

(R-98-588)

RESOLUTION NUMBER R- 289489

ADOPTED ON NOV 25 1997

WHEREAS, on May 30, 1997, Pardee Construction Company submitted an application to the Development Services Business Center for amendments to the General Plan, the Carmel Valley Community Plan, and the Carmel Valley Planned District Ordinance; adoption of the Carmel Valley Neighborhood 8C Precise Plan and a rezone; and approval of a Carmel Valley Planned District Development Permit/Resource Protection Ordinance Permit and a Vesting Tentative Map; 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 NOV 25 1997; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Environmental Impact Report No. 96-7499; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Environmental Impact Report No. 96-7499, 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 the Carmel Valley Neighborhood 8C Precise Plan and related actions.


BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091, the City Council hereby adopts the findings made with respect to the project, a copy of which is on file in the office of the City Clerk and incorporated herein by reference.

BE IT FURTHER RESOLVED, that pursuant to California Code of Regulations section 15093, the City Council hereby adopts the Statement of Overriding Considerations, a copy of which is on file in the office of the City Clerk 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: CASEY GWINN, City Attorney

By


Richard A. Duvernay
Deputy City Attorney

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EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM

CARMEL VALLEY NEIGHBORHOOD SC. GENERAL PLAN/COMMUNITY PLAN/CARMEL
VALLEY PLANNED DISTRICT ORDINANCE AMENDMENTS/REZONE/VESTING TENTATIVE MAP/CARMEL
VALLEY PLANNED DISTRICT DEVELOPMENT PERMITS/RESOURCE PROTECTION ORDINANCE PERMIT

LDR NO. 96-7499

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 Environmental Impact Report (LDR No. 96-7499) shall be made conditions of Vesting Tentative Map, and Resource Protection Ordinance Permit as may be further described below.

R-289489

Mitigation Monitoring and Reporting Program for Carmel Valley Neighborhood 8C Precise Plan and Carmel Creek Road Vesting Tentative Map LDR No. 96-7499 and SCH No. 97061076

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

The mitigation monitoring and reporting program for the Carmel Valley Neighborhood 8C Precise Plan and Carmel Creek Road Vesting Tentative Map (VTM) is under the jurisdiction of the City of San Diego and other agencies as specified below. The following is a description of the mitigation monitoring and reporting program to be completed for the project. Tables and figures from the EIR for the project (State Clearinghouse No. 97061076) are referenced in the following text.

1) Hydrology/Water Quality

a) Impact: Implementation of the Precise Plan and VTM would cause potentially significant impacts to runoff rates and erosion and result in significant impacts to hydrology and water quality. Short-term construction impacts resulting in local erosion and sedimentation associated with on-site runoff are considered potentially significant, due to the amount of cut and fill associated with the proposed roadway. Manufactured slopes and development would occur within and adjacent to on-site local drainages. These temporary impacts would be mitigated to below a level of significance by the following construction-related mitigation. Over the long term, the downstream effects of the project are expected to be an improvement over current conditions as routine and repeated grading associated with agriculture will cease.

a) Mitigation: To ensure that the increased runoff and potential erosion generated from project construction and development are mitigated to below a level of significance, the following measures would be incorporated into the project design as conditions of approval for the proposed VTM within the precise plan. These measures would reduce direct runoff and erosion impacts to less than a significant level, while the incremental contribution would be cumulatively significant.

