

(R-97-67)

RESOLUTION NUMBER R- 287703

ADOPTED ON JUL 30 1996

WHEREAS, on December 7, 1995, Seabreeze Farms, Limited Partnership, Del Mar Land Management, Incorporated, General Partnership, submitted an application to the Development Services Department for amendments to the Progress Guide and General Plan, the North City Future Urbanizing Area (NCFUA) Framework Plan, Carmel Valley Community Plan, and Carmel Valley Neighborhood 4, 5, and 6 Precise Plan; and

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

WHEREAS, the issue was heard by the Council on JUL 30 1996; and

WHEREAS, the Council considered the issues discussed in Final Environmental Impact Report No. 35-0385 (SCH No. 96021001); NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Final Environmental Impact Report No. 35-0385 (SCH No: 96021001), on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the report reflects the independent judgment 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 this Council in connection with the approval of

amendments to the Progress Guide and General Plan, the NCFUA Framework Plan, Carmel Valley Community Plan, and Carmel Valley Neighborhood 4, 5, and 6 Precise Plan.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081 and Code of Regulations section 15093, the City Council hereby adopts the Findings and 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


Richard A. Duvernay
Deputy City Attorney

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Or.Dept:Comm.&Eco.Dev.
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**FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS
FOR
SEABREEZE FARMS
(DEP NO. 35-0385)
(SCH No. 96021001)**

The California Environmental Quality Act (CEQA) requires that no public agency shall approve or carry out a project for which an environmental impact report has been completed which identifies one or more significant effects thereof unless such public agency makes one or more of the following findings:

- (a) Changes or alterations have been required in, or incorporated into, such project which mitigate or avoid the significant environmental effects thereof as identified in the completed environmental impact report;
- (b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency or can and should be adopted by such other agency; or
- (c) Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report (Cal. Pub. Res. Code Section 21081).

CEQA further requires that, 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 or other information in the record (Section 15093[b] of the CEQA Guidelines). These findings contain a statement of overriding considerations (pursuant to CEQA Guidelines Section 15093[b]) which indicates that the decision-makers have weighed the benefits of the project against the unmitigated significant effects identified in the Final EIR.

The following Findings and Statement of Overriding Considerations have been prepared based on information submitted by the project applicant as candidate findings to be adopted by the decision-making body. The Development Services Department, Environmental Analysis Section does not recommend that the decision-making body either adopt or reject these findings. They are attached to allow readers of this report an opportunity to review the potential reasons for approving the project despite the unmitigated significant effects identified in the Final EIR.

**CANDIDATE FINDINGS
FOR
SEABREEZE FARMS
(DEP No.35-0385)
(SCH No. 96021001)**

INTRODUCTION

These Findings are made relative to the Environmental Impact Report ("Final EIR") for the Seabreeze Farms project located in the northeastern portion of the City of San Diego. Seabreeze Farms encompasses 72 acres and is located within the North City Future Urbanizing Area (NCFUA) Subarea III and adjacent to Neighborhood 4 of the Carmel Valley Community Plan Precise Plan for Neighborhoods 4, 5, and 6. The project site is located approximately 17 miles north of downtown San Diego, 3.5 miles inland from the Pacific Ocean, and 2.5 miles from Interstate 5 (I-5). Carmel Valley Road forms the eastern boundary of the project site.

The applicant proposes amendments to the Progress Guide and General Plan, the NCFUA Framework Plan, Carmel Valley Community Plan, and the Precise Plan for Neighborhoods 4, 5, and 6, in order to allow for the development of a low density single family (220 units) and multi-family (55 units) residential development associated with an 8-acre equestrian facility. Single-family residential densities would range from 5 to 10 dwelling units per acre (DUs/acre), and multi-family residential would range from 10-14 DUs/acre. The site is currently zoned A-1-10 and is utilized as an equestrian facility. The proposed plan amendments listed previously are the sole discretionary actions evaluated in this EIR. Future discretionary actions would be required to implement the proposed project and include approval of Tentative Maps, Planned District Ordinance, Interim Habitat Loss Permit and Final Map/Building Permits.

These findings are made pursuant to the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code §21081) and the State CEQA Guidelines (14 Cal. Code Regs. §15091 and 15093). The project applicant is Seabreeze Farms, L.P., Del Mar Land Management, Inc., General Partner. The City of San Diego is the lead agency responsible for making the final discretionary decisions with respect to the project.

A. Section 21081(a) Findings

Pursuant to Public Resources Code §21081(a), the decision-maker, having independently reviewed and considered the information contained in the Final EIR, the appendices and the record, finds that, pursuant to CEQA and the CEQA Guidelines, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effects as identified in the Final EIR with respect to the areas of: (1) land use; (2) transportation/traffic circulation; (3) biological resources; (4) hydrology/water quality; (5) landform alteration/visual quality; (6) cultural

resources; (7) air quality; (8) geology/soils; (9) agriculture/natural resources; (10) paleontology; (11) noise; (12) public facilities and services; and (13) public health and safety. Specifically,

1. Land Use

Impacts: The project site includes 16 acres of a soil type that is designated as agricultural lands of Statewide importance. The proposed project would result in a significant cumulative impact by converting this 16 acres of agricultural lands to residential uses. This is inconsistent with the General Guide and Progress Plan environmental goal of retaining designated prime agricultural lands in agricultural usage. No mitigation is available to reduce significant cumulative impacts associated with the loss of State-designated important agricultural lands.

Findings: Only the implementation of the No Project/No Action Alternative would avoid significant cumulative impacts resulting from the loss of State-designated important agricultural lands, as discussed in Section C of these Findings.

2. Transportation/Traffic Circulation

Impacts:

- a. The proposed project would generate 2,900 average daily trips (ADTs). Under buildout conditions, the project would incrementally contribute to an existing regionally significant cumulative traffic condition. The project contributes less than two percent of the total traffic at buildout. The buildout of the region will require a number of improvements which are being identified under additional traffic analyses for other projects, such as the SR-56 EIR traffic study.
- b. An analysis of impacts for the two interim alternative traffic scenarios anticipated prior to full buildout indicated little change in the level of service between without project and with project scenarios. The project impacts on the surrounding circulation system would be maintained at a level below significance with provision of new facilities and by phasing of development in association with regional traffic improvements.

Findings:

- a. With implementation of the measures identified below (see discussion of finding [b]), project related traffic impacts associated with incrementally adding to the cumulative buildout conditions in the region would be mitigated to below a level of significance.
- b. With implementation of the following measures (Mitigation Measure IV-B.1), impacts associated with locally cumulative conditions would be mitigated to below a level of significance. The contribution of Seabreeze Farms traffic (1.7%) to the cumulative traffic

impact at the Interstate 5 interchanges is below the City's threshold for significance (2%). As a condition of future tentative maps, the applicant will be required to implement the proposed project in three phases as identified in Table IV-B-10 of the EIR which are tied to specific required improvements to the local transportation system. Phase one would allow development of 20 DUs and the 8-acre Equestrian facility in conjunction with the construction of a secondary project access road connecting the southern portion of the project site to Carmel Knolls Drive if required. Phase Two would allow the development of an additional 100 DUs in conjunction with the construction of SR-56 as a continuous facility from I-15 to I-5 and the secondary project access at Carmel Knolls Drive in place. Phase Three would allow total development of up to 275 DUs in conjunction with the construction of the following improvements:

- Improve and widen Carmel Valley Road from the project access to Del Mar Heights Road;
- Construct Del Mar Heights Road as a six-lane major from its western terminus to Lansdale Drive;
- Construct the southern half of the ultimate designation of Del Mar Heights Road from Carmel Valley Road to the Carmel Valley Community boundary; and
- Construct Del Mar Heights Road as a six-lane major from Lansdale Drive to the Carmel Valley Community boundary.

These mitigation measures would ensure impacts to the local transportation system would remain below a level of significance.

3. Biological Resources

Impacts:

- a. Future project implementation would require grading of the site that would result in the direct loss of the following significant biological resources:

- Coastal sage scrub - 0.04 acre (1% of area occupied);
- Southern maritime chaparral - 0.08 acre (10% of area occupied);
- Scrub oak chaparral - 0.35 acre (7% of area occupied);
- Nuttall's scrub oak (56% of area occupied); and
- California adolphia (67% of population).

In addition to these direct significant impacts to biological resources, the proposed project would result in significant indirect impacts due to the pressures of human and domestic animal presence, a phenomenon known as "edge effects." Edge effects

include alteration of remaining sensitive habitats through replacement of existing topography with impervious surfaces (which can modify ground percolation and runoff) and introduction of lighting, which can impact wildlife activity.

- b. Project implementation would require implementation of the City's fuel management program. Implementation of the fuel management program would result in the direct loss of the following significant biological resources:

- Coastal sage scrub – 1.2 acres (35% of area occupied);
- Southern maritime chaparral – 0.76 acre (90% of area occupied);
- Scrub oak chaparral – 2.32 acres (49% of area occupied);
- Nuttall's scrub oak;
- California adolphia; and
- three individual coast barrel cactus.

