

(R-99-1441)

RESOLUTION NUMBER R-291682

ADOPTED ON MAY 25, 1999

WHEREAS, in June of 1998, Sharp Rees-Stealy submitted an application to The City of San Diego for Resource Protection Ordinance/Conditional Use Permit No. 98-0461 (Amendment to M-IP Permit No. 94-0513) for the Sharp Rees-Stealy Rancho Bernardo Health Care Facility; and

WHEREAS, the permit 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 May 25, 1999; and

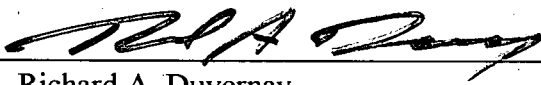
WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration LDR No. 98-0461; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR No. 98-0461, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Sharp Rees-Stealy Rancho Bernardo Health Care Facility.

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

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

APPROVED: CASEY GWINN, City Attorney

By   
Richard A. Duvernay  
Deputy City Attorney

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08/16/99  
Or.Dept:Clerk  
R-99-1441  
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## EXHIBIT A

### SHARP REES-STEALY MITIGATION, MONITORING AND REPORTING PROGRAM LDR No. 98-0461

As conditions of CONDITIONAL USE PERMIT/RESOURCE PROTECTION ORDINANCE PERMIT/AMENDMENT to MANUFACTURING/INDUSTRIAL PARK PERMIT No. 94-0513 and LOT LINE ADJUSTMENT No. 98-0461 the following mitigation measures are required to reduce potentially adverse impacts associated with biology, paleontology, transportation/circulation, and hydrology/water quality to below a level of significance.

#### Biology

1. Prior to the issuance of a grading permit, the applicant shall provide written verification to the Environmental Review Manager that 0.5 acres of Tier II habitat has been purchased within the San Pasqual Environmental Preserve to mitigate impacts to Coastal sage scrub and Non-native grasslands.

#### Paleontology

2. Prior to issuance of a grading permit, the applicant shall provide a letter of verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified paleontologist and/or paleontological monitor have been retained to implement the monitoring program. The requirement for paleontological monitoring shall be noted on the grading plans. ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL MONITORING OF THE PROJECT SHALL BE APPROVED BY LDR PRIOR TO THE START OF MONITORING.
3. The qualified paleontologist shall attend any preconstruction meeting to discuss grading plans with the grading and excavation contractor.
4. The paleontologist or paleontological monitor shall be on-site full-time during the initial cutting of previously undisturbed areas. Monitoring may be increased or decreased at the discretion of the qualified paleontologist, in consultation with LDR, and will depend on the rate of excavation, the materials excavated and the abundance of fossils.

5. The paleontologist shall have the authority to divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains. THE PALEONTOLOGIST SHALL IMMEDIATELY NOTIFY LDR STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY. LDR shall approve salvaging procedures to be performed before construction activities are allowed to resume.
6. 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 submitting a letter of acceptance from a local qualified curation facility. Any discovered fossil sites shall be recorded by the paleontologist at the San Diego Natural History Museum.
7. Prior to the issuance of a certificate of occupancy, a monitoring results report, with appropriate graphics, summarizing the results, analysis and conclusions of the paleontological monitoring program shall be submitted to LDR for approval.

#### Transportation/Circulation

8. Prior to the issuance of building permits, that applicant shall assure, by permit and bond, the installation of a traffic signal at the intersection of Rancho Bernardo Road and Via Tazon, satisfactory to the City Engineer.
9. Prior to the issuance of building permits, the applicant shall contribute a fair-share to the improvement of Rancho Bernardo Road, from west of West Bernardo Drive to I-5 Northbound ramps, as a six-lane major street, satisfactory to the City Engineer.

Construction costs borne by the applicant and associated with the installation of the traffic signal at the intersection of Rancho Bernardo Road and Via Tazon that exceed the applicant's fair share cost of providing the traffic signal shall be applied toward the applicant's fair share cost for the improvements to Rancho Bernardo Road.

#### Hydrology/Water Quality

10. Prior to the issuance of any grading and/or building permits, the applicant shall obtain a NPDES construction permit from the

Regional Water Quality Control Board. The permit requires the development of a Stormwater Pollution Prevention Plan (SWPPP) and Monitoring Plan that must address the management of significant pollutants during all phases of project construction.

11. Prior to the issuance of grading permits, this mitigation monitoring and reporting program will require an additional deposit of \$450.00 to be collected to ensure the successful completion of the program.