Short-term Construction Practices

1. As a condition of the VTM and to be shown as a note on the grading permit, grading and other surface-disturbing activities either shall be planned to avoid the rainy season (i.e., November through March) to reduce potential erosion impacts or shall employ construction phase erosion control measures, including the short-term use of sandbags, matting, mulch, berms, hay bales, or similar devices along all graded areas to minimize sediment transport. The exact design, location, and schedule of use for such devices shall be conducted pursuant to direction and approval by the City Engineer.
2. Prior to the issuance of a grading permit, the grading plan shall locate temporary desilting basins at all discharge points adjacent to drainage courses or where substantial drainage alteration is proposed. The exact design and location of such facilities shall be conducted pursuant to direction by the City Engineer.
3. As a condition of the VTM, the developer shall, within 90 days of completion of grading activities, hydroseed and landscape graded and common areas with appropriate ground cover vegetation consistent with the biology section mitigation requirements (e.g., use of native or noninvasive plants). These revegetated areas shall be inspected monthly by a qualified biologist until vegetation has been firmly established as determined by the City's grading inspector.
4. Compacted areas shall be scarified, where appropriate, to induce surface water infiltration and revegetation as directed by the project geologist, engineer, and/or biologist.
5. General Construction Activity Storm Water Permits (National Pollutant Discharge Elimination System [NPDES] No. CAS000002) shall be obtained from the State Water Resources Control Board (SWRCB) prior to project implementation. Such permits are required for specific (or a series of related) construction activities which exceed five acres in size and include provisions to eliminate or reduce off-site discharges through implementation of a Storm Water Pollution Prevention Plan (SWPPP). Specific SWPPP provisions include requirements for erosion and sediment control, as well as monitoring requirements both during and after construction. Pollution control measures also require the use of best available technology, best conventional pollutant control technology, and/or best management practices to prevent or reduce pollutant discharge (pursuant to SWRCB definitions and direction).
6. A Dewatering Waste Discharge Permit (NPDES No. CA0108804) shall be obtained for the removal and disposal of groundwater (if necessary) encountered during construction. Such permits are intended to ensure compliance with applicable water quality, and beneficial use objectives, and typically entail the use of BMPs to meet

these requirements. Discharge under this permit will require compliance with a number of physical, chemical, and thermal parameters (as applicable), along with pertinent site-specific conditions (pursuant to Regional Water Quality Control Board [RWQCB] direction).

7. Specified vehicle fueling and maintenance procedures and hazardous materials storage areas shall be designated to preclude the discharge of hazardous materials 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 use of temporary impervious liners to prevent soil and water contamination.

Project Design

As conditions of the vesting tentative map and to be included as notes and exhibits on the grading plan, the following mitigation measures shall be required:

8. Postconstruction erosion control measures shall be implemented where proposed disturbance is adjacent to or encroaches within existing drainage courses and projected runoff velocities exceed 5 cubic feet per second (cfs).
9. Final project design shall incorporate all applicable best management practices (BMPs) contained in the City and State *Best Management Practices to be Considered in the Development of Urban Stormwater Management Plan*. Specifically, these may include measures such as the use of detention basins, retention structures, infiltration facilities, permeable pavements, vegetation controls, discharge controls, maintenance (e.g., street sweeping), and erosion controls.
10. Surface drainage shall be designed to collect and discharge runoff into natural stream channels or drainage structures. All project-related drainage structures shall be adequately sized to accommodate 10-year flood events (or other storm events pursuant to direction from the City).
11. Project operation and maintenance practices shall include a schedule for regular maintenance of all private drainage facilities within common development areas to ensure proper working condition. Public facilities shall be maintained by the City.
12. Surface and subsurface drainage shall be designed to preclude ponding outside of designated areas, as well as flow down slopes or over disturbed areas.
13. Runoff diversion facilities (e.g., inlet pipes and brow ditches) shall be used where appropriate to preclude runoff flow down graded slopes.

14. Energy-dissipating structures (e.g., detention ponds, riprap, or drop structures) shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.
15. Long-term maintenance responsibility of the detention basin may be accepted by the City of San Diego or through other acceptable mechanisms (e.g., homeowners' association or assessment district) (VTM).

b) Impact: Development of the natural areas of the Neighborhood 8C Precise Plan and Carmel Creek Road VTM would create impervious surfaces (paving and construction of roadways, parking lots, and building pads) that would cause an increase in the amount of runoff. Not only the quantity but also the quality of the resulting runoff would be altered. Runoff flowing across these impervious surfaces and landscaping would contain pollutants such as oils, fuel residues, heavy metals (associated with gasoline), fertilizers, and pesticides which are typically associated with urban development (non-point source pollution). The pollutants would diminish water quality in streams and lagoons. The runoff of urban-generated pollutants is not considered significant (on a direct basis) due to the presence of existing regulatory controls and the anticipated incremental nature and extent of such pollutants, though the incremental contribution of urban pollutants would be cumulatively significant.

b) Mitigation: Potential water quality impacts related to non-point source contaminants would be mitigated below a level of significance by incorporating Best Management Practices (BMPs) and other design measures identified in the final EIR.

2) Landform Alteration/Visual Quality

Impact: Internal direct visual quality impacts from public views within the Neighborhood 8C precise plan area would be significant but would be mitigated to below a level of significance with landscaping proposed in the precise plan.

