

RESOLUTION NUMBER R- 289181

ADOPTED ON SEP 16 1997

WHEREAS, Larry Moore submitted an application to The City of San Diego for amendments to the General Plan and Progress Guide, the Carmel Valley Community Plan, Neighborhood Four-A and Neighborhood Seven Precise Plans, and for a Carmel Valley Development Permit/Resource Protection Ordinance Permit and Tentative Map for the Dunham Summit Project; 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 SEP 16 1997; and

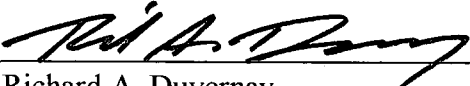
WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration LDR No. 96-0312; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 96-0312, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the actions for the Dunham Summit Project.

BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is 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
09/05/97
Or.Dept:Comm.&Eco.Dev.
R-98-254
Form=mndr.frm

Exhibit A

MITIGATION, MONITORING AND REPORTING PROGRAM

Dunham Summit
LDR No. 96-0312/35-0394

This Mitigation, Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 2181.6 during implementation of mitigation measures. This program specifies what is to be mitigated, how the mitigation shall be accomplished, the monitoring and reporting schedule, and the completion requirements. All mitigation measures contained in the Mitigated Negative Declaration (LDR No. 96-0312/35-0394) shall be incorporated into the plans and specifications for this project. The City of San Diego Development Services Department and the project Applicant are responsible for ensuring that this program is carried out.


A. Biological Resources

Implementation of the following measures will reduce potentially significant impacts to biological resources resulting from construction of this project to below a level of significance.

1. Prior to recordation of the Parcel Map, the following shall be noted on the project grading plans: Clearing and grubbing of the site may not occur during March 15 to July 15. However, if there is a need to clear and grub during that period, the applicant and Development Services would contact the U.S. Fish and Wildlife Service in order for them to reevaluate the site's avian breeding condition at that time. The Service would then determine if clearing and grubbing could proceed.
2. Prior to recordation of the Parcel Map, the applicant shall provide verification that a qualified biologist has been retained to serve as project biologist and implement the biological Mitigation, Monitoring and Reporting Program (MMRP) to the satisfaction of the City Manager.

A qualified biologist is defined as one who has a minimum of five years experience in state-of-the-art habitat management techniques of coastal sage scrub habitat in southern California. This person should have a Bachelor or Master of Science degree in biology, botany, or conservation biology with an emphasis in native plants or ecology.

3. Prior to recordation of the Parcel Map, the applicant, in consultation with the qualified biologist, shall acquire and preserve an off-site parcel of native vegetated land of at least 0.72 acre in size. The parcel must support Diegan coastal sage scrub (CSS) or other habitats acceptable to the City of San Diego, and it must occur within the City's Multiple Species Conservation Program (MSCP) planning preserve area, within City of San Diego boundaries.

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4. Prior to acquisition of the mitigation land, the biologist shall submit a biology letter report to EAS documenting the specifics of this land acquisition, with appropriate maps.
5. Prior to recordation of the Parcel Map, in lieu of land acquisition the applicant shall make a payment into the City of San Diego's Habitat Acquisition Fund, based on a 1:1 replacement ratio for CSS. The amount of contribution would be equivalent to the value of 0.72 acre of Diegan CSS habitat appraised by the City's Real Estate Assets Department.

(0.72 acres of CSS mitigation)	X	(Appraised value per acre)	=	(Amount of contribution)
0.72	X	\$27,500.00	=	\$19,800.00 + 1,980.00
				<hr/> \$21,780.00

The actual amount of contribution includes an additional ten percent of the total for administrative and maintenance costs, as calculated above. This payment into the City's Habitat Acquisition Fund must be documented in a letter submitted to the City Manager.

6. Prior to recordation of the Parcel Map, an Open Space Easement shall be granted for the southern portions of Lots 1, 2, 3, and 4, of TM No. 96-0312 as indicated thereon.

B. Paleontological Resources

Implementation of the following measures will reduce potentially significant impacts to paleontological resources resulting from construction of this project to below a level of significance.

7. Prior to recordation of the Parcel Map, the applicant shall provide verification that a qualified paleontologist and/or paleontological monitor has been retained to implement the paleontological monitoring program. This verification shall be in the form of a letter from the applicant to the City Manager. 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 materials and identification of fossil deposits, and who has field experience in southern California. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil material and who is working under the direction of a qualified paleontologist. ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL MONITORING OF THIS PROJECT SHALL BE APPROVED

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BY EAS.

8. The qualified paleontologist shall attend any preconstruction meetings to discuss grading plans with the grading contractor. The requirements for paleontology shall be noted on the grading plans.
9. The paleontologist or paleontological monitor shall be on site on a half-time basis during the original cutting of previously undisturbed deposits of the moderate sensitivity Lindavista formation. In the event that fossils are discovered in this rock unit it may be necessary to increase the per/day field monitoring time. Conversely, if fossils are not being found in this rock unit the monitoring shall be reduced.


The paleontologist or paleontological monitor shall be on site at all times during the original cutting of previously undisturbed deposits of the high sensitivity Mission Valley formation. If fossils are not being found in this rock unit the monitoring shall be reduced.

10. In the event the 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 fashion. Recovery is anticipated to take from one hour to a maximum of two days. **THE PALEONTOLOGIST SHALL CONTACT EAS AT THE TIME OF DISCOVERY.** EAS must concur with the salvaging methods before construction activities are allowed to resume.
11. Fossil remains shall be cleaned, sorted and cataloged following standard professional procedures. The collection should be donated to a scientific institution that houses paleontological collections (such as the San Diego Natural History Museum).
12. Prior to issuance of building permits, a monitoring results report, with appropriate graphics, which summarizes the results, analysis, and conclusions of the above monitoring program shall be prepared and submitted to EAS within three months following the termination of the paleontological monitoring program.