These significant impacts can be mitigated to a level below significance through the implementation of measures described below.

- c. The project proposes to retain existing disturbed areas located within the open space area for equestrian trails and pasture use. Significant impacts to biological resources retained in open space are anticipated to occur from potential invasion of non-native animals and vegetation and trampling by equestrian activities and/or grazing. These significant impacts are mitigated to a level below significance through incorporation of sensitive trail design.

Findings:

- a. With implementation of the following measures, significant direct and indirect impacts to biological resources would be mitigated to below a level of significance. Prior to recordation of the Final Map and/or issuance of grading permits, direct impacts to coastal sage scrub, southern maritime chaparral, scrub oak chaparral, Nuttall's scrub oak, and California adolphia would be mitigated to a level below significance through placement of a conservation easement on the remaining open space lands, plus the applicant shall acquire in fee title or a conservation easement in favor of the City an appropriate offsite mitigation parcel. The conservation easement shall allow for placement of trails and pastures in existing disturbed areas, implementation of brush management measures, and construction of sediment basins. Trails adjacent to sensitive habitat shall be fenced and signed. The off-site mitigation parcel shall be at least 0.90 acre in size and located within an MSCP core area within City of San Diego boundaries and support southern maritime chaparral, scrub oak chaparral, coastal sage scrub, or other native habitats acceptable to the City. As an alternative to acquisition of an off-site parcel, the applicant may pay a habitat acquisition fee determined by the

City of San Diego. If the appropriate mitigation parcel lacks California adolphia and Nuttall's scrub oak, impacts to these species could be mitigated by the replacement planting at a 3:1 ratio within onsite areas proposed for preservation as open space or at an acceptable offsite location (Mitigation Measure IV-C.1).

Indirect impacts shall be mitigated through incorporation into project design light shielding of adjacent native habitats and screening with vegetation (Mitigation Measure IV-C.2).

- b. With implementation of the following measures, impacts to significant biological resources associated with implementation of the fuel management program would be mitigated to below a level of significance. Prior to recordation of the Final Map and/or issuance of grading permits, direct impacts to coastal sage scrub, southern maritime chaparral, scrub oak chaparral, Nuttall's scrub oak, and California adolphia would be mitigated to a level below significance through placement of a conservation easement on the remaining open space lands, plus the applicant shall acquire in fee title or a conservation easement in favor of the City an appropriate offsite mitigation parcel. The conservation easement shall allow for placement of trails and pastures in existing disturbed areas, implementation of brush management measures, and construction of sediment basins. Trails adjacent to sensitive habitat shall be fenced and signed. A biologist will meet with brush management field crews and instruct them to not impact any coast barrel cactus specimens. In addition, the biologist will instruct the crews to leave as many individual California adolphia and scrub oak individuals as possible within the brush management zone. The offsite mitigation parcel shall be at least 7.36 acres in size and located within an MSCP core area within City of San Diego boundaries and support southern maritime chaparral, scrub oak chaparral, coastal sage scrub, or other native habitats acceptable to the City. As an alternative to acquisition of an off-site parcel, the applicant may pay a habitat acquisition fee determined by the City of San Diego. If the appropriate mitigation parcel lacks California adolphia and Nuttall's scrub oak, impacts to these species could be mitigated by the replacement planting at a 3:1 ratio within onsite areas proposed for preservation as open space or at an acceptable offsite location (Mitigation Measure IV-C.3).
- c. With implementation of the following measures, impacts associated with equestrian uses located in the disturbed portions of the open space habitat areas would be mitigated to below a level of significance through implementation of the following measures:
- Trails shall be located to avoid areas supporting sensitive biological resources;
 - Equestrian uses should be continued on existing trails and within disturbed areas;

- A biologist shall be consulted during trail design;
- Trails and pastures adjacent to sensitive resources shall be fenced and signed appropriately;
- Site plans for new trails or pastures proposed within the open space areas shall be submitted to the Development Services Department for review and approval prior to final map recordation and/or prior to issuance of grading permits. Construction plans shall note sensitive areas and a biologist must flag these areas prior to grading.

These measures mitigate significant impacts associated with equestrian uses in the open space to a level below significance (Mitigation Measure IV-C.4).

4. Hydrology/Water Quality

Impacts:

- a. Project implementation would require increasing the impervious surface area of the site. Runoff from the site to Bell Valley and Carmel Valley Creek is estimated to increase approximately 14 percent. Because Bell Valley is preserved in open space, no alteration of natural drainage systems is anticipated for project implementation. Runoff from the site is not considered substantial. However, all runoff must be properly controlled with adequate storm drain facilities.
- b. Future development of the project site with residential and equestrian uses represents a potentially significant cumulative impact on water quality of downstream water bodies from manure, generation of urban pollutants, short-term erosion and sedimentation, as well as construction-related contaminant discharge. These impacts can be mitigated, but not to below a level of significance, with incorporation of mitigation measures noted below.

Findings:

- a. With implementation of the following measures, impacts associated with an increase in existing site runoff volumes would be mitigated to below a level of significance. Future tentative maps shall be conditioned with preparation of a drainage study in accordance with the City of San Diego Drainage Design Manual, design of necessary storm drain facilities, and design of appropriate onsite detention facilities to ensure that project runoff volumes do not exceed existing runoff volumes. All of these measures will be subject to approval by the City Engineer (Mitigation Measure IV-D.1).
- b. Future tentative maps or development permit are required to comply with the NPDES permit requirements for construction of the project and long-term operation of the site.

A Storm Water Pollution Prevention Plan and Monitoring Program Plan will be submitted with grading activities. In addition, site specific Best Management Practices will be incorporated for all proposed development on the site.

Future tentative maps and/or development permits shall be conditioned to require a site specific analysis for the project that incorporates the current Best Management Practices and Best Available Technologies (BMPs and BATs) available at that time for pollution control and erosion/siltation control. This plan would address both short-term and long-term erosion control (see Mitigation Measure IV-D.2 in Section IV-D of the EIR for details).

Measures are also identified in Section IV-G, Air Quality, which require dust and manure management at the equestrian facility. These measures would reduce potential pollutant loading of downstream water bodies associated with the equestrian facility (see Mitigation Measures IV-G.1 & 2).

5. Landform Alteration/Visual Quality

Impacts:

- a. Project implementation would represent a change of the existing visual character onsite and would contribute incrementally to a cumulatively significant impact associated with the conversion of open areas to urbanized areas viewed from SR-56 and Carmel Valley Road. This is considered a significant cumulative impact of the project.
- b. Implementation of the proposed project would require cut and fill slopes of up to 40 feet on an interior canyon and earth movement of 300,000 to 600,000 cubic yards of balanced cut and fill (about 6,000 to 12,500 cubic yards per graded acre). Even though grading is concentrated along the more level terrain along the eastern border of the site and within an internal tributary canyon, this is considered a significant landform impact. Measures are required which mitigate these significant landform impacts to a level below significance.

Findings:

- a. No measures are available that would mitigate the cumulatively significant incremental contribution of the project to the overall urbanization of the area from Carmel Valley Road. Only adoption of the No Project Alternative would avoid significant impacts associated with alteration of visual quality.
- b. The following measures reduce significant landform impacts associated with project grading to a level below significance. Future development will be required to

incorporate grading concepts and guidelines outlined in the Carmel Valley Neighborhood 4, 5, and 6 Precise Plan with respect to variable slope gradients, contour grading, slope revegetation, use of berms, and utilization of landscaping to soften slope interfaces (Mitigation Measure IV-E.1).

6. Cultural Resources

Impact: Future development onsite would have a potentially significant impact on an artifact scatter site identified as CA-SDI-6802. Measures have been identified which reduce significant impacts to this cultural resource to a level below significance.

Findings: With implementation of the following measures, impacts to CA SDI- 6802 would be mitigated to below a level of significance. In conjunction with subsequent environmental review and prior approval of tentative maps for future development within the project site, testing of site CA-SDI-6802 for significance will be completed. If determined significant, mitigation of site CA-SDI-6802 will include either preservation of the site or mitigation through a Research Design and Data Recovery Program to the satisfaction of the City (Mitigation Measure IV-F.1).

7. Air Quality

Impacts:

- a. Implementation of the project would expose residences to significant levels of dust and odor associated with the proposed equestrian facility in the absence of dust or manure control programs. Significant dust and odor impacts of the project would be mitigated to a level below significance through implementation of the following measures.
- b. Project implementation requires earth movement during construction. Dust generated onsite is anticipated to adversely affect residential areas and is considered significant. Measures are incorporated which reduce these significant impacts to a level below significance.