Mitigation: Prior to issuance of a grading permit, the Development Services Development Coordinator shall review the grading and landscape plans for consistency with the precise plan guidelines. Upon completion of the grading for the VTM and associated off-site conditions, the developer shall submit a letter to the Development Services Development Coordinator from a qualified consultant certifying that all landscaping for the major manufactured slopes (e.g., roadway slopes) has been implemented. Monitoring shall be required to assure the long-term establishment of the landscaping. The maintenance program would be effective for a three-year period following the installation of the plantings or until such time as all plantings are established. The long-term monitoring shall establish an inspection schedule, establish replanting specifications, and require written notification once a year to the Development Services Development Coordinator from the applicant-hired consultant to verify the status of the revegetation.

3) Geology/Soils

a) Impact: The potential for geologic hazards exists for the precise plan area and the VTM. This potential is not considered an unmanageable constraint to development, provided the recommendations of a complete geologic investigation are followed for the proposed VTM.

a) Mitigation: A complete geotechnical investigation shall be conducted for the final map area by a certified engineering geologist prior to recordation of the final map within the precise plan area. These studies shall recommend grading and structural requirements (e.g., compaction of compressible soils, rippability of the Lindavista Formation, presence of possible landslides, groundwater conditions, and overexcavation to assure stability of cut slopes) that would reduce the potential for impacts below a level of significance. The Development Services Development Coordinator shall review the grading plans to ensure that a qualified engineer has signed the plans and certifies they are consistent with the recommendations in the geologic investigation.

Upon completion of construction of the project, a soils engineer and engineering geologist retained by the project applicant shall submit in writing, to the City Development Services Development Coordinator certification that the project has complied with the recommendations of the geotechnical investigation and the approved mitigation measures which reduce the geotechnical impacts below the level of significance.

b) Impact: Future grading activities and brush management for the precise plan/VTM area, for roadways and development pad "terraces," could result in significant soil erosion and transport.

b) Mitigation: Prior to grading permit issuance for proposed on-site roadways and lot development, a site-specific erosion control and landscaping plan shall be submitted to and approved by the City Development Services Development Coordinator. This plan shall include measures to mitigate erosion and transport both during and immediately after construction, as well as the provision of landscaping to provide short- and long-term erosion control. Specifically, the landscaping plan shall include long-term landscaping to control erosion from manufactured slopes, and a phased plan of erosion-resistant ground cover planting shall be prepared for graded areas which require installation within 30 days of completion of grading.

4) Biology

Impact: Implementation of the Neighborhood 8C Precise Plan as proposed would result in the direct loss of high quality Diegan coastal sage scrub, scrub oak chaparral, and southern maritime chaparral. The loss of southern maritime chaparral and Diegan coastal

sage scrub represents a significant direct impact to biological resources. Impacts to the federally endangered Del Mar manzanita are significant as four small groups of Del Mar manzanita supporting a total of 28 individuals would be removed.

Brush management impacts can be reduced, but not to below a level of significance, by conforming to the Landscape Technical Manual brush management policies on selective thinning and pruning of native vegetation.

The loss of 0.04 acre of isolated seasonal wetlands/vernal pools is a significant direct and cumulative impact.

Mitigation: To meet MSCP goals, the City of San Diego and Pardee Construction Company have entered into a comprehensive agreement concerning processing of various Pardee projects within the City of San Diego. This agreement is called the Settlement Agreement (December 12, 1996) and the Addendum to the Settlement Agreement (December 18, 1996). This agreement provides the City of San Diego with funding for purchase of regionally important open space and provides Pardee with mitigation credits for all impacts to wildlife and vegetation resulting from project developed under this agreement. A Section 4(d) Mitigation and Interim Habitat Loss permit has been issued for the Settlement Agreement.

