal road; reconfiguring the open space along Lusardi Creek to provide a consistent 400 foot width riparian corridor from 4S Ranch across the property, and providing bridge crossings for major roads that traverse wildlife corridors to maintain the effectiveness of the corridors. The revised open space plan conserves major habitat areas within the site, provides corridors for movement of wildlife across the site and connects major habitat areas and corridors adjacent off-site.

a) Upland Habitats

Preservation of coastal sage scrub, native grasses, chaparral, and non-native grasslands within the proposed draft MSCP open space system would provide for permanent conservation of viable habitat that can sustain populations of sensitive plants and wildlife species found on site. Conservation in MSCP open space would mitigate direct impacts to these habitats and sensitive species to below a level of significance.

As a result of consultation with the U.S. Fish and Wildlife Service, the project proposes to revegetate approximately 12 acres adjacent to the reclaimed water reservoir to provide a "stepping stone" patch of habitat in the broad central corridor of open space that is predominately disturbed grassland. This revegetation would mitigate the inundation of a 5.4 acre patch within the proposed reservoir at a ratio of two acres for each impacted acre. If the habitat can be established prior to inundation, a ratio of one to one would be acceptable as mitigation. The area to be revegetated is shown on Figure PR-3 of the Final EIR. The revegetation would be accomplished according to a revegetation plan that specifies a plant palette, success criteria and monitoring requirements as proposed for upland areas of the Lusardi Creek corridor in the Landscape Plan for the project. The revegetation plan will be approved by the City of San Diego, Development Services Director in consultation with the U.S. Fish and Wildlife Service and California Department of Fish and Game and will be a condition of the tentative map and implemented prior to issuance of the grading permit for the reservoir.

The following measures are proposed by the applicant to reduce or avoid significant impacts to biological resources.

A total of approximately 2,200 acres would be preserved on-site as public and private natural open space. Open space lots shall be offered for dedication or easements shall be placed over those lots that are not accepted for dedication. This would protect 525 acres of Diegan coastal sage scrub, 139 acres of mixed sage scrub/non-native grassland, 41.6 acres of southern mixed chaparral,

31.8 acres of southern willow scrub, 3.1 acres of freshwater marsh, 10.3 acres of mule fat scrub, 8.6 acres of native grassland, 41.8 acres of southern mixed chaparral, and 27.4 acres of chamise chaparral. The proposed on-site conservation of habitats in open space would preserve each of the areas where coastal California gnatcatchers have been sighted and populations of other sensitive plant and animal species. The remaining disturbed areas and non-native grassland shall be available for future revegetation or enhancement as native grassland, coastal sage scrub, or other native communities to enhance the value of preserved habitat and to the benefit of wildlife. Table 20 in the EIR lists the quantities and percentages of habitat being preserved.

It is anticipated that about 1,800 acres of proposed open space would be offered for dedication or placed in open space easements to the City of San Diego and incorporated into the SDRP. Planting of ornamentals, off-road-vehicle activity, grading, brushing, or placement of structures, except for hiking or equestrian trails, bike paths, interpretive signing, or other improvements designated by the City's Parks and Recreation Department or the SDRP, shall be precluded from these areas.

Populations of San Diego thornmint, variegated dudleya, barrel cactus, California adolphia, and San Diego marsh-elder would be retained in open space. Mitigation for impacts to individual plants not retained in open space would include active management of populations remaining in open space to prevent impacts from disturbance or grazing and incorporation of measures to encourage their dispersal and expansion into areas designated for revegetation, either through transplantation, seeding, or other means as appropriate. Mitigation for impacts to San Diego horned lizard, orange-throated whiptail, lizard, coastal rosy boa, southern California rufous-crowned sparrow, Bell's sage sparrow, loggerhead shrike, and San Diego black-tailed jackrabbit would also be provided by the coastal sage scrub conservation program. Long-term management of the open space would be the responsibility of the City of San Diego Parks and Recreation Department.

The active management of sensitive plant populations preserved in open space would include a specific management plan for the endangered San Diego thornmint, to ensure that the population remains viable into the future. The population is relatively small and is presently vulnerable to shading and competition from invasive weeds. The population is also vulnerable to impacts from grazing and off-road vehicles. The management plan shall be reviewed and approved by City of San Diego Development and Environmental Planning Division and CDFG's Endangered Plant Program.

b) Riparian Vegetation

The loss of wetlands would be mitigated by revegetation of 12.6 acres of riparian habitat along Lusardi Creek in La Jolla Valley. Wetland habitat (willow scrub, freshwater marsh, and mule fat scrub) impacted by the development of the property would be replaced at a 3:1 ratio and revegetated or enhanced with riparian taxa. The revegetation would take place within an average 400-foot-wide riparian corridor along Lusardi Creek. The riparian plantings would include marsh reeds (*Juncus* sp., *Scirpus* sp., *Typha* sp. and *Anemopsis* sp.), willow scrub trees and shrubs (*Salix* sp., *Baccharis* sp., *Iva hayesiana*), and riparian woodland trees (*Platanus racemosa*, *Populus fremontii*, *Quercus agrifolia*). The revegetation plan would restore and enhance riparian areas that had been disturbed and denuded by prior agricultural use. Attachment 3 of Appendix C provides the guidelines for the implementation of the habitat restoration program.

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The project would also impact 0.3 acre of southern willow scrub and 0.2 acre of mule fat scrub and 0.012 vernal pools for off-site road improvements and sewer connection along Carmel Valley Road. Revegetation shall be undertaken at a ratio of 3:1 proximate to the revegetation area within Lusardi Creek. The revegetation would be undertaken in a manner similar to that described above.

Impacts to the two disturbed vernal pools will be mitigated by the acquisition and conservation of existing, unprotected vernal pool habitat containing at least two pools. Suitable areas for acquisition and conservation can be found on Del Mar Mesa to the south of the project site. The location of the mitigation must be determined in consultation with the City, ACOE and CDFG, as part of the 404 and streambed alteration permits required for the activity.

c) Other Measures to Minimize Impacts

Indirect effects can be minimized through restricting construction activities adjacent to habitat areas during breeding seasons, maintaining appropriate buffers around sensitive habitat areas, and requiring controls for erosion and sedimentation. Any artificial lighting associated with the golf course shall be directed away and shielded from biological buffer zones and native habitats. Nighttime lighting of facilities and parking lots adjacent to open space or buffer zones shall be prohibited.

1. The tentative map shall specify that grading shall not occur beyond the limits of an approved grading envelope. Grading plans shall indicate all natural open space areas as off-limits to equipment or other disturbance. The grading plans shall require that a preconstruction meeting be held to describe to all construction personnel the required avoidance techniques and areas to be avoided and that prior to any work, the construction supervisor and the biologist together shall mark the grading limits to ensure against impacts to open space and occupied habitat areas. The grading plans shall also specify that a biologist be on-site to monitor grading activity adjacent to biologically sensitive lands.

Cut and fill slopes adjacent to natural open space and the disturbed habitats within the designated biological open space easements shall be revegetated to reestablish native habitat types. Such slopes shall be revegetated as quickly as possible to prevent erosion of graded areas and resultant siltation elsewhere. Under no circumstances shall graded cut or fill slopes remain denuded during the normal rainy season. The requirements for revegetation shall be shown on the tentative map and grading plans.

2. The tentative map and grading plans shall specify that no grading activities or clearing activities shall be allowed within 200 feet of a nest or burrow being actively used by coastal California gnatcatcher, burrowing owl or other sensitive raptor, southern California rufous-crowned sparrow, Bell's sage sparrow, loggerhead shrike, California horned lark, grasshopper sparrow, San Diego blacktailed jackrabbit, or gray fox during its breeding season unless it can be demonstrated to the satisfaction of the Deputy Director of DES of the City of San Diego that such activities would not adversely impact the breeding success of these species. Additionally, a burrow known to have been used by burrowing owl, San Diego black-tailed jackrabbit, or gray fox shall not be destroyed unless a biologist confirms that the owl, jackrabbit, or fox is not in the burrow at the time the impact occurs.

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This issue shall be discussed at the required preconstruction meeting and these sensitive areas shall be adequately marked or fenced to ensure protection.

3. Indirect impacts to the willow riparian scrub would be avoided by the establishment of a buffer zone of nominally 100 feet between the outer edge of the willow riparian canopy and any development. The buffer zones may be less than 100 feet if it can be shown that the adjacent use will not impact the quality of the habitat. The buffer zones shall be shown as open space on the tentative map, final map, and grading plans.

4. Prior to the issuance of a grading permit for the project, the applicant shall have received a federal Clean Water Act Section 404 permit and an agreement under Section 1600 of the Fish and Game Code which will be required for alterations to streambeds and for filling in the riparian scrub, mule fat scrub, disturbed nicotiana/tamarisk scrub, and freshwater marsh wetlands vegetation. The applicant shall demonstrate compliance with mitigation conditions to the satisfaction of the permitting agencies.

5. As a condition of the PRD, night lighting of golf courses and tennis courts shall be prohibited. Also, the night lighting prohibition shall be a condition of the PRD for the golf courses.

6. The applicant shall provide a notice to each buyer prior to sale that risks to pets exist due to the presence of coyotes, bobcats, and other natural predators which inhabit the natural open space in the area.

7. Prior to the construction of hiking or equestrian trails or bike paths not constructed within road rights-of-way, a qualified biologist shall walk the proposed trail alignments and delineate an acceptable route that avoids or minimizes encroachments into sensitive habitats and avoids impacts to sensitive plant species. The biologist shall delineate the trail route on maps and submit them with recommendations for construction methods and areas that should be avoided to the Director of Parks and Recreation.

8. Brush management and fire control measures shall be limited to City requirements and excess habitat loss will be avoided. Brush management will be the responsibility of the homeowner's association and shall be conducted in strict conformance with the brush management requirements of the landscape plan. Hand clearing or selective thinning of flammable species and dead wood should be used for any fire control measures required within the fire buffer area. Sensitive plant species shall be identified in the brush management plan and their removal restricted. As a condition of tentative map approval, the brush management plan shall be reviewed and approved by the City Fire Department and Director of Planning. Adherence to the specifications in the plan shall be monitored by the City Fire Department.

4.0 Hydrology and Water Quality

4.1 Impact(s): As discussed on pages 4D-10-12 of the EIR, which is incorporated herein by reference, the project would necessitate modification to the natural drainage system.

The project would cause some increases in discharge volumes in the natural drainage system which would increase the volume and velocity of storm water runoff, thereby increasing erosion and flood levels.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

The proposed changes to natural drainage patterns would not be significant and modifications would need to be made primarily due to road crossings. Impacts due to the increase in runoff with the introduction of streets, roads, and other hardscape surfaces can be mitigated to below a level of significance through design and implementation of a drainage system and incorporation of sediment basins and flow controls. Implementation of the following mitigation measures would reduce impacts to below a level of significance.

As mitigation for the increased runoff, water surface elevations as determined by the HEC-2 analysis will be used to provide design specifications for site drainage to protect individual sites and adjacent properties. Interceptor ditches and detention/desilting basins will be provided to allow water to accumulate and be released back to the natural watercourse at a rate similar to the existing conditions. Sediment basins will be placed in swales to protect downstream properties.

As a condition of the revised the project VTM, drainage facilities, including nine desilting basins are being provided. These basins have been designed and shown on the TM. These facilities will reduce runoff impacts from the project development to below a level of significance.

4.2 Impact(s): As discussed on pages 4D12-17 of the EIR, which is incorporated herein by reference, the project would cause erosion, siltation, and a decrease in water quality in the San Dieguito River. There would be a potential impact to Los Peñasquitos Lagoon from off-site road improvements.

High TDS and nutrient levels in the reclaimed water could cause a significant impact to local surface and groundwater.

The cumulative effect of incremental increases in urban runoff and pollutant loading from impervious surfaces, golf courses and landscaping would be a significant impact to the San Dieguito Lagoon.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

The following measures would reduce levels of erosion, sedimentation, and runoff during construction activities for currently proposed and future development of the project and off-site

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road improvements to Carmel Valley Road. Cumulative impacts to San Dieguito Lagoon, however, would still be considered an incremental and significant impact. This significant impact is unmitigable and could only be avoided by adoption of the No Project Alternative. The following measures would reduce levels of erosion, sedimentation and runoff during construction activities for currently proposed and future redevelopment of the project and off-site road improvements to Carmel Valley Road.

The project shall include these or equivalent measures as conditions of tentative maps.

1. Hydroseeding and landscaping of any cut/fill slopes disturbed or built during the construction phase of this project with appropriate ground cover vegetation shall be performed within 30 days of completion of grading activities.
2. Areas of native vegetation or adjoining slopes to be avoided during grading activities shall be delineated to minimize disturbance to existing vegetation and slopes.
3. Artificial ground cover, hay bales, and catch basins to retard the rate of runoff from manufactured slopes shall be installed if grading occurs during wet weather season, November 1 through April 1.
4. Fine particulates in geologic materials used to construct the surficial layers of manufactured slopes shall not be specified unless a suitable alternative is not available.
5. Temporary sedimentation and desilting basins between graded areas and streams shall be provided during grading.

To reduce erosion and sedimentation during and after construction of the project, current plans call for the construction of nine detention/desilting basins, five on the western boundary of the project and four in the area north of Lusardi Creek. These basins would use extended detention methods to maximize their usefulness in controlling erosion and sedimentation impacts. The basins would be constructed and maintained by the developer during construction. Once the project is completed, responsibility for the maintenance of these basins will be transferred to the homeowners association. The construction of these basins will mitigate the direct impacts of increased silt to below a level of significance. Cumulative impacts to San Dieguito Lagoon, however, would still be considered an incremental and significant impact. This significant impact is unmitigable and could only be avoided by adoption of the No Project alternative.

The requirements for sedimentation basins and the use of "best management practices" shall be noted on future tentative maps. It shall also be a condition of future tentative maps that permanent basins and all other drainage facilities shall be constructed prior to issuance of building permits.

The following is a description of some "best management practices" which would be incorporated into the design of the detention/desilting basins:

- a. **Desilting Basin.** Desilting basins act as traps for site-generated sediments, thereby reducing the negative impacts from erosion and sediment transport. A flow control device located in

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the basin would central the outflow from the project site and allow for ponding in the basin. The ponded water would contain sediments and dissolved pollutants that have adhered to the soil particles. These particles would be removed through the sedimentation and siltation process, accumulating at the bottom of the basin. The sediments can then be removed and disposed of properly on a periodic basis. The desilting basins would be permanent structures to ensure that sediment would not be transported from the site. The basins would be cleaned and invasive vegetation removed periodically.

b. **Extended Detention.** To achieve efficient pollutant removal rates from an urbanized project site, the use of permanent extended detention facilities can be employed. The detention facility provides temporary storage for increased runoff from the project site due to urbanization; the storage facility is usually a dry pond/basin system. Site-generated pollutants can consist of oil and grease, biological nutrients, oxygen-demanding organics, toxic organics, and metals. Pollutant removal is achieved through the extended detention method, in which sediments and chemical constituents are allowed to accumulate at the bottom of the basin through the sedimentation process. Extended detention facilitates the adequate removal of particulate pollutants. To enhance the removal of soluble pollutants, marsh planting can be provided in the bottom of the basin. Cleaning and removal of invasive vegetation would occur on a periodic basis.