Findings:

- a. With implementation of the following measures, impacts associated with dust and manure odors would be mitigated to below a level of significance. Prior to recordation of future discretionary permits or tentative maps, the applicant shall submit to the Development Services Department a dust control and manure management plan. More detailed plans shall be submitted at the time building permits are submitted and approved by the Development Services Department. Dust suppression shall include schedules for watering the arena, and the manure management plan shall include schedules for stall cleaning and hauling away of manure. The plans shall be made a

condition of future discretionary permits for the use of the equestrian facility (Mitigation Measures IV-G.1 and IV-G.2).

- b. The following measure shall reduce significant impacts associated with project-generated construction dust to a level below significance. As a condition of approval for grading permits associated with future discretionary tentative maps and/or permits, dust control measures identified in Section IV-G-3, Air Quality, of the DEIR shall achieve a minimum of 80 percent dust suppression (Mitigation Measure IV-G.3).

8. Geology/Soils

Impacts:

- a. Implementation of the project would occur on potentially unstable soils and geologic formations which would represent potential development constraints. This is considered a significant impact. Measures are identified which reduce potential geological impacts to a level below significance.
- b. Project implementation requires disturbance of soils which have a severe erosion potential. This is considered a significant impact. Measures are incorporated which reduce significant impacts to a level below significance.

Findings:

- a. With implementation of the following measures, potential geological impacts would be mitigated to below a level of significance. Prior to issuance of grading permits for any proposed development on the project site, a project specific soils and geotechnical investigation shall be submitted and approved by the City Engineer. The City Engineer will ensure that remedial grading measures identified in the investigation report have been complied with (Mitigation Measure IV-H.1).
- b. With implementation of the following measures, erosion impacts would be reduced to a level below significance. Prior to issuance of grading permits for any proposed development onsite, a project-specific landscaping plan shall be submitted which will identify short-term and long-term measures which will control erosion from manufactured banks or brush management zones. The landscape plan shall also incorporate erosion-resistant ground cover planting on manufactured slopes or brush management area immediately upon completion of grading. Additionally, the landscape plan shall comply with the Landscape Master Plan for the Precise Plan for Neighborhoods 4, 5, and 6 (Mitigation Measure IV-H.2).

9. Agriculture/Natural Resources

Impact: Project implementation would convert 16 acres of land containing a soil type designated as farmlands of Statewide importance to non-agricultural uses. This is considered a cumulatively significant impact.

Findings: No measures are available to reduce significant cumulative losses of agricultural land to a level below significance. Only adoption of the No project/No action Alternative would avoid this impact.

10. Paleontology

Impact: Project implementation would result in disturbance of areas which have moderate to high potential for paleontological resources. This is considered a significant direct and cumulative impact.

Findings: With implementation of the following measures, significant cumulative and direct impacts to paleontological resources would be mitigated to below a level of significance. Prior to issuance of a grading permit, written verification that a paleontological monitor has been retained to implement a paleontological monitoring program will be provided to the Principal Planner of the Environmental Analysis Section (EAS) of the Development Services Department (Mitigation Measure IV-J.1).

11. Noise

Impact: Project implementation would expose offsite and onsite receptors to significant but mitigable short term noise impacts associated with project construction. Long-term traffic noise generated by the project and offsite traffic levels would generate CNEL levels greater than 65 dB onsite and would not be compatible with outdoor living areas of residential development. This is considered a significant but mitigable impact of the project. Interior noise levels of onsite residential development could potentially exceed 45 dB CNEL and is considered a significant but mitigable impact. Noise impacts to offsite receptors is not considered significant

Findings: Specific mitigation measures cannot be determined at this time as more detailed information is required. The location and elevation of future residences, timing of SR-56, and phasing of offsite traffic improvements all affect noise levels and associated specific mitigation measures. However, the incorporation of the following general measures at the time specific detailed information for the project is available will reduce significant noise impacts to below a level of significance. These measures include locating residential usable open space areas beyond the 65 dB CNEL noise contour, appropriate building orientation to shield living areas from noise, incorporation of acoustical barriers to limit or reduce traffic noise, and preparation by a qualified acoustician of a project-specific acoustical report as a condition of issuance of

building permits to ensure appropriate mitigation measures are incorporated in project-level design and acoustical levels meet the City's interior and exterior noise criteria. Future grading permits will be conditioned to limit construction and maintenance timing as well as require construction equipment mufflers, and location of construction staging areas away from existing development (Mitigation Measure IV-K.1).

12. Public Facilities and Services

Impacts:

- a. Project implementation would generate up to 123 elementary students, 29 middle school students, and 75 high school students which are anticipated to significantly impact Del Mar Union Elementary schools, Earl Warren Junior High School, and San Dieguito High School.
- b. The project would add to the incremental impact on public facilities such as parks, library services, law enforcement and fire protection.
- c. Project implementation would create an estimated water demand of 0.16 mgd, and generate 62,400 gpd of wastewater and 1,564 tons per year of solid waste. The project would result in a direct significant impact to the City's existing water system. Significant cumulative and direct impacts to the City sewer system would also occur in addition to significant cumulative impacts to the regional solid waste system.

Findings:

- a. With implementation of the following measures, impacts to schools would be mitigated to below a level of significance. Prior to obtaining building permits, the applicant shall provide the City with executed mitigation agreements from the school districts that indicate appropriate school fees pursuant to Government Code Sections 53080 and 65995.3 have been paid. Mitigation may include special community facility districts to provide adequate funding for school facilities (Mitigation Measure IV-L.1).
- b. Impacts to public facilities would be reduced to below a level of significance with the following mitigation measure. Prior to plan approval, the Public Facilities Financing Plan and Facilities Benefit Assessment for Carmel Valley shall be updated to establish priorities for fair share contributions within the Carmel Valley Community Planning Area for regional facilities including community parks, libraries, fire stations, and law enforcement facilities. Future project approval shall require payment of approved fees (Mitigation Measure IV-L.2).
- c. The following mitigation measures reduce significant direct and cumulative impacts to water, sewer, and solid waste facilities to a level below significance. A general water conservation landscaping plan to reduce water consumption will be prepared and

submitted to the Development Services Department Landscape Review Section for approval (Mitigation Measure IV-L.3). Prior to approval of final maps, the City will review water and sewer plans to determine consistency with water and sewer distribution plans approved for the NCFUA (Mitigation Measure IV-L.4). Waste management plans will be submitted to the City for review and approval (Mitigation Measure IV-L.5). In addition, development within the project shall comply with the construction timing and funding requirements which will be established in the approved Facilities Benefits Assessment for the Carmel Mountain Road water pipeline and Carmel Valley Road trunk sewer. The developer shall also pay fair share contributions of necessary onsite and offsite facility improvements as identified in the City's Water Master Plan, the Facilities Benefits Assessment, or during City review of future proposed tentative maps (Mitigation Measure IV-L.6).

13. Public Health and Safety

Impact: The project proposes construction of three detention facilities to control runoff volumes. The potential exists for significant public health exposure from vectors. In addition, the project proposes construction of an at grade equestrian crossing at Carmel Valley Road which would create a significant traffic hazard for both equestrians and motor traffic.

Findings: With implementation of the following measures, public health and safety impacts would be mitigated to below a level of significance. Prior to approval of future planned developments and tentative maps, the City will review future tentative maps to ensure that vector controls are incorporated into project planning in accordance with the County of San Diego Department of Health (Mitigation Measure IV-M.1). In addition, the applicant will prepare a Public Safety Plan, which will be reviewed by the City, Caltrans, the Sheriff's Department, and the San Diego Trails Council, that incorporates measures to avoid conflicts between equestrian and motor traffic and ensure public safety (Mitigation Measure IV-M.2).

B. Section 21081(b) Findings

Pursuant to Public Resources Code Section 21081(b), the decision-maker, having independently reviewed and considered the information contained in the Final EIR, the appendices and the record, finds that there are no changes or alterations to the project that are within the responsibility and jurisdiction of another public agency, which would avoid or substantially lessen the significant effects of the project.

C. Section 21081(c) Findings

The Final EIR discusses mitigation measures and a reasonable range of project alternatives that would substantially reduce or avoid identified significant impacts of the project. The range of project alternatives includes the No Project/No Action Alternative, Development Under Existing Land Use

Regulations Alternative, Alternative Design to Avoid Impacts Associated with Brush Management, and Development Consistent with the Framework Plan.

The Final EIR concludes that cumulative impacts to loss of agricultural lands, visual impacts associated with views from Carmel Valley Road and SR-56, and incremental increase in water quality impacts would remain significant after implementation of the mitigation measures discussed in Section A of these Findings. The cumulative impacts to these issues would be reduced or avoided by implementation of the No Project/ No Action Alternative. These significant cumulative impacts would remain significant with all other alternatives presented in these Findings. Pursuant to Public Resources Code §21081(c), the City Council, having independently reviewed and considered the information contained in the Final EIR, the appendices and the record, finds that the Final EIR describes a reasonable range of alternatives to the project and that specific economic, social or other considerations make infeasible the project alternatives identified in the Final EIR.

