(R-99-123)

RESOLUTION NUMBER R- 290520

ADOPTED ON JUL 28 1998

WHEREAS, on October 8, 1997, Pardee Construction Company submitted an application to Development Services for a General Plan Amendment, North City Future Urbanizing Area Framework Plan Amendment, Subarea Plan, Master Rezone, and Development Agreement for the Pacific Highlands Ranch project located in Subarea III in the North City Future Urbanizing Area; 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 28, 1998; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Master Environmental Impact Report No. 96-7918; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is certified that Master Environmental Impact Report No. 96-7918, 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 Pacific Highlands Ranch Project and associated land use actions.

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

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

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council 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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Candidate Findings and Statement of Overriding Considerations Regarding the Final Master Environmental Impact Report for Pacific Highlands Ranch (Subarea III)

The following Findings and Statement of Overriding Considerations are made relative to the conclusions of the final Master Environmental Impact Report (final MEIR) for the Pacific Highlands Ranch (Subarea III) Plan (LDR No. 96-7918; SCH No. 97111077).

The Pacific Highlands Ranch Subarea III Plan site is in the North City Future Urbanizing Are (NCFUA). The discretionary actions proposed by the project include a General Plan Amendment, NCFUA Framework Plan Amendment, Subarea Plan, Master Rezone, Multiple Habitat Planning Area (MHPA)Boundary Adjustment, Development Agreement, and Local Coastal Plan Amendment to develop 4,974 residential units (with potential increases up to 5,456 units depending on the need for school facilities and concomitant redesignation of school sites to residential uses); a Town Center with commercial, park open space, residential, and civic area components; elementary, junior high, and high schools; a double fire station; library; and associated public facilities and transportation network on approximately 2,652 acres. Pacific Highlands Ranch is located within the NCFUA, and abuts the northerly limits of Rancho Peñasquitos and Black Mountain Park. Del Mar Mesa (Subarea V) and Carmel Valley are to the south, Subarea IV is to the east, Subarea II is to the west, and Fairbanks Ranch and La Zanja Canyon are to the north. The project includes portions of Del Mar Mesa, McGonigle Canyon, Deer Canyon, Black Mountain Road, and the proposed State Route 56 freeway corridor.

The final MEIR indicates that implementation of the Pacific Highlands Ranch Subarea Plan would ultimately result in unavoidable significant direct and/or cumulative impacts to land use, biological resources (wetlands and native grasslands), traffic, downstream water quality, air quality, landform alteration and visual character, cultural resources, agricultural land, and mineral resources.

The final MEIR indicates that the project's direct and/or cumulative impacts on the following environmental issues can be reduced to less than significant levels through implementation of the Mitigation Monitoring and Reporting Program: transportation and traffic circulation, biological resources (upland species), hydrology/water quality, cultural resources, geology/soils/erosion, paleontological resources, noise, public facilities and services, and public safety.

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The final MEIR analyzes the cumulative and growth-inducing impacts of the project, as well as alternatives to the project.

A. Public Resources Code Section 21081(a)

The City Council, having reviewed and considered the information contained in the final EIR for the project and the public record, finds (pursuant to CEQA and the CEQA Guidelines) that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR with respect to the areas of traffic circulation, biological resources, hydrology/water quality, cultural resources, geology and soils, paleontology, noise, public facilities and services, water conservation, and public safety, visual quality, geology/soils, paleontology, traffic circulation, air quality, noise, public facilities and services and water conservation.

Mitigation measures which would reduce, but not to below a level of significance, certain impacts to land use, landform alteration, biological resources, and air quality issues have also been incorporated into the project.

No measures are available to fully mitigate the significant direct impacts associated with land use, landform alteration, and biological resources; or the cumulative impacts associated with hydrology/water quality, landform alteration/visual quality, biological resources, and air quality. Only adoption of the No Project alternative or the RPO alternative would avoid or fully mitigate direct impacts and reduce the project's contributions to cumulative impacts to a nominal level. A discussion of the No Project alternative and the RPO alternative are found in Section C of these findings.

Implementation of the following recommendations would occur via the imposition of conditions of approval for the project.

1) Land Use

Impact:

Subarea Plans 1 and 2. The identified potential internal land use compatibility impacts described above in conjunction with the SR-56 alignment are considered potentially significant. The significance of this impact is also described in the Revised Draft EIR for the Middle Segment of SR-56. Also, the proposed extension of Carmel Valley Road could result in significant land use incompatibilities with the proposed Pacific Highlands Ranch residential developments along these roadways.

Finding:

Subarea Plans 1 and 2. Mitigation for the potential internal land use compatibility impacts associated with proposed land uses and the SR-56 freeway would consist of the requirement for landscaping and noise attenuation measures at the time tentative maps are processed.

2) Traffic

Impact: The following impacts are considered both direct and cumulatively significant:

- Development of 41 Phase I units east of the existing Del Mar Heights Estates.
- Project contribution of more than two percent traffic to Black Mountain Road/Park Village intersection.
- Additional traffic contribution to Black Mountain Road from SR-56 to Mercy Road (currently failing).
- Project contribution of more than two percent traffic to El Camino Real between Via de la Valle and Half Mile Drive (LOS F).
- Project contribution of 7.5 percent traffic to Camino Ruiz North or SR-56 at buildout without the third intersection (LOS E).
- Project contributions to freeway areas where wait already exceeds 15 minutes.
- Project contribution of more than 2 percent traffic to El Apajo from Via Santa Fe to San Dieguito Road.

Finding: Table 4B-14 of the draft MEIR includes all of the area's transportation improvements necessary to reduce project impacts to the extent feasible; however, not all impacts are reduced to below a significant level. Table 4B-14 includes the location of the improvement, the type of the improvement, the party responsible for the improvement, and the level of significance after mitigation.

3) Biology

Impact:

Subarea Plan 1. The direct, indirect, and cumulative impacts to sensitive biological resources described above are considered significant. The significant impacts include loss of MSCP Tier I (13.2 acres of southern maritime chaparral and 0.6 acre of native grasslands) and Tier II (10.4 acres of coastal sage scrub and 0.1 acre of coyote bush scrub) habitats, direct and cumulative loss of riparian scrub wetland habitats (approximately 0.4 acre), and impacts to the above-identified sensitive plant and animal species identified in the MEIR.

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Subarea Plan 2. The direct, indirect, and cumulative impacts to sensitive biological resources described above are considered significant. The significant impacts include loss of MSCP Tier I (12.9 acres of southern maritime chaparral and 0.6 acre of native grasslands) and Tier II (10.0 acres of coastal sage scrub) habitats, direct and cumulative loss of riparian scrub wetland habitats (approximately 0.7 acre), and impacts to the above-identified sensitive plant and animal species.

Both Plans. Although both plans would meet the MSCP requirements, cumulative wetland impacts would remain significant.

Carmel Valley Neighborhood 10 Precise Plan. The impacts to coastal sage scrub and non-grasslands would be a significant impact.

Finding: The significant direct and indirect impacts to upland biological resources would be mitigated to below a level of significance through conformance and implementation of the MSCP. The Pacific Highlands Ranch MSCP impacts and mitigation requirements are shown in Tables 4C-5 and 4C-6 of the draft MEIR. Table 4C-5 shows the mitigation requirements for Plan 1 and Table 4C-6 shows the mitigation requirements for Plan 2. These tables separate the mitigation requirements for the Pardee ownership and the non-Pardee ownerships. The identified mitigation ratios are per the adopted MSCP based on the vegetation type (Tier Designation) being impacted. As these tables indicate, there is adequate acreage on-site to mitigate for Pardee's direct impacts within Pacific Highlands Ranch. There is also adequate acreage within Subarea III to mitigate for the 8.1 acres of impacts into Tier II and Tier III habitats previously designated as open space within Carmel Valley Neighborhood 10 Precise Plan.

Other mitigation requirements identified to deal with direct and indirect impacts would be implemented at the time future tentative maps are processed and are included in the MEIR.

Mitigation Land Banks. In order to effectuate the boundary adjustments to the MHPA, a mitigation bank would be established over approximately 100-130 acres of land within the Pardee ownership in Pacific Highlands Ranch. The bank will consist of disturbed land that will be revegetated in accordance with the master revegetation plan. Restored habitats will consist of appropriate wetland and upland habitats. It is anticipated that much of the upland habitat would consist of Tier II and Tier III habitats. The City will direct project applicants needing mitigation in the North City area to purchase credits in this bank, and will accept land from this bank into the MHPA upon purchase of credits by a third party. The bank will be processed and approved expeditiously by the City in a manner that will enable establishment costs to be kept to a minimum.

A mitigation bank covering approximately 24 acres within Parcel A of Carmel Valley Neighborhood 8A would also be established as a component of the MHPA boundary adjustment process.

4) Hydrology

a) Impact:

Subarea Plans 1 and 2. Construction activities in Pacific Highlands Ranch could result in significant erosion, siltation, and water quality impacts. The increase in runoff volume and velocity due to the introduction of streets, roads, and other hardscape surfaces could result in significant adverse erosion, water quality, and flooding impacts to existing natural drainage courses and the Carmel Valley storm drain system. However, these impacts are mitigable to below a level of significance by incorporating the City's BMPs and the standard engineering practices listed below.

a) Finding:

Subarea Plans 1 and 2. Incorporation of the mitigation measures described in the MEIR into project design would mitigate potential hydrology/water quality impacts to a level of less than significant. The exact locations and design of these measures will be determined in conjunction with future specific development proposals. As a condition of future tentative map approvals, appropriate mitigation measures shall be specified on the grading plan

b) Impact:

Subarea Plans 1 and 2. Impacts to the course and flow of floodwaters are mitigable to a level of less than significant through the incorporation of the mitigation measures and BMPs identified previously under Impact A (Issue 1).

b) Finding:

Subarea Plans 1 and 2. Impacts to floodwaters would be mitigated to a level of less than significant by incorporating the mitigation measures and BMPs identified for Impact A (Issue 1) above. All flood control measures shall be reviewed and approved by the City's Transportation and Drainage Design Division of the Public Works Business Center prior to construction.

c) Impact:

Subarea Plans 1 and 2. The proposed development of Pacific Highlands Ranch has the potential to significantly impact water quality (both directly and cumulatively) in the San Dieguito River and Lagoon, Carmel Valley, and Los Peñasquitos Lagoon. Specifically,

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such impacts may be associated with short- and long-term erosion and sedimentation and construction-related contaminant discharge. The proposed project's effects would be less adverse overall than those currently resulting from commercial agricultural activities on-site. 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.

c) **Finding**:

Subarea Plans 1 and 2. Direct impacts to water quality would be mitigated to a level of less than significant by incorporating the mitigation measures identified for Issue 1 above. Current plans call for the construction of desilting basins in the subarea (see Figure 4D-3 for alternative desilting basin locations) to reduce erosion and sedimentation during and after development. The exact number, size, design, and location of desiltation/retention basins will be determined in conjunction with future tentative map proposals. Monitoring and maintenance programs for these facilities would be prepared by future developers and after approval by the City, would be incorporated into the CC&Rs for the developments with these facilities in their common areas.