The PRD shall include "best management practices" for the use of irrigation; control of fertilizers, pesticide, and herbicides; provision of filter strips in buffer areas adjacent to wetlands; and sedimentation and control measures for the golf courses. Three sedimentation detention basins would be provided in the northern golf course which will be constructed and maintained as a condition of the PRD.

The following is a description of some "best management practices" which, with the two detention basins, shall be conditions of the PRD and shall be incorporated into the design and operation of the golf courses:

a. **Filter Strips.** Filter strips can be utilized to enhance pollutant removal from the site. Filter strips are planted with erosion-resistant grasses or plant species and are designed to spread flows from the site into a wide area where overland sheetflow conditions can occur. The vegetation within the strips slows the flows, causing heavier particulates to fall out of suspension, and also acts as a biological filter when direct absorption of dissolved pollutants occurs. The use of vegetation to reduce the flow velocities also allows for enhanced soil infiltration to take place. The soil also acts as a filter; dissolved pollutants are absorbed onto the soil particles. This is an important method for removal of dissolved heavy metals and phosphorus (fertilizers). Biological activity in the soil can also metabolize toxic organic contaminants (pesticides). The proposed golf courses would function in this manner to reduce impacts to adjacent streams.

b. **Source Control.** An integral part of achieving adequate pollutant removal from collected storm water is the implementation of source control practices that reduce the amount of contaminants of the ground surface that can come in direct contact with surface flows. These practices include the following measures, which would be incorporated into the project golf course management plans.

1. Cover outdoor storage facilities that contain potential contaminants.

2. Encourage proper use and disposal of materials including fertilizers, pesticides, and herbicides and including appropriate methods, rates, and frequency of application of these chemicals.

3. Encourage alternative methods for controlling weeds and insects using physical, biological, and lower-toxicity methods.

4. Recycle chemicals to the extent possible, and dispose of materials in a safe and proper manner.

The following measures shall be required to reduce the potential TDS and nutrient impacts related to reclaimed water if the reclaimed water source exceeds TDS objectives or does not employ nutrient removal:

a. Monitoring for TDS and nutrient levels shall be required on a regular basis by the RWQCB. If the levels exceed waste discharge requirements for the use of reclaimed water in the basin, the discharge must cease until proper treatment has been accomplished or the reclaimed water has been diluted to meet the requirements.

b. In addition to special treatment of the reclaimed water, operational practices at the reclaimed water lake such as aeration, circulation, and chemical addition shall be required to mitigate any seasonal problems associated with stored reclaimed water.

These water quality guidelines, along with appropriate operational guidelines as discussed above, would be set in waste discharge requirements issued by the RWQCB, in cooperation with DOHS. This set of requirements is typically applied to the public agency responsible for the treatment and distribution of the reclaimed water.

In summary, conditions upon grading to minimize erosion and runoff would be incorporated into grading plans and specifications. Source control measures for fertilizers and pesticides storage, use, and disposal shall be incorporated as conditions of the PRD for the golf courses. The RWQCB would be responsible for conditions and monitoring reports relating to reclaimed water storage and use.

5.0 Landform Alteration

Impact(s): As discussed on pages 4E-7-24 of the EIR, which is incorporated herein by reference, the project would result in substantial grading, modification of existing landforms on-site, and large manufactured slopes.

Grading in excess of 10,000 cubic yards per acre of cut and fill and the creation of large cut and fill slopes along Camino Ruiz and Carmel Valley Road for the project is a significant landform alteration impact.

The creation of an earthen dam for the water reclamation reservoir would also be a significant landform alteration impact. The visual impacts could be lessened through the contour grading of the slopes, especially for major roads, but this would increase the overall graded footprint.

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Proposed design review guidelines for residential areas of the project would restrict graded slope heights and require sensitive grading techniques. No slopes greater than 30 feet in height and no more than 10 feet in height or 2:1 in grade would be allowed fronting natural open space. Grading for the off-site Carmel Valley Road alignment would result in significant impacts due to cut and fill slopes in excess of 30 feet in height.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

Grading and landform alteration for the project would be significant and only partially mitigated. Additionally, cumulative landform alteration impacts from the extension of Circulation Element roads and adjacent future development would be considered significant. To avoid the project impacts, the No Project alternative would have to be adopted.

Implementation of the grading techniques shown on each of the tentative maps would occur through the approval of the final grading plans. Those slopes which are visible from major roadways and public viewing areas shall vary slope gradient, width and contour edges, and use blending and rounding to blend to natural slopes. Slopes that are not adjacent to open space or other sensitive resources shall otherwise conform to the Design Guidelines submitted as part of the PRD. The applicant shall clearly indicate on the grading plans special design requirements for slopes that are to be graded. Grading for major slopes shall minimize encroachment into sensitive vegetation. A note shall be included on the grading plans for the tentative and final grading plans for all approved and future development in the project indicating that the grading techniques are environmental mitigation measures.

Grading for major roads and other common facilities and areas must include provisions for erosion control and hydroseeding. Landscape plantings for native shrubs or exotics as shown on the overall landscape plans must be shown on the grading plans. The landscape plans shall be implemented in phases coincident with development phases.

Prior to the issuance of grading permits, Development Services Department shall review the grading and landscape plans to ensure that sensitive grading techniques are being utilized and that manufactured slopes are landscaped in conformance with the conceptual landscape plan. Areas shown as open space shall be flagged in the field and construction crews will be restricted from these areas. The applicant shall retain a sods engineer to monitor the grading and construction and a landscape architect to monitor revegetation of the project. Landscaping shall be in place along the developed roadways and development areas prior to issuance of building permits for each area. The sods engineer and landscape architect shall submit in writing to the City Engineer and certification that the project has complied with the required mitigation measures, on the grading plans. Only after the Director and City Engineer approve the grading shall recommendation be made to the City Council for the release of the subdivision bond.

These mitigation measures would lessen the landform alteration impact, but not to below a level of significance. The impacts described could only be avoided through the No Project alternative. No mitigation is available for the cumulative impact.

6.0 Visual Quality/Community Character

Impact(s): As discussed on pages 4F-17-21 of the EIR, which is incorporated herein by reference, the visual quality and existing character of the property would be adversely affected by the project.

Direct visual impacts to the SDRP would be significant with the development of the reclaimed water reservoir.

The creation of manufactured slopes greater than 30 feet in height associated with the Circulation Element roads would create a significant visual impact to the viewshed from both Black Mountain Park and the SDRP, which may be reduced by revegetation, but not to a level below significance. The underlying topography and road grade requirements make this impact unavoidable.

The conversion of open agricultural land to developed residential areas would be a significant cumulative change in visual character of the area and would impact both Black Mountain Park and the SDRP viewsheds. Visual impacts would be considered cumulatively significant taking into account Fairbanks Highlands to the south, Santa Fe Valley to the north, and 4S Ranch to the east.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

Visual impacts associated with the cut and fill slopes from the roadways and reclaimed water reservoir dam would be partially mitigated by landscaping and revegetation, which is illustrated on the grading and landscape plans required for the PRD permit for the project (Figures 14, 38 and 39 of the EIR). The slopes of the dam would be blended with adjacent slopes and revegetated with native vegetation to present a natural appearance. These impacts, however remain significant and could only be avoided by the No Project Alternative.

Direct impacts to views from the SDRP Focused Planning Area to residential areas would be mitigated by restricting the size and aspect of residential lot grading, providing adequate setback and visually compatible landscaping around residential structures so as not to be visible from the creekbed in the valley floor, and using structural design guidelines and landscape plans. Lots bordering on the rim of La Jolla Valley would be subject to the project's proposed Design Review Guidelines, which encompass building setbacks, a naturalized planting transition zone from the edge of the open space a minimum of 35 feet into the lot, grading restrictions to minimize heights of graded pads or severity of graded slopes fronting to open space, landscape palette, and exterior architectural styles, colors, materials, and roofing guidelines. Individual lot development would be subject to review by an architectural review board. Conformance to the guidelines would ensure that all feasible means to reduce impacts to the viewshed from the open space park areas have been incorporated into the individual lot development.

The potential visual impacts from future development can be reduced by incorporating grading, landscaping, and urban design measures into subsequent tentative maps. These measures could include design guidelines, building setbacks, height limitations, revegetation and review requirements, and development standards. Guidelines were prepared for the project, which covers 80

percent of the project site. Similar guidelines were also recommended as mitigation for this landscape unit in the EIR for the SDRP Plan. Similar guidelines compatible with existing surrounding development and the project guidelines should be made a requirement of future tentative maps and other development approvals.

Prior to issuance of a grading permit for the reclaimed water reservoir, the applicant must obtain necessary approvals from the state Division of Dam Safety. A field inspection shall be conducted by the engineering and development division to ensure grading and contouring of slopes has been done according to the tentative map requirements prior to issuance of building permits. Residential lots within the viewshed of the open space park area of La Jolla Valley shall be identified on the tentative map and additional restrictions shall be required as part of the overall grading plan.

7.0 Cultural Resources

Impact(s): As discussed on pages 4G-28-35 of the EIR, which is incorporated herein by reference, two archaeological sites found to be significant resources under the City's Resource Protection Ordinance, SDI-5094 and SDI-11,981, and one site considered significant under CEQA criteria, SDI-6673 would be preserved in dedicated open space. One site that is a significant resource under CEQA criteria, SDI-4832/4833, would be destroyed by development. Three other sites, SDI-5103, SDI-11,982, and SDI-11,983, are located within future development areas or reserved road rights-of-way. These sites would not be impacted by the currently proposed development but may be impacted by future development. Project impacts to these sites are considered potentially significant and would be assessed in more detail in subsequent environmental review for the future development. The significant direct and cumulative effects for the current proposed project and future development can be mitigated through implementation of a data recovery program, described below.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

Implementation of the following mitigation measures would reduce impacts to below a level of significance.

Mitigation for project impacts to the two RPO significant sites, SDI-5094 and SDI-11,981, and the CEQA significant site, SDI-6673, is proposed as long-term preservation, by placing sites in dedicated open space. For CEQA significant sites, mitigation would be achieved by conducting additional surface and subsurface data collection procedures to recover scientific data that would otherwise be lost. The data recovery procedures would be required at SDI-4832/4833 as a condition of approval of the project VTM/PRD. Data recovery procedures for SDI-5103, and SDI-11,982 would be conditioned upon approvals for road improvements for Camino Ruiz north of San Dieguito Road and construction of Camino del Norte to Camino Ruiz. Data recovery procedures for SDI-11,982 would be conditioned upon approval of grading or future development approvals within the parcel.

a) Preservation

Archaeological sites SDI-5094, -6673, and - 11,981 shall be dedicated as open space and a preservation plan shall be prepared and submitted for approval by the Development Services

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Director and Director of Parks and Recreation as a condition of the tentative map. The preservation plan shall include a map of the site areas and appropriate buffer area. The open space easement shall contain language that explicitly prohibits any activities that would cause surface or subsurface disturbance within the site area or buffer, including but not limited to placing of structures, fences, or utilities; excavation, plowing, placing of fill or other grading except as specified in the preservation plan; active recreational use or assembly; Placement of hiking or equestrian trails within the sites' boundaries; or use as a staging area or for storage of materials. The easement shall allow for competent academic research within the site with the approval of the property owner and Development Services and Parks and Recreation Directors.

The preservation plan shall be implemented prior to recordation of the final map and issuance of grading permits. It shall contain the following measures:

1. Establish a permanent datum monument.
2. Define the site boundaries and establish a 50-foot minimum buffer area around the site to ensure no construction or grading encroachment as appropriate.
3. Analyze the buffer area through subsurface test excavation following San Diego City Guidelines. Not less than four 1-meter-square test units shall be excavated within the proposed buffer to confirm there are no subsurface artifactual deposits.

A report detailing the excavation results shall be prepared and submitted to EAS for review.

4. Require that areas of the sites in nonnative grasses be capped with 18 inches of culturally sterile soil and hydroseeded with native vegetation seed mix of shallow rooting shrubs or grasses; the condition of the sites shall be monitored on a semiannual basis for a period of three years by a qualified archaeologist and biologist hired by the project applicant. Annual reports detailing site conditions and any necessary remediation measures shall be submitted to the Directors of Development Services and Parks and Recreation. Remediation measures shall be carried out by the applicant

5. Require the placement of temporary markers or fencing of the site area during any grading or construction in the vicinity to prevent encroachment.

6. During any grading or construction activity in the area of the sites, a qualified monitor must be present. The monitor shall attend a preconstruction conference with the contractor. The monitor shall be authorized to temporarily halt or divert construction should any cultural materials be uncovered. If materials are encountered, City of San Diego staff, the supervising archaeologist and project applicant must develop an appropriate means to mitigate impacts within 72 hours.

7. File maps of the datum monuments and site boundaries with the City of San Diego Development Services Department, SDMOM and Area Clearinghouse.

b) Data Recovery

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Impacts to archaeological sites SDI-4832/4833, -5103, -11,982, and -11,983 will be mitigated by further collection of scientifically useful data and analysis. Data collection shall be guided by a research design which sets forth the research issues to be addressed, the regional context, specific kinds of data to be collected, field and analytic procedures, and means to evaluate the adequacy of data collected. The research design for each site shall be completed and reviewed by the City of San Diego EAS. Data recovery for SDI-4832/4833 shall be a condition of the project VTM/PRD.

Data recovery procedures for SDI-5103 and -11,982 shall be a condition of grading permits for future road improvements for Camino Ruiz north of San Dieguito Road and Camino del Norte westerly to Camino Ruiz. Data recovery procedures for SDI-11,983 would be included in subsequent environmental review for future development and should be made a condition of approval for grading permits or future TMs within the parcel.

For each site, a phased program of data recovery would be initiated. The first phase would include collection of surface artifacts, if these had not been comprehensively collected and mapped in the preceding test evaluations. An initial sample of test units would be excavated, arrayed across the site area in a systematic or stratified random sampling scheme. The initial phase of data recovery will establish the sites overall structure and provide a representative sample of artifactual density and variability. This sample will provide the basis for identification of site structure (i.e., do areas within the site vary in terms of stratigraphy, depth of deposit, or concentrations of artifacts, which may represent different activities being carried out or different cultural components) or that the site is basically homogenous throughout. This will allow specific areas within the site to be identified that should be concentrated on in subsequent data collection to satisfy the goals of the research issues being investigated. The initial sample would also provide a means to estimate the number and kinds of artifact categories at the site overall, and the number of additional excavation units needed to collect the specific kinds of data to satisfy the research goals. The results of the first phase of testing shall be analyzed and compiled in a preliminary report with recommendations for work to be completed in the second phase. The results and preliminary report shall be submitted to EAS for review and concurrence prior to further work being undertaken.

The second phase of data recovery would focus on completing sufficient excavation to satisfy the research interest. This may be undertaken as additional systematic or random samples across the site, if the deposit is basically homogenous; or block excavation of specific areas that were identified during the first phase of the data recovery program. The number of excavation units or area excavated will be based upon collecting specific kinds of artifactual or other data, and exposing features of interest within the site area.

An evaluation of the adequacy of the data recovered will be conducted after each phase and will be based upon the following criteria:

- Has the data retrieved from the excavation units become redundant?
- Is their diversity within the artifactual types and classes recovered?
- Have subsurface features been located?

- Has datable material been recovered?
- Have sufficient quantities of other data been recovered to aid in the interpretation of the artifactual materials recovered?
- Can the research issues be addressed with present data?