No Project/No Action Alternative:

Under this alternative, the site would be maintained in its existing condition and the existing equestrian center would continue to operate. The site would remain in the "Urban Reserve" designation and would not be shifted to the "Planned Urbanizing" area.

Impact: The significant impacts associated with implementation of the proposed projects would not occur under this alternative. Specifically, these impacts include potential direct and indirect impacts to sensitive plant and animal species, substantial change to visual character and landform, impacts to cultural resources, direct impacts to potential fossil-bearing geologic formations, direct and cumulative traffic impacts, air quality degradation, short- and long-term impacts on public services and infrastructure capacity, increased runoff and potential degradation of water quality and potential conflicts with unstable soils.

Findings: This alternative is infeasible for the following reasons. This alternative would not attain the basic objectives of the project, which are to provide a unique project that integrates open space and equestrian uses with a residential development that provides a mix of residential uses available to families with a wider range of incomes. Retention of the project site in its existing state as primarily an equestrian facility would be inconsistent with the approved Framework Plan designation for this site. This alternative would not provide the housing opportunities envisioned in the NCFUA Framework Plan. In addition, key local traffic routes established by the Carmel Valley Community Plan and the Framework Plan would not be implemented. These include improvements, fair share contributions, or construction of Carmel Knolls Road, Carmel Valley Road, and Del Mar Heights Road. The Framework Plan designation for residential development of this site would not be met and associated anticipated fair share fees for regional and local public facility improvements would not be generated. The Carmel Valley Facilities Benefit Assessment would not receive substantial funding of approximately \$3.4 million for required public facilities in a timely fashion. In addition, this alternative would not take advantage of this opportunity to secure protection of onsite biological resources through the provision of open space conservation easements.

Development Under Existing Land Use Regulations Alternative:

Under this alternative, the site would be developed in accordance with existing permitted activities and intensities established by the City of San Diego Progress Guide and General Plan, the zoning ordinance, and City Council Policy 600-29. Maximum development which could occur would be under the Planned Residential Development (PRD) regulations, which would allow for up to 22 units, if affordable units were incorporated and a 25 percent density bonus were allowed. The City's Resource Protection Ordinance would apply to the PRD as well as CEQA and other environmental planning requirements under this alternative.

Impact: Many of the significant impacts anticipated due to implementation of the project, and the cumulative impacts of all proposed or approved developments in the area, would be substantially reduced under this scenario because of the reduction in dwelling units and extent of grading. Impacts which are directly related to the number of housing units (e.g., traffic generation, air pollution, noise and demand for public services and utilities) would be proportionately reduced. Due to the substantial reductions in residential units, impacts to public services associated with the proposed project including those to schools, parks and solid waste generation would be greatly lessened with implementation of this alternative.

Population and density-related impacts associated with the proposed project such as traffic, water, sewer, and other public facilities and services would be substantially reduced, but not avoided. However, other impacts associated with this alternative could be less than, equal to, or greater than those associated with the proposed project depending on the location of development under the PRD. These impacts include, but are not limited to, the potential for land use incompatibilities, potential direct and indirect impacts to biological resources, change in visual character, potential impacts to cultural and paleontological resources, water quality impacts, increase in storm water runoff, erosion, and loss of agricultural lands. Densities would be much lower under this alternative than those proposed by the development. Impacts to views from the public vantage points such as SR-56 and Carmel Valley Road would only be avoided if development is clustered in the northeastern portion of the site. If development were to occur within Bell Valley, the existing open character of the valley would be substantially altered.

If the 18-22 units allowed under this alternative are clustered in the eastern portion of the site, it is anticipated that encroachment of brush management activities into sensitive vegetation could be avoided, thereby avoiding significant biological impacts.

Findings: This alternative is infeasible for the following reasons. This alternative would not be consistent with the adopted Framework Plan designations for the site which contemplated "compact" residential communities with unique characters and varied housing types for a range of incomes. It is anticipated that development under this alternative would not be as likely to provide opportunities for encouragement of alternative modes of transportation. The limited number of units anticipated under this alternative would not provide for affordable housing, a range of housing types, and allow for a range

of incomes to be present in a single community. Based on the current Carmel Valley Facilities Benefit Assessment Fee per single-family unit of \$13,121, a total of 22 units under this alternative would generate \$288,662, which is only 8.5 percent of the \$3,391,778 which is estimated to be generated by the proposed project. Total fair share contributions to public facilities and services would be substantially reduced.

Alternative Design to Avoid Impacts Associated with Brush Management:

Under this alternative, the need to conduct brush management activities would be avoided through incorporating an additional 80-foot setback into the project. Direct biological impacts associated with brush management activities affecting 4.28 acres of sensitive habitat on the project site would be avoided. All other aspects of the proposed project generally would remain the same. Under this alternative, development of approximately 225 residential units would occur, which is 50 fewer units than under the proposed project.

Impact: Under this alternative, direct biological impacts associated with brush management would be avoided, but impacts from grading would not be avoided. In addition, the 50-unit reduction is not anticipated to substantially lessen or avoid population based impacts of the proposed project. Impacts to visual quality would still occur, and noise walls would still be required.

Findings: This alternative is considered infeasible for the following reasons. Although direct impacts to 4.28 acres of sensitive habitat would be avoided, there would still be a direct impact on 0.47 acres of sensitive habitat and an indirect impact related to lighting and human intrusion. In addition, other population based significant impacts would not be substantially reduced. The 75-unit reduction associated with this alternative would increase the cost of the remainder units because of the costs of processing the project and providing mitigation measures, thus reducing the affordability and diversity of housing types. In addition, the project's contribution to the Carmel Valley Facilities Benefit Assessment would be reduced by approximately \$656,050 (assuming 50 fewer single-family units) and would lessen the availability of funds for offsite regional facilities identified by the NCFUA Framework Plan.

Development Consistent with the Framework Plan Alternative:

Development under this alternative would result in buildout of the site in accordance with the existing Framework Plan land use designations. Under the Framework Plan, the site would be developed exclusively with residential uses ranging in density from 1.6 DUs/acre to 4 DUs/acre. The site would be developed in accordance with the Resource Protection Ordinance and other applicable environmental planning regulations. A total of approximately 178 units would be developed. The proposed equestrian facility would not be developed under this alternative.

Impact: Implementation of this alternative would avoid the land use inconsistencies associated with the proposed project. The site would be developed at the densities anticipated by the approved

Framework Plan. It is anticipated that the area of the site to be developed under this alternative would be similar to the proposed project due to restrictions imposed by the Resource Protection Ordinance. Implementation of this alternative would result in similar levels of impact to the proposed project associated with this area of disturbance which include cultural resources, paleontological resources, geology, water quality/hydrology, agriculture, aggregate resources and landform alteration/visual quality. Impacts to biological resources could be avoided if development is clustered in the eastern portion of the site. Traffic generated by this alternative would be less, but impacts to roadways and from noise would still require mitigation.

The 40 percent reduction of units from the 300 units proposed under the project would not avoid population-based impacts of the project to public facilities and services such as schools, water, sewer, police and fire protection, library, and parks and recreation. Impact to public facilities would still require contribution of fees through participation in a public facilities financing plan.

Findings: This alternative is infeasible for the following reasons. Reduction of the number of residential units from 300 to 178 would reduce the number of affordable homes provided by the project. The mix and diversity of residential types would also be substantially reduced. Furthermore, costs to process and develop the project, in addition to costs to pay for mitigation measures such as traffic improvements, would not be able to be spread over as large a number of units. The Carmel Valley Facilities Benefit Assessment would receive about \$2,335,538 (69%) instead of the estimated \$3,391,778 that would be generated by the proposed project. Equestrian facilities proposed as part of the proposed project would not be implemented and the unique neighborhood character would be not be realized.

STATEMENT OF OVERRIDING CONSIDERATIONS
CEQA GUIDELINES SECTION 15093

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines provide:

- (a) CEQA requires the decision-maker 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 proposed 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 (CEQA Guidelines Section 15093).

The City, pursuant to the CEQA Guidelines, after balancing the effects of the proposed project against the unavoidable cumulative impacts to loss of agricultural lands, visual impacts associated with views from Carmel Valley Road and SR-56, and water quality which remain significant notwithstanding the mitigation measures and alternatives described above, determines that the remaining environmental effects are acceptable due to the following specific considerations:

Provision of a Variety of Housing Types

- The project generally implements the land use designations of the adopted Framework Plan and provides for a mix of residential uses available to families within a wider range of incomes; and
- The project provides affordable housing consisting of 20 percent of the units affordable to persons at an average of 65 percent of the median income. This would include 14 units at 50 percent, 28 units at 65 percent, and 13 units at 80 percent. These multi-family units would be integrated into the proposed Seabreeze Farms development and would conform to multi-family design guidelines for the Neighborhood 4 Precise Plan, and would be compatible with the overall community character for the Carmel Valley Community to the west.