Implementation of the mitigation measures outlined in Issue 1 would not mitigate fully the associated cumulative effects to water quality in the subarea. These impacts would remain significant and unmitigated. Only the No Project alternative would avoid the potential cumulative impacts to water quality.

5) Landform Alteration/Visual Quality

a) **Impact:** The substantial change in aesthetic character described above would occur under both land use scenarios. This change represents a significant direct and cumulative impact from on- and off-site locations. The development of the project site would incrementally contribute to the change the aesthetic character of the subregion in conjunction with the existing and planned development in Carmel Valley and Subareas IV and V.

a) **Finding:** The preservation of MSCP and urban amenity open space along with implementation of the landscaping concept as future tentative subdivision maps are processed within Pacific Highlands Ranch would reduce the identified aesthetic impacts. These measures would not reduce the impacts to below a level of significance. Avoidance of the impact would be accomplished by the No Project alternative.

Specific mitigation measures regarding landscaping would be required at the future tentative map stage; specifically, prior to issuance of a grading permit, the Development

Services Development Coordinator shall review the grading and landscape plans for consistency with the subarea plan guidelines.

b) Impact:

Subarea Plans 1 and 2. Both grading concepts associated with the proposed land use scenarios would require substantial alteration of the topography to develop and access the site. The amount of earthwork anticipated under both Subarea Plans would substantially exceed the City's significance threshold for grading impacts of 2,000 cubic yards per graded acre. The filling of drainages and grading of the broad mesa areas would represent alterations to the existing topography and are considered to be significant direct and cumulative landform alteration impacts.

Carmel Valley Neighborhood 10 Precise Plan. The additional area of grading (canyon fill and associated manufactured slope) within Neighborhood 10 would represent a significant landform alternation impact.

b) Finding:

Subarea Plan 1 and Plan 2. Specific mitigation measures which would be required at the future tentative map stage include that prior to issuance of a grading permit, Development Services shall review the grading plans for consistency with the subarea plan guidelines. These measures include using slope rounding and blending techniques where manufactured slopes meet natural slopes, varying slope gradient and width, and contouring edges to achieve a more natural appearance. Implementation of these measures would reduce the landform alteration impact, but not to below a level of significance. However, only implementation of the No Project alternative would avoid the landform alteration impact. These adverse effects comprise significant and unmitigable direct and cumulative impacts of the proposed project.

Carmel Valley Neighborhood 10 Precise Plan. As described in the previous EIRs for Neighborhood 10 (City of San Diego 1993 and 1997), mitigation for landform alteration impacts include that all manufactured slopes greater than 10 feet in height be contour graded and minimized during the final engineering design. As with the landform alteration impacts associated with the Subarea Plans, these measures would not reduce the impact to below a level of significance. Implementation of the contour grading measures would occur at the time grading permits are approved.

6) Cultural Resources

Impact: Twenty-four sites have been found not significant, six sites are in open space areas and should be indexed prior to recording tentative maps for future projects, two sites are in open space and may be potentially significant and require additional

evaluation, and one site is located outside of the project boundaries and will require some evaluation when a project is proposed for this property.

The resulting loss of all of the sites on this project is considered a significant cumulative loss of cultural resource information. The destruction of a number of these sites prior to indexing or testing of any kind constitutes a significant impact as important information, which may have been present in these sites, has been lost without record.

There are four sites (CA-SDI-6912, loci B&E, -13,096, -14,003, and -14,562) which have been found to be important/significant resource areas; therefore, impacts to these sites would be considered significant. As presently designed, all of these sites will be destroyed by construction grading. Mitigation of impacts to these sites can be accomplished if they are not found to be significant under the City of San Diego's Resource Protection Ordinance. The current findings for these sites are that they are potentially eligible for nomination to the National Register and are significant under criteria of CEQA. A finding of National Register importance would be viewed as meeting one of the criteria of RPO importance. The State Historic Preservation Officer (SHPO) has not made a finding on the eligibility of these sites as yet. Destruction of a site that is considered to be important under RPO would constitute a significant unmitigated impact. In the event that federal money or federal actions are elements of project development, sites within the project area would be evaluated under Section 106.

Finding: Mitigation requirements (i.e., site indexing and data recovery) are included in the MEIR which would provide mitigation for the impacts to significant archaeological sites. The identified level of work is dependent upon the nature, size, and content of the cultural resource site and upon the types of research that can be accomplished through the recovery and analysis of data from the site.

7) Air Quality

Impact: The proposed project would result in significant cumulative air quality impacts under the City's significance thresholds as discussed in Chapter 6 of this EIR.

Finding: No mitigation is available for cumulative air quality impacts at the project level. The project's contribution to cumulative air quality impacts is discussed in Chapter 6, Cumulative Effects.

8) Geology

a) **Impact:** No significant soil or geologic conditions were observed or are known to exist on the project site which would preclude development of the property. However, potentially significant geologic conditions exist which require mitigation, including

ancient landslides, expansive soils, unstable cut slopes, alluvial soils, poorly consolidated soils, and ground shaking due to an earthquake.

a) Finding: For each specific development application in Pacific Highlands Ranch, the City will require the applicant to submit a detailed geotechnical study by a qualified geotechnical firm. The conclusions and implementation of the recommendations provided in these reports would mitigate the potentially significant effects of soil and geologic conditions for future developments in Pacific Highlands Ranch to below a level of significance. The types of mitigation requirements which the feasibility studies are likely to contain are addressed in the MEIR.

b) Impact: Future grading activities for the implementation of specific development projects in Pacific Highlands Ranch would result in a potentially significant increase in soil erosion.

b) Finding: Prior to approval of a grading permit, each applicant for a specific development project in Pacific Highlands Ranch shall prepare a grading/construction management plan. The mitigation measures described in the Hydrology/Water Quality section of the MEIR (Chapter 4.D) and the Geology section of the MEIR.

9) Paleontological Resources

Impact: The potential for significant fossils to occur in the formations of the subarea plan is moderate to high in all areas planned for development of the Pacific Highlands Ranch Plan; therefore, the grading necessary to implement the subarea plan could result in significant impacts to paleontological resources.

Finding: The Pacific Highlands Ranch Plan would require that all future tentative maps and VTMs approved include a condition for the implementation of a monitoring and salvage program for the recovery of paleontological resources during development. This program, as described in the MEIR, would reduce potential impacts to paleontological resources to below a level of significance.

10) Noise

Impact: As indicated, noise levels are anticipated to exceed applicable standards for all residential uses immediately adjacent to SR-56 and the major roadways, as well as to proposed school and park uses. Noise levels could exceed 70 CNEL for professional and office building land uses depending on their placement relative to the roadways. Noise levels for commercial retail land uses are not expected to be exceeded unless they are located immediately adjacent to SR-56. Where noise levels exceed applicable exterior standards, noise impacts would be significant.

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Finding: Mitigation of noise levels could be accomplished through the construction of noise barriers. However, due to the limited grading detail available at this stage of planning, it is not possible to determine specific barrier heights and locations. The draft EIR prepared by the City for the middle section of SR-56 indicates that wall heights varying between 12 and 16 feet would be required to mitigate noise levels at existing residential uses (City of San Diego 1996b). Similar wall heights would be anticipated for future sensitive uses located along the SR-56 right-of-way within Pacific Highlands Ranch.

It is anticipated that noise barriers varying from five to eight feet will be required along the other major roadways within Pacific Highlands Ranch where the roadways are located adjacent to sensitive land uses.

At the time that detailed grading plans are available for the future subdivisions within Pacific Highlands Ranch, detailed acoustical analyses shall be performed to determine the exact barrier heights and locations where required. If exterior noise levels within residential areas are found to be above 60 CNEL after mitigation, then detailed interior noise analyses shall be required as well.

11) Public Services/Facilities

a) **Impact:** Currently, all schools in the Del Mar Union and San Dieguito Union High school districts are operating above capacity within the project area. The generation of additional elementary, junior high, and high school students resulting from development of the proposed project, either under Subarea Plan 1 or Subarea Plan 2, would add to the already overcrowded schools. This is considered a significant direct and cumulative impact.

Currently, there is insufficient capacity at Earl Warren Junior High School to accommodate the additional junior high students generated by buildout of the proposed project, either under Subarea Plan 1 or Subarea Plan 2. This is considered a significant direct and cumulative impact of the project.

Currently, Torrey Pines High School is operating above capacity. The estimated generation of additional high school students would contribute to the overcrowding of the school. This is considered a significant direct and cumulative impact.

Development of the subarea plan would incrementally increase the demand for fire services; however, both subarea plans provide a site for a double fire station. Until the new fire station is operating, the Fire Department's potential inability to provide a maximum six-minute first response time would be considered an interim significant impact.

a) **Finding:** The development of the proposed on-site elementary, junior high, and high schools would accomplish mitigation of the project's direct impact to schools from the subarea plan. School facilities financing and mitigation agreements between the affected school districts and the project applicant would be required at the time the Subarea Plan is approved by the City Council to ensure that the impacts on school facilities are mitigated to a level less than significant. In addition, prior to granting a ministerial or discretionary entitlement for a parcel, such parcel shall be subject to the terms of a mitigation agreement entered into by the landowner and the applicable School Districts or included in a community facilities district established by the applicable School Districts and authorized to fund the acquisition of school sites and construction of schools.