The initial phase excavation requirements are as follows:

SDI-4832/4833

This Late Prehistoric site was found to cover about 15,000 square meters within a knoll and saddle area. An initial sample of 35 test units covering these areas would define site structure. An additional 25 units or more may be required, up to a maximum of 15 percent of site area. Kinds of data specifically targeted for this site include recovery of datable materials, shell and any other marine resources, faunal bone, and a sufficient sample of flaked lithic tools, waste, and ground stone to characterize resources procurement and processing activities. There is also the potential for this site to be a multi-component site.

SDI-5103

This San Dieguito site also covers a knoll and saddle area that were found to have subsurface deposits. It is suspected that the site may be disturbed, at least in the upper levels. An initial sample of 40 units would be excavated to determine site structure. As a San Dieguito site, which are relatively rare and are less well understood, an additional 80 units or more may be warranted, up to a maximum of 15 percent of the site area, depending on the site condition. Attention would be focused upon recovery of datable materials, sourcing of lithic materials, flaked lithic tool morphology, and evidence of subsistence patterns.

SDI-11,982

This Late Prehistoric site covers an area of 9,800 square meters. The initial sample would require 25 excavation units. An additional 25 units or more may be needed up to a maximum of 15 percent of the site area. Of particular interest are the range of lithic materials, shell and faunal bone, and recovery of datable materials.

SDI-11,983

This site was found to have a concentration of ground stone and may represent a La Jolla resource procurement and processing site. The initial sample would require 30 excavation units. Subsequent sampling may require an additional 25 units or more up to a maximum of 15 percent of the site area. Of particular interest is any evidence of subsistence activities, resource processing, and recovery of datable materials.

During data recovery, the following procedures will be utilized:

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1. Prior to further data collection, individual site reference datum will be set and the site areas will be mapped and photodocumented. AR data collection activities will be referenced to the site map.
2. According to the research design, a number of surface artifact collection areas and subsurface excavation units will be placed across the site area. The majority of data collection units will be arrayed randomly, to provide representative samples of the deposits. Additional units may be placed judgmentally, to follow features or to increase the recovery within selected deposits.
3. The provenience of all artifacts recovered within each collection unit shall be recorded and mapped. Excavation shall be undertaken in horizontally and vertically controlled test units, and all spoil shall be screened through one-eighth-inch or finer wire fabric. All artifacts recovered shall be identified as to unit and vertical provenience.
4. In situ features shall be drawn and photodocumented.
5. Pedological/geomorphological analysis will be necessary to develop soil profiles and to define postdepositional disturbance from farming or other activities.
6. Controlled soil samples may be collected for palynological analysis as appropriate.
7. Datable materials will be collected and submitted for analysis as appropriate.
8. Artifacts recovered shall be cataloged with accession numbers provided for individual items or classes within a collection unit area or level. While the kinds of analyses undertaken will be directed by the research design for the particular site, all materials recovered shall be described and categorized according to professional standards and practices.
9. Analytic procedures will include the following:
 - a. Flaked Stone-tools and waste will be weighed, measured, and the type of lithic material identified and sourced, if possible; identifiable use wear studied; and the artifacts classified by metric or nonmetric attributes under a typological system. The type analysis may focus upon sequences of production (typically for waste products), "functional" use types and proportions within an assemblage; or stylistic differences indicative of cultural or chronological change.
 - b. Ground Stone-ground stone will be described as to kind of material; shape, area, and degree of wear of ground surfaces; and type as appropriate.
 - c. Pottery-pot sherds will be sorted as to types and vessel forms, as identifiable.
 - d. Faunal Bone-recovered bone will be identified by part of the animal and genus or species; evidence of butchering analyzed; and a minimum number of animals within each genus or species identified.
 - e. Shell-shells and shell fragments will be identified by genus or species and weighed or counted.

f. Obsidian--if obsidian tools or waste are recovered, they will be submitted for hydration and sourcing.

g. Radiocarbon Samples-charcoal, bone, or shell samples that are datable will be submitted for dating; multiple samples will be submitted if available.

The data recovery program shall include the preparation of a final report, detailing research questions, approach and strategy, all field and analytic methods and techniques, summaries of all data collected, analysis, and conclusions. The report shall be prepared to the satisfaction of the Directors of Development Services and Parks and Recreation, prior to issuance of final maps and grading permits.

8.0 Geology/Soils

8.1 **Impact(s):** As discussed on pages 4I-8-13 of the EIR, which is incorporated herein by reference, potentially significant geologic and soils conditions are present on-site that require mitigation measures.

There are no significant soil or geologic conditions which were observed or known to exist on the project site which would preclude development of the property. However, potentially significant geologic conditions exist which require mitigation.

Weak clayey and expansive soils, compressible colluvium and alluvium, and uncompacted fill are present on-site, and geologic hazards such as ancient landslides and seismic shaking could be encountered. Standard grading and engineering practices would be applied to mitigate any potential geotechnical hazards or adverse conditions.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

Standard engineering and grading practices with respect to soils removal and compaction, buttresses or stability fills, limitations on slope heights and steepness of cuts or fills, design of foundations, and surface drainage would mitigate any geotechnical concerns. Implementation of the conclusions and recommendations in the geotechnical report would mitigate all potentially significant effects to below a level of significance.

a) General Measures

1. The presence of landslides, weak claystones, uncompacted fill soils, and potentially compressible colluvial and alluvial deposits may require special consideration where development is planned. If weak claystones or landslides are present in areas proposed to be graded, stabilization measures in the form of buttresses or stability fills will be required.

2. Very heavy ripping may be necessary within areas underlain by the Santiago Peak Volcanics, Lusardi Formation, and gabbro. Deep cuts in the Santiago Peak Volcanics or gabbroic rocks will likely require blasting. Special handling of the excavated rock and placement of oversized materials should also be anticipated.

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3. Highly expansive soils may be encountered within the Del Mar, Mission Valley, and Friars formations and some of the topsoils. It is anticipated, however, that there should be sufficient low expansive soils available on the site to mitigate the adverse impact of expansive soils where encountered.

4. Compressible alluvium and colluvium present along canyon alignments and on the lower flanks of the ridges will require removal and recompaction where settlement sensitive improvements are planned.

5. Perched groundwater is anticipated to be present within the low-lying alluvial area. Hence, remedial measures in the form of subdrains may be required where filling of the drainage courses is planned.

b) Grading

1. Proposed cut and fill slopes be planned no steeper than 2:1 (horizontal to vertical). Safe allowable slope heights will generally be limited by the shear strength characteristics of the particular soil or rock conditions present. Areas where high cut slopes are planned shall be investigated in detail to evaluate the potential impact of the local geology on the stability of the slopes.

2. Due to the increased grading costs associated with rock blasting and handling, it is recommended that excavations and underground utility lines for building pads be kept to a minimum within those portions of the site underlain by Santiago Peak Volcanics and/or gabbroic formations.

c) Form Foundations

In general, the prevailing soil conditions in either a dense undisturbed or properly compacted condition are suitable for the support of conventional spread footings. The minimum footing dimensions and reinforcing requirements would be dependent on the expansive characteristics of the foundation soils and building design parameters which are not currently known. However, it is anticipated that spread footings designed in accordance with the Uniform Building Code could be designed for an allowable soil bearing pressure of at least 2,000 pounds per square foot.

d) Drainage and Maintenance

1. Providing and maintaining proper surface drainage is imperative to assure soil stability and reduce erosion. All graded pads shall have drainage swales which direct storm or irrigation runoff away from structures or the top of slopes to controlled drainage facilities.

2. No storm or irrigation water shall be allowed to discharge over the top of cut or fill slopes.

e) Consultation and Plan Review

Prior to the finalization of the grading plans for the property, a detailed soil and geologic investigation addressing the proposed plan shall be performed.

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Implementation of the above measures shall be made a condition of the final maps and grading plans. An on-site inspection by a geotechnical engineer shall be made and report submitted to the City's Engineering and Development Department for review and approval prior to issuance of grading permits.

8.2 **Impact(s):** As discussed on pages 4I-14-16 of the EIR, which is incorporated herein by reference, project grading would increase the potential for erosion.

The disruption of the soil profiles by grading operations will result in increased exposure to erosive forces, such as rain and wind. Excavations, especially within the terrace deposits and the Torrey Sandstone, may expose low cohesive sands which are highly susceptible to erosion. The remaining soil conditions and geologic formations are considered to have low erosion potential. In general, the undisturbed soils and rock conditions are expected to exhibit low erosion potential.

The landscape plan calls for slope planting and irrigation immediately after grading. This should reduce the erosion potential significantly. Erosion and drainage control measures would be subject to City Development Services Department approval.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

Implementation of the following mitigation measures would reduce the potentially significant erosion impact to below a level of significance. These measures shall be approved by the City Engineering Department before a grading permit is issued and grading can commence.

1. Fill areas or areas stripped of native vegetation will require special consideration, such as desilting basins, improved surface drainage, and early planting of erosion-resistant ground covers to reduce the erosion potential.
2. Grading plans shall incorporate short-term erosion control measures, including sandbagging and temporary detention basins, to the satisfaction of the City Engineering and Development Department.
3. Catch basins shall be provided during grading.
4. Seasonal restrictions on grading shall be applied to prevent mass grading during the rainy season, typically November through March, unless otherwise restricted by proximity to sensitive wildlife habitat, as shown on the TM and grading plan.
5. All manufactured slopes shall be immediately revegetated or hydroseeded with erosion-resistant plant mixes and irrigated to ensure plant coverage prior to the next rainy season. In areas to be included as naturalized open space, such plantings shall be noninvasive native grasslands and shrubs, as specified in the Design Review Guidelines for the project.
6. In areas near watercourses, construction sedimentation control measures, such as interim desiltation basins, gravel bags, hay bales or silt fences at the toe of slopes to prevent erosion,

or punch straw or matting to stabilize graded slopes, shall be installed to prevent sloughing of materials into watercourses.

Mitigation measures concerning grading shall be specified on grading plans. Development Services Department shall review the site preparation/grading and landscape plans for consistency with the above measures prior to issuance of a grading permit. Native plant revegetation shall be inspected and approved by a qualified biologist and monitored for the five-year period. Revegetation of other manufactured slopes shall be inspected by the geotechnical engineer and landscape architect and a report submitted to the City Development Services Department prior to approval of the grading and subsequent issuance of building permits. After grading has been completed and prior to issuance of building permits, City staff shall verify compliance with the mitigation program.

9.0 Paleontological Resources

Impact(s): As discussed on pages 4K-4-8 of the EIR, which is incorporated herein by reference, the project would impact geologic formations known or likely to contain paleontological resources. Project grading would likely result in the destruction of significant fossils throughout much of the project site and potentially off-site due to grading for major roads. This would represent significant adverse direct and cumulative impacts on the region's paleontological resources.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

The following measures are required to reduce the adverse impacts of the development of the project to below a level of significance and to protect the paleontological resources of the site. These mitigation measures are drawn from past efforts and have proven successful in protecting paleontological resources while allowing the timely completion of developments in San Diego and elsewhere in southern California.

1. The applicant shall provide a letter verifying that a qualified paleontologist has been retained to implement the paleontological mitigation program. This letter shall be presented to the Development and Environmental Planning Division of the City of San Diego Planning Department prior to construction activities. (A qualified paleontologist is defined as an individual with an M.S. or Ph.D. degree in paleontology or geology and who is a recognized expert in the application of paleontological procedures and techniques such as screen washing materials, identification of fossil deposits, etc.)

2. The qualified paleontologist shall attend the pre-grading meeting to meet with the grading and excavation contractors. The paleontologist's duties shall encompass three elements: (1) monitoring, (2) salvaging, and (3) preparing collected materials for deposit at a scientific institution with paleontological collections.

3. In the event that well-preserved fossils are discovered, the paleontologist (or paleontological monitor) shall be given the authority to temporarily direct, divert, or halt construction activities in the area of discovery to allow recovery of fossil remains in a timely fashion.

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4. Fossil remains shall be cleaned, sorted, and catalogued, and then shall be deposited in a scientific institution, such as the San Diego Natural History Museum, with paleontological collections.

5. A final summary report shall be prepared which outlines the results of the mitigation program. This report shall be submitted to the Development and Environmental Planning Division and will include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

It shall be a condition of the tentative map and grading plans that a paleontological monitor shall be on-site during the original cutting of previously undisturbed sediments of the Del Mar Formation, Friars Formation, and Mission Valley Formation at the project site to inspect for contained fossils. This is necessary to determine the nature of the material and to determine the extent of fossils present. The material also shall be screened for any vertebrate remains. The monitoring shall be at least half-time at the beginning of grading and the time either increased or decreased, depending on the initial results. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.) The paleontological monitor should work under the qualified paleontologist. A brief letter report (with map showing site locations) shall be prepared and submitted to the Planning Department summarizing the mitigation program described above within three months of completion of grading activities and prior to the issuance of building permits.

10.0 Noise

Impact(s): As discussed on pages 4L-1-37 of the EIR, which is incorporated herein by reference, several proposed lots on site would be exposed to future noise levels in excess of City standards (Table 31) which would result in direct and cumulative significant impacts.

Noise impacts to existing residences along Carmel Valley Road and Emden Road from future traffic would also be significant. There are currently no sensitive receivers located along the off-site improvement of Carmel Valley Road to the west of the project.

If the proposed Fairbanks Highlands PRD is approved and implemented, traffic on Carmel Valley Road, in part as a result of this project, would result in noise impacts to five lots. Mitigation of potential noise impacts have been identified as part of the review and design process for that project and are not required for this approval. Should the Fairbanks Highlands PRD not be approved, no sensitive receiver will occur at this location and no impact would occur.

If pump stations are designed so that they achieve the noise level standards established in the City's noise ordinance, then significant impacts to surrounding residences would not occur.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment. Implementation of the following mitigation measures would reduce impacts to below a level of significance.

a) Traffic Noise

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Table 31 in the EIR lists each lot which would be impacted by noise levels in excess of City standards, a description of any noise attenuation measure, and the future attenuated CNEL on each mitigated lot.

Impacts to first-floor receptors can be mitigated with barriers five feet in height or less as shown in Figure 47a-d and Table 31.

Barriers shown along the Circulation Element roadways are also shown on the tentative maps. Construction of these barriers shall occur prior to issuance of building permits. All barriers which meet an intersection of a Circulation Element roadway and an access street shall be extended along the access street for at least 50 feet. Barrier heights are given in relation to the adjacent roadway. These barriers include:

- The 6-foot barrier along Camino Ruiz by Lot 4 in Unit 19
- The 5-foot barrier along Camino Ruiz by Lots 25, 26, 27, 29, 44, 48-in Unit 4
- The 4-foot barrier along Camino Ruiz by Lots 9-12 in Unit 2
- The 4-foot barrier along Camino Ruiz by Lots 6-9, 17, 18 in Unit 14
- The 4-foot barrier along Camino Ruiz by Lots 1,2,10, 20-29 in Unit 15
- The 4-foot barriers along Camino Ruiz by Lots I and 23 in Unit 16
- The 4-foot barrier along Camino Ruiz by Lots 54-57, 60, 61 in Unit 25
- The 4-foot barrier along Camino Ruiz by Lots 8-11 in Unit 21

All lots which would be exposed to second-story noise levels greater than 60 CNEL as shown in Table 30 have been labeled on the tentative maps as requiring analysis confirming that interior noise levels due to exterior sources will be below 45 dBA CNEL. These lots are:

- Unit 4: Lots 25-27, 29, 44, 48-52
- Unit 14: Lots 6-9, 17
- Unit 15: Lots 1-3, 6-10, 20, 21, 22, 24-29;
- Unit 16: Lots 1, 23
- Unit 20: Lot 17-23
- Unit 25: Lots 54-62
- Unit 29: Lots 1,2,5

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At the time building permits are requested, an interior analysis shall be submitted to the City to be reviewed by the Environmental Analysis Section and the Noise Abatement Officer. Appropriate structural mitigation must be incorporated into building plans prior to issuance of building permits for each of these lots. The structural building inspector from Building Inspection would then inspect the site to ensure conformance with the approved plans.

