

RESOLUTION NUMBER R- 288962

ADOPTED ON JUL 15 1997

WHEREAS, on May 5, 1996, Miramar Ranch North submitted an application to Development Services for a Rezone, Street Vacation, an Amendment to Development Agreement No. 88-0913, a Tentative Map, an Amendment to Planned Residential Development No. 89-0550, and a new Planned Residential Development Permit No. 96-0315 for the Cypress Valley Planned Residential Development for the purpose of developing a 180 single-family detached residential subdivision on 51.13 acres located on the south side of Cypress Canyon Road easterly of Blue Cypress Drive; and

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

WHEREAS, the issue was heard by the Council on July 15, 1997; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration LDR No. 96-0315; NOW, THEREFORE,

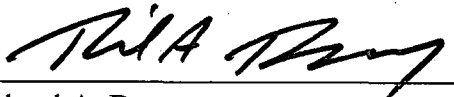
BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR No. 96-0315, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process,

has been reviewed and considered by this Council in connection with the approval of Cypress Valley Planned Residential Development.

BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is hereby approved.

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

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

RAD:lc:cdk
07/02/97
Or.Dept:Dev.Svcs.
R-97-1419
Form=mndr.frm

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

CYPRESS VALLEY

A REZONE, STREET VACATION, AMENDMENT TO DEVELOPMENT AGREEMENT NO. 88-0913,
TENTATIVE MAP, AMENDMENT TO PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO 89-0550,
PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 96-0315

DEP NO. 96-0315

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 Mitigated Negative Declaration (LDR No. 96-0315) shall be made conditions of Planned Residential Development Permit No. 96-0315 as may be further described below.

Paleontology

A. The applicant, Miramar Ranch North, shall provide a letter of verification to the Environmental Analysis Section of Development Services stating that a qualified paleontologist has been retained to implement the monitoring program. A qualified paleontologist is defined as an individual with a PhD or MS 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 may be retained to perform the on-site monitoring in place of the qualified paleontologist. 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 supervision of a qualified paleontologist.

B. All persons involved in the paleontological monitoring of this project shall be approved by EAS at least 30 days prior to the preconstruction meeting.

C. The qualified paleontologist shall attend the preconstruction meeting to consult with the excavation contractor. The paleontologist's duties shall include monitoring, salvaging, preparation of collected materials for storage at a scientific institution that housed paleontological collections, and preparation of a monitoring results report. These duties are defined as follows:

1. Monitoring

The paleontologist or paleontological monitor shall be on-site to inspect for fossils during the time that excavation is being conducted. Monitoring shall be done full-time in those formations with a high sensitivity rating, and shall be half-time in those formations with a moderate sensitivity rating. The monitoring time

R- 288962

may be increased or decreased at the discretion of the paleontologist in consultation with EAS. Monitoring shall occur only when excavation activities affect the geologic formation.

2. Salvaging

In the event that fossils are encountered, the paleontologist shall have the authority to divert or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains in a timely fashion. Because of the potential for recovery of small fossil remains, it may be necessary to set up a screen-washing operation on-site.

The paleontologist shall contact EAS at the time of discovery. EAS must concur with the salvaging methods before construction activities are allowed to resume.

3. Fossil Preparation

Fossil remains shall be cleaned, sorted, repaired, catalogued, and then (with the permission of the owner of the property where the remains were collected) stored in a local scientific institution that houses paleontological collections.

The qualified paleontologist shall be responsible for submittal preparation of fossils to a point of identification, and submittal of a letter of acceptance from a local qualified curation facility. If the fossil collection is not accepted by a local qualified facility for reasons other than inadequate preparation of specimens, the project paleontologist shall contact EAS to suggest an alternative disposition of the collection.

4. Report Preparation

A monitoring results report with appropriate graphics summarizing the results (even if negative), analyses, and conclusion of the above program shall be prepared and submitted to EAS within three months following the termination of the paleontological monitoring program, and prior to Development Service final inspection. Any discovered fossil sites shall be recorded at the San Diego Natural History Museum.

Air Quality

- A. Newly graded surfaces shall be watered twice daily.
- B. Stockpiles of excavated materials shall be watered, chemically stabilized or covered.
- C. Trucks carrying excavated materials from the site shall be covered or maintain adequate freeboard to prevent dust.

Biology

Transplant any and all San Diego barrel cactuses found in the impacted areas of the site to open space area. Of the remaining open space, the west-facing slopes toward the southern end of the site will be the most appropriate place to transplant the cactus.

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.