Until the new fire station is operating, developers shall demonstrate to the satisfaction of the City Fire Department that a response time of six minutes or less from Fire Station 24 to all portions of new developments can be achieved. For those areas of such new developments where a six-minute response time cannot be provided, individual sprinkler systems or other construction or site design safeguards, approved by the Fire Department, shall be required prior to the issuance of building permits.

b) **Impact:**

Water and Sewer Facilities. Potentially significant impacts to water and sewer facilities are anticipated with the development of the subarea due to a lack of existing facilities to serve the area.

Waste Management Services. The project could generate a significant amount of construction debris during the construction phase. Also, during the ongoing use of the site solid waste generation would exceed the 60 tons/year and 52 tons/year threshold of significance for solid waste impacts for residential and non-residential projects, respectively, established by the City's ESD. The project would affect City waste management programs and services; however, impacts could be minimized by incorporation of recycling and waste reduction measures in project design.

b) **Finding:**

Water. Future developers shall be required to provide appropriate water studies consistent with the findings and conclusions of the Miramar 712/North City 610 Water Study. Each developer shall be responsible for installing all those facilities identified in the accepted studies which are necessary to serve their developments. All public water facilities shall be designed and constructed according to the most current edition of the City of San Diego Water and Sewer Design Guide.

Sewer. Prior to any new development within the subarea, developers shall be required to provide sewer studies showing the proposed sewer system for the subarea. All public

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sewer facilities shall be designed and constructed according to the most current edition of the City of San Diego Water and Sewer Design Guide.

Solid Waste. The project's prime contractor in cooperation with the City of San Diego's Environmental Services Department shall develop a comprehensive waste management plan. The plan shall describe programs that would be implemented to reduce the potential for direct and cumulative impacts to the City's waste management services to below a level of significant. The plan shall address construction phase as well as long-term waste management issues. The Development Services shall review this plan to ensure that the ESD has signed the plan and certified that it is consistent with City policy regarding its waste management services.

12) Water Conservation

Impact: 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.

Finding:

Subarea Plans 1 and 2. The water conservation measures described in the MEIR would be required to address cumulative water usage concerns.

13) Public Safety

Impact: The proposed project contains on-site detention basins to serve the subarea; therefore, potential public health and safety impacts to future residents within the project site are considered potentially significant.

Finding: Mitigation measures for potential increased mosquito populations which will decrease potentially significant impacts to below a level of significance are in the MEIR.

B. Public Resources Code Section 21081(b)

The City Council, having reviewed and considered the information contained in the final MEIR for the project and the public record, finds there are changes or alterations to the project which avoid or substantially lessen the significant environmental impacts that are within the responsibility and jurisdiction of another public agency. These changes are included in the project in order to satisfy the requirements of the federal Clean Water Act Section 404 permit and a Streambed alteration Permit issued under Section 1600 of the California Fish and Game Code.

Prior to the issuance of a grading permit for the project, the applicant shall have received a federal Clean Water Act Section 404 permit and an agreement under Section 1600 of the Fish and Game Code which will be required for alterations to streambeds and for

filling in the mule fat scrub vegetation. The applicant shall demonstrate compliance with mitigation conditions to the satisfaction of the permitting agencies.

C. Public Resources Code Section 21081(c)

The City Council, having reviewed and considered the information contained in the final EIR for the project and the public record, finds there are specific economic, legal, social, and other considerations, which make infeasible additional mitigation measures and project alternatives identified in the MEIR.

1. No Project Alternative

The No Project alternative typically implies no development of the project site. This approach would result in the retention of the property in its present condition (i.e., open space and agricultural lands). As a result, the impacts relating to biological resources, landform alteration/visual quality, agricultural resources, cultural resources, public facilities and services, air quality, noise, and cumulative contribution to traffic congestion associated with the proposed Plans 1 and 2 for Pacific Highlands Ranch would be eliminated.

This alternative would not achieve the goals and objectives of the subarea plan and the adopted Framework Plan. The Framework Plan objectives of providing housing, facilities benefit assessment fees, and roads would not be achieved. In addition, the permanent contributions provided by the proposed subarea plans to the MSCP preserve would be eliminated.

This alternative is infeasible for the following reasons:

a. This alternative would not achieve the open space goals of the proposed Subarea Plans. Specifically, the MSCP goals and MHPA boundary establishment associated with the proposed Pacific Highlands Ranch project would not occur and no substantial open space preservation would result from the No Project alternative.

b. This alternative conflicts with the affordable housing goals of the *Progress Guide and General Plan*, which recommends that housing be provided for all income groups. Housing costs in the Future Urbanizing Area would be too high for employees in nearby job sites.

c. This alternative provides little or no support for public transit, conflicting with the adopted General Plan transit goals and the Land Guidance study being prepared by the City.

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d. Retention of the project site in its existing state as primarily agricultural fields would be inconsistent with the approved Framework Plan designations for the site. This alternative would not take advantage of the opportunity to contribute dedicated open space to the MSCP and would not provide the housing opportunities envisioned in the NCFUA Framework Plan. In addition, key subregional traffic routes established in the Framework Plan and Subarea Plan would not be implemented.

e. The City and County would receive much lower long-term revenues in the form of property and sales tax, resulting from the non-development of residential and commercial land use acreage.

2. Alternate Site Design - Plan 1

A conceptual alternative site design for Pacific Highlands Ranch Plan 1 (see Figure 8-1 of the draft MEIR) has been developed by the City of San Diego which, with the exception of the shown alignment of SR-56, more closely adheres to the land use concept described in the adopted NCFUA Framework Plan (see Figure 4A-1 of the draft MEIR). Like the proposed project, this alternative design for Plan 1 includes a similar number of dwelling units, a town center village area consisting of commercial uses, community park, various residential densities, and a civic area; a high school, a fire station; and the associated public facilities and transportation network. The site design also includes a junior high school, but does not include an elementary school or neighborhood park. The opportunity for a private high school would be eliminated. In addition, the alternative design includes moderately low residential densities which are not included it the proposed Plan 1.

Other differences affect the high school, which would be shifted away from the Town Center Village to a location further east and north of Carmel Valley Road. The community park and very low-density residential would also be different locations, and an employment center would not be a component of the alternate plan. Residential development would also be extended south of SR-56 near the western boundary, which is shown as MHPA open space in the proposed Plan 1. However, as with the proposed Plan 1, the limits of development and grading would cover approximately 50 percent of the subarea. The remaining 50 percent of the site would comprise the MHPA. Table 8-1 of the draft MEIR details the acreages for the proposed land uses and shows that the MHPA acreage would be increased in size under this alternative.

The differences in environmental impacts between these plans are minimal and the significance of project-related impacts would not be substantially affected. However, the open space design under this alternative, while similar to Plan 1, would differ from the open space under the proposed plan which reflects the refinements as shown in the MSCP for Subarea III.

This alternative is infeasible for the following reasons:

a. This alternative site design would result in significant impacts on public facilities and services regarding the provision of schools within the Subarea. As described in the MEIR, this alternate land use concept would not provide for any of the elementary schools shown in the proposed Subarea Plans, resulting in significant and unmitigated schools impacts. In addition, the public high school would be located away from the Village area providing less integration of the land uses from a land use planning perspective.

b. This alternative site design would not allow the MSCP open space goals incorporated into the proposed Subarea Plan to be achieved. Specifically, the refined MHPA boundary shown in the proposed Subarea Plan (see Figure 3-7 in the draft MEIR) along with MHPA boundary expansions at other significant MSCP Biological Core Areas (e.g., Carmel Valley Neighborhood 8A) owned by the project applicant would not be achieved under this alternative. As such, implementation of the alternate project design is not considered feasible as it would not implement the agreed-upon long-term conservation planning standpoint associated with the proposed project.

3. Alternate Site Design - Plan 2

A conceptual alternative site design for Pacific Highlands Ranch Plan 2 (Figure 8-2 of the draft MEIR) has also been developed by the City of San Diego reflecting SR-56 Alignment "D." Like the proposed project, this alternative design for Plan 2 includes a similar number of dwelling units, a town center village area consisting of commercial uses, community park, high-density residential, and a civic area; an employment center; a high school, a fire station; and the associated public facilities and transportation network. The alternate site design also includes a junior high school, but does not include an elementary school or neighborhood park. The opportunity for a private high school would be eliminated. In addition, the alternative design includes moderately low residential densities which are not included it the proposed Plan 2.

Other differences between the proposed Plan 2 and the alternate site design prepared by the City include the shifting of the high school away from the Town Center Village to a location further east and north of Carmel Valley Road. The Town Center Village would be bisected by Camino Santa Fe under this design, and the acreage shown for the employment center and specialized commercial uses would be substantially increased along the north side of the SR-56 corridor. The limits of development and grading would cover approximately 50 percent of the subarea. The remaining 50 percent of the site would comprise the MHPA. Table 8-1 of the MEIR details the acreages for the proposed land uses and shows that the MHPA acreage would be increased in size under this alternative.

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The differences in environmental impacts between these plans are minimal and the significance of project-related impacts would not be substantially affected. However, the open space design under this alternative, while similar to Plan 2, would differ from the open space under the proposed plan which reflects the refinements as shown in the MSCP for Subarea III.

This alternative is infeasible for the following reasons:

a. This alternative site design would result in significant impacts on public facilities and services regarding the provision of schools within the Subarea. As described in the MEIR, this alternate land use concept would not provide for any of the elementary schools shown in the proposed Subarea Plans, resulting in significant and unmitigated schools impacts. In addition, the public high school would be located away from the Village area providing less integration of the land uses from a land use planning perspective.

b. This alternative site design would not allow the MSCP open space goals incorporated into the proposed Subarea Plan to be achieved. Specifically, the refined MHPA boundary shown in the proposed Subarea Plan (see Figure 3-7 in the draft MEIR) along with MHPA boundary expansions at other significant MSCP Biological Core Areas (e.g., Carmel Valley Neighborhood 8A) owned by the project applicant would not be achieved under this alternative. As such, implementation of the alternate project design is not considered feasible as it would not implement the agreed-upon long-term conservation planning standpoint associated with the proposed project.