Off-site (Carmel Valley Road)

Off-site impacts to existing residences along Carmel Valley Road and at 9010 Emden Road can be mitigated by construction of berms and a variable height noise barrier wall of solid masonry construction along Carmel Valley Road and along portions of Black Mountain Road. These improvements are specified on the tentative map. The noise walls shall be included in the future improvements to Carmel Valley Road as a two-lane roadway. An acoustical study shall be required and appropriate noise wall locations, heights, and materials shall be shown on grading plans and construction plans for the roadway improvements.

Mitigation for off-site impacts along Carmel Valley Road to the proposed Fairbanks Highlands TM are a part of that project.

b) Pump Station Noise

In order to conform with the City Noise Abatement and Control Ordinance and mitigate potential impacts to below a level of significance, the pump stations shall be designed so that noise levels generated by the pump stations do not exceed 45 dBA L_{eq} at any residential property line. Prior to the issuance of building permits for lots 10 and 11 of Unit 20; Lots 26 and 27 of Unit 25; and the affordable housing in Unit 29; the City's Noise Abatement Office shall verify that the noise levels generated by the pump stations would not exceed 45 dBA L_{eq} at the residential lot line.

Future development in Units 27 and 28 would be subject to subsequent environmental review which should incorporate similar requirements for residential development proximate to pump stations.

c) NAS Miramar

Lessening of nuisance impacts from aircraft overflights can be achieved with the application of the following disclosure statement:

The project is located within the Julian Departure corridor used by fixed-wing and rotary aircraft departing from Navel Air Station (NAS) Miramar. While this development is considered compatible with these air operations, occupants will occasionally experience varying degrees of noise and vibration. Miramar normally operates between 8:00 am and midnight Monday through Friday and 8:00 am until 8:00 PM on weekends. On occasions operations may be on a 24-hour basis. Miramar is currently undergoing a realignment to a Marine Corps Air Station (MCAS) and will increase its tempo of operations.

11.0 Public Facilities and Services

Impact(s): As discussed on pages 4M-5-11 of the EIR, which is incorporated herein by reference, the additional elementary, middle, and high school students generated by the proposed project would contribute to the overcrowded schools and is considered a direct and cumulatively significant impact.

The County Rancho Santa Fe Fire Department Station #3 in Fairbanks Ranch could provide fire service to the project site within six minutes in compliance with City guidelines. Back-up fire service would be provided by the County station at 4S Ranch and other surrounding City of San Diego fire services. However, City fire departments may not be able to provide a first response within six minutes. This is a potentially significant impact.

The amount of solid waste generated by the proposed project represents a small increase of the solid waste disposed of at Miramar landfill. Implementation of the proposed project would not affect the year 2004 closure schedule. Project impacts are not considered significant. However, until additional landfills are sited, the proposed project and the anticipated future development within the property and the Future Urbanizing area and other parts of the city would contribute to a cumulative impact to solid waste disposal facilities.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment. Implementation of the following conditions and offers of dedication would reduce direct and cumulative school impacts to below a level of significance:

Collection of required fees and setting aside three school sites, and provision of partial acreage for a future high school site and mitigation measures which will be a condition of the tentative map and development agreement with the City. Lots to be offered for dedication shall be identified on the tentative map and irrevocable offers of dedication shall be made in association with the final maps. The approval of a final school financing plan by the Poway Unified School District and proof of payment of school fees shall be required prior to issuance of building permits.

To avoid significant cumulative impacts for solid waste disposal, the proposed project should comply with the City's recycling program described above. If the City curbside recycling has not been established for the project development, the homeowner's association shall provide recycling containers and enter into an agreement with a recycling contractor to handle recyclable materials. The requirement for recycling bins or containers shall be included in the Design Review Guidelines for the project and the Conditions, Covenants, and Restrictions (CC&Rs).

The cuttings from the golf courses should be collected and used for mulch or composted on-site. Procedures for source reduction and reuse or disposal of green waste shall be required by the PRD for the golf courses. These procedures shall be reviewed by Development Services Department and incorporated into the PRD.

City fire departments may or may not be able to provide a first response within six minutes. To avoid this potentially significant impact it shall be a condition of the PRD that service letters from the fire department be submitted when building permits are applied for. If the fire

department cannot respond within six minutes, then building plans must include fire sprinkler systems.

12.0 Public Safety

Impact(s): As discussed on pages 40-15-17 of the EIR, which is incorporated herein by reference, the reclaimed water reservoir could provide breeding grounds for mosquitos, a disease vector. Other potential health hazards are not significant.

The reclaimed water reservoir proposed in the southwestern portion of the site would accommodate 1,000 acre-feet of reclaimed water storage. The irrigation needs which could utilize reclaimed water include golf courses, landscaped medians, parks, and other landscaped areas. However, since the water level of this reservoir would seasonally vary, the potential exists for public health and safety concerns from increased mosquito populations, as disease bearing vectors.

Finding: Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment. Mitigation measures for potential increased mosquito populations which will decrease potentially significant impact to below a level of significance at the reclaimed water reservoir are described below.

The following measures will require approval of the Regional Water Quality Control Board and shall be a condition of the PRD for the golf courses:

1. The reclaimed water reservoir shall be stocked with appropriate fish types that will prey on mosquito and midge larvae (e.g., mosquito fish).
2. The reservoir and other water impoundments shall be kept free of debris, high concentrations of nutrients which could contribute to algae blooms, and organic floatage. Any emergent vegetation (e.g., cattails and bulrushes) shall be removed only as necessary to control the mosquito problem.
3. Non-natural runoff to the reservoir area shall be minimized by proper drainage patterns to prevent excessive organic material from entering the reservoir.
4. Although the above measures are designed to minimize the potential for mosquito breeding in the reclaimed water reservoir and control mosquito populations, active control measures may be necessary at times. This would include the application of a mosquito fog or insecticide spray. The use of this measure should be minimized to avoid reducing populations of other insects. Some desirable wildlife species, such as waterfowl, can experience a food shortage if other insect populations are affected. This can be especially detrimental if the spraying period coincides with the breeding season of wildlife, especially when the adults are feeding young. Use of spray applications may require coordination with USFWS or CDFG if listed species or nesting waterfowl could be affected.

Implementation of these measures will be a condition of the PRD. An implementation and maintenance plan will be prepared prior to release of reclaimed water to the reservoir. It will be

submitted to the Development Services Department. Annual reports will be prepared by the applicant which detail the measures implemented.

B. PUBLIC RESOURCES CODE SECTION 21081(b)

The City Council, having reviewed and considered the information contained in the Final EIR and the Public Record for the project, finds there are no changes or alterations to the project which avoid or substantially lessen the significant environmental effects that are within the responsibility or jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

C. PUBLIC RESOURCES CODE SECTION 21081(C)

The City Council, having reviewed and considered the information in the EIR and the public record for the project, finds that there are specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, which make infeasible the alternatives identified in the environmental impact report.

1.0 Project Alternatives

1.1 NO PROJECT

1. No Build

Under the No Project/No Build alternative, the project would not be built and the project site would remain vacant. Agricultural use in the form of cattle grazing could continue. Planting of crops could continue but would not be likely due to the poor soil quality from previous crop planting. The area would not be permanently removed from future development use, since at some future time the area could be developed to densities allowed under current policies or shifted to Planned Urbanizing for higher density development.

Impact(s): The No Project/No Build alternative would avoid the following direct or cumulative impacts:

- Cumulative impacts to the San Dieguito Lagoon due to incremental increases in urban runoff and pollutant loading from impervious surfaces, golf courses and landscaping (discussed at pages 5 - 6 of these Findings);
- Cumulative landform alteration impacts from the extension of Circulation Element roads and adjacent future development (discussed at pages 13 - 14 of these Findings);
- Visual quality and character impacts associated with the cut and fill slopes from the roadways and reclaimed water reservoir (discussed at pages 15 - 16 of these Findings);
- Air Quality - As discussed on pages 71-1-9-10 and 6-6 of the EIR, implementation of the proposed project would result in increased emissions and would contribute

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cumulatively to traffic levels of service below D for road segments. Measures to reduce vehicle miles traveled, such as provision of bike lanes, sidewalks, and transit facilities, have already been incorporated into the project. Improvements to the circulation network are discussed in Chapter 4 (B) Traffic of the EIR. Mitigation for cumulative air quality impacts is beyond the scope of the project and only through implementation of the No Project/No Build alternative, would these impacts be avoided.

- **Natural Resources/Agriculture** - As discussed on pages 45-10 and 6-6 of the EIR, the project would result in the loss of important farmlands. The cumulative effects of the loss of agricultural land from conversion are considered significant impacts.

The loss of important farmlands resources is not a significant direct impact, but would be cumulatively significant to the region. No feasible mitigation is available for the cumulative impacts because avoidance of the farmlands resources would increase impacts to biological resources to unacceptable levels. Only through implementation of the No Project/No Build alternative, would cumulative impacts be avoided. No mitigation is available for cumulative impacts.

As discussed on pages 4J-10-11 and 6-6 of the EIR, the project would result in the cumulative loss of significant mineral deposits. The cumulative effect of the incremental loss of MRZ-2 aggregate resource designated lands and associated loss of potential aggregate deposits are considered significant. The loss of important mineral aggregate resources is not a significant direct impact, but would be cumulatively significant to the region. No feasible mitigation is available for the cumulative impacts because avoidance of the mineral aggregate resources would increase impacts to biological resources to unacceptable levels. Only through implementation of the No Project/No Build alternative would cumulative impacts be avoided. No mitigation is available for cumulative impacts.

Finding: Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the No Project/No Build alternative identified in the environmental impact report.

The No Project/No Build alternative would not provide a replacement course for the PGA TOUR Buick Invitational of California currently held at the Torrey Pines Municipal Golf Course in the City. The tournament is a source of revenue to the City and region. There is no additional space at Torrey Pines to allow for expansion, and there is no suitable alternative course within the City. The PGA TOUR has indicated that without a replacement course, it would eliminate San Diego from its schedule by 1998.

Rights of way for construction of new roads and current need for additional east west connectors would not be met.

In addition to not providing a replacement golf course venue, the No Project/No Build alternative would not result in the offer to dedicate approximately 1,800 acres as permanent open space for incorporation into the SDRP Focused Planning Area. The proposed SDRP Plan seeks to create an extensive system of open space for public use and wildlife benefit along the catchment of the San Dieguito River from the Pacific Ocean to Volcan Mountain. Trails through this area would also

not be provided. The No Project/No Build alternative would not preclude the eventual dedication or acquisition of open space, trails construction, or habitat enhancement, but eventual public funding might be required.

This alternative is infeasible because it would not meet the stated goals of the project and the City's current draft of the MSCP, such as the preservation of open space, providing a replacement venue for the PGA TOUR Buick Invitational of California, contributing to regional serving facilities and capital improvements in excess of project needs including a regional park, a site for regional portable water reservoir, police and fire station, contribution to a library system and contributions to the school system, providing affordable housing and extra school contributions.

2. Black Mountain Ranch North and South

If the Black Mountain Ranch North and South project which was approved in November of 1992 was built it would provide residential development, an 18 hole public golf course and clubhouse, open space, 2 neighborhood park sites, 2 school sites, and a church site on 1900 acres on the northern portion and a residential development, an 18 hole private golf course and clubhouse, a neighborhood and community park site, a reclaimed water reservoir, a domestic water reservoir, various public facility sites and open space on 2,272 acres on the southern portions.

Impact(s): Significant and unmitigable impacts of the Black Mountain Ranch North and South projects include: Inconsistency with the Resource Protection Ordinance and conflict with the goals and objectives of the SDRP due to placement of residential development; significant land form alterations and visual impacts due to grading to accommodate the project and Circulation Element roads; cumulative incremental effects of the project in the areas of land use, traffic, biological resources, hydrology/water quality, water conservation, landform alterations/visual quality, cultural resources, air quality, agricultural lands, natural resources, noise and public facilities; and the project would extend services onto the site and is considered growth inducing.

Finding: Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

The project was chosen because it is environmentally superior and lessens impacts on biology and traffic. Specifically, the project is more consistent with the City's version of the MSCP and 4D guidelines. This alternative would impact 9.3 acres of wetlands versus 1.5 from the project, the project will significantly expand the wildlife corridor along Lusardi Creek to 400 rather than 300 feet and the current residential development no longer borders the open space. The project has enhanced wildlife corridors (1,000 feet rather than 600 feet) and expand open space connection to the north than this alternative and preserves an additional archaeological site. Additionally, this alternative is no longer preferred by the applicant.

1.2 REDESIGNED PROJECT

This alternative is intended to identify changes to project design that could further reduce or avoid significant impacts. Direct, significant, and not fully mitigated project impacts

include landform alteration/visual quality impacts from grading for roads and the reservoir; traffic impacts from degradation of street segment and intersection LOS and from providing an interim east-west road connection along Carmel Valley Road as a two lane facility; and cumulative impacts to biological resources, hydrology/water quality, landform alteration/visual quality, air quality and agricultural lands.

a. Redesign of Roads and Other Regional Serving Public Facilities

Realignment of Circulation Element roads on-site to avoid or substantially lessen impacts to landform alteration/visual quality, biological resources or hydrology/water quality is not feasible, as the alignment of major roads are constrained by topography, grade elevations and curve radii, and off-site connections. The road alignments were selected with concern for avoiding sensitive slopes, biological lands, and cultural resources on-site, but impacts are unavoidable. The major road grading and visual impacts would be significant even if the residential and golf course aspects of the project were not built.

Impacts from siting of the potable water reservoir are also not avoidable through redesign. Siting of the potable water reservoir is constrained by site elevation with respect to the service area. Although four alternative locations were evaluated, landform impacts and loss of biological habitat would result at each location. The revised project has relocated the reclaimed water reservoir on-site to La Jolla Valley, which reduced impacts to wetlands and riparian habitat. However it increased the height of the dam structure relative to the previously proposed location.

b. Redesign of Residential and Golf Course Development

The residential development and golf courses involve substantial grading, including two-thirds of the fill and one-third of the cut required for the project. Residential and golf course development does not result in the large manufactured slopes that are identified as the primary landform and visual quality impact, however.

The largest increment of impact to biologically sensitive lands would result from encroachment into a large stand of mixed coastal sage scrub/grassland in the south central portion of the site by the southern golf course and associated residential development. The southern golf course cannot be redesigned to avoid impacts to coastal sage scrub without relocating it elsewhere on-site. This is due to topographic constraints and the requirements for layout as a tournament course. The only areas available for relocation would be adjacent to the North course in La Jolla Valley or in the northern 415-acre area set aside for future development north of La Jolla Valley. Relocation of the golf course and residential development to the northern future development area would not impact natural or physical resources, would be feasible for tournament operations and compatible with surrounding uses. It is considered an environmentally superior alternative location.