Provision of Open Space and Recreation Areas

- The project provides trail linkages to the NCFUA and Carmel Valley which expands recreational opportunity within the region as recommended in the NCFUA Framework Plan and San Dieguito River Regional Park Focused Plan;
- The project would retain a portion of the existing equestrian facility and incorporate an equestrian-related development within the project. This development type is unique within the City of San Diego and provides for a different type of residential opportunity; and
- The project provides approximately 25 acres of dedicated open space which includes Bell Valley.

Provision of Infrastructure

- The project would upgrade a portion of Carmel Valley Road to City standards and help provide other needed traffic improvements, such as the construction of a "south connection" that would link early phases of Seabreeze Farms with Carmel Knolls Drive, and construction of the south half of Del Mar Heights Road from Carmel Valley Road to the Carmel Valley community boundary.

Creation of Construction Job Opportunities

- The project would generate new temporary construction related jobs that would enhance the economic base of the region. It is estimated that 475 new jobs for a period of 12 months would result from construction of the project. These construction jobs provide a benefit to the region due to the recent downturn in construction activities and corresponding increase in unemployment.

Generation of Funds for Capital Improvements and Maintenance Programs

- Approximately \$3.4 million dollars would be provided by the project to the Facilities Benefits Assessment for provision of public facilities located outside of the project site boundaries.

Increased Generation of Property Tax Revenues

- The City would receive additional property taxes due to the improved land value associated with the project. Based on the assessed value of the land with implementation of the proposed improvements and a standard tax rate of 1.25% (1% property tax = + 0.25 for fees and assessments, i.e. sewer districts, etc., total property taxes for the 72-acre site would be approximately \$2.6 million. A portion of these property taxes would be paid to the City. It should be noted that the estimated real estate values and the tax rate used to calculate the property tax are subject to change as individual phases of the project are implemented.

For these reasons, on balance, the City of San Diego finds that the above considerations resulting from the project serve to override and outweigh the project's unavoidable significant environmental effects and thus, adverse environmental effects are considered acceptable.

**MITIGATION MONITORING
AND
REPORTING PROGRAM**

for

SEABREEZE FARMS PLAN AMENDMENTS

San Diego, California

DEP No. 35-0385

SCH No. 96021001

Lead Agency:

THE CITY OF SAN DIEGO

Land Development Review Division

1222 First Avenue, 5th Floor

San Diego, CA 92101

June 1996

R-287703

MITIGATION MONITORING AND REPORTING PROGRAM

SEABREEZE FARMS PLAN AMENDMENTS

DEP NO. 35-0385

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the EIR (DEP NO. 35-0385) shall be made conditions of the project as may be further described below.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

1. TRANSPORTATION / TRAFFIC CIRCULATION

As a condition of future tentative maps, transportation system improvements will be provided and future development will be phased according to Table 1, to the satisfaction of the City Engineer. Table 1 indicates which facilities will be funded by the Seabreeze Farms project. As shown in this table, development of the project at specified land uses and intensities will be tied to appropriate local and regional transportation improvements to be funded by the project and other developers in the area.

**TABLE 1
SEABREEZE FARMS TRANSPORTATION PHASING PLAN**

IMPROVEMENT NUMBER	FACILITY	LOCATION	REQUIRED IMPROVEMENT	
			Description	Responsible Party
Phase One: 20 DUs + Equestrian				
1	South Connection	Southwest of project to Carmel Knolls Drive	Construct 2-lane collector.	SB
Phase Two: 100 DUs + Equestrian				
1	South Connection	Southwest of project to Carmel Knolls Drive	Construct 2-lane collector.	SB
2	SR-56 Expressway	Western SR-56 terminus to Black Mountain Road	Construct 4-lane expressway.	Others (a)
Phase Three: 300 DUs + Equestrian				
3	Carmel Valley Road	Project access to Del Mar Heights Road	Improve and widen roadway and intersection to 40', add signal if needed.	SB
4	Del Mar Heights Road	From western terminus to east end of Lansdale.	Construct 6-lane major.	Others (a)
5	Del Mar Heights Road	Carmel Valley Road to Carmel Valley community boundary.	Build south half of the ultimate roadway (44'), widen to 50' at intersection.	SB (b)
6	Del Mar Heights Road	Lansdale to Carmel Valley community boundary.	Construct 6-lane major.	Others (a)

Note: "Responsible Party" shown in table are preliminary. A process of determining exact fair-share contributions to needed improvements shall be completed during the development phase.

(a) Funding shall be provided by Transnet/FBA/City/Others as appropriate.

(b) Seabreeze Farms shall construct and seek reimbursement from others, as appropriate.

SB Seabreeze Farms

Phase One of the TPP would require the construction of a secondary project access road connecting the southern portion of the project to Carmel Knolls Drive. With the provision of this improvement, up to 20 single-family homes could be constructed. (Under this Phase, as with all subsequent phases, the existing equestrian facility on the site will be retained.) Phase Two would require the provision of the secondary project access and the construction of the SR-56 expressway as a continuous facility through

the NCFUA. With the provision of these improvements, up to 100 single-family homes could be constructed. Phase Three, the final phase, would require the following improvements:

- Improve and widen Carmel Valley Road from the project access to Del Mar Heights Road;
- Construct Del Mar Heights Road as a six-lane major from western terminus to Lansdale Drive;
- Construct southern half of ultimate Del Mar Heights Road from Carmel Valley Road to Carmel Valley community boundary;
- Construct Del Mar Heights Road as a six-lane major from Lansdale Drive to Carmel Valley community boundary.

With the provision of the above improvements, the project would be permitted to construct all proposed land uses (i.e., 250 single-family dwelling units and 50 multiple-family dwelling units).

2. BIOLOGICAL RESOURCES

Impacts to coastal sage scrub, southern maritime chaparral, scrub oak chaparral, Nuttall's scrub oak, California adolphia, and proposed equestrian uses within open space habitat will be mitigated to a level below significance with the following measures:

- A. Mitigation is required for the following significant direct impacts (see *Table IV-C-5*).
- Loss of 0.04 acre (1%) of coastal sage scrub - at 1:1 by area.
 - Loss of 0.08 acre (10%) of southern maritime chaparral - at 2:1 by area.
 - Loss of 0.35 acre (7%) of scrub oak chaparral - at 2:1 by area.
 - Loss of approximately 56 percent of the area occupied by Nuttall's scrub oak.
 - Loss of approximately 67 percent of the population of California adolphia.

This section is intended to provide guidelines and recommendations for the mitigation of significant impacts to biological resources as identified above. Replacement ratios for the various impacted communities are presented. Proposed mitigation measures are based on the requirements of CEQA and the RPO, and on current mitigation measures being considered by the City of San Diego for compliance with the Draft MSCP. CEQA requires mitigation to offset biological impacts which are considered significant, and the RPO requires adequate mitigation for impacts beyond allowable encroachment.

In order to establish compensation standards for the project, specific mitigation ratios have been defined based on the quality of the habitat and the condition of the habitat used for compensation at the time the parcel is proposed for development (based on RPO guidelines). Because the open space that will remain on the project following development is not connected to open space or natural lands offsite, onsite preservation is not a mitigation option for the project. Hence, offsite acquisition is recommended. Mitigation is required for the following significant direct impacts related to grading (see *Table 2*):

- Loss of 0.04 acre (1%) of coastal sage scrub - at 1:1 by area.
- Loss of 0.08 acre (10%) of southern maritime chaparral - at 2:1 by area.
- Loss of 0.35 acre (7%) of scrub oak chaparral - at 2:1 by area.
- Loss of approximately 56 percent of the area occupied by Nuttall's scrub oak.
- Loss of approximately 67 percent of the population of California adolphia.

**TABLE 2
PROJECT IMPACTS TO SENSITIVE RESOURCES, REPLACEMENT RATIOS,
AND RECOMMENDED MITIGATION**

Resource	Direct Impact	Fuel Mod. Impact	Total Impact	Replacement Ratio	Mitigation
Coastal sage scrub	0.04 ac	1.20 ac	1.24 ac	1:1	1.24 ac
Southern maritime chaparral	0.08 ac	0.76 ac	0.84 ac	2:1	1.68 ac
Scrub oak chaparral	0.35 ac	2.32 ac	2.67 ac	2:1	5.34 ac
Nuttall's scrub oak	56% of pop.	---	56% of pop.	1:1 3:1	present on mit. parcel replanting onsite or offsite
California adolphia	67% of pop.	---	67% of pop.	1:1 3:1	present on mit. parcel replanting onsite or offsite

Prior to recordation of the Final Map and/or issuance of a grading permit, the following mitigation measures shall occur. Mitigation should include the placement of a conservation easement on the remaining open space lands, plus the applicant shall acquire in fee title or a conservation easement in favor of the City an appropriate offsite mitigation parcel. The conservation easement shall allow for placement of trails and pastures within disturbed areas, implementation of brush management measures, and construction of sediment basins. Where trails are adjacent to sensitive biological resources, fencing and appropriate signage, such as "habitat restoration," will be provided. Offsite acquisition shall be focused within the NCFUA to the areas east of the project. The mitigation parcel should meet the following criteria:

- the parcel must be at least 0.90 acre in size.
- the parcel must occur within an MSCP core area within City of San Diego boundaries.
- the parcel should support southern maritime chaparral, scrub oak chaparral, coastal sage scrub, or other native habitats acceptable to the City.
- the parcel should support Nuttall's scrub oak and California adolphia.