4. Development without a Phase Shift

The project site could also be developed pursuant to the underlying A-1-10 zoning without a phase shift from Future Urbanizing to Planned Urbanizing. One scenario, which could be applied to the project site under the Framework Plan pursuant to Council Policy 600-29 and the Planned Residential Development regulations, is development at one dwelling unit per four acres.

A concept plan of a one dwelling unit per four acres with a PRD has been prepared for the Pardee ownership within Pacific Highlands Ranch using three of the SR-56 alignments: (1) Plan 1 Alignment "F"; (2) Plan 2 Alignment "D"; and (3) the central alignment. Each concept plan is shown in Figures 8-3, 8-4, and 8-5 of the draft MEIR, respectively.

For each of these concepts, this alternative would result in approximately 568 dwelling units, a golf course, driving range, clubhouse, and School Park. The total development envelope for the Pardee ownership would occur on approximately 689 acres of the total 1,665-acre Pardee ownership. The residential units would include 416 market rate units

on lot sizes varying from 18,000 square feet to 50,000 square feet and 83 affordable housing units at a density of 20 units per acre. The remaining 855 Pardee acres would remain undeveloped, and as stated in Council Policy 600-29, no future development rights would remain with the property. Each of the other ownerships within Pacific Highlands Ranch (approximately 517 acres) could be developed pursuant to the underlying A-1-10 zoning (one dwelling unit per 10 acres) resulting in approximately 52 additional units for a total of approximately 551 units.

Each of these alternatives could lessen the significant impacts associated with the two proposed Subarea Plans for Pacific Highlands Ranch. Landform alteration would be substantially reduced with the implementation of this alternative as grading for a golf course in the central portion of the site would be reduced from that necessary for the town center village, high school, employment center, and various residential densities. The golf course would also be designed to accommodate the urban amenity. Biologically, the MSCP open space corridor in the northwestern corner of the site would be expanded under this scenario with the elimination of the low-density development area.

These alternatives would reduce the traffic generation from approximately 55,000-71,010 ADT to approximately 6,660 ADT and the demand on public services and utilities (e.g., police, fire, sewer, water, and schools) would be substantially lessened. Other mitigated impacts of the proposed project, such as impacts to hydrology, cultural resources, geology, paleontology, air quality, noise, and public safety would be further reduced by implementation of this alternative.

This alternative is infeasible for the following reasons:

a. This alternative would not achieve the open space goals of the subarea plan. Specifically, the MSCP goals and MHPA establishment associated with the proposed Pacific Highlands Ranch would not occur and no substantial open space preservation would result from the Development without a Phase Shift alternative. Without a phase shift, the MHPA open space and mitigation land banks as shown in the proposed Subarea Plans 1 and 2 and Carmel Valley Neighborhood 8A would not be permanently preserved due to the development potential of the remaining A-1-10 ownerships throughout the subarea.

b. This alternative would not include the preparation of a financing plan for public facilities, likely resulting in public facility shortages within the planning area, and therefore, facilities impacts to adjacent communities. This would conflict with established City policy that public facilities are provided with development in accordance with the need for facilities generated by development.

c. This alternative conflicts with the affordable housing goals of the *Progress Guide and General Plan*, which recommends that housing be provided for all income groups.

Housing costs in the Future Urbanizing Area would be too high for employees in nearby job sites.

d. This alternative provides little or no support for public transit. The promotion of alternative modes of transportation, including pedestrian, equestrian, bicycle, and mass transit would not occur under this alternative. Buildout of Subarea II under this alternative would likely result in piecemeal, non-cohesive development leading to a land use pattern that may not efficiently support public facilities and services.

e. Development of Pacific Highlands Ranch without a phase shift would have significant land use impacts regarding inconsistencies with the adopted NCFUA Framework Plan. This alternative would not provide the community facilities required in the Framework Plan such as the town center village, park and school facilities, and employment center.

5. SR-56 Central Alignment Alternative

This alternative plan to the two proposed subarea plans is included to address the possible adoption of the central alignment for SR-56. The SR-56 central alignment is the most direct route between the western portion of Carmel Valley and the eastern portion of Rancho Peñasquitos.

This alignment would enter Pacific Highlands Ranch in the southwest corner of the planning area as shown in Figure 8-6 of the draft MEIR. Topographically, this places the freeway in McGonigle Canyon and adjacent to Carmel Creek. However, while the alignment begins at the southwest corner of Pacific Highlands Ranch as do the other alternative alignments, instead of traversing northerly up toward the crest of the canyon, this alignment continues easterly. Near the intersection of McGonigle and Deer Canyons, the freeway would proceed in a northeast direction along the south-facing slope of Santa Monica Ridge within Deer Canyon. The freeway leaves Pacific Highlands Ranch in the southeast section adjacent to the Torrey Highlands community (Subarea IV).

The land use plan for the central alignment alternative is similar to the proposed Subarea Plan 1 with the "F" alignment for SR-56. This alternative would include up to 5,500 residential dwelling units; a Town Center and Village area consisting of commercial uses, retail uses, a community green, high-density residential, and a civic area; an employment center; three elementary schools; two neighborhood parks; a community park; one junior high and two high schools (one private and one public); a public library; a fire station; and the associated public facilities and transportation network. The limits of development and grading for the land use plan area only would cover approximately 50 percent of the 2,652-acre subarea. Additional disturbance would be required to construct the freeway south of the developed area.

This alternative is infeasible for the following reasons:

Implementation of the SR-56 Central Alignment and accompanying land use plan would not allow the City's MSCP open space goals to be achieved which have been incorporated into the Subarea Plan. Specifically, the USFWS has indicated in letters of comment on the draft MEIR for Subarea III (May 18,1998) and the SR-56 Revised EIR (March 9, 1998) that the Central Alignment would violate the agreements for the City's MSCP Subarea Plan and cause significant unmitigable impacts to biological resources. As such, implementation of the Central Alignment for SR-56 is not considered feasible from a long-term conservation planning standpoint.

6. Resource Protection Ordinance Alternative

The identified land use impact associated with the proposed project's inconsistency with the provisions of RPO would be lessened by a project alternative, which strictly complies with the encroachment provisions of RPO. Under this scenario, a project alternative that avoids wetland encroachment and floodways, applies wetland buffers adjacent to all wetlands, reduces the excess steep slope encroachment, and avoids impacts to RPO-significant archaeology sites would reduce the identified land use impact (see Land Use, Chapter 4.A, Issue 2). Aside from the land use implications associated with the Framework Plan goals, this alternative would also lessen the other direct and cumulative impacts associated with the proposed Subarea Plans. It is considered environmentally preferable to the proposed projects.

A conceptual alternative land use plan, which incorporates these design revisions, is shown in Figure 8-7 of the draft MEIR. Under this conceptual scenario, the number of single-family units would be reduced by approximately 50 percent as the total on-site development area for residential development and the associated transportation network would be substantially reduced.

Other impacts associated with the proposed subarea plans would also be reduced under the RPO alternative. Impacts to native vegetation and landform alteration/visual quality would be reduced under this alternative. However, substantial earthwork would still be required for the grading for the development areas and the SR-56 alignment, and the impacts would remain significant and unmitigated. With the reduction in dwelling units, the project traffic generation would be reduced from 80,000 ADT to approximately 40,000 ADT. Finally, the demand on public services (schools, parks, police, and fire service) and utilities (water, sewer, and solid waste) would be lessened under this alternative.

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This alternative is infeasible for the following reasons:

a. The RPO alternative would represent a substantial decrease in the number of residential dwelling units and affect the diversity of residential housing. The goals and objectives of the NCFUA Framework Plan include providing housing within the community, promoting a balanced community in terms of housing types and economic appeal, and providing housing to accommodate people employed in the nearby business and industrial parks. Accordingly, this alternative would not fully implement these goals and objectives. The substantial reduction in housing results in a failure to provide housing and indirectly promotes an unbalanced mix of housing type.

b. This alternative would also result in losses of the dedications and financial participation in regional public facilities, and a reduction in tax base revenues to the City. The loss of approximately 50 percent of the housing units would significantly affect the tax increment per year. The reduction of units under this alternative would also result in the loss of dwelling units contributing to the PFFP.

c. Implementation of this alternative would also affect any financing mechanism for providing adequate public facilities because this alternative results in approximately 50 percent fewer units than provided by the proposed project. Without the project's substantial financial contribution for these public improvements as envisioned in the NCFUA Framework Plan, such facilities would experience a dramatic shortfall in revenue for their construction.

d. This alternative would not achieve the open space goals of the subarea plan. Specifically, the MSCP goals and MHPA establishment associated with the proposed Pacific Highlands Ranch Subarea Plans would not occur. Without a phase shift in conjunction with the proposed project, the MHPA open space and mitigation land banks as shown in the proposed Subarea Plans 1 and 2 and Carmel Valley Neighborhood 8A would not occur.

STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PROPOSED SUBAREA III PACIFIC HIGHLANDS RANCH– SUBAREA PLAN

The City Council, pursuant to State CEQA Guidelines Section 15093, having balanced the benefits of the project against its unavoidable significant direct and/or cumulative impacts of the project on land use, transportation/circulation, biological resources (wetlands and native grasslands), water quality, air quality, landform alteration and visual quality, cultural resources, and natural resources determines that the impacts are acceptable for the following reasons:

1. The project would place approximately 1,280 acres in open space for the benefit of residents, the public, and wildlife. The proposed designation of the open space, and substantial reduction of development potential within this open space, would provide a more effective regional open space system than would continued development in accordance with existing regulations. This open space preserve would provide habitat areas consistent with the MSCP, in addition to a system of wildlife corridors between Gonzales, McGonigle, and Deer Canyons, Santa Monica Ridge, and the rest of the MSCP preserve system. The steep north-facing slopes above La Zanja Canyon and the San Dieguito River valley along the northern boundary of the subarea would also be part of the natural open space system. This open space preserve area encompasses one of the few remaining natural open space areas in San Diego County which is still linked to intact natural open space areas both to the east and west, hence, its tremendous significance.