C. VISUAL/LANDFORM ALTERATIONS

Implementation of the following measures will reduce potentially significant impacts to visual/landform alterations resulting from construction of this project to below a level of significance.

13. Prior to recordation of the Parcel Map, a detailed grading plan shall be submitted to and approved by the City Engineer. This plan shall demonstrate that the proposed manufactured slopes conform to the attached detailed contour/grading map.

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14. Prior to submittal of the grading plan, a detailed landscaped plan shall be submitted to and approved by the Landscape Review Section of Development Services.
15. The applicant shall revegetate all manufactured slopes in accordance with the landscape plan approved by the Landscape Review Section of Development Services.

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DUNHAM SUMMIT-TENTATIVE PARCEL

contour/grading map

John Adams 4-25-87 REC 30031
John Adams 4/25/87

SEC. 17

POR. SE 1/4 NW 1/4

EXIST: 40' PRIVATE ROAD & UTILITY EASEMENT
 IN FAVOR OF FIELDING HEDGES AND LUCILLE R. HEDGES
 REC. NOV. 4, 1960 AS FILE NO. 219120 OF O.R.

EXIST. 20' ROAD EASEMENT
 PER OLD R. OF S. 57

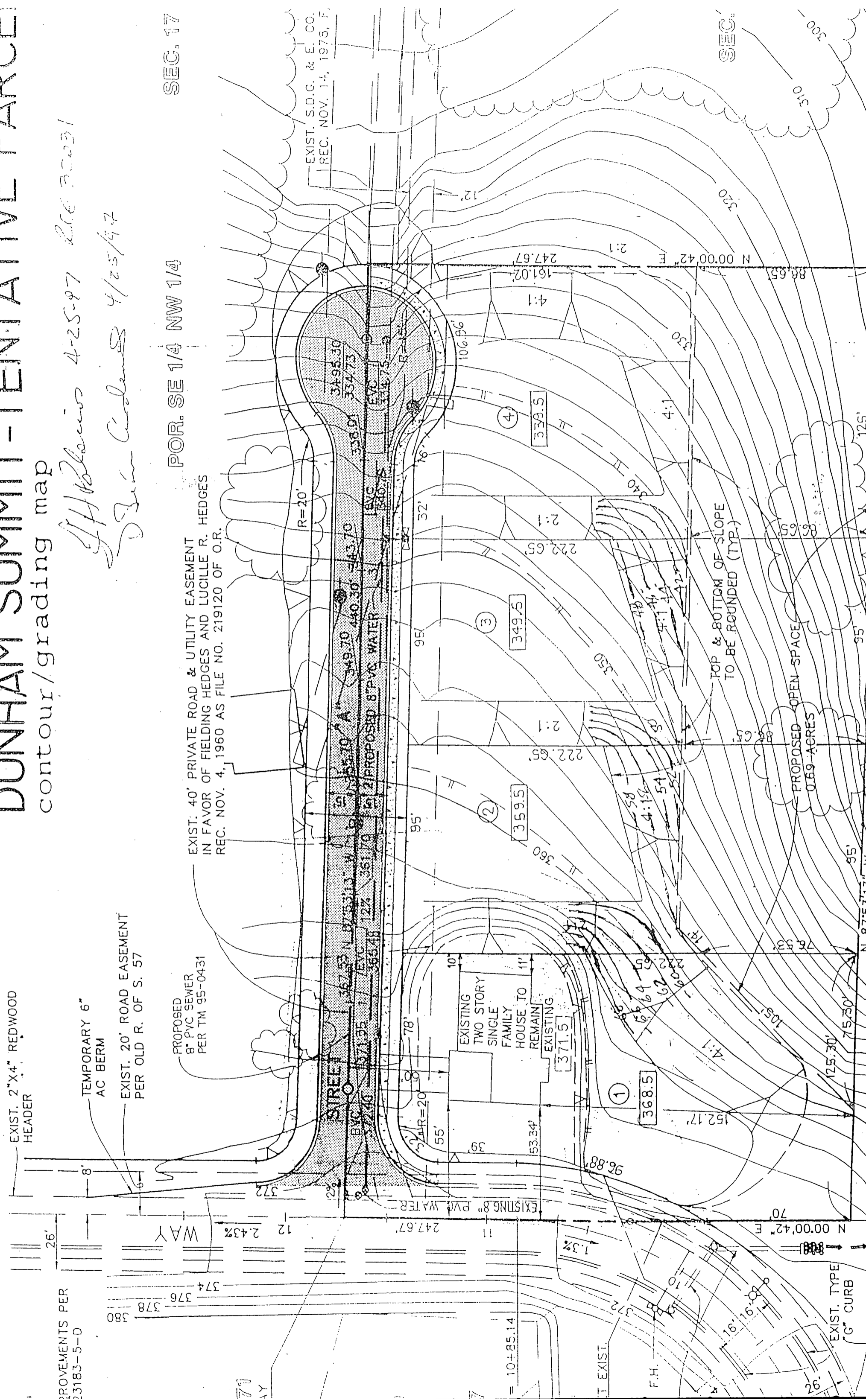
PROPOSED
 8" PVC SEWER
 PER TM 95-0431

EXIST. S.D.G. & E. CO.
 REC. NOV. 14, 1975, F.

EXIST. 2"x4" REDWOOD
 HEADER

TEMPORARY 6"
 AC BERM

IMPROVEMENTS PER
 23183-5-D



TOP & BOTTOM OF SLOPE
 TO BE ROUNDED (TYP.)

PROPOSED OPEN SPACE
 0.69 ACRES

EXIST. TYPE
 6" CURB

SEC.