As an alternative to acquisition of an offsite parcel, it may be appropriate to simply pay a fee for habitat acquisition in lieu of outright purchase of a particular parcel. This may be particularly appropriate for the project given the relatively small total project impacts. The fee would be determined by the City of San Diego, and would be based on the appraised value of mitigation properties within the immediate project vicinity, and a 10 percent administrative fee.

If the appropriate mitigation parcel lacks California adolphia and Nuttall's scrub oak, impacts to these species could be mitigated by the replacement planting at a 3:1 ratio within onsite areas proposed for preservation as open space or at an acceptable offsite location. The most appropriate area for onsite restoration would be on the south-facing slope in the large canyon in the west-central portion of site.

If onsite restoration would occur, the applicant shall provide verification that a qualified biologist has been retained for the purpose of implementing a biological mitigation program for the replacement of California adolphia and Nuttall's scrub oak. This verification shall be presented to the City Development Service Department Environmental Analysis Section (EAS) prior to construction activities. The revegetation plan and monitoring program would be subject to review and approval by EAS prior to the recordation of the final map and/or issuance of the grading permit.

B. In addition to the measures described above for direct impacts, indirect impacts to sensitive species shall be incorporated into the project design and CC&R's:

- Lighting within the developed areas adjacent to conserved habitat should be selectively placed, shielded, and directed away from native habitats.
- Lighting from homes abutting conserved habitat should be screened with vegetation, and large spotlight-type lighting that may affect conserved habitat should be prohibited.

C. Mitigation is required for the following significant direct impacts related to brush management (see *Table 2*):

- Loss of 1.2 acres (35%) of coastal sage scrub - at 1:1 by area.
- Loss of 0.76 area (90%) of southern maritime chaparral - at 2:1 by area.
- Loss of 2.32 acres (49%) of scrub oak chaparral - at 2:1 by area.
- Loss of Nuttall's scrub oak and California adolphia.

Mitigation is required for the following significant direct impacts related to brush management (see *Table 2*):

- Loss of 1.2 acre (35%) of coastal sage scrub - at 1:1 by area.
- Loss of 0.76 acre (90%) of southern maritime chaparral - at 2:1 by area.
- Loss of 2.32 acre (49%) of scrub oak chaparral - at 2:1 by area.
- Loss of Nuttall's scrub oak and California adolphia.
- **Loss of three individual coast barrel cactus.**

Prior to recordation of the Final Map and/or issuance of a grading permit, the following mitigation measures shall occur. Mitigation should include the placement of a conservation easement on the remaining open space lands, plus the applicant shall acquire in fee title or a conservation easement in favor of the City an appropriate offsite mitigation parcel. The conservation easement shall allow for placement of trails and pastures within disturbed areas, implementation of brush management measures, and construction of sediment basins. Where trails are adjacent to sensitive biological resources, fencing and appropriate signage, such as "habitat restoration," will be provided. **A biologist will meet with brush management field crews and instruct them to not impact any coast barrel cactus specimens. In addition, the biologist will instruct the crews to leave as many individual California adolphia and scrub oak individuals as possible within the brush management zone.** Offsite acquisition shall be focused within the NCFUA to the areas east of the project. The mitigation parcel should meet the following criteria:

- the parcel must be at least 7.36 acres in size.
- the parcel must occur within an MSCP core area within City of San Diego boundaries.
- the parcel should support southern maritime chaparral, scrub oak chaparral, coastal sage scrub, or other native habitats acceptable to the City.
- the parcel should support Nuttall's scrub oak and California adolphia.

As an alternative to acquisition of an offsite parcel, it may be appropriate to simply pay a fee for habitat acquisition in lieu of outright purchase of a particular parcel. This may be particularly appropriate for the project given the relatively small total project impacts. The fee would be determined by the City of San Diego, and would be based on the appraised value of mitigation properties within the immediate project vicinity and a 10% administrative fee. Acquisition of an offsite parcel or payment to the fund shall be required prior to the recordation of the Final Map and/or issuance of a grading permit. Implementation of these mitigation measures would reduce impacts to below a level of significance.

The measures described above are in addition to those identified in the previous section to mitigate direct and indirect impacts of the project grading.

- D.** Equestrian and hiking trails and pasture areas should be located to avoid areas supporting sensitive biological resources, including proposed/future restoration areas. Equestrian use should be continued on existing trails and within disturbed areas. A biologist shall be consulted

when designing the trails. Fencing of trails and pastures and provision of appropriate signage adjacent to sensitive biological resources shall be provided.

If new trails are proposed within the open space area, any new site plans must be submitted to the Development Services Department for review and approval prior to recordation of the Final Map and/or prior to issuance of grading permits. Construction plans shall note sensitive biological areas, and prior to grading, a biologist must flag these areas.

3. HYDROLOGY / WATER QUALITY

Implementation of the following measures would decrease potential water quality and drainage impacts to a level below significance:

- A. Future tentative maps shall be conditioned with the following:
- Prepare a drainage study in accordance with the City of San Diego Drainage Design Manual, subject to approval by the City Engineer. The Drainage Design Manual includes the following types of requirements:
 - a) Drainage system design shall be coordinated with the City of San Diego Engineering Department to ensure compatibility with existing and planned drainage facilities;
 - b) Surface drainage shall be designed to collect and move runoff into adequately sized stream channels and/or drainage structures;
 - c) All project drainage facilities shall be designed to accommodate runoff associated with a 50-year storm event, pursuant to direction by the project engineer and the City Engineer;
 - d) A maintenance plan shall be established for all drainage facilities, pursuant to direction by the project engineer and the City Engineer. Such plans typically require the inspection, cleaning and repair of all facilities after each runoff producing rainfall.
 - e) Surface and subsurface drainage shall be designed to preclude ponding outside of designated areas, as well as flow down slopes or over disturbed areas;
 - f) Developed areas shall be surfaced with pervious materials wherever feasible to increase infiltration and decrease surface runoff;
 - g) Downstream drainage courses and facilities shall be protected from the potential effects of increased runoff volumes or velocities (if applicable) through the use of flow equalization and/or energy dissipating structures. Such facilities may include detention

ponds, drop structures, or other measures, pursuant to direction by the project engineer and the City Engineering Department;

- h) Recommendations on the design and location of all surface and subsurface drainage facilities provided during geotechnical and engineering observations of grading and construction activities shall be incorporated into the final project design, pursuant to direction by the City Engineering Department;
 - i) All appropriate compacted areas shall be scarified to induce infiltration and revegetation;
 - j) Direct surface drainage to natural slopes and manufactured slopes shall be minimized by (a) grading away from slopes, (b) providing drainage swales at tops or toes of manufactured slopes, where appropriate, and (c) providing an underground drainage system;
 - k) All manufactured slopes shall be landscaped and irrigated to ensure slope stability, reduce erosion, and enhance visual appearance within 90 days of their creation. Temporary slope erosion control measures, such as hydroseeding, and slope stability measures shall be undertaken; and
 - l) Native vegetation shall be preserved wherever feasible, and all disturbed areas shall be reclaimed as soon as possible after completion of grading. Native topsoils shall be stockpiled and reapplied as part of site reclamation whenever feasible.
- Design necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff, subject to approval by the City Engineer.
 - Design appropriate onsite detention basin facilities to ensure that runoff volumes do not exceed the existing runoff volumes, subject to approval by the City Engineer.
- B.** Future tentative maps or development permits shall be conditioned to require that all development within this project area shall comply with all requirements of State Water Resource Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed during discretionary permit review with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. The SWPPP and Monitoring Program Plan shall include:
- Identification of location of BMPs in accordance with the City Drainage design Manual;
 - Timing of installation of BMPs'

- Maintenance schedule of BMPs; and
- Identification of onsite personnel administering the SWPPP and MPP.