2. Provided the voters approve a phase shift for the project in November 1998, the project applicant has agreed to transfer title of Parcels A and B within Carmel Valley Neighborhood 8A to the City of San Diego, exclusive of those areas utilized for a 24-acre mitigation land bank. The entirety of these parcels consists of very high quality coastal sage scrub vegetation and southern maritime chaparral with numerous sensitive plant and animal species and is an integral component of the adopted MSCP as a part of the Carmel Mountain biological core area. The City of San Diego considers Parcels A and B within Neighborhood 8A to be a critical component of the MHPA in the North City area.

3. The project would contribute to the successful implementation of the MHPA through the conveyance of lands as open space within Subarea III. These lands include approximately 100- to 130-acre mitigation land bank on Subarea III, which would be restored to Tier 1 or other appropriate habitat.

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4. The approval of this project will result in an increased generation of real property tax revenue for the City of San Diego. The City would receive real property tax increment revenues attributable to the increased value of improved real property associated with the 4,974 dwelling units for the project. Based on the assessed value of the land with implementation of the proposed improvements and a standard tax rate of 1.25 percent, total property tax for the proposed units (assuming an average valuation of $350,000 per dwelling unit) would be approximately $21,750,000 per tax year. 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.

5. Provided the voters approve a phase shift for the project in November 1998, Pardee will forego receipt of payment in excess of $6,000,000 for the dedication of the SR-56 right-of-way upon the Pardee ownership within Subarea III.

6. The Pacific Highlands Ranch Subarea Plan will provide for significant community-wide public facilities. As the plan is implemented, it will be responsible for constructing on-site a significant portion of the public facilities and infrastructure required to serve the subregion. These facilities include:

   a) A library within the civic use area which serves the entire NCFUA.

   b) Parts of the regional backbone circulation system, including Carmel Valley Road as a four-lane major from the southernmost project access road off-site to Shaw Ridge Road, and the extension of Camino Santa Fe to the south.

   c) Schools serving the subregion including three elementary schools, a junior high, and a public and possibly a private high school.

   d) A 20-acre community park.

   e) A fire station which will provide service to the region and also wildland fire capability.

7. The project implements the land use designations of the adopted Framework Plan and provides a mix of land uses that provides housing opportunities, jobs, and public facilities in the North City area of the city. The proposed plan also encourages the use of alternative modes of transportation through the provision of transit facilities and the inclusion of bicycle and pedestrian network, and it provides commercial and civic facilities in the Town Center to meet daily needs of area residents.

8. The project provides affordable housing consistent with the goals of the NCFUA Framework Plan. The project would provide trail linkages to future planned

development, the MSCP open space, and other areas within the NCFUA which expands recreational opportunities within the region.

9. The project would generate new temporary construction-related jobs that would enhance the economic base of the region.

For these reasons on balance, the City Council finds there are economic, social, and other considerations resulting from the project that serve to override and outweigh the project's unavoidable significant environmental effects, and thus, the adverse unavoidable effects are considered acceptable.

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EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM
PACIFIC HIGHLANDS RANCH (SUBAREA III) SUBAREA PLAN

LDR NO. 96-7918

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 Master Environmental Impact Report (LDR No. 96-7918) have been incorporated into the Subarea Plan and shall be made conditions of future discretionary actions associated with implementation of the Subarea III Plan as may be further described below.

The attached mitigation monitoring and reporting program will require additional fees and/or deposits ranging from $450 to $7800 (1998 fees; future fees may increase) 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.

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Mitigation Monitoring and Reporting Program
Pacific Highlands Ranch Subarea Plan
LDR No. 96-7918

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 Pacific Highlands Ranch Subarea III 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 MEIR for the project are referenced in the following text.

1) Land Use

a) Impact: ***Subarea Plans 1 and 2.*** Both proposed plans are generally consistent with the intent of the General Plan, environmental goals of the adopted NCFUA Framework Plan, Council Policy 600-40, and the North City LCP. The lack of compliance with the preservation of agricultural lands described in the Framework Plan, and the impacts to the circulation system represents a significant direct and cumulative land use impact.

a) Mitigation: ***Subarea Plans 1 and 2.*** The No Project alternative would avoid impacts to the General Plan agricultural lands preservation goal, and the NCFUA circulation system principles.

b) Impact: ***Subarea Plans 1 and 2.*** Both subarea plans have been prepared consistent with the requirements of City Council Policy 600-40. However, both plans would not be consistent with the encroachment provision of RPO as they apply to steep slopes, wetlands, and significant prehistoric sites. As such, this would represent a significant direct and cumulative land use impact.

b) Mitigation: ***Subarea Plans 1 and 2.*** Although both subarea plans have been designed to minimize impacts to RPO-sensitive resources, strict compliance with the development regulations of the ordinance would require a project redesign. The plans' inconsistency with the RPO encroachment provisions can be avoided with

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implementation of the No Project alternative and mitigated to below a level of significance by adoption of a RPO alternative. These alternatives are discussed in Chapter 8 of this EIR.

Land Use Compatibility within Pacific Highlands Ranch

c) **Impact:** ***Subarea Plans 1 and 2.*** The identified potential internal land use compatibility impacts described above in conjunction with the SR-56 alignment are considered potentially significant. As noted above, the significance of this impact is also described in the Revised Draft EIR for the Middle Segment of SR-56. Also, the proposed extension of Carmel Valley Road could result in significant land use incompatibilities with the proposed Pacific Highlands Ranch residential developments along these roadways.

c) **Mitigation:** ***Subarea Plans 1 and 2.*** Mitigation for the potential internal land use compatibility impacts associated with proposed land uses and the SR-56 freeway would consist of the requirement for landscaping and noise attenuation measures at the time tentative maps are processed.

2) Transportation/Traffic Circulation

a) **Impact:** The following impacts are considered both direct and cumulatively significant:

- Development of 41 Phase I units east of the existing Del Mar Heights Estates.
- Project contribution of more than 2 percent traffic to Black Mountain Road/Park Village intersection.
- Additional traffic contribution to Black Mountain Road from SR-56 to Mercy Road (currently failing).
- Project contribution of more than 2 percent traffic to El Camino Real between Via de la Valle and Half Mile Drive (LOS F).
- Project contribution of 7.5 percent traffic to Camino Ruiz North or SR-56 at buildout without the third intersection (LOS E).
- Project contributions to freeway areas where wait already exceeds 15 minutes.
- Project contribution of more than 2 percent traffic to El Apajo from Via Santa Fe to San Dieguito Road.

a) **Mitigation:** Table 4B-14 includes all of the area's transportation improvements necessary to reduce project impacts to the extent feasible; however, not all impacts are reduced to below a significant level. Table 4B-14 includes the location of the

improvement, the type of the improvement, the party responsible for the improvement, and the level of significance after mitigation.

3) Biological Resources

a) Impact:

Subarea Plan 1. The direct, indirect, and cumulative impacts to sensitive biological resources described above are considered significant. The significant impacts include loss of MSCP Tier I (13.2 acres of southern maritime chaparral and 0.6 acre of native grasslands) and Tier II (10.4 acres of coastal sage scrub and 0.1 acre of coyote bush scrub) habitats, direct and cumulative loss of riparian scrub wetland habitats (approximately 0.4 acre), and impacts to the above-identified sensitive plant and animal species.

Subarea Plan 2. The direct, indirect, cumulative impacts to sensitive biological resources described above are considered significant. The significant impacts include loss of MSCP Tier I (12.9 acres of southern maritime chaparral and 0.6 acre of native grasslands) and Tier II (10.0 acres of coastal sage scrub) habitats, direct and cumulative loss of riparian scrub wetland habitats (approximately 0.7 acre), and impacts to the above-identified sensitive plant and animal species.

Both Plans. Although both plans would meet the MSCP requirement, cumulative wetland impacts would remain significant.

Carmel Valley Neighborhood 10 Precise Plan. The impacts to coastal sage scrub and non-grasslands would be a significant impact.

a) Mitigation: The significant direct and indirect impacts to upland biological resources would be mitigated to below a level of significance through conformance and implementation of the MSCP. The Pacific Highlands Ranch MSCP impacts and mitigation requirements are shown in Tables 4C-5 and 4C-6. Table 4C-5 shows the mitigation requirements for Plan 1 and Table 4C-6 shows the mitigation requirements for Plan 2. These tables separate the mitigation requirements for the Pardee ownership and the non-Pardee ownerships. The identified mitigation ratios are per the adopted MSCP based on the vegetation type (Tier Designation) being impacted. As these tables indicate, there is adequate acreage on-site to mitigate for Pardee's direct impacts within Pacific Highlands Ranch. There is also adequate acreage within Subarea II to mitigate for the 8.1 acres of impacts into Tier II and Tier III habitats previously designated as open space within Carmel Valley Neighborhood 10 Precise Plan. Other mitigation requirements identified to deal with direct and indirect impacts would be implemented at the time future tentative maps are processed and would include the following:

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1. Staking and monitoring of grading activities 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 should be noted on the grading plans prior to the issuance of a grading permit.

2. Brush management for Zone 2 shall be implemented as required by the City and shall be the responsibility of the adjacent landowner.

3. Lighting at perimeter lots adjacent to the open space shall be selectively placed, shielded, and directed away from that habitat.

4. Any fencing along property boundaries facing the open space corridors shall be designed and constructed of materials that are compatible with the open space corridors. Fencing shall be installed by the developer prior to the occupancy of the units in order to ensure uniformity. Locations where fencing are required are described in the Subarea Plan.

5. Restrictions for noise impacts on grading of lands adjacent to the MHPA consistent with the MSCP Subarea Plan should be implemented during the gnatcatcher breeding season. Grading inside the MHPA preserve or within 100 feet of the MHPA is prohibited during gnatcatcher breeding season. Grading can occur on land that was previously cleared.