Finding: Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

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Relocation of the southern golf course and associated residential development to La Jolla Valley would reduce the area of natural open space in the Focused Planning Area and reduce the value of the open space as MSCP native habitat and a corridor for wildlife. It would also require additional grading over that proposed for the south course.

Relocation of the southern golf course to the northern future development area would conflict with the adopted Framework Plan for the NCFUA. This northern future development area is designated for a compact mixed residential/commercial/employment center in the Framework Plan due to its proximity to more intensive development in 4S Ranch adjacent to the east. This kind of development is part of the concept of a future urban reserve with self-contained communities and connections to transportation and services. Siting of this compact mixed use community center elsewhere within the project is not compatible with planning goals, and would have to displace currently proposed open space or result in similar kinds of impacts when developed.

Reduction of residential density would not reduce cumulative impacts to below a level of significance. Cumulative impacts identified are incremental, and would still result if the project residential density were lowered. Grading would be reduced, but it would only be reduced below a level of significance if circulation element roads were not constructed as part of the project.

1.3 REDESIGN UNDER A-1-10

The majority of the property is currently zoned A-1-10, agricultural with a residential density of one dwelling unit per 10 acres. Conceptually, a grid of 10-acre parcels could be subdivided and sold as, at a maximum, 417 individual lots. Given that there are blocks of coastal sage scrub and other sensitive habitat on-site, it would be likely that fewer than 417 lots could be subdivided. Land uses would be agricultural and rural residential, in accordance with soils and other physiographic constraints.

Under Council Policy 600-29, development could proceed under the Rural Cluster Development regulations at a density of 1 du/10 acres. This would provide a similar sort of development, but at a density of 417 single family dwellings, or more with affordable housing and a density bonus (522 d.u. total).

Under either scenario, improvements to streets and roads would be limited to local circulation requirements; rights-of-way for regional Circulation Element roads would be provided but funding for construction would be lacking, as there would not be a sufficient capital basis or incentive to provide regional improvements. Impacts from the grading could be avoided with this alternative.

Golf course could be constructed, but the proposed PGA TOUR courses would not be developed as proposed.

Water reclamation could be provided for irrigation, but the reservoir would have to be acquired and operated by the City MWWD or OMWD, or other agency. Land could be dedicated within the Focused Planning Area for the SDRP. Land available for open space acquisition would require public funding.

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The applicant rejected this option as it would not support one of the project's primary goal of developing facilities for the San Diego PGA TOUR event. The following is a conceptual analysis of this low density development alternative.

a) Land Use

This alternative would provide low density rural residential development which would utilize most of the 4,677-acre project site. This would be compatible with, though much lower in density than, land uses in existing and proposed surrounding areas, such as Rancho Bernardo, Rancho Peñasquitos, Fairbanks Ranch, 4S Ranch, and Santa Fe Valley. Compliance with the Resource Protection Ordinance would likely be feasible.

b) Transportation

At a residential density of one dwelling unit per 10 acres, about 4,000 average daily trips would be generated from the project area. This volume would utilize the existing and planned street system provided by other developments, such as 4S Ranch and Santa Fe Valley. Traffic volumes on surrounding roads would be increased incrementally. The overall low density ad dispersed pattern of development under this alternative would make it infeasible to provide mass transit to the area. Residents would be dependent upon individual automobiles to meet most of their travel needs. Due to the lack of supporting employment, commercial, and other typical community services which would be provided with 419-522 dwelling units, the number of auto trips may be somewhat higher than average than found in other San Diego communities with a more balanced land use pattern. Development of this intensity would not support the financing of improvements to public roads within the project area to their General Plan classification standard.

c) Biological Resources

This alternative could potentially impact less of the biological resources on the project site, depending on the design and layout of lots and residences. It could, however, lead to greater habitat fragmentation, due to the multiplicity of separate ownerships and uses. Impacts would be reduced, but still be potentially significant. The non-integrated open space system and the lack of a financing mechanism for ensuring acquisition of dedicated open space would reduce the regional, long term habitat values of the site.

d) Air Quality

This alternative would be in compliance with the CARB guidelines and be below the City thresholds. No significant impacts would result.

e) Agriculture and Natural Resources

This alternative is more likely to maintain agricultural uses in the project site, and would not preclude future exploitation of aggregate resources. No significant impacts would result.

f) **Public Facilities**

This alternative project would generate approximately 318 students who would attend school in the Poway Unified School District. Schools in the Poway district are in general currently operating over capacity. This alternative project would not provide any additional funding for schools other than standard development fees to help reduce this problem and would contribute to a direct and incremental impact on the Poway schools.

g) **Other Issues**

This alternative would have reduced impacts to visual quality/community character and agriculture/soils and would have potential impacts similar to the proposed project to cultural and paleontological resources, geology, and safety.

Finding: Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

This development alternative would be compatible with Black Mountain Park; however, the parcelization of La Jolla Valley could result in incompatible uses within the Focused Planning Area of the proposed SDRP. The cluster option would better facilitate future open space plans for either SDRP or MSCP. Acquisition of open space for the park or MSCP would have to be met in part or in full by public funding. Implementation of this alternative would significantly increase the costs to the City of meeting the regional goal of conserving habitat and providing open space linkages and wildlife corridors between the San Dieguito River, Los Peñasquitos Canyon, and Black Mountain Park. The small population of the project area would not support a community park, so it is likely that the residents of the area would travel into other communities to seek those services provided in community parks, such as playing fields, tennis and basketball courts, and swimming pools. Residents would probably use community parks in Rancho Peñasquitos or Rancho Bernardo.

This alternative is environmentally superior to the project. However, the extraordinary benefits to the City, including dedication of SDRP and MSCP open space and habitat, provision of Circulation Element Roads and rights of way, provision of an enhanced venue for the San Diego Buick Open, dedication of a site for a regional serving potable water reservoir, contributions to schools, community parks, libraries and other community benefits would not be realized.

1.4 **TRAFFIC ALTERNATIVE**

This alternative would create an alternative interim connection of Camino Ruiz and the eastern segment of SR-56 to avoid east-west through traffic using Black Mountain Road through developed portions of Peñasquitos to access Carmel Valley Road and SR-56 west. Carmel Valley Road would ultimately be extended eastward to Black Mountain Road and beyond, to serve future development of the project.

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Impact(s): As discussed on pages 4B-30-44 of the EIR, which is incorporated herein by reference, the interim alternative connection of Camino Ruiz and the eastern segment of SR-56 would result in traffic impacts.

Extension of existing SR-56 to the Community Plan boundary would have short term impacts to existing residences along this alignment due to construction activity including construction related traffic noise and fugitive dust generation. Long term noise impacts along the SR-56 extension would result without mitigation.

The circulation improvements of the alternative network would result in significant and not fully mitigated levels of service.

This alternative network would also result in impacts to 0.5 acres of Diegan sage scrub, 1.47 acres of southern willow scrub, 0.6 acres of mule fat scrub, 0.02 acres of fresh water marsh due to the southerly extension of Camino Ruiz. It would also impact the drainage area for a complex of vernal pools and impact sensitive plant species. Connections from Camino Ruiz to SR-56 and the extension FR-56 to Camino Ruiz Canyon would impact Diegan sage scrub and chamisal chaparral and therefore impacts to native habitats would be significant.

Construction of Camino Ruiz and the extension of SR-56 would result in siltation of the drainages during grading, erosion of soils for manufactured slope and discharge of non-point source pollutants from roadways and to streams. Incremental cumulative impacts from non-point source discharges would be unavoidable and would require future regional discharge controls.

The manufactured slopes required for Camino Ruiz would be considered a significant landform impact. The fill slope in McGonigle Canyon would be visible with an Environmental Tier Open Space and would be a significant visual impact. Grading of slopes and revegetating of slopes would contribute to cumulatively significant impacts to landform and visual quality.

Grading for the Camino Ruiz extension might impact scientific resources and would require mitigation.

The extension of SR-56 could have potential significant effect on residential areas. Mitigation for these noise impacts could be achieved with the construction of noise barriers to attenuate future traffic noise levels.

Finding: Specific economic, legal, social, technological, or other considerations; including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report. This alternative is not feasible at this time because SR-56 does not presently exist, and must first be built by the city. In fact, the City has not even selected an ultimate alignment for SR-56. This alternative would not provide the extension of Carmel Valley to Black Mountain Road required by the General Plan Circulation element. Additionally, environmental review has not been fully completed for the extension of SR-56 or for the southern extension of Camino Ruiz. Until this information has been ascertained, it is impossible to analyze fully the environmental impacts of this alternative.

STATEMENT OF OVERRIDING CONSIDERATIONS

The City Council, pursuant to State CEQA Guidelines Section 15093, having balanced the benefits of the project against its unavoidable environmental effects, which remain notwithstanding the mitigation measures and alternatives described above, determines that such remaining significant environmental effects are acceptable due to the following considerations, any one of which individually would be sufficient to make a determination of overriding consideration:

1. The project would place approx. 2,870 acres in open space for the benefit of residents, the public, and wildlife. The project would offer for dedication approx. 1,800 acres as public natural open space. The project also includes 55 acres of developed parkland, and approx. 1022 acres of private open space. The increased area of open space proposed relative to the existing designated open space on the property would provide a more effective regional open space system, connecting Black Mountain with the San Dieguito River and proposed future regional open space park system. The Regional Park Plan seeks to create an extensive system of open space for public use and wildlife benefit along the catchment of the San Dieguito River from the Pacific Ocean to Volcan Mountain. The project's offer to dedicate approx. 1,800 acres as permanent open space for incorporation into the Regional Park would reduce public costs for acquisition and improvements of open space for the park. The current average land cost per acre in the area is estimated at \$30,000, and the value of the land dedication would be approximately \$53,700,000. Equestrian and hiking trails to facilitate public access to and enjoyment of the open space would also be provided. Opportunities would also be provided for wildlife to inhabit and traverse the property within open space areas connecting Black Mountain, San Dieguito River and natural areas south of the project. The 660-foot wide wildlife corridor north of Carmel Valley Road providing a connection with a potential wildlife corridor south of the property would be widened to 1,000 feet.

The open space would protect 525 acres of Diegan coastal sage scrub presently on-site, 139 acres of mixed coastal sage scrub and grassland, 41.6 acres of southern mixed chaparral, 31.8 acres of southern willow scrub, 31.1 acres of freshwater marsh, 10.3 acres of mule fat scrub, 139 acres of mixed sage scrub/non-native grassland, and 27.4 acres of chamise chaparral. The project also proposes to provide on-site revegetation of agriculturally disturbed lands in the open space to mitigate for project impacts to native habitats. The mitigation would provide 12 acres of Diegan coastal sage scrub and 12.6 acres of riparian habitat. This revegetation would enhance existing degraded habitat and serve to connect isolated patches of habitat within the open space. The remaining disturbed open space areas would be available for future revegetation or enhancement as native grassland, coastal sage scrub, or other native communities to enhance the value of preserved habitat and to benefit wildlife.

2. The project would provide a replacement venue for the PGA TOUR Buick Invitational of California currently held at the Torrey Pines Municipal Golf Course in the City. The tournament is a source of revenue to the City and region, providing about \$11,000,000 in business activity and \$100,000 to local charities. As it is nationally televised, it provides exposure and attracts tourism to the region. The Buick Invitational has been underperforming in its return of charitable contributions with Torrey Pines as a venue due primarily to constraints upon areas for supporting facilities and room for spectators. There is no additional space at Torrey Pines to allow for expansion; and there is no suitable alternative course within the City of San Diego.

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3. The project would provide or contribute to the construction of regional serving facilities and capital improvements.

The project would provide a 1,000 acre-foot reclaimed water reservoir. Reclaimed water would be used on-site for golf course and private open space irrigation.

The project would provide a site and participate in the construction of a 15-million-gallon potable water reservoir. The project would require only 5 million gallons of potable water storage, and provision of a site for this facility would be of public benefit in serving future needs of residents in the region.

The project would construct or participate in the construction of major segments of Circulation Element roads, including Camino Ruiz, Carmel Valley Road, Camino del Norte, San Dieguito Road, and Black Mountain Road. Camino Ruiz, Carmel Valley Road, and Camino del Norte are also included in the San Diego County regional arterial system in SANDAG's Draft Congestion Management Program. These roadways are integral to regional transportation improvement plans and are of public benefit.

4. The project will provide 179 affordable housing units.

5. The project will provide extra school contributions, representing amounts in excess of state limited school fees.

6. The project would create a new, premier residential community within the San Diego city limits, creating a semi-rural buffer between existing communities while preserving significant open space connections through clustering of development.

7. The project would maintain an "urban reserve" on a total of 893 acres, designed to accommodate a balance of uses in two future villages and a golf course related hotel/lodge.

8. The project would generate a substantial number of construction jobs over a 12-year period for the depressed San Diego construction industry.

9. The project will have positive economic benefit to the surrounding communities and a net fiscal benefit to the City in that revenues from taxes will exceed the cost of City services to the project.

10. The project will provide land for a 30 acre park site in excess of the park land acreage required by City standards.

MITIGATION MONITORING AND REPORTING PROGRAM

BLACK MOUNTAIN RANCH VESTING TENTATIVE MAP

AND PLANNED RESIDENTIAL DEVELOPMENT

DEP No. 95-7103

The California Environmental Quality Act (CEQA), Section 21081.6, requires that a mitigation monitoring and reporting program be adopted upon certification of an environmental impact report (EIR) in order to ensure that the mitigation measures are implemented. The mitigation monitoring and reporting program specifies what the mitigation is, the entity responsible for monitoring the program, and when in the process it should be accomplished.

The mitigation monitoring and reporting program for Black Mountain Ranch Tentative Map/PRD is under the jurisdiction of the City of San Diego and other agencies as specified below. The following is a description of the mitigation monitoring and reporting program to be completed for the project. Tables and figures from the EIR for the project (State Clearinghouse No. 95041041) are referenced in the following text.

A. Land Use

a) RPO

The applicant proposes mitigation for impacts to biologically sensitive lands consistent with the RPO guidelines requirements for alternative compliance. The mitigation is presented in the Biology section and incorporates proposed conservation of coastal sage scrub, native grasslands, chaparral and riparian habitat in dedicated open space, and restoration of riparian habitat. The two RPO significant cultural resources would be preserved by placing the areas of the sites in dedicated open space and including specific limitations on uses within the open space consistent with a preservation plan. No mitigation is available for encroachment to steep slopes.

The conservation of habitat would be in excess of mitigation requirements under RPO guidelines for encroachment into sensitive biological habitats (a ratio of 3:1 of conserved habitat to impacted habitat) is proposed). Consequently, no off-site acquisition or on-site mitigation is proposed.

b) San Dieguito River Park

Proposed development bordering open space along La Jolla Valley would be mitigated by the proposed Design Review Guidelines that would reduce any visual encroachment of development into the FPA. The Design Review Guidelines have been submitted as

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part of the PRD application. The project would construct hiking and equestrian trails within the open space area for the SDRP. Trails design and specifications shall be prepared to the satisfaction of the Director of the Parks and Recreation Department prior to issuance of the final maps for the project and trail construction shall be completed to the satisfaction of the Director of Parks and Recreation prior to the issuance of building permits. Trail construction can be phased to correspond to open space phasing.