A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received. Further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by a grading permit and by SWRCB Order No. 92-08-DWQ (*Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activity*), and any subsequent amendments thereto, shall comply with Section C (*Special Provisions for Construction Activity*) of SWRCB Order No. 92-08-DWQ (p.3). These provisions include:

- Filing of an NOI;
 - Development of a SWPPP per Section A of Order No. 92-08 DWQ;
 - Development of a MPP per Section B of Order No. 92-08 DWQ;
 - Compliance with lawful requirements of all applicable jurisdictions (municipalities, drainage districts, etc.);
 - Compliance with standard provisions and reporting requirements of Section C (p. 10 Order No. 92-08 DWQ); and
 - Compliance with Notice of Completion requirements of construction.
- C. Future tentative maps and/or development permits shall be conditioned to require that a site specific analysis for each development shall incorporate the current Best Management Practices and Best Available Technologies (BMPs and BATs) available at that time for pollution control and erosion/siltation control. This plan would address both short-term and long-term erosion control. Examples of BMPs and BATs include but are not limited to:
- Grassed swales at parking lot boundaries for pollutant control;
 - Energy dissipation structures and rip-rap to stabilize flow and reduce velocities;
 - Desilting basins for pollutant and siltation control, resource based if possible;
 - Mulching cleared or freshly seeded areas for erosion/sedimentation control;
 - Geotextiles and mats for erosion control;
 - Storm drain inlet/outlet protection for siltation control;
 - Slope drains for erosion control;
 - Check dams or drop structures to reduce velocities;
 - Silt fences/sand bag barriers for siltation control;
 - Specified vehicle fueling and maintenance procedures and hazardous materials storage areas shall be designated to preclude the discharge of hazardous material used during construction (e.g., fuels, lubricants and solvents). Such designations shall include

specific measures to preclude spills or contain hazardous materials, including proper handling and disposal techniques and the use of temporary impervious liners to prevent soil and water contamination;

- To reduce the loading of nutrients in urban runoff, landscape design shall incorporate the use of low-water requirement vegetation;
- Slope planting species shall be chosen for low fertilization requirements, and fertilization shall be discontinued one year after planting for naturalized areas adjacent to open space; and
- All manufactured slopes shall be maintained per Section 7.3., Maintenance Requirements, of the City of San Diego Landscape Technical Manual, requiring permanent (or temporary per City direction) irrigation systems to be inspected on a regular basis and properly maintained, and shall comply with the Landscape Master Plan identified in the Carmel Del Mar Neighborhoods 4, 5 and 6 Precise Plan.

4. LANDFORM ALTERATION / VISUAL QUALITY

The following measure would mitigate landform alteration impacts to below a level of significance:

Any future Tentative Map for the project site will incorporate grading concepts and guidelines outlined on pages 66-70 of the Carmel Valley Neighborhood 4, 5 and 6 Precise Plan with respect to variable slope gradients, contour grading, slope revegetation, use of berms and utilization of landscaping to soften slope interfaces.

5. CULTURAL RESOURCES

The following mitigation will reduce potentially significant impacts to cultural resource CA-SDI-60802 to a level below significance:

In conjunction with subsequent environmental review and prior to approval of tentative maps for future development within the project site, testing of site CA-SDI-6802 prehistoric resources shall occur and a determination of significance ascertained.

Based on City Guidelines for a 1,500 square meter site, the testing program shall include the following, but not be limited to:

1. Prior to the start of the testing program, the applicant shall provide verification that a qualified archaeologist has been retained to implement the archaeological testing program. This verification shall be in the form of a letter from the applicant to the Principal Planner of the Environmental Analysis Section (EAS) of the Development Services Department. All persons involved in the archaeological testing of this project shall be approved by EAS prior to implementation of the testing program.

A qualified archaeologist is defined as an individual certified by the Society of Professional Archaeologists (SOPA). At least 200 hours of field experience required for certification must have been obtained in southern California. Uncertified individuals who believe they meet the requirements for certification may submit evidence of their qualifications to the Development Services Department.

2. The archaeologist's duties shall include collection of surface artifacts, excavation, evaluation, analysis of collected materials, and preparation of a testing results report in conformance with the City's *Guidelines for the Determination of the Significance of Archaeological Sites*. These duties are defined as follows:

a. Surface Collection

Collection of all artifacts up to 200 artifacts, using 10x10 meter grids. If over 200 artifacts, surface collection may be a statistically valid sample of over 10% of the total site area.

b. Excavation

Subsurface documentation requires the excavation of a minimum of four standard one by one meter (1x1 meter) excavation units. These units are excavated in 10 cm levels through the cultural deposit to bedrock or sediment layer that is devoid of cultural remains. Sediments are screened through one-eighth inch mesh screen. One by one meter units provide information regarding site integrity and the quality and range of cultural material in the subsurface deposit.

c. Evaluation

In the event that cultural resources are discovered, the archaeologist shall contact EAS at the time of discovery. The significance of the discovered resources shall be determined by the archaeologist, in consultation with EAS. EAS must concur with the evaluation procedures to be performed. For significant cultural resources, a Research Design and Data Recovery Program shall be prepared and carried out to mitigate impacts. Any human bones of Native American origin shall be turned over to the appropriate Native American group for reburial.

d. Analysis

All collected cultural remains shall be cleaned, cataloged and permanently curated with an appropriate institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species. Specialty studies shall be completed as appropriate.

e. Report Preparation

A testing results report with appropriate graphics, which describes the results, analyses, and conclusions of the above program shall be prepared and submitted to EAS within three months following termination of the cultural resources program. Also, any sites or features encountered shall be recorded with the South Coastal Information Center at San Diego State University and with the San Diego Museum of Man.

Prior to the implementation of a testing program, the local Native American community shall be informed and encouraged to participate. Although, Native American participation is not a requirement for implementing the testing program, provisions should be made to allow interested individuals to visit the site during the testing program. The local Native American community shall be informed of the results of the testing program.

If CA-SDI-6802 is determined to be significant by the testing program, it shall either be preserved or mitigated through implementation of a Research Design and Data Recovery Program to the satisfaction of the City of San Diego Environmental Analysis Section Principal Planner.

Implementation of the above measures will reduce impacts to cultural resources resulting from construction of this project to below a level of significance.

6. AIR QUALITY

The following mitigation measures will reduce significant air quality impacts associated with dust and odor to a level below significance:

- A. Prior to recordation of any future discretionary tentative map, the applicant shall submit to the Development Services Department a plan to control dust at the equestrian facility. The plan shall identify:
- high areas of dust generation;
 - control measures which shall include at a minimum schedule for watering of dirt arenas during dry months and control measures for dirt roads and pathways.

Prior to approval of building permits, a detailed dust suppression plan shall be submitted and approved by the Development Services Department prior to approval. Dust suppression shall be identified on plans submitted for the building permit. The dust suppression plan shall be made a condition of future discretionary permits for use of equestrian facility.

- B. Prior to recordation of any future discretionary tentative map, the applicant shall submit a manure management and facility maintenance plan. The plan shall identify facilities to be used

for manure placement. These facilities shall be enclosed. In addition, daily manure management practices shall be identified. These practices include:

- a minimum maintenance schedule of daily stall cleaning;
- proper design of barn areas to minimize standing damp areas; and
- contracting with a waste hauler to dispose of manure when enclosed facilities are full.

Prior to approval of building permits, a detailed manure management and facility maintenance plan shall be submitted and approved by the Development Services Department prior to approval of the building permit. Manure placement areas shall be identified on construction plans submitted for the building permit. The manure management suppression plan shall be made a condition of future discretionary permits for the use of the equestrian facility.

7. GEOLOGY / SOILS

The following mitigation measures and recommendations to be provided in the geological report shall be incorporated into the proposed project. These measures would reduce geology impacts associated with unstable geologic formations, soils, and geologic hazards and erosion to below a level of significance.

- A.** Prior to grading permit issuance for any proposed development on the project site, a project-specific soils and geological investigation of the geologic conditions shall be submitted to and approved by the City Engineer. The evaluation shall include, but shall not be limited to, an analysis of the following conditions in areas to be graded and developed: gross and surficial slope stability, ancient landslide potential, hydrostatic pressure potential, and liquefaction potential. The evaluation shall provide remedial grading measures to mitigate any significant impact associated with the foregoing conditions including unstable soil, bedrock, groundwater, or seismic conditions. Grading and development plans shall be reviewed and approved by the City Engineer to determine compliance with the remedial grading measures identified in the project-specific geotechnical reports.
- B.** Prior to grading permit issuance for any proposed development on the project site, a project-specific landscaping plan shall be prepared. This landscape plan shall include short-term and long-term measures which will control erosion from manufactured banks or Brush Management Zones, such as those identified in *Section 3, Hydrology/Water Quality*. The landscape plan shall also incorporate erosion-resistant ground cover planting on manufactured slopes or Brush Management areas immediately upon completion of grading. Additionally, the landscape plan shall also comply with the Landscape Master Plan of the Precise Plan for Neighborhoods 4, 5 and 6.

8. PALEONTOLOGY

The mitigation measure provided below shall be incorporated into the proposed project. This measure would sufficiently insure the recovery of any resources and mitigate the direct potential impact to below a level of significance.