Wetland impacts under both Plan 1 and Plan 2 would be mitigated through the creation/restoration within the Pacific Highland Ranch project site. Portions of the drainage bottoms with Deer Canyon and McGonigle Canyon have been disturbed by agricultural operations and can be utilized to accomplish wetland mitigation requirements on-site. Wetland restoration, at a ratio consistent with the MSCP, is a component in the conceptual revegetation plan prepared in conjunction with the mitigation land bank (see discussion below).

Other mitigation measures provided as extraordinary benefit to the City, negotiated as part of a contemplated development agreement for Subarea III would be the dedication of lands within Subarea V and the Carmel Valley community planning area. At Carmel Valley Neighborhood 8A (Parcels A and B), approximately 75 acres of Tier I habitat would be added to the MHPA. The addition of these lands to the MHPA would greatly increase the size of the habitat block planned for this particular geographic area, improving the overall preserve design and configuration, and providing greater assurances that scarce vegetation types (i.e., southern maritime chaparral) would be maintained over the long term. Additionally, future development potential at the Deer Canyon parcel within Subarea V would be avoided. Finally, Pardee has agreed to other provisions which would further enhance the MHPA function. These measures consist of the following:

1. No brush management activities would be performed within the preserve along the edges of several of the proposed encroachment areas as described in the Subarea Plan. Zone 2 brush management would be allowed in other areas of the MHPA.

2. All manufactured slopes along the edge of the MHPA would be included within the MHPA and would be revegetated in accordance with a Master Revegetation Plan.

3. Impacts to wetlands would be minimized, and mitigation would be per City Ordinance and the U.S. Army Corps of Engineers 404 Permit requirements.

4. Approximately 130 acres of disturbed land within the MHPA for Pacific Highlands Ranch would be restored per a Master Revegetation Plan with appropriate upland and wetland habitats and a mitigation bank established. Much of this revegetation area consists of a manufactured wildlife corridor that would connect and provide for wildlife movement between Gonzales Canyon and McGonigle Canyon.

5. Conveyance of acreage within Carmel Valley Neighborhood 8A and Subarea V (Deer Canyon).

Prior to the issuance of grading permits in conjunction with future tentative map approvals, Development Services shall review the grading and landscape plans for consistency with the mitigation measures for impacts to biological resources (grading and brush management). The above measures would be conditions of future development permits and landscape plans. After completion of grading and prior to the issuance of building permits, a site inspection by City staff would be required to ensure compliance with the brush management mitigation program.

Mitigation Land Banks

In order to effectuate the boundary adjustments to the MHPA, a mitigation bank would be established over approximately 130 acres of land within the Pardee ownership in Pacific Highlands Ranch. The bank will consist of disturbed land that will be revegetated in accordance with the master revegetation plan. Restored habitats will consist of appropriate wetland and upland habitats. It is anticipated that much of the upland habitat would consist of Tier II and Tier III habitats. The City will direct project applicants needing mitigation in the North City area to purchase credits in this bank, and will accept land from this bank into the MHPA upon purchase of credits by a third party. The bank will be processed and approved expeditiously by the City in a manner that will enable establishment costs to be kept to a minimum.

For areas to be restored, a conceptual revegetation summary which outlines the general criteria and maintenance requirements to be included in a more detailed master revegetation plan for Pacific Highlands Ranch is included as Appendix C2 to this EIR.

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Restored lands included in the mitigation bank would be maintained as required in the master revegetation plan until credits are sold and the land conveyed to the City for MHPA purposes. Upon conveyance, the City would assume responsibility for management and maintenance.

A mitigation bank covering approximately 24 acres within Parcel A of Carmel Valley Neighborhood 8A would also be established as a component of the MHPA boundary adjustment process.

4) Hydrology

a) **Impact:** ***Subarea Plans 1 and 2.*** Construction activities in Pacific Highlands Ranch could result in significant erosion, siltation, and water quality impacts. The increase in runoff volume and velocity due to the introduction of streets, roads, and other hardscape surfaces could result in significant adverse erosion, water quality, and flooding impacts to existing natural drainage courses and the Carmel Valley storm drain system. However, these impacts are mitigable to below a level of significance by incorporating the City's BMPs and the standard engineering practices listed below.

a) **Mitigation**: ***Subarea Plans 1 and 2.*** Incorporation of the following mitigation measures into project design would mitigate potential hydrology/water quality impacts to a level of less than significant. The exact locations and design of these measures will be determined in conjunction with future specific development proposals. As a condition of future tentative map approvals, the following mitigation measures shall be specified on the grading plan:

Short-term Construction Practices

1. As a condition of future VTMs 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 condition of future VTMs, the developer shall within 90 days of completion of grading activities, hydroseed 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 (NPDES No. CAS000002) shall be obtained from the 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 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 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 future VTMs and to be included as notes and exhibits on the grading plan, the following mitigation measures would be required:

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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 cfs.

9. Final project design shall incorporate all applicable 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 a minimum 50-year flood event (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).

The City Engineer shall verify that the precise plan mitigation measures are conditions for the approval of future proposed VTMs. The measures shall be completed prior to issuance of the Certificate of Occupancy.

b) Impact: ***Subarea Plans 1 and 2.*** Impacts to the course and flow of floodwaters are mitigable to a level of less than significant through the incorporation of the mitigation measures and BMPs identified previously under Issue 1 (Impact A).

b) Mitigation: ***Subarea Plans 1 and 2.*** Impacts to floodwaters would be mitigated to a level of less than significant by incorporating the mitigation measures and BMPs identified for Issue 1 (Impact A) above. All flood control measures shall be reviewed and approved by the City's Transportation and Drainage Design Division of the Public Works Business Center prior to construction.

c) Impact: ***Subarea Plans 1 and 2.*** The proposed development of Pacific Highlands Ranch has the potential to significantly impact water quality (both directly and cumulatively) in the San Dieguito River and Lagoon, Carmel Valley, and Los Peñasquitos Lagoon. Specifically, such impacts may be associated with short- and long-term erosion and sedimentation and construction-related contaminant discharge. The proposed project's effects would be less adverse overall than those currently resulting from commercial agricultural activities on-site. 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.

c) Mitigation: ***Subarea Plans 1 and 2.*** Direct impacts to water quality would be mitigated to a level of less than significant by incorporating the mitigation measures identified for Issue 1 above. Current plans call for the construction of desilting basins in the subarea (see Figure 4D-3 for alternative desilting basin locations) to reduce erosion and sedimentation during and after development. The exact number, size, design, and location of desiltation/retention basins will be determined in conjunction with future tentative map proposals. Monitoring and maintenance programs for these facilities would be prepared by future developers and after approval by the City, would be incorporated into the CC&Rs for the developments with these facilities in their common areas.

Implementation of the mitigation measures outlined in Issue 1 would not mitigate fully the associated cumulative effects to water quality in the subarea. These impacts would remain significant and unmitigated. Only the No Project alternative would avoid the potential cumulative impacts to water quality.

5) Landform Alteration/Visual Quality

a) Impact: The substantial change in aesthetic character described above would occur under both land use scenarios. This change represents a significant direct and cumulative impact from on- and off-site locations. The development of the project site would incrementally contribute to the change of the aesthetic character of the subregion in conjunction with the existing and planned development in Carmel Valley and Subareas IV and V.

a) Mitigation: The preservation of MSCP and urban amenity open space along with implementation of the landscaping concept as future tentative subdivision maps are

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processed within Pacific Highlands Ranch and would reduce the identified aesthetic impacts. These measures would not reduce the impacts to below a level of significance. Avoidance of the impact would be accomplished by the No Project alternative.

Specific mitigation measures would be required at the future tentative map stage; specifically, prior to issuance of a grading permit, the Development Services Development Coordinator shall review the grading and landscape plans for consistency with the subarea plan guidelines. Upon completion of the grading for any future tentative map within Pacific Highlands Ranch, and associated off-site conditions, the developer shall submit a letter to Development Services 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 shall 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 Development Services Department Development Coordinator by the applicant-hired consultant to verify the status of the revegetation.

If the revegetation effort includes the reestablishment of native habitat within or adjacent to the MHPA, a five-year monitoring program would be required. For erosion control or other revegetation outside the MHPA and not part of any biological mitigation, the revegetation plan must conform with the City's Landscape Technical Manual with a monitoring period of 25 months.

b) Impact:

Subarea Plans 1 and 2. Both grading concepts associated with the proposed land use scenarios would require substantial alteration of the topography to develop and access the site. The amount of earthwork anticipated under both Subarea Plans would substantially exceed the City's significance threshold for grading impacts of 2,000 cubic yards per graded acre. The filling of drainages and grading of the broad mesa areas would represent alterations to the existing topography and are considered to be significant direct and cumulative landform alteration impacts.

Carmel Valley Neighborhood 10 Precise Plan. The additional area of grading (canyon fill and associated manufactured slope) within Neighborhood 10 would represent a significant landform alternation impact.

b) Mitigation:

Subarea Plans 1 and Plan 2. Specific mitigation measures which would be required at the future tentative map stage include that prior to issuance of a grading permit,

Development Services shall review the grading plans for consistency with the subarea plan guidelines. These measures include using slope rounding and blending techniques where manufactured slopes meet natural slopes, varying slope gradient and width, and contouring edges to achieve a more natural appearance. Implementation of these measures would reduce the landform alteration impact, but not to below a level of significance. However, only implementation of the No Project alternative would avoid the landform alteration impact. These adverse effects comprise significant and unmitigable direct and cumulative impacts of the proposed project.

Carmel Valley Neighborhood 10 Precise Plan. As described in the previous EIRs for Neighborhood 10 (City of San Diego 1993 and 1997), mitigation for landform alteration impacts include that all manufactured slopes greater than 10 feet in height be contour graded and minimized during the final engineering design. As with the landform alteration impacts associated with the Subarea Plans, these measures would not reduce the impact to below a level of significance. Implementation of the contour grading measures would occur at the time grading permits are approved.

c) **Impact:** ***Subarea Plan 1 and Plan 2.*** Based on the steep slope encroachment analysis prepared for both subarea plans (see Land Use, Chapter 4A, Issue 2), significant impacts are anticipated on canyons, bluffs, or hillsides in Pacific Highlands Ranch.

c) **Mitigation:** ***Subarea Plan 1 and Plan 2.*** Although both subarea plans have been designed to minimize impacts to steep slopes strict compliance with the encroachment thresholds in the development regulations of RPO would require a project redesign. Both plans' inconsistency with the RPO encroachment provisions can be avoided with implementation of the No Project alternative and mitigated to below a level of significance by adoption of a RPO alternative. These alternatives are discussed in Chapter 8 of this EIR.