Prior to implementation of the precise plan and VTM, and impacts to coastal sage scrub, the applicant must comply with the requirements of the Endangered Species Act under Section 4(d) or the NCCP/MSCP as detailed in the mitigation measures below. As noted throughout the EIR, the project applicant has processed a multiple project 4(d) Interim Habitat Loss Permit (IHL) which includes Neighborhood 8C along with Neighborhood 10 Precise Plan amendment, Del Mar Highlands Estates, and Carmel Valley Neighborhood 10 Sewer Easement and School/Park site. The Interim Habitat Loss Mitigations were distributed to the public and wildlife agencies for a 45-day review period on February 28, 1997 consistent with the City's NCCP Process Guidelines. Public review ended on April 14, 1997. All 75.75 acres of "take" covered by the Interim Habitat Loss Mitigations except for the six acres of Diegan coastal sage scrub within Neighborhood 8C northwest of Carmel Creek Road were recommended for approval by the resource agencies. The projects are all on different expedited processing schedules and have been considered individually by the Planning Commission and City Council as part of the discretionary process for each project. A mitigation agreement was subsequently reached between the wildlife agencies, City of San Diego, and the applicant which would reduce biological impacts to coastal sage scrub for the multiple projects. Additional mitigation requirements would be necessary to reduce biological impacts to other sensitive vegetation types (e.g., southern maritime chaparral and scrub oak chaparral) to below a level of significance. The total mitigation requirements for the 36.29 acres of impacts to sensitive vegetation types for Neighborhood 8C include the following and are further described below:

Existing 4(d) Interim Habitat Loss Agreement Mitigation Credit	10.50 acres
Mesa Top Property Acquisition Credits	11.98 acres
Other City Mitigation Credits	<u>13.81 acres</u>
Total Mitigation Provided	36.29 acres

The developer has agreed to the following mitigation measures, many of which are referenced in the Existing 4(d) Interim Habitat Loss Mitigations for this site, and are proposed to reduce the project's impacts to biological resources, but not to below a level of significance:

1. Pardee Construction Company has agreed to contribute \$3 million to the City of San Diego toward the acquisition of the 80-acre Mesa Top Property within the Carmel Valley Neighborhood 8A Precise Plan area. Neighborhood 8A lies immediately to the west of Neighborhood 10. The Mesa Top Property includes high-quality coastal sage scrub and southern maritime chaparral vegetation communities with numerous sensitive plant and animal species and is an integral component of the Draft MSCP as a part of the Carmel Mountain Biological Core Area within the City's Subarea Plan. The City considers this acquisition a critical acquisition, and cannot acquire the parcel but for Pardee's significant and timely financial contribution. Thus, the mitigation value of the Mesa Top Property is even greater than the habitat analysis reveals as the opportunity to acquire this keystone piece is now, and Pardee's contribution allows this acquisition to occur. Approximately 11.98 acres of additional mitigation credits from the Mesa Top Property would be provided for the Neighborhood 8C project impacts.
2. Pursuant to the existing 4(d) Interim Habitat Loss Mitigations and Mitigation Agreement between the wildlife agencies, City of San Diego, and the applicant, 10.5 acres of mitigation credit shall be provided which would reduce biological impacts to coastal sage scrub.
3. The other City mitigation credits shall contain appropriate habitat within the City of San Diego MSCP Subarea Plan to provide mitigation for the on-site impacts. Approximately 13.81 acres of mitigation credit shall be applied to the Neighborhood 8C project.
4. Staking and monitoring of grading activities for the precise plan amendment shall be supervised by a qualified biologist to ensure no unanticipated impacts to sensitive habitats or species occur within the areas shown for permanent open space. This requirement will be noted on the grading plans prior to the issuance of a grading permit.
5. A tailored brush management plan shall be implemented that minimizes impacts to the habitat quality of the native vegetation nearest development areas which must be

thinned for fire protection purposes. The native vegetation shall be trimmed by hand rather than removed altogether, and fuel build-up in the brush management zone surrounding development areas shall be reduced by hand clearing away of dead branches and undergrowth rather than periodic disking or grading. To further minimize potential impacts to sensitive plant and wildlife species, brush management activities shall be conducted during the non-breeding season (fall and winter) and shall be supervised by a qualified biologist whose services shall be funded by the master homeowners' associations. The duty of the biologist shall be to ensure that, to the extent possible, brush management activities avoid impacts to sensitive plant species and do not directly impact sensitive wildlife species.

6. No clearing or grading of native habitat shall occur during the gnatcatcher breeding season (March 1-August 15).
7. The salvage and transplanting of San Diego barrel cactus within the areas to be disturbed by grading per the Precise Plan shall be required prior to the issuance of a grading permit.
8. Lighting at perimeter lots adjacent to the open space shall be selectively placed, shielded, and directed away from that habitat.
9. Fencing along property boundaries facing the open space corridors shall be designed and constructed of materials that are compatible with the open space corridors and shall be installed by the developer prior to the occupancy of the units in order to ensure uniformity.