Prior to recordation of a Final Map or issuance of a grading permit, written verification that a qualified paleontologist and/or paleontological monitor has been retained to implement a paleontological monitoring program shall be provided to the City. Verification shall be in the form of a letter from the project applicant to the Principal Planner of the Environmental Analysis Section (EAS) of the City of San Diego Development Services Department. A qualified paleontologist is defined as an individual with a Ph.D. or M.S. degree in paleontology or geology, who is a recognized expert in the application of paleontological procedures and techniques such as screen washing of materials and identification of fossil deposits. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials and who is working under the direction of a qualified paleontologist. **All persons involved in the paleontological monitoring shall be approved by EAS prior to any pre-construction meetings.**

The qualified paleontologist shall attend any pre-construction meetings to consult with the excavation contractor. The project applicant shall notify EAS staff of any pre-construction meeting dates, and of the start and end of construction. The requirement for paleontological monitoring shall be noted on all grading plans. The paleontologist's duties shall include monitoring, salvaging, preparation of materials for deposit at a scientific institution that houses paleontological collections, and preparation of a report summarizing the results of the monitoring efforts. The duties are defined as follows:

a. Monitoring

The paleontologist or paleontological monitor shall be onsite during all excavation activities in previously undisturbed areas of the Mission Valley and Friars Formations, Torrey Sandstone and Stadium Conglomerate to inspect for well-preserved fossils. The described monitoring program is necessary to determine the nature of the material and extent of fossils present. The material also shall be screened for any vertebrate remains. The monitoring shall be at least half-time during the beginning of grading, with the time either increased or decreased depending on the initial results. The paleontologist shall work with the contractor and EAS to determine the monitoring locations and the amount of time necessary to ensure adequate monitoring of the project.

b. Salvaging

In the event that well-preserved fossils are found, the paleontologist shall have the authority to divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains in a timely manner. Recovery is anticipated to take from one hour to

a maximum of two (2) days. At the time of discovery, the paleontologist shall contact EAS. EAS must concur with the salvaging methods before construction is allowed to resume.

c. Preparation

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

The following measure shall be required prior to issuance of building permits:

d. Monitoring Report

A monitoring report, with appropriate graphics (including an 800'-scale site map), summarizing the results, analysis and conclusions of the above program shall be prepared and submitted to EAS within three (3) months following termination of the paleontological monitoring program. Building permits shall not be approved prior to receipt of this report.

9. NOISE

Specific mitigation measures cannot be determined at this time as more specific project information will be required. The location and elevation of future residences, timing of SR-56, and phasing of offsite traffic improvements will affect specific mitigation requirements. However, general mitigation measures could include any of the following measures or a combination of the measures:

Onsite Traffic-Related Impacts

- 1) Setbacks - Locating residential usable open space areas beyond the 65 dB CNEL noise contour.
- 2) Building Orientation - Orient the buildings so that the outdoor living areas of residential uses are shielded by the buildings from SR-56 and Carmel Valley Road.
- 3) Noise Barriers - Construct berms or noise walls. Generally, a noise barrier six feet in height at residences adjacent to Carmel Valley Road would mitigate the traffic noise assuming implementation of the Horseshoe Alternative. This alternative would result in the "worst-case" traffic volume along Carmel Valley Road. At buildout, or with the SR-56 Expressway Alternative, a noise wall would not be required at homes along Carmel Valley Road. A higher noise barrier would most likely be necessary at residences adjacent to SR-56. Noise barriers higher than six feet in height will require a combination berm with a maximum six-foot high wall. The exact height of the noise barriers would depend on site specific information such as the setback distance as well as the building pad and road elevations. Areas where the barrier height would result in a visual impact will require increased setbacks so that a lower barrier height could be considered, or alternatively, homes would not be located in those areas.

Single and Multi-family residences exposed to a CNEL greater than 60 dB would require an acoustical analysis to ensure that the interior noise levels do not exceed a CNEL of 45 dB. To achieve the interior noise standard would most likely require that the windows be in the closed position. Therefore, air conditioning and/or mechanical ventilation would be required. In addition, sound-rated windows may be necessary for some of the residences adjacent to the Carmel Valley Road and SR-56.

Construction Impacts

Future grading permits shall be conditioned such that all construction and general maintenance activities, except in an emergency, shall be limited to the hours of 7 a.m. to 7 p.m. Monday through Saturday. All onsite construction equipment should have properly operating mufflers and all construction staging areas should be as far away as possible from any surrounding already completed residences if later phases of development bring construction sources close to new project housing units.

Future Noise Studies

As a condition of the Planned Residential Development (PRD) permit or Tentative Map, and prior to issuance of the building permit, an acoustical report prepared by a qualified acoustician, will be required to ensure that appropriate mitigation measures for the residences and usable open space areas have been incorporated into the project design and would meet the City's noise criteria. With the implementation of the above measures, noise impacts would be reduced to below a level of significance.

10. PUBLIC FACILITIES AND SERVICES

The proposed project plan and the PFFP set forth measures which would potentially reduce significant impacts on schools, parks and recreation, library, law enforcement and fire protection to below a level of significance. Implementation of these measures, once made a part of the project plan, would occur during subsequent discretionary actions and must be made conditions of such actions.

- A.** Prior to obtaining building permits, the applicant shall provide the City with a certification from the Del Mar Union ESD and San Dieguito Union HSD that any fee imposed by the Districts pursuant to Government Code Sections 53080 and 65995.3 has been paid. If necessary to fully mitigate impacts on Del Mar Union ESD and San Dieguito Union HSD, and subject to applicable laws, specific financing plans and/or special districts may be established to provide adequate funding for school facilities. Special community facility districts may include but are not limited to the Mello-Roos Community Facilities Act of 1982.
- B.** Prior to approval of the proposed plan amendments, a Public Facilities Financing Plan and Facilities Benefit Assessment shall be completed which establishes fair share contributions for property within the Carmel Valley Community Planning Area for regional facilities including

community parks, libraries, fire stations and law enforcement facilities. The project plan shall require payment of approved fees.

- C. A general water conservation landscaping plan to reduce water consumption will be prepared. Measures shall be provided on the landscape plans and be subject to approval by the Development Services Department Landscape Review Section. The following mitigation measures would assure that the water and sewer infrastructure system in the project area is adequate to meet the expected demand. These measures would reduce impacts to below a level of significance.

The following mitigation measures would be incorporated into the Plan:

- D. Prior to approval of Final Maps, the City Development Services Department shall review the water and sewer distribution plans to determine their consistency with water and sewer distribution plans approved for the NCFUA by the City.
- E. Prior to approval of Final Maps, Waste Management Plans shall be submitted to the Director of Development Services Department for approval. The plan shall address type and quantity of waste materials expected to enter the waste stream; source separation techniques and onsite storage of separated materials; method of transport and destination of waste materials; and whenever fiscally feasible, implementation of buy-recycled programs. The provisions of the Plan shall be incorporated into the mitigation monitoring plan for that project.
- F. Development within the project shall comply with the construction timing and funding requirements to be established in the approved Facilities Benefits Assessment for the Carmel Mountain Road Water Pipeline and the Carmel Valley Road Trunk Sewer. The development shall also pay its fair share of other onsite and offsite water facility improvements necessary to serve the proposed development, as identified in the City's Water Master Plan (currently in preparation), the Facilities Benefits Assessment, or during City Review of proposed tentative maps. These improvements would include roads, parks, police and fire, libraries, drainage and utilities.

11. PUBLIC HEALTH AND SAFETY

The following measures will reduce impacts related to mosquitos and equestrian crossings to a level below significance:

- A. Prior to approval of future planned developments and tentative maps within the project site, the City of San Diego Development Services Department shall review future tentative maps to ensure that vector and nuisance control measures are incorporated into project planning in accordance with the San Diego County Department of Health. These measures include ensuring that the design of basins include the following measures:

- steep slopes and minimum 4 feet depth;
 - adequate drainage;
 - access for chemical control; and
 - vegetation management.
- B.** Prior to approval of future planned developments and tentative maps within the project site, the applicant shall prepare a Public Safety Plan for review by the City of San Diego Development Services Department, Caltrans, San Diego County Sheriff's Department, and San Diego Trails Council. The Public Safety Plan shall be coordinated with input from the City of San Diego, Caltrans, San Diego County Sheriff's Department, San Diego Trails Council, the residents of the proposed project, and equestrian trail users to incorporate measures to avoid conflicts between equestrian and motor vehicles and ensure public safety such as the following:
- Trail design and construction along Carmel Valley Road to direct the equestrian crossing to designated location(s) and prevent uncontrolled crossings.
 - Location of the trail crossing away from equestrian facility entrance gates,
 - Installation of equestrian crossing signs and road markings visible under regular and low-light conditions,
 - Open access leading to the crossing with no bends in the trail,
 - Sight distance from 150 yards to the equestrian crossing without obstructing structures, brush or bushes, and
 - Optional measures when traffic exceeds 5,000 ADTs on Carmel Valley Road such as flashing warning lights and signs, or restricting access until the full buildout transportation system is in place.
 - The Public Safety Plan for the equestrian crossing shall be approved by the City Engineer.