6) Cultural Resources

a) **Impact:** Twenty-four sites have been found not significant, six sites are in open space areas and should be indexed prior to recording tentative maps for future projects, two sites are in open space and may be potentially significant and require additional evaluation, and one site is located outside of the project boundaries and will require some evaluation when a project is proposed for this property.

The resulting loss of all of the sites on this project is considered a significant cumulative loss of cultural resource information. The destruction of a number of these sites prior to indexing or testing of any kind constitutes a significant impact as important information, which may have been present in these sites, has been lost without record.

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There are four sites (CA-SDI-6912, loci B&E, -13,096, -14,003, and -14,562) which have been found to be important/significant resource areas; therefore, impacts to these sites would be considered significant. As presently designed, all of these sites will be destroyed by construction grading. Mitigation of impacts to these sites can be accomplished if they are not found to be significant under the City of San Diego's Resource Protection Ordinance. The current findings for these sites are that they are potentially eligible for nomination to the National Register and are significant under criteria of CEQA. A finding of National Register importance would be viewed as meeting one of the criteria of RPO importance. The State Historic Preservation Officer (SHPO) has not made a finding on the eligibility of these sites as yet. Destruction of a site that is considered to be important under RPO would constitute a significant unmitigated impact. In the event that federal money or federal actions are elements of project development, sites within the project area would be evaluated under Section 106.

a) **Mitigation:** Mitigation, monitoring, and reporting steps are a requirement for any site that is found to be significant and where direct or indirect project impacts cannot be avoided. The devising of a project impact mitigation plan is uniquely tied to the particular resource under consideration. The preferred alternative for any significant or important resource area is avoidance. In the event that avoidance is not feasible, some type of impact mitigation should be completed. The level of work is dependent upon the nature, size, and content of the cultural resource site and upon the types of research that can be accomplished through the recovery and analysis of data from the site.

Resource sites CA-SDI-13091, CA-SDI-13095, CA-SDI-13097, CA-SDI-13099, CA-SDI-13101H, CA-SDI-14001H, CA-SDI-7202, CA-SDI-7204, and CA-SDI-6697/H are avoided by the present construction grading design which places these sites in open space. As specific project plans are proposed some level of site assessment would be required. In the event that these sites will remain in open space the minimal treatment would be the completion of a site indexing which would provide a baseline of information on the deposit content. Indexing would involve the excavation of a minimum of two sample units and a report of findings with updated site record information and recommendations for permanent preservation.

Testing and survey reconnaissance indicate that CA-SDI-13093, CA-SDI-13098, CA-SDI-6914, and CA-SDI-7205 do not contain meaningful information and that additional sampling will not provide the scientific community or public with previously unknown information regarding the prehistoric past. No further work is recommended for these sites.

CA-SDI-14002 (-6916, -6917), CA-SDI-13092, and CA-SDI-6913 are considered potentially significant until fieldwork can be completed to assess their condition and data content. This work is presently being accomplished.

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

14) Public Safety

Vectors

a) Impact: Because the proposed project contains on-site detention basins to serve the subarea, the potential for public health and safety impacts to future residents within the project site are considered potentially significant.

a) Mitigation: Mitigation measures for potential increased mosquito populations which will decrease potentially significant impacts to below a level of significance are described below. Prior to any grading activities, the applicant shall provide a letter from the County Environmental Health Department Vector Surveillance and Control Division (VSCD) to the environmental review manager of LDR verifying that a vector control program has been designed. Elements of the program may include, but not be limited to the following:

1. The detention basins shall be kept free of debris, high concentrations of nutrients which could contribute to alga blooms, and organic floatage. Any emergent vegetation (e.g., cattails and bulrushes) shall be removed only as necessary to control the mosquito problem.

2. Non-natural runoff to the detention basin shall be minimized by proper drainage patterns to prevent excessive organic material from entering.

3. Although the above measures are designed to minimize the potential for mosquito breeding in the on-site retention basins and control mosquito populations, active control measures may be necessary at times. This would include the application of a mosquito fog or insecticide spray. The use of this measure should be minimized to avoid reducing populations of other insects. Use of spray application shall be minimal and shall require coordination with VSCD, USFWS, and CDFG.

4. Maintenance of the detention basins shall be the responsibility of a homeowners association or similar maintenance district.

3. Provision of yard composters designed to encourage backyard composting.

4. Provide devices or chutes in multi-family residential units for convenient separation and recycling of materials.

The project applicant shall develop a solid waste management plan explaining how these options will be incorporated. The plan shall describe the location of exterior and interior storage areas for the collection of recyclables in multi-family residential and non-residential areas as required per Municipal Code Section 101.2001. The project proponent shall ensure the storage areas are located in areas convenient for use by residents or tenants and service providers.

13) Water Conservation

a) Impact: ***Subarea Plans 1 and 2.*** 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.

a) Mitigation:

Subarea Plans 1 and 2. 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.

2. Provide lifts of low-clay content soil in landscaped areas to improve infiltration.

3. Reduce runoff potential from landscaped areas by using berming, raised planters, and drip irrigation systems.

4. Install soil moisture override systems in all common irrigation areas to avoid sprinkling when the ground is already saturated.

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.

6. Incorporate low-flush toilets, low-flow faucets, and timers on sprinklers (including nighttime watering) into project design.

7. Provide information regarding water conservation measures to new residents at the time of lot purchase.

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be designed and constructed according to the most current edition of the City of San Diego Water and Sewer Design Guide.

Sewer

Prior to any new development within the subarea, developers shall be required to provide sewer studies showing the proposed sewer system for the subarea. All public sewer facilities shall be designed and constructed according to the most current edition of the City of San Diego Water and Sewer Design Guide.

Solid Waste

The project's prime contractor in cooperation with the City of San Diego's Environmental Services Department shall develop a comprehensive waste management plan. The plan shall describe programs that would be implemented to reduce the potential for direct and cumulative impacts to the City's waste management services to below a level of significant. The plan shall address construction phase as well as long-term waste management issues. The Development Services shall review this plan to ensure that the ESD has signed the plan and certified that it is consistent with City policy regarding its waste management services.

Following is a list of options that could be considered for the construction phase of the project and specified in the waste management plan:

1. Source separation for all construction debris such as wood, aggregate, drywall, and other discarded products including glass, plastics, and cardboard at the project sites and subsequent recycling of the materials.

2. Buying recycled or using recycled content construction material, such as acoustical ceiling tiles made from newsprint, tiles made from recycled glass, insulation made from mixed paper, as well as many landscaping products such as pavement made from recycled asphalt and tires, and mulch and compost made from green waste.

3. Use of postconsumer aggregate base and mulch in project landscaping;

4. Use of drought-tolerant landscaping to minimize the amount of green waste generated.

Following is a list of options that could be considered to address long-term waste management issues:

1. Provision of each single-family unit with kitchens designed to facilitate recycling;

2. Source separation and recycling of demolition debris;

a) **Mitigation:** The development of the proposed on-site elementary, junior high, and high schools would accomplish mitigation of the project's direct impact to schools from the subarea plan. School facilities financing and mitigation agreements between the affected school districts and the project applicant would be required at the time the Subarea Plan is approved by the City Council to ensure that the impacts on school facilities are mitigated to a level less than significant. In addition, prior to granting a ministerial or discretionary entitlement for a parcel, such parcel shall be subject to the terms of a mitigation agreement entered into by the landowner and the applicable School Districts or included in a community facilities district established by the applicable School Districts and authorized to fund the acquisition of school sites and construction of schools.

Until the new fire station is operating, developers shall demonstrate to the satisfaction of the City Fire Department that a response time of six minutes or less from Fire Station 24 to all portions of new developments can be achieved. For those areas of such new developments where a six-minute response time cannot be provided, individual sprinkler systems or other construction or site design safeguards, approved by the Fire Department, shall be required prior to the issuance of building permits.

b) Impact:

Water and Sewer Facilities

Potentially significant impacts to water and sewer facilities are anticipated with the development of the subarea due to a lack of existing facilities to serve the area.

Waste Management Services

The project could generate a significant amount of construction debris during the construction phase. Also, during the ongoing use of the site solid waste generation would exceed the 60 tons/year and 52 tons/year threshold of significance for solid waste impacts for residential and non-residential projects, respectively, established by the City's ESD. The project would affect City waste management programs and services; however, impacts could be minimized by incorporation of recycling and waste reduction measures in project design.

b) Mitigation:

Water

Future developers shall be required to provide appropriate water studies consistent with the findings and conclusions of the Miramar 712/North City 610 Water Study. Each developer shall be responsible for installing all those facilities identified in the accepted studies which are necessary to serve their developments. All public water facilities shall

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The draft EIR prepared by the City for the middle section of SR-56 indicates that wall heights varying between 12 and 16 feet would be required to mitigate noise levels at existing residential uses (City of San Diego 1996b). Similar wall heights would be anticipated for future sensitive uses located along the SR-56 right-of-way within Pacific Highlands Ranch.

As a general rule of thumb, a barrier provides five decibels of attenuation when it just breaks the line-of-sight between the source and receiver, and adds one decibel of attenuation for each foot above the height required to break the line-of-sight. Therefore, it is anticipated that noise barriers varying from five to eight feet will be required along the other major roadways within Pacific Highlands Ranch where the roadways are located adjacent to sensitive land uses.

At the time that detailed grading plans are available for the future subdivisions within Pacific Highlands Ranch, detailed acoustical analyses shall be performed to determine the exact barrier heights and locations where required. If exterior noise levels within residential areas are found to be above 60 CNEL after mitigation, then detailed interior noise analyses shall be required as well.