Prior to the issuance of grading permits, the Development Services Development Coordinator shall review the grading and landscape plans for consistency with the mitigation measures for impacts to biological resources (grading and brush management). The mitigation credits recommended in the Mitigation Monitoring and Reporting Program must be in place prior to the issuance of grading permits.

These measures shall be conditions of the Carmel Creek Road VTM, and future development permits and landscape plans. The Land Development Review Division shall review the grading and landscaping plans prior to the issuance of grading permits. After completion of grading and prior to the issuance of building permits, a site inspection by City staff shall be required to ensure compliance with the brush management mitigation program.

Additional mitigation measures are available to reduce the impact to vernal pools. The project could be redesigned to avoid the vernal pools and a conservation easement placed over the resource. Off-site acquisition of a like-kind habitat is also possible as mitigation.

The applicant has not agreed to adopt an alternative or a redesign to avoid or reduce the project's impacts associated with biological resources and on the success of the MSCP/subregional NCCP to below a level of significance, based on economic, social, or other consideration.

5) Paleontology

Impact: As a result of the development of the property, significant information regarding the geologic and biostratigraphic conformation of this area of the San Diego Embayment could be destroyed, resulting in significant impacts.

Mitigation: The following mitigation measures shall be a condition of approval of grading permits within the Neighborhood 8C and Carmel Creek Road VTM area and would reduce impacts to below a level of significance.

A program for the recovery of paleontological resources during grading and earthwork shall be implemented. This program will include the following steps:

1. A qualified paleontologist and/or paleontological monitor shall be retained to implement the monitoring program. A qualified paleontologist is defined as an individual with a Ph.D. or master'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. (VTM)
2. The qualified paleontologist shall attend any preconstruction meetings to consult with the excavation contractor. The requirement for paleontological monitoring shall be noted on the construction plans. The paleontologist's duties shall include monitoring, salvaging, preparing materials for deposit at a scientific institution that houses paleontological collections, and preparing a results report. (VTM)
3. The paleontologist or paleontological monitor shall be on-site full-time during the original cutting of previously undisturbed areas of the Lindavista, Scripps, and Ardath Shale formations to inspect for well-preserved fossils. The paleontologist shall work with the contractor to determine the monitoring locations and the amount of time necessary to ensure adequate monitoring of the project. The paleontological monitor may decrease the amount of time spent monitoring after consultation with Development Services Development Coordinator. The decrease in monitoring time will depend on the rate of excavation, materials being excavated, and the abundance of fossils. (VTM)

4. 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 days. At the time of discovery, the paleontologist shall contact the Environmental Analysis Section (EAS) of the City of San Diego Development Services Center. EAS must concur with the salvaging methods before construction is allowed to resume. (VTM)
5. Fossil remains shall be cleaned, sorted, cataloged, and then deposited in a scientific institution that houses paleontological collections (such as the San Diego Natural History Museum). (VTM)
6. A monitoring results report, with appropriate graphics, summarizing the results (even if negative), analysis, and conclusions of the above program shall be prepared and submitted to EAS within three months following the termination of the paleontological monitoring program. (VTM)
7. The project manager shall notify EAS staff of any preconstruction meeting dates and of the start and end of construction. (VTM)
8. A report of findings, even if negative, shall be filed with EAS and the San Diego Natural History Museum prior to issuance of building permits. (VTM) (PDDP)

It shall be a requirement of the project that the above mitigation measures be conditions of the Carmel Creek Road VTM. The City Development Services Development Coordinator shall verify this is a condition of vesting tentative map approval. (VTM)

A note shall be included on the grading plans that the above measures are conditions of approval of grading permits. EAS shall ensure these measures are conditions of the tentative map prior to approval of the VTM. Prior to issuance of grading permits, EAS and the City Development Services Development Coordinator shall review the grading plans to ensure that these measures are on the plans. (VTM)

6) Traffic Circulation

Impact: The proposed project would contribute to a short-term cumulative traffic impact.

Mitigation: In addition to the construction of the off-site portion of Carmel Creek Road as shown on the VTM, the project shall be required to provide an additional eastbound right-turn lane for the eastbound ramps at El Camino Real and SR-56. No other mitigation measures are required for direct impacts. However, the project would contribute to a short-term cumulative impact associated with traffic circulation. Implementation of project-specific and regional traffic improvements will reduce the project's contribution to the short-term cumulative impact to a nominal level.