B. Transportation/Traffic Circulation

Proposed mitigation measures for street segments and intersections are described in Table 10 and Figure 25. The improvements shown in Table 10 would not fully mitigate the significant circulation impacts from the revised Black Mountain Ranch project identified above to below a level of significance. Two lane improvements for Carmel Valley Road on and off-site would result in significant not-fully mitigated impacts to traffic circulation due to degraded LOS. These improvements would be implemented through a revised Development Agreement with the City of San Diego.

These improvements shall be assured to the satisfaction of the City Engineer prior to recordation of the final maps; verification of installation of these improvements shall be provided to the City Engineer and Development Services Department prior to issuance of occupancy permits.

C. Biological Resources

1) Upland Habitats

Preservation of coastal sage scrub, native grasses, chaparral, and non-native grasslands within the proposed draft MSCP open space system would provide for permanent conservation of viable habitat that can sustain populations of sensitive plants and wildlife species found on site. Conservation in MSCP open space would mitigate direct impacts to these habitats and sensitive species to below a level of significance.

As a result of consultation with the U.S. Fish and Wildlife Service, the project proposes to revegetate approximately 12 acres adjacent to the reclaimed water reservoir to provide a "stepping stone" patch of habitat in the broad central corridor of open space that is predominately disturbed grassland. This revegetation would mitigate the inundation of a 5.4 acre patch within the proposed reservoir at a ratio of two acres for each impacted acre.. If the habitat can be established prior to innundation, a ratio of one to one would be acceptable as mitigation. The area to be revegetated is shown on Figure PR-3 of the Final EIR. The revegetation would be accomplished according to a revegetation plan that specifies a plant palette, success criteria and monitoring requirements as proposed for upland areas of the Lusardi Creek corridor in the Landscape Plan for the project. The revegetation plan will be approved by the City of San Diego, Development Services

Director in consultation with the U.S. Fish and Wildlife Service and California Department of Fish and Game and will be a condition of the tentative map and implemented prior to issuance of the grading permit for the reservoir.

Preservation

The following measures are proposed by the applicant to reduce or avoid significant impacts to biological resources.

A total of approximately 2,200 acres would be preserved on-site as public and private natural open space. Open space lots shall be offered for dedication or easements shall be placed over those lots that are not accepted for dedication. This would protect 525 acres of Diegan coastal sage scrub, 139 acres of mixed sage scrub/non-native grassland, 41.6 acres of southern mixed chaparral, 31.8 acres of southern willow scrub, 3.1 acres of freshwater marsh, 10.3 acres of mule fat scrub, 8.6 acres of native grassland, 41.8 acres of southern mixed chaparral, and 27.4 acres of chamise chaparral. The proposed on-site conservation of habitats in open space would preserve each of the areas where coastal California gnatcatchers have been sighted and populations of other sensitive plant and animal species. The remaining disturbed areas and non-native grassland shall be available for future revegetation or enhancement as native grassland, coastal sage scrub, or other native communities to enhance the value of preserved habitat and to the benefit of wildlife. Table 20 lists the quantities and percentages of habitat being preserved.

It is anticipated that about 1,800 acres of proposed open space would be offered for dedication or placed in open space easements to the City of San Diego and incorporated into the San Dieguito River Valley Regional Open Space Park. Planting of ornamentals, off-road-vehicle activity, grading, brushing, or placement of structures, except for hiking or equestrian trails, bike paths, interpretive signing, or other improvements designated by the City's Parks and Recreation Department or the SDRP, shall be precluded from these areas.

Populations of San Diego thornmint, variegated dudleya, barrel cactus, California adolphia, and San Diego marsh-elder would be retained in open space. Mitigation for impacts to individual plants not retained in open space would include active management of populations remaining in open space to prevent impacts from disturbance or grazing and incorporation of measures to encourage their dispersal and expansion into areas designated for revegetation, either through transplantation, seeding, or other means as appropriate. Mitigation for impacts to San Diego horned lizard, orange-throated whiptail, lizard, coastal rosy boa, southern California rufous-crowned sparrow, Bell's sage sparrow, loggerhead shrike, and San Diego black-tailed jackrabbit would also be provided by the coastal sage scrub conservation program. Long-term management of the open space would be the responsibility of the City of San Diego Parks and Recreation Department.

The active management of sensitive plant populations preserved in open space would include a specific management plan for the endangered San Diego thornmint, to ensure that the population remains viable into the future. The population is relatively small and is presently vulnerable to shading and competition from invasive weeds. The population is also vulnerable to impacts from grazing and off-road vehicles. The management plan shall be reviewed and approved by City of San Diego Development and Environmental Planning Division and CDFG's Endangered Plant Program.

2) Riparian Vegetation

The loss of wetlands would be mitigated by revegetation of 12.6 acres of riparian habitat along Lusardi Creek in La Jolla Valley. Wetland habitat (willow scrub, freshwater marsh, and mule fat scrub) impacted by the development of the property would be replaced at a 3:1 ratio and revegetated or enhanced with riparian taxa. The revegetation would take place within an average 400-foot-wide riparian corridor along Lusardi Creek. The riparian plantings would include marsh reeds (*Juncus* sp., *Scirpus* sp., *Typha* sp. and *Anemopsis* sp.), willow scrub trees and shrubs (*Salix* sp., *Baccharis* sp., *Iva hayesiana*), and riparian woodland trees (*Platanus racemosa*, *Populus fremontii*, *Quercus agrifolia*). The revegetation plan would restore and enhance riparian areas that had been disturbed and denuded by prior agricultural use. Attachment 3 of Appendix C provides the guidelines for the implementation of the habitat restoration program.

The project would also impact 0.3 acre of southern willow scrub and 0.2 acre of mule fat scrub and 0.012 vernal pools for off-site road improvements and sewer connection along Carmel Valley Road. Revegetation shall be undertaken at a ratio of 3:1 proximate to the revegetation area within Lusardi Creek. The revegetation would be undertaken in a manner similar to that described above.

Impacts to the two disturbed vernal pools will be mitigated by the off-site acquisition and conservation of existing, unprotected vernal pool habitat at a surface ratio of one to one (525 s.f.). Suitable areas for acquisition and conservation can be found on Del Mar Mesa to the south of the Black Mountain Ranch site. The location of the mitigation must be determined in consultation with the City, ACOE and CDFG, as part of the 404 and streambed alteration permits required for the activity.

3) Other Measures to Minimize Impacts

Indirect effects can be minimized through restricting construction activities adjacent to habitat areas during breeding seasons, maintaining appropriate buffers around sensitive habitat areas, and requiring controls for erosion and sedimentation. Any artificial lighting associated with the golf course shall be directed away and shielded from biological buffer zones and native habitats. Nighttime lighting of facilities and parking lots adjacent to open space or buffer zones shall be prohibited.

- a. The tentative map shall specify that grading shall not occur beyond the limits of an approved grading envelope. Grading plans shall indicate all natural open space areas as off-limits to equipment or other disturbance. The grading plans shall require that a preconstruction meeting be held to describe to all construction personnel the required avoidance techniques and areas to be avoided and that prior to any work, the construction supervisor and the biologist together shall mark the grading limits to ensure against impacts to open space and occupied habitat areas. The grading plans shall also specify that a biologist be on-site to monitor grading activity adjacent to biologically sensitive lands.

Cut and fill slopes adjacent to natural open space and the disturbed habitats within the designated biological open space easements shall be revegetated to reestablish native habitat types. Such slopes shall be revegetated as quickly as possible to prevent erosion of graded areas and resultant siltation elsewhere. Under no circumstances shall graded cut or fill slopes remain denuded during the normal rainy season. The requirements for revegetation shall be shown on the tentative map and grading plans.

- b. The tentative map and grading plans shall specify that no grading activities or clearing activities shall be allowed within 200 feet of a nest or burrow being actively used by coastal California gnatcatcher, burrowing owl or other sensitive raptor, southern California rufous-crowned sparrow, Bell's sage sparrow, loggerhead shrike, California horned lark, grasshopper sparrow, San Diego black-tailed jackrabbit, or gray fox during its breeding season unless it can be demonstrated to the satisfaction of the Deputy Director of DES of the City of San Diego that such activities would not adversely impact the breeding success of these species. Additionally, a burrow known to have been used by burrowing owl, San Diego black-tailed jackrabbit, or gray fox shall not be destroyed unless a biologist confirms that the owl, jackrabbit, or fox is not in the burrow at the time the impact occurs. This issue shall be discussed at the required preconstruction meeting and these sensitive areas shall be adequately marked or fenced to ensure protection.
- c. Indirect impacts to the willow riparian scrub would be avoided by the establishment of a buffer zone of nominally 100 feet between the outer edge of the willow riparian canopy and any development. The buffer zones may be less than 100 feet if it can be shown that the adjacent use will not impact the quality of the habitat. The buffer zones shall be shown as open space on the tentative map, final map, and grading plans.
- d. Prior to the issuance of a grading permit for the project, the applicant shall have received a federal Clean Water Act Section 404 permit and an agreement under

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Section 1600 of the Fish and Game Code which will be required for alterations to streambeds and for filling in the riparian scrub, mule fat scrub, disturbed nicotiana/tamarisk scrub, and freshwater marsh wetlands vegetation. The applicant shall demonstrate compliance with mitigation conditions to the satisfaction of the permitting agencies.

- e. As a condition of the PRD, night lighting of golf courses and tennis courts shall be prohibited. Also, the night lighting prohibition shall be a condition of the PRD for the golf courses.
- f. The applicant shall provide a notice to each buyer prior to sale that risks to pets exist due to the presence of coyotes, bobcats, and other natural predators which inhabit the natural open space in the area.
- g. Prior to the construction of hiking or equestrian trails or bike paths not constructed within road rights-of-way, a qualified biologist shall walk the proposed trail alignments and delineate an acceptable route that avoids or minimizes encroachments into sensitive habitats and avoids impacts to sensitive plant species. The biologist shall delineate the trail route on maps and submit them with recommendations for construction methods and areas that should be avoided to the Director of Parks and Recreation.
- h. Brush management and fire control measures shall be limited to City requirements and excess habitat loss will be avoided. Brush management will be the responsibility of the homeowner's association and shall be conducted in strict conformance with the brush management requirements of the landscape plan. Hand clearing or selective thinning of flammable species and dead wood should be used for any fire control measures required within the fire buffer area. Sensitive plant species shall be identified in the brush management plan and their removal restricted. As a condition of tentative map approval, the brush management plan shall be reviewed and approved by the City Fire Department and Director of Planning. Adherence to the specifications in the plan shall be monitored by the City Fire Department.

D. Hydrology/Water Quality

As mitigation for the increased runoff, water surface elevations as determined by the HEC-2 analysis will be used to provide design specifications for site drainage to protect individual sites and adjacent properties. Interceptor ditches and detention/desilting basins will be provided to allow water to accumulate and be released back to the natural watercourse at a rate similar to the existing conditions. Sediment basins will be placed in swales to protect downstream properties.

As a condition of the revised Black Mountain Ranch VTM, drainage facilities, including nine desilting basins are being provided. These basins have been designed and shown on the TM. These facilities will reduce runoff impacts from the Black Mountain Ranch development to below a level of significance.

The following measures would reduce levels of erosion, sedimentation, and runoff during construction activities for currently proposed and future development of Black Mountain Ranch and off-site road improvements to Carmel Valley Road. Black Mountain Ranch shall include these or equivalent measures as conditions of tentative maps.

- 1) Hydreseeding and landscaping of any cut/fill slopes disturbed or built during the construction phase of this project with appropriate ground cover vegetation shall be performed within 30 days of completion of grading activities.
- 2) Areas of native vegetation or adjoining slopes to be avoided during grading activities shall be delineated to minimize disturbance to existing vegetation and slopes.
- 3) Artificial ground cover, sterilized hay bales, and catch basins to retard the rate of runoff from manufactured slopes shall be installed if grading occurs during wet weather season, November 1 through April 1.
- 4) Fine particulates in geologic materials used to construct the surficial layers of manufactured slopes shall not be specified unless a suitable alternative is not available.
- 5) Temporary sedimentation and desilting basins between graded areas and streams shall be provided during grading.

To reduce erosion and sedimentation during and after construction of Black Mountain Ranch, current plans call for the construction of nine detention/desilting basins, five on the western boundary of the project and four in the area north of Lusardi Creek. These basins would use extended detention methods to maximize their usefulness in controlling erosion and sedimentation impacts. The basins would be constructed and maintained by the developer during construction. Once the project is completed, responsibility for the maintenance of these basins will be transferred to the property owners association. The construction of these basins will mitigate the direct impacts of increased silt to below a level of significance. Cumulative impacts to San Dieguito Lagoon, however, would still be considered an incremental and significant impact. This significant impact is unmitigable and could only be avoided by adoption of the No Project alternative.

The requirements for sedimentation basins and the use of "best management practices" shall be noted on future tentative maps. It shall also be a condition of future tentative maps that permanent basins and all other drainage facilities shall be constructed prior to issuance of building permits.

The following is a description of some "best management practices" which would be incorporated into the design of the detention/desilting basins:

- a. ***Desilting Basin.*** Desilting basins act as traps for site-generated sediments, thereby reducing the negative impacts from erosion and sediment transport. A flow control device located in the basin would control the outflow from the project site and allow for ponding in the basin. The ponded water would contain sediments and dissolved pollutants that have adhered to the soil particles. These particles would be removed through the sedimentation and siltation process, accumulating at the bottom of the basin. The sediments can then be removed and disposed of properly on a periodic basis. The desilting basins would be permanent structures to ensure that sediment would not be transported from the site. The basins would be cleaned and invasive vegetation removed periodically.
- b. ***Extended Detention.*** To achieve efficient pollutant removal rates from an urbanized project site, the use of permanent extended detention facilities can be employed. The detention facility provides temporary storage for increased runoff from the project site due to urbanization; the storage facility is usually a dry pond/basin system. Site-generated pollutants can consist of oil and grease, biological nutrients, oxygen-demanding organics, toxic organics, and metals. Pollutant removal is achieved through the extended detention method, in which sediments and chemical constituents are allowed to accumulate at the bottom of the basin through the sedimentation process. Extended detention facilitates the adequate removal of particulate pollutants. To enhance the removal of soluble pollutants, marsh planting can be provided in the bottom of the basin. Cleaning and removal of invasive vegetation would occur on a periodic basis.

The PRD shall include "best management practices" for the use of irrigation; control of fertilizers, pesticide, and herbicides; provision of filter strips in buffer areas adjacent to wetlands; and sedimentation and control measures for the golf courses. Three sedimentation detention basins would be provided in the northern golf course which will be constructed and maintained as a condition of the PRD.

The following is a description of some "best management practices" which, with the two detention basins, shall be conditions of the PRD and shall be incorporated into the design and operation of the golf courses:

- c. **Filter Strips.** Filter strips can be utilized to enhance pollutant removal from the site. Filter strips are planted with erosion-resistant grasses or plant species and are designed to spread flows from the site into a wide area where overland sheet-flow conditions can occur. The vegetation within the strips slows the flows, causing heavier particulates to fall out of suspension, and also acts as a biological filter when direct absorption of dissolved pollutants occurs. The use of vegetation to reduce the flow velocities also allows for enhanced soil infiltration to take place. The soil also acts as a filter; dissolved pollutants are absorbed onto the soil particles. This is an important method for removal of dissolved heavy metals and phosphorus (fertilizers). Biological activity in the soil can also metabolize toxic organic contaminants (pesticides). The proposed golf courses would function in this manner to reduce impacts to adjacent streams.
- d. **Source Control.** An integral part of achieving adequate pollutant removal from collected storm water is the implementation of source control practices that reduce the amount of contaminants of the ground surface that can come in direct contact with surface flows. These practices include the following measures, which would be incorporated into the Black Mountain Ranch golf course management plans.
1. Cover outdoor storage facilities that contain potential contaminants.
 2. Encourage proper use and disposal of materials including fertilizers, pesticides, and herbicides and including appropriate methods, rates, and frequency of application of these chemicals.
 3. Encourage alternative methods for controlling weeds and insects using physical, biological, and lower-toxicity methods.
 4. Recycle chemicals to the extent possible, and dispose of materials in a safe and proper manner.