12) Public Services/Facilities

a) Impact: Currently, all schools in the Del Mar Union and San Dieguito Union High School Districts are operating above capacity within the project area. The generation of additional elementary school students resulting from development of the proposed project, either under Subarea Plan 1 or Subarea Plan 2 would add to the already overcrowded schools. This is considered a significant direct and cumulative impact.

Currently, there is insufficient capacity at Earl Warren Junior High School to accommodate the additional junior high students generated by buildout of the proposed project, either under Subarea Plan 1 or Subarea Plan 2. This is considered a significant direct and cumulative impact of the project.

Currently, Torrey Pines High School is operating above capacity. The estimated generation of additional high school students would contribute to the overcrowding of the school. This is considered a significant direct and cumulative impact.

Development of the subarea plan would incrementally increase the demand for fire services; however, both subarea plans provide a site for a double fire station. Until the new fire station is operating, the Fire Department's potential inability to provide a maximum six-minute first response time would be considered an interim significant impact.

3. The paleontologist or paleontological monitor shall be on-site full time during excavation into previously undisturbed formations. The monitoring time may be decreased at the discretion of the paleontologist in consultation with LDR, depending on the rate of excavation, the materials excavated, and the abundance of fossils.

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

5. The qualified paleontologist shall be responsible for preparation of fossils to a point of identification as defined in the City of San Diego Paleontological Guidelines, and submittal of a letter of acceptance from a local qualified curation facility. The paleontologist shall record any discovered fossil sites at the San Diego Natural History Museum.

6. The qualified paleontologist shall be responsible for the preparation of a monitoring results report with appropriate graphics summarizing the results (even if negative), analyses, and conclusions of the above program. The report shall be submitted to LDR prior to the issuance of building permits and/or certificates of occupancy. If building plans are not required, the paleontologist shall submit the report to LDR within three months following the termination of the monitoring program.

Prior to subarea plan approval, the Development Services Business Center shall verify that the above mitigation measures are incorporated in appropriate sections of the subarea plan. These measures shall be conditions of subsequent tentative maps and VTMs and development proposals.

11) Noise

a) **Impact:** As indicated, noise levels are anticipated to exceed applicable standards for all residential uses immediately adjacent to SR-56 and the major roadways, as well as to proposed school and park uses. Noise levels could exceed 70 CNEL for professional and office building land uses depending on their placement relative to the roadways. Noise levels for commercial retail land uses are not expected to be exceeded unless they are located immediately adjacent to SR-56. Where noise levels exceed applicable exterior standards, noise impacts would be significant.

a) **Mitigation:** Mitigation of noise levels could be accomplished through the construction of noise barriers. However, due to the limited grading detail available at this stage of planning, it is not possible to determine specific barrier heights and locations.

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6. Measures to control construction sediment shall be implemented in areas near watercourses. These measures may include interim desiltation basins, sandbags, hay bales, or silt fences, which shall be placed at the toe of slopes to prevent erosion. Punch straw or matting shall be installed to stabilize graded slopes and prevent the slope or construction material from sloughing into watercourses.

9) Natural Resources

a) Impact: As described in the NCFUA Framework Plan EIR, the direct impacts to prime agricultural resources on the project site from open space preservation and development are considered significant. The incremental loss of land being used for agriculture is also considered a significant cumulative impact and is identified as such in Chapter 6 of this MEIR.

a) Mitigation: Only implementation of the No Project alternative would reduce the identified agricultural resources impact associated with potential future development to below a level of significance.

10) Paleontological Resources

a) Impact: The potential for significant fossils to occur in the formations of the subarea plan is moderate to high in all areas planned for development of the Pacific Highlands Ranch Plan; therefore, the grading necessary to implement the subarea plan could result in significant impacts to paleontological resources.

a) Mitigation: The Pacific Highlands Ranch Plan would require that all future tentative maps and VTMs approved include a condition for the implementation of a monitoring and salvage program for the recovery of paleontological resources during development. This program would reduce potential impacts to paleontological resources to below a level of significance and shall include the following steps:

1. Prior to any grading activities and/or the issuance of permits, the applicant shall provide a letter of verification to the Environmental Review Manager of the Land Development Review Division (LDR) stating that a qualified paleontologist and/or paleontological monitor has been retained to implement the paleontological monitoring program. The requirement for monitoring shall be noted on grading plans. All persons involved in the paleontological monitoring of grading activities shall be approved by LDR.

2. The qualified paleontologist or paleontological monitor shall attend any preconstruction/pregrading meetings to consult with the excavation contractor.

Consultation and Plan Review

A more comprehensive soil and geologic evaluation shall be performed prior to providing final grading plans for the site. This evaluation shall be required to be implemented as a condition of final maps and grading plans. A geotechnical engineer shall also perform an on-site reconnaissance. A report shall be submitted for review and approval to the City's Engineering and Development Department prior to issuing grading permits.

b) Impact: Future grading activities for the implementation of specific development projects in Pacific Highlands Ranch would result in a potentially significant increase in soil erosion.

b) Mitigation: Prior to approval of a grading permit, each applicant for a specific development project in Pacific Highlands Ranch shall prepare a grading/construction management plan. The following mitigation measures, in addition to those listed in the Hydrology/Water Quality section of this MEIR (Chapter 4.D), shall be incorporated into the plan, if appropriate. The City's Development Services must approve the grading/construction management plans before a grading permit is issued and grading will commence. The geotechnical engineer shall inspect all cut and fill slopes and foundation work. A landscape architect will observe the revegetation of graded slopes. Each of these experts shall submit a report to the City.

1. Areas that have been stripped of native vegetation or areas of fill material shall require particular attention. These areas may require desilting basins, improved surface drainage, or planting of ground covers early in the improvement process, to reduce the potential for erosion.

2. Short-term measures for controlling erosion shall be incorporated into grading plans for the site. These measures shall include sandbag placement and temporary detention basins, as required by the City's Engineering and Development Department.

3. Catch basins shall be provided during grading activities.

4. Grading activities may be restricted during the rainy season, depending on the size of the specific operation. This season typically encompasses November through March. Grading activities may otherwise be restricted by their proximity to sensitive wildlife habitat.

5. After grading, slopes shall be immediately revegetated or hydroseeded with erosion-resistant species. These plants should be carefully irrigated to ensure coverage of the slopes prior to the next rainy season.

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2. The Mission Valley and Friars Formations, and some areas of topsoil, may include highly expansive soil. Based on this review of geologic units on the site, it is anticipated that an adequate quantity of low expansive soil exists on the site to mitigate the adverse impact of expansive soil, when it is encountered.

3. If there are proposed improvements that will be sensitive to potential settlement, partial removal and recompaction of compressible alluvium and colluvium will be necessary.

4. It is anticipated that areas of perched groundwater may exist within low-lying alluvial areas. Subdrains or other remedial measures will be necessary where drainage courses are proposed to be filled.

5. For the purpose of preliminary design, it is recommended that portions of the site that are subject to inundation due to a dam failure upstream be located and considered for restricted usage.

Grading

For the purpose of preliminary design, cut and fill slopes shall be designed no steeper than 2:1. The shear strengths of existing soil and rock units will generally limit safe allowable slope height. The potential impact of geologic conditions on slope stability shall be evaluated in areas of proposed high cut slopes.

Foundations

The dominant soil conditions on the site are generally suitable for supporting conventional spread footings, if the soil is in a dense and undisturbed condition or in a properly compacted condition. The actual soil characteristics and proposed design parameters for structures on the site will determine minimum footing dimensions and requirements for reinforcement. These factors are not currently known; however, it is estimated at this time that spread footings that are designed in accordance with the Uniform Building Code will be designed for an allowable soil bearing pressure of at least 2,000 pounds per square foot.

Drainage and Maintenance

Proper surface drainage shall be provided and maintained, as it is essential to soil stability and to reduce the potential for erosion. Drainage swales shall be installed on graded pads to conduct storm or irrigation runoff to controlled drainage facilities and away from buildings and the tops of slopes. Measures shall be taken to ensure that storm and irrigation water does not flow over the tops of cut or fill slopes.

Eight recorded sites were not relocated because they no longer exist. These sites do not require any additional investigation. These sites include CA-SDI-10138, CA-SDI-6701, CA-SDI-6915, CA-SDI-6919, CA-SDI-6920H, CA-SDI-6921, CA-SDI-7201, and CA-SDI-7203. An additional eight sites within the Ranch project area were found to not require any additional investigation as they have previously been determined to be nonsignificant resource areas. These include CA-SDI-10221, CA-SDI-13099, CA-SDI-6696, CA-SDI-6698, CA-SDI-6700, CA-SDI-6911, CA-SDI-6918, and CA-SDI-7206.

7) Air Quality

a) Impact: The proposed project would result in significant cumulative air quality impacts under the City's significance thresholds as discussed in Chapter 6 of this EIR.

a) Mitigation: No mitigation is available for cumulative air quality impacts at the project level. The project's contribution to cumulative air quality impacts is discussed in Chapter 6, Cumulative Effects. The No Project alternative would avoid potential significant air quality impacts.

8) Geology/Soils/Erosion

a) Impact: There are no significant soil or geologic conditions that were observed or known to exist on the project site which would preclude development on the property. However, potentially significant geologic conditions exist which require mitigation, including ancient landslides, expansive soils, unstable cut slopes, alluvial soils, poorly consolidated soils, and ground shaking due to an earthquake.

a) Mitigation: For each specific development application in Pacific Highlands Ranch, the City will require the applicant to submit a detailed geotechnical study by a qualified geotechnical firm. The conclusions and implementation of the recommendations provided in these reports would mitigate the potentially significant effects of soil and geologic conditions for future developments in Pacific Highlands Ranch to below a level of significance. The types of mitigation requirements which the feasibility studies are likely to contain are summarized below.

General Measures

1. In areas of proposed development, landslides, improperly compacted fill soil, weak claystone beds, and potentially compressible deposits of alluvium and colluvium may require special attention. Buttresses, stabilizing fill material, or other methods of stabilization will probably be required in developed areas where weak claystone beds or landslides are encountered. In areas where landslides exist off-site, and where stabilization is not feasible, setbacks may be required.

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