7) Noise

Impact: Noise from the major roadways within and near the project site could exceed the City of San Diego residential standard of 65 community noise equivalent level (CNEL) and have a significant adverse noise impact on future residential uses in the Neighborhood 8C precise plan area for those residences adjacent to Carmel Creek Road.

Interior noise levels could exceed 45 CNEL and create a significant impact for the first rows of residential buildings within the precise plan/VTM area directly adjacent to Carmel Creek Road.

Mitigation: Table 4I-1 of the EIR shows the resulting noise levels at the modeled receiver locations after construction of noise barriers. Construction of noise barriers varying from four to six feet in height as shown in Figure 4I-2 of the EIR would result in noise levels for ground-floor exterior receivers below 65 CNEL at all exterior usable areas.

As seen in Table 4I-1 of the EIR, even with the construction of noise barriers, both first- and second-floor exterior noise levels are projected to exceed 60 CNEL on the lots adjacent to Carmel Creek Road. The affected lots are Lots 1-11, 44-53, 116-126, 139, 140, and 145. For residential units on these lots, typical light-frame construction is not assumed to adequately reduce the modeled future exterior traffic noise levels to below the City's interior standards. At the time that building plans are available for these units, and prior to the issuance of building permits, a detailed acoustical analysis shall be performed ensuring that interior noise levels due to exterior sources would be below the City's 45 CNEL standard.

These measures developed by the required acoustical study shall appear as conditions of the Planned District Development Permit and VTM, and noted on building plans. The City Development Services Development Coordinator shall review the VTM to ensure the notes have been provided. EAS shall review building plans to ensure the acoustical mitigation has been incorporated into the specifications.

8) Public Services and Utilities

Impact: Currently, all schools in the Del Mar Union School District are operating above capacity. The estimated generation of the additional 68 elementary school students resulting from development of the proposed project would add to the potential overcrowding of the schools. This is considered a significant direct and cumulative impact.

Currently there is sufficient capacity at Earl Warren Junior High School to accommodate the 16 junior high students generated by buildout of the proposed precise plan. This is not considered a significant direct impact of the project. However, the project would

contribute to a significant cumulative impact due to an anticipated capacity shortfall associated with build-out in its service area.

Currently, Torrey Pines High School is operating above capacity. The estimated generation of 32 additional high school students would contribute to the overcrowding of the school. This is considered a significant direct and cumulative impact. Please also see the Cumulative Effects section (Chapter 6) of this EIR.

Mitigation: Mitigation of the project's direct impact to schools from the proposed precise plan/VTM would be accomplished by participation in a Mello-Roos District formed by the applicant and the affected school districts (Del Mar Union and San Dieguito Union) which ensure the payment of appropriate school impact fees prior to the discretionary approval of the issuance of building permits. Participation in the established Mello-Roos District would mitigate the precise plan direct impacts on educational services to a level less than significant. The project's contribution to the cumulative impact would be mitigated upon provision of adequate facilities, as defined by the Progress Guide and General Plan, to accommodate the students. The City Development Services Development Coordinator shall assure these measures are in the Precise Plan prior to plan approval and appear as conditions of the VTM. (VTM)

9) Water Conservation

Impact: By observing guidelines established in the City of San Diego Water Utilities Department Planning and Design Guide and Landscape Technical Manual, potential adverse impacts to the city's water supply would be less than significant. The project's contribution to the cumulative impact associated with water supplies would be reduced to a nominal level by the mitigation measures outlined below.

Mitigation: The following mitigation measures shall be incorporated into project design guidelines to address cumulative water usage concerns.

1. Limit grading in areas where no construction is proposed; thereby reducing the need for planting and irrigation of graded areas (VTM);
2. Provide lifts of low-clay content soil in landscaped areas to improve infiltration (landscape);
3. Reduce runoff potential from landscaped areas by using berming, raised planters, and drip irrigation systems (landscape);
4. Install soil moisture override systems in all common irrigation areas to avoid sprinkling when the ground is already saturated (landscape);

5. Identify in the plant materials list in the project design guidelines whether or not plants are native or naturalize easily and incorporate a list of local California sources for native plants (landscape);
6. Incorporate low-flush toilets, low-flow faucets, and timers on sprinklers (including nighttime watering) into project design (VTM, PDDP, landscape); and
7. Provide information regarding water conservation measures to new residents at the time of lot purchase (PDDP).

The Development Services Development Coordinator shall review grading, landscape, and building permits to ensure the above measures have been noted on plans.