The following measures shall be required to reduce the potential TDS and nutrient impacts related to reclaimed water if the reclaimed water source exceeds TDS objectives or does not employ nutrient removal:

- e. Monitoring for TDS and nutrient levels shall be required on a regular basis by the RWQCB. If the levels exceed waste discharge requirements for the use of reclaimed water in the basin, the discharge must cease until proper treatment has been accomplished or the reclaimed water has been diluted to meet the requirements.

- f. In addition to special treatment of the reclaimed water, operational practices at the reclaimed water lake such as aeration, circulation, and chemical addition shall be required to mitigate any seasonal problems associated with stored reclaimed water.

These water quality guidelines, along with appropriate operational guidelines as discussed above, would be set in waste discharge requirements issued by the RWQCB, in cooperation with DOHS. This set of requirements is typically applied to the public agency responsible for the treatment and distribution of the reclaimed water.

In summary, conditions upon grading to minimize erosion and runoff would be incorporated into grading plans and specifications. Source control measures for fertilizers and pesticides storage, use, and disposal shall be incorporated as conditions of the PRD for the golf courses. The RWQCB would be responsible for conditions and monitoring reports relating to reclaimed water storage and use.

E. Landform Alteration

Implementation of the grading techniques shown on each of the tentative maps would occur through the approval of the final grading plans. Those slopes which are visible from major roadways and public viewing areas shall vary slope gradient, width and contour edges, and use blending and rounding to blend to natural slopes. Slopes that are not adjacent to open space or other sensitive resources shall otherwise conform to the Design Guidelines submitted as part of the PRD. The applicant shall clearly indicate on the grading plans special design requirements for slopes that are to be graded. Grading for major slopes shall minimize encroachment into sensitive vegetation. A note shall be included on the grading plans for the tentative and final grading plans for all approved and future development in the project indicating that the grading techniques are environmental mitigation measures.

Grading for major roads and other common facilities and areas must include provisions for erosion control and hydroseeding. Landscape plantings for native shrubs or exotics as shown on the overall landscape plans must be shown on the grading plans. The landscape plans shall be implemented in phases coincident with development phases.

Prior to the issuance of grading permits, Development Services Department shall review the grading and landscape plans to ensure that sensitive grading techniques are being utilized and that manufactured slopes are landscaped in conformance with the conceptual landscape plan. Areas shown as open space shall be flagged in the field and construction crews will be restricted from these areas. The applicant shall retain a soils engineer to monitor the grading and construction and a landscape architect to monitor revegetation of the project. Landscaping shall be in place along the developed roadways and development areas prior to issuance of building permits for each area. The soils engineer

and landscape architect shall submit in writing to the City Engineer and certification that the project has complied with the required mitigation measures on the grading plans. Only after the Director and City Engineer approve the grading shall recommendation be made to the City Council for the release of the subdivision bond.

These mitigation measures would lessen the landform alteration impact, but not to below a level of significance. The impacts described could only be avoided through the No Project alternative. No mitigation is available for the cumulative impact.

F. Visual Quality/Community Character

Visual impacts associated with the cut and fill slopes from the roadways and reclaimed water reservoir dam would be partially mitigated by landscaping and revegetation, which is illustrated on the grading and landscape plans required for the PRD permit for Black Mountain Ranch (Figures 14, 39 and 40). The slopes of the dam would be blended with adjacent slopes and revegetated with native vegetation to present a natural appearance. These impacts remain significant and could only be avoided by the No Project Alternative.

Direct impacts to views from the Focused Planning Area to residential areas would be mitigated by restricting the size and aspect of residential lot grading, providing adequate setbacks and visually compatible landscaping around residential structures so as not to be visible from the creekbed in the valley floor, and using structural design guidelines and landscape plans. Lots bordering on the rim of La Jolla Valley would be subject to the project's proposed Design Review Guidelines, which encompass building setbacks, a naturalized planting transition zone from the edge of the open space a minimum of 35 feet into the lot, grading restrictions to minimize heights of graded pads or severity of graded slopes fronting to open space, landscape palette, and exterior architectural styles, colors, materials, and roofing guidelines. Individual lot development would be subject to review by an architectural review board. Conformance to the guidelines would ensure that all feasible means to reduce impacts to the viewshed from the open space park areas have been incorporated into the individual lot development.

The potential visual impacts from future development can be reduced by incorporating grading, landscaping, and urban design measures into subsequent tentative maps. These measures could include design guidelines, building setbacks, height limitations, revegetation and review requirements, and development standards. Guidelines were prepared for Black Mountain Ranch, which covers 80 percent of the project site. Similar guidelines were also recommended as mitigation for this landscape unit in the EIR for the San Dieguito Regional Open Space Park Plan. Similar guidelines compatible with existing surrounding development and the Black Mountain Ranch guidelines should be made a requirement of future tentative maps and other development approvals.

Prior to issuance of a grading permit for the reclaimed water reservoir, the applicant must obtain necessary approvals from the state Division of Dam Safety. A field inspection shall be conducted by the engineering and development division to ensure grading and contouring of slopes has been done according to the tentative map requirements prior to issuance of building permits. Residential lots within the viewshed of the open space park area of La Jolla Valley shall be identified on the tentative map and additional restrictions shall be required as part of the overall grading plan.

G. Cultural Resources

Mitigation for project impacts to the two RPO significant sites, SDI-5094 and -11,981, and the CEQA significant site, SDI-6673, is proposed as long-term preservation, by placing sites in dedicated open space. For CEQA significant sites, mitigation would be achieved by conducting additional surface and subsurface data collection procedures to recover scientific data that would otherwise be lost. The data recovery procedures would be required at SDI-4832/4833 as a condition of approval of the Black Mountain Ranch VTM/PRD. Data recovery procedures for SDI-5103, and -11,982 would be conditioned upon approvals for road improvements for Camino Ruiz north of San Dieguito Road and construction of Camino del Norte to Camino Ruiz. Data recovery procedures for SDI-11,982 would be conditioned upon approval of grading or future development approvals within the parcel.

1) Preservation

Archaeological sites SDI-5094, -6673, and -11,981 shall be dedicated as open space and a preservation plan shall be prepared and submitted for approval by the Development Services Director and Director of Parks and Recreation as a condition of the tentative map. The preservation plan shall include a map of the site areas and appropriate buffer area. The open space easement shall contain language that explicitly prohibits any activities that would cause surface or subsurface disturbance within the site area or buffer, including but not limited to placing of structures, fences, or utilities; excavation, plowing, placing of fill or other grading except as specified in the preservation plan; active recreational use or assembly; placement of hiking or equestrian trails within the sites' boundaries; or use as a staging area or for storage of materials. The easement shall allow for competent academic research within the site with the approval of the property owner and Development Services and Parks and Recreation Directors.

The preservation plan shall be implemented prior to recordation of the final map and issuance of grading permits. It shall contain the following measures:

- a. Establish a permanent datum monument.

- b. Define the site boundaries and establish a 50-foot minimum buffer area around the site to ensure no construction or grading encroachment as appropriate.
- c. Analyze the buffer area through subsurface test excavation following San Diego City Guidelines. Not less than four 1-meter-square test units shall be excavated within the proposed buffer to confirm there are no subsurface artifactual deposits. A report detailing the excavation results shall be prepared and submitted to EAS for review.
- d. Require that areas of the sites in nonnative grasses be capped with 18 inches of culturally sterile soil and hydroseeded with native vegetation seed mix of shallow rooting shrubs or grasses; the condition of the sites shall be monitored on a semi-annual basis for a period of three years by a qualified archaeologist and biologist hired by the project applicant. Annual reports detailing site conditions and any necessary remediation measures shall be submitted to the Directors of Development Services and Parks and Recreation. Remediation measures shall be carried out by the applicant.
- e. Require the placement of temporary markers or fencing of the site area during any grading or construction in the vicinity to prevent encroachment.
- f. During any grading or construction activity in the area of the sites, a qualified monitor must be present. The monitor shall attend a preconstruction conference with the contractor. The monitor shall be authorized to temporarily halt or divert construction should any cultural materials be uncovered. If materials are encountered, City of San Diego staff, the supervising archaeologist and project applicant must develop an appropriate means to mitigate impacts within 72 hours.
- g. File maps of the datum monuments and site boundaries with the City of San Diego Development Services Department, SDMOM and Area Clearinghouse.

2) Data Recovery

Impacts to archaeological sites SDI-4832/4833, -5103, -11,982, and -11,983 will be mitigated by further collection of scientifically useful data and analysis. Data collection shall be guided by a research design which sets forth the research issues to be addressed, the regional context, specific kinds of data to be collected, field and analytic procedures, and means to evaluate the adequacy of data collected. The research design for each site shall be completed and reviewed by the City of San Diego EAS. Data recovery for SDI-4832/4833 shall be a condition of the Black Mountain Ranch VTM/PRD.

Data recovery procedures for SDI-5103 and -11,982 shall be a condition of grading permits for future road improvements for Camino Ruiz north of San Dieguito Road and

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Camino del Norte westerly to Camino Ruiz. Data recovery procedures for SDI-11,983 would be included in subsequent environmental review for future development and should be made a condition of approval for grading permits or future TMs within the parcel.

For each site, a phased program of data recovery would be initiated. The first phase would include collection of surface artifacts, if these had not been comprehensively collected and mapped in the preceding test evaluations. An initial sample of test units would be excavated, arrayed across the site area in a systematic or stratified random sampling scheme. The initial phase of data recovery will establish the sites overall structure and provide a representative sample of artifactual density and variability. This sample will provide the basis for identification of site structure (i.e., do areas within the site vary in terms of stratigraphy, depth of deposit, or concentrations of artifacts, which may represent different activities being carried out or different cultural components) or that the site is basically homogenous throughout. This will allow specific areas within the site to be identified that should be concentrated on in subsequent data collection to satisfy the goals of the research issues being investigated. The initial sample would also provide a means to estimate the number and kinds of artifact categories at the site overall, and the number of additional excavation units needed to collect the specific kinds of data to satisfy the research goals. The results of the first phase of testing shall be analyzed and compiled in a preliminary report with recommendations for work to be completed in the second phase. The results and preliminary report shall be submitted to EAS for review and concurrence prior to further work being undertaken.

The second phase of data recovery would focus on completing sufficient excavation to satisfy the research interest. This may be undertaken as additional systematic or random samples across the site, if the deposit is basically homogenous; or block excavation of specific areas that were identified during the first phase of the data recovery program. The number of excavation units or area excavated will be based upon collecting specific kinds of artifactual or other data, and exposing features of interest within the site area.

An evaluation of the adequacy of the data recovered will be conducted after each phase and will be based upon the following criteria:

- Has the data retrieved from the excavation units become redundant?
- Is their diversity within the artifactual types and classes recovered?
- Have subsurface features been located?
- Has datable material been recovered?

- Have sufficient quantities of other data been recovered to aid in the interpretation of the artifactual materials recovered?
- Can the research issues be addressed with present data?

The initial phase excavation requirements are as follows:

SDI-4832/4833

This Late Prehistoric site was found to cover about 15,000 square meters within a knoll and saddle area. An initial sample of 35 test units covering these areas would define site structure. An additional 25 units or more may be required, up to a maximum of 15 percent of site area. Kinds of data specifically targeted for this site include recovery of datable materials, shell and any other marine resources, faunal bone, and a sufficient sample of flaked lithic tools, waste, and ground stone to characterize resources procurement and processing activities. There is also the potential for this site to be a multi-component site.

SDI-5103

This San Dieguito site also covers a knoll and saddle area that were found to have subsurface deposits. It is suspected that the site may be disturbed, at least in the upper levels. An initial sample of 40 units would be excavated to determine site structure. As a San Dieguito site, which are relatively rare and are less well understood, an additional 80 units or more may be warranted, up to a maximum of 15 percent of the site area, depending on the site condition. Attention would be focused upon recovery of datable materials, sourcing of lithic materials, flaked lithic tool morphology, and evidence of subsistence patterns.

SDI-11,982

This Late Prehistoric site covers an area of 9,800 square meters. The initial sample would require 25 excavation units. An additional 25 units or more may be needed up to a maximum of 15 percent of the site area. Of particular interest are the range of lithic materials, shell and faunal bone, and recovery of datable materials.

SDI-11,983

This site was found to have a concentration of ground stone and may represent a La Jolla resource procurement and processing site. The initial sample would require 30 excavation units. Subsequent sampling may require an additional 25 units or more up to a maximum of 15 percent of the site area. Of particular interest is any evidence of subsistence activities, resource processing, and recovery of datable materials.

During data recovery, the following procedures will be utilized:

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- a. Prior to further data collection, individual site reference datum will be set and the site areas will be mapped and photodocumented. All data collection activities will be referenced to the site map.
- b. According to the research design, a number of surface artifact collection areas and subsurface excavation units will be placed across the site area. The majority of data collection units will be arrayed randomly, to provide representative samples of the deposits. Additional units may be placed judgmentally, to follow features or to increase the recovery within selected deposits.
- c. The provenience of all artifacts recovered within each collection unit shall be recorded and mapped. Excavation shall be undertaken in horizontally and vertically controlled test units, and all spoil shall be screened through one-eighth-inch or finer wire fabric. All artifacts recovered shall be identified as to unit and vertical provenience.
- d. In situ features shall be drawn and photodocumented.
- e. Pedological/geomorphological analysis will be necessary to develop soil profiles and to define postdepositional disturbance from farming or other activities.
- f. Controlled soil samples may be collected for palynological analysis as appropriate.
- g. Datable materials will be collected and submitted for analysis as appropriate.
- h. Artifacts recovered shall be cataloged with accession numbers provided for individual items or classes within a collection unit area or level. While the kinds of analyses undertaken will be directed by the research design for the particular site, all materials recovered shall be described and categorized according to professional standards and practices.
1. Analytic procedures will include the following:
 1. Flaked Stone—tools and waste will be weighed, measured, and the type of lithic material identified and sourced, if possible; identifiable use wear studied; and the artifacts classified by metric or nonmetric attributes under a typological system. The type analysis may focus upon sequences of production (typically for waste products), "functional" use types and proportions within an assemblage; or stylistic differences indicative of cultural or chronological change.

2. Ground Stone—ground stone will be described as to kind of material; shape, area, and degree of wear of ground surfaces; and type as appropriate.
3. Pottery—pot sherds will be sorted as to types and vessel forms, as identifiable.
4. Faunal Bone—recovered bone will be identified by part of the animal and genus or species; evidence of butchering analyzed; and a minimum number of animals within each genus or species identified.
5. Shell—shells and shell fragments will be identified by genus or species and weighed or counted.
6. Obsidian—if obsidian tools or waste are recovered, they will be submitted for hydration and sourcing.
7. Radiocarbon Samples—charcoal, bone, or shell samples that are datable will be submitted for dating; multiple samples will be submitted if available.

The data recovery program shall include the preparation of a final report, detailing research questions, approach and strategy, all field and analytic methods and techniques, summaries of all data collected, analysis, and conclusions. The report shall be prepared to the satisfaction of the Directors of Development Services and Parks and Recreation, prior to issuance of final maps and grading permits.

H. Air Quality

Measures to reduce vehicle miles traveled, such as provision of bike lanes, sidewalks, and transit facilities, which have been discussed above, have already been incorporated into the Black Mountain Ranch project. Improvements to the circulation network are discussed in Chapter 4 (B) Traffic. These improvements would not provide full mitigation for air quality impacts, however. Mitigation for cumulative impacts is beyond the scope of the project. Only through the No Project alternative would air quality impacts be avoided.

I. Geology/Soils

1) General Measures

- a. The presence of landslides, weak claystones, uncompacted fill soils, and potentially compressible colluvial and alluvial deposits may require special

consideration where development is planned. If weak claystones or landslides are present in areas proposed to be graded, stabilization measures in the form of buttresses or stability fills will be required.

- b. Very heavy ripping may be necessary within areas underlain by the Santiago Peak Volcanics, Lusardi Formation, and gabbro. Deep cuts in the Santiago Peak Volcanics or gabbroic rocks will likely require blasting. Special handling of the excavated rock and placement of oversized materials should also be anticipated.
- c. Highly expansive soils may be encountered within the Delmar, Mission Valley, and Friars formations and some of the topsoils. It is anticipated, however, that there should be sufficient low expansive soils available on the site to mitigate the adverse impact of expansive soils where encountered.
- d. Compressible alluvium and colluvium present along canyon alignments and on the lower flanks of the ridges will require removal and recompaction where settlement sensitive improvements are planned.
- e. Perched groundwater is anticipated to be present within the low-lying alluvial areas. Hence, remedial measures in the form of subdrains may be required where filling of the drainage courses is planned.

2) Grading

- a. Proposed cut and fill slopes be planned no steeper than 2:1 (horizontal to vertical). Safe allowable slope heights will generally be limited by the shear strength characteristics of the particular soil or rock conditions present. Areas where high cut slopes are planned shall be investigated in detail to evaluate the potential impact of the local geology on the stability of the slopes.
- b. Due to the increased grading costs associated with rock blasting and handling, it is recommended that excavations and underground utility lines for building pads be kept to a minimum within those portions of the site underlain by Santiago Peak Volcanics and/or gabbroic formations.

3) Form Foundations

In general, the prevailing soil conditions in either a dense undisturbed or properly compacted condition are suitable for the support of conventional spread footings. The minimum footing dimensions and reinforcing requirements would be dependent on the expansive characteristics of the foundation soils and building design parameters which are not currently known. However, it is anticipated that spread footings designed in accordance with the Uniform Building Code could be

designed for an allowable soil bearing pressure of at least 2,000 pounds per square foot.

4) Drainage and Maintenance

- a. Providing and maintaining proper surface drainage is imperative to assure soil stability and reduce erosion. All graded pads shall have drainage swales which direct storm or irrigation runoff away from structures or the top of slopes to controlled drainage facilities.
- b. No storm or irrigation water shall be allowed to discharge over the top of cut or fill slopes.

5) Consultation and Plan Review

Prior to the finalization of the grading plans for the property, a detailed soil and geologic investigation addressing the proposed plan shall be performed.

Implementation of the above measures shall be made a condition of the final maps and grading plans. An on-site inspection by a geotechnical engineer shall be made and report submitted to the City's Engineering and Development Department for review and approval prior to issuance of grading permits.

6) Erosion

Implementation of the following mitigation measures would reduce the potentially significant erosion impact to below a level of significance. These measures shall be approved by the City Engineering Department before a grading permit is issued and grading can commence.

- a. Fill areas or areas stripped of native vegetation will require special consideration, such as desilting basins, improved surface drainage, and early planting of erosion-resistant ground covers to reduce the erosion potential.
- b. Grading plans shall incorporate short-term erosion control measures, including sandbagging and temporary detention basins, to the satisfaction of the City Engineering and Development Department.
- c. Catch basins shall be provided during grading.
- d. Seasonal restrictions on grading shall be applied to prevent mass grading during the rainy season, typically November through March, unless otherwise restricted by proximity to sensitive wildlife habitat, as shown on the TM and grading plan.

- e. All manufactured slopes shall be immediately revegetated or hydroseeded with erosion-resistant plant mixes and irrigated to ensure plant coverage prior to the next rainy season. In areas to be included as naturalized open space, such plantings shall be noninvasive native grasslands and shrubs, as specified in the Design Review Guidelines for the project.
- f. In areas near watercourses, construction sedimentation control measures, such as interim desiltation basins, gravel bags, hay bales or silt fences at the toe of slopes to prevent erosion, or punch straw or matting to stabilize graded slopes, shall be installed to prevent sloughing of materials into watercourses.

Mitigation measures concerning grading shall be specified on grading plans. Development Services Department shall review the site preparation/grading and landscape plans for consistency with the above measures prior to issuance of a grading permit. Native plant revegetation shall be inspected and approved by a qualified biologist and monitored for the five-year period. Revegetation of other manufactured slopes shall be inspected by the geotechnical engineer and landscape architect and a report submitted to the City Development Services Department prior to approval of the grading and subsequent issuance of building permits. After grading has been completed and prior to issuance of building permits, City staff shall verify compliance with the mitigation program.

J. Paleontology

The following measures are required to reduce the adverse impacts of the development of Black Mountain Ranch to an acceptable level and to protect the paleontological resources of the site. These mitigation measures are drawn from past efforts and have proven successful in protecting paleontological resources while allowing the timely completion of developments in San Diego and elsewhere in southern California.

1. The applicant shall provide a letter verifying that a qualified paleontologist has been retained to implement the paleontological mitigation program. This letter shall be presented to the Development and Environmental Planning Division of the City of San Diego Planning Department prior to construction activities. (A qualified paleontologist is defined as an individual with an M.S. or Ph.D. degree in paleontology or geology and who is a recognized expert in the application of paleontological procedures and techniques such as screen washing materials, identification of fossil deposits, etc.)
2. The qualified paleontologist shall attend the pre-grading meeting to meet with the grading and excavation contractors. The paleontologist's duties shall encompass three elements: (1) monitoring, (2) salvaging, and (3) preparing collected materials for deposit at a scientific institution with paleontological collections.

3. In the event that well-preserved fossils are discovered, the paleontologist (or paleontological monitor) shall be given the authority to temporarily direct, divert, or halt construction activities in the area of discovery to allow recovery of fossil remains in a timely fashion.
4. Fossil remains shall be cleaned, sorted, and catalogued, and then shall be deposited in a scientific institution, such as the San Diego Natural History Museum, with paleontological collections.
5. A final summary report shall be prepared which outlines the results of the mitigation program. This report shall be submitted to the Development and Environmental Planning Division and will include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

It shall be a condition of the tentative map and grading plans that a paleontological monitor shall be on-site during the original cutting of previously undisturbed sediments of the Delmar Formation, Friars Formation, and Mission Valley Formation at the project site to inspect for contained fossils. This is necessary to determine the nature of the material and to determine the extent of fossils present. The material also shall be screened for any vertebrate remains. The monitoring shall be at least half-time at the beginning of grading and the time either increased or decreased, depending on the initial results. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.) The paleontological monitor should work under the qualified paleontologist. A brief letter report (with map showing site locations) shall be prepared and submitted to the Planning Department summarizing the mitigation program described above within three months of completion of grading activities and prior to the issuance of building permits.

K. Noise

1) Traffic Noise

On-site

Table 31 lists each lot which would be impacted by noise levels in excess of City standards, a description of any noise attenuation measure, and the future attenuated CNEL on each mitigated lot.

Impacts to first-floor receptors can be mitigated with barriers six feet in height or less as shown in Figure 47a-d and Table 31.

Barriers shown along the Circulation Element roadways are also shown on the tentative maps. Construction of these barriers shall occur prior to issuance of building permits. All barriers which meet an intersection of a Circulation Element roadway and an access

street shall be extended along the access street for at least 50 feet. Barrier heights are given in relation to the adjacent roadway. These barriers include:

- The 6-foot barrier along Camino Ruiz by Lot 4 in Unit 19
- The 5-foot barrier along Camino Ruiz by Lots 25, 26, 27, 29, 44, 48-in Unit 4
- The 4-foot barrier along Camino Ruiz by Lots 9-12 in Unit 2
- The 4-foot barrier along Camino Ruiz by lots 6-9, 17, 18 in Unit 14
- The 4-foot barrier along Camino Ruiz by Lots 1,2,10, 20-29 in Unit 15
- The 4-foot barriers along Camino Ruiz by Lots 1 and 23 in Unit 16
- The 4-foot barrier along Camino Ruiz by Lots 54-57,60, 61 in Unit 25
- The 4-foot barrier along Camino Ruiz by Lots 8-11 in Unit 21

All lots which would be exposed to second-story noise levels greater than 60 CNEL as shown in Table 30 have been labeled on the tentative maps as requiring analysis confirming that interior noise levels due to exterior sources will be below 45 dBA CNEL. These lots are:

- Unit 4: Lots 25-27, 29, 44, 48 -52
- Unit 14: Lots 6-9, 17
- Unit 15: Lots 1-3, 6-10, 20, 21, 22, 24-29;
- Unit 16: Lots 1, 23
- Unit 20: Lot 17-23
- Unit 25: Lots 54 -62
- Unit 29: Lots 1, 2, 5

At the time building permits are requested, an interior analysis shall be submitted to the City to be reviewed by the Environmental Analysis Section and the Noise Abatement Officer. Appropriate structural mitigation must be incorporated into building plans prior to issuance of building permits for each of these lots. The structural building inspector from Building Inspection would then inspect the site to ensure conformance with the approved plans.

Off-site (Carmel Valley Road)

Off-site impacts to existing residences along Carmel Valley Road and at 9010 Emden Road can be mitigated by construction of berms and a variable height noise barrier wall of solid masonry construction along Carmel Valley Road and along portions of Black Mountain Road. These improvements are specified on the tentative map. The noise walls shall be included in the future improvements to Carmel Valley Road as a two-lane roadway. An acoustical study shall be required and appropriate noise wall locations, heights, and materials shall be shown on grading plans and construction plans for the roadway improvements.

Mitigation for off-site impacts along Carmel Valley Road to the proposed Fairbanks Highlands TM are a part of that project.

2) Pump Station Noise

In order to conform with the City Noise Abatement and Control Ordinance and mitigate potential impacts to below a level of significance, the pump stations shall be designed so that noise levels generated by the pump stations do not exceed 45 dBA L_{eq} at any residential property line. Prior to the issuance of building permits for lots 10 and 11 of Unit 20; Lots 26 and 27 of Unit 25; and the affordable housing in Unit 29; the City's Noise Abatement Office shall verify that the noise levels generated by the pump stations would not exceed 45 dBA L_{eq} at the residential lot line.

Future development in Units 27 and 28 would be subject to subsequent environmental review which should incorporate similar requirements for residential development proximate to pump stations.

3) NAS Miramar

Lessening of nuisance impacts from aircraft overflights can be achieved with the application of the following disclosure statement:

The Black Mountain Ranch development is located within the Julian Departure corridor used by fixed-wing and rotary aircraft departing from Navel Air Station (NAS) Miramar. While this development is considered compatible with these air operations, occupants will occasionally experience varying degrees of noise and vibration. Miramar normally operates between 8:00 am and midnight Monday through Friday and 8:00 am until 8:00 PM on weekends. On occasions operations may be on a 24-hour basis. Miramar is currently undergoing a realignment to a Marine Corps Air Station (MCAS) and will increase its tempo of operations.

L. Public Facilities and Services

Implementation of the following conditions and offers of dedication would reduce direct and cumulative school impacts to below a level of significance:

1. Collection of required fees and setting aside three school sites, and provision of partial acreage for a future high school site.
2. Mitigation for school impacts will include implementation of a final financing agreement, which may or may not include participation in school facilities financing with other surrounding development projects. The District proposes establishment of a Mello-Roos special tax assessment district, however, some other mutually acceptable means could be employed. Proof of a final financing agreement will be required prior to final map approval.

These mitigation measures will be a condition of the tentative map and development agreement with the City. Lots to be offered for dedication shall be identified on the tentative map and irrevocable offers of dedication shall be made in association with the final maps. The approval of a final school financing plan by the Poway Unified School District and proof of payment of school fees shall be required prior to issuance of building permits.

For solid waste disposal, the proposed project should comply with the City's recycling program described above. If the City curbside recycling has not been established for the project development, the homeowner's association shall provide recycling containers and enter into an agreement with a recycling contractor to handle recyclable materials. The requirement for recycling bins or containers shall be included in the Design Review Guidelines for the project and the Conditions, Covenants, and Restrictions (CC&Rs).

The cuttings from the golf courses should be collected and used for mulch or composted on-site. Procedures for source reduction and reuse or disposal of green waste shall be required by the PRD for the golf courses. These procedures shall be reviewed by Development Services Department and incorporated into the PRD.

City fire departments may or may not be able to provide a first response within six minutes. It shall be a condition of the PRD that service letters from the fire department be submitted when building permits are applied for. If the fire department cannot respond within six minutes, then building plans must include fire sprinkler systems.

The necessary improvements to facilities and infrastructure to support the project are proposed as part of the project. These improvements would be sited and designed in consultation with the utility providers, City of San Diego and County Water Authority.

Additional capacity may be required for the Carmel Valley trunk sewer for future buildout. As a condition of future maps the applicant must submit a sewer capacity analysis to City Water Utilities Department. If additional capacity is needed, the applicant must provide for the needed improvements to the satisfaction of the Director of Water Utilities.

M. Safety

Mitigation measures for potential increased mosquito populations which will decrease potentially significant impact to below a level of significance at the reclaimed water reservoir are described below. The following measures will require approval of the Regional Water Quality Control Board and shall be a condition of the PRD for the golf courses:

1. The reclaimed water reservoir shall be stocked with appropriate fish types that will prey on mosquito and midge larvae (e.g., mosquito fish).
2. The reservoir and other water impoundments shall be kept free of debris, high concentrations of nutrients which could contribute to algae blooms, and organic floatage. Any emergent vegetation (e.g., cattails and bulrushes) shall be removed only as necessary to control the mosquito problem.
3. Non-natural runoff to the reservoir area shall be minimized by proper drainage patterns to prevent excessive organic material from entering the reservoir.
4. Although the above measures are designed to minimize the potential for mosquito breeding in the reclaimed water reservoir and control mosquito populations, active control measures may be necessary at times. This would include the application of a mosquito fog or insecticide spray. The use of this measure should be minimized to avoid reducing populations of other insects. Some desirable wildlife species, such as waterfowl, can experience a food shortage if other insect populations are affected. This can be especially detrimental if the spraying period coincides with the breeding season of wildlife, especially when the adults are feeding young. Use of spray applications may require coordination with USFWS or CDFG if listed species or nesting waterfowl could be affected.

Implementation of these measures will be a condition of the PRD. An implementation and maintenance plan will be prepared prior to release of reclaimed water to the reservoir. It will be submitted to the Development Services Department. Annual reports will be prepared by the applicant which detail the measures implemented.