

RESOLUTION NUMBER R- 292321

ADOPTED ON OCT 19 1999

WHEREAS, San Diego Unified School District, Applicant, and R&F Associates, Engineer, submitted an application to The City of San Diego for a Vesting Tentative Map, Rezone, Planned Residential Development Permit, Community Plan Amendment and Mitigation Monitoring and Reporting Program (MMRP) No. 98-1011 (Process 5) for the Fairbrook Estate Project; and

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

WHEREAS, the issue was heard by the Council on OCT 19 1999, and

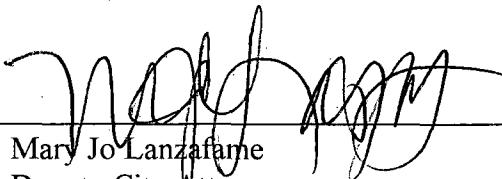
WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 98-1011; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 98-1011, 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 Fairbrook Estates project.

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

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

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

MJL:pev
10/4/99
Or.Dept:Plan.&Dev.Rvw.
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**MITIGATION MONITORING AND REPORTING PROGRAM
FAIRBROOK ESTATES
REZONE, COMMUNITY PLAN AMENDMENT, VTM, AND PRD
(LDR NO.98-1011)**

Biological Resources

Mitigation Measures: Prior to the issuance of a grading permit for the proposed project, the applicant must provide copies of the necessary resource agency permit from the California Department of Fish and Game. The MMRP shall include the following mitigation efforts:

Tier II habitat (0.20 acre of disturbed coastal sage scrub and 0.69 acre of disturbed broom baccharis scrub) shall be mitigated at a ratio of 1:1, by providing the equivalent of Tier II habitat (0.89 acre) within the MHPA on an offsite parcel.

Tier IIIA habitat (1.78 acres of disturbed chamise chaparral) shall be mitigated at a ratio of 0.5:1, by providing the equivalent of Tier IIIA habitat (0.89 acre) within the MHPA on an offsite parcel.

Tier IIIB habitat (4.63 acres of annual non-native grassland) shall be mitigated at a ratio of 0.5:1, by providing the equivalent of Tier IIIB habitat (2.32 acres) within the MHPA on an offsite parcel.

The total upland mitigation requirement of 4.10 acres would occur on an offsite parcel currently owned by the SDUSD in the City of San Diego community of Tierrasanta adjacent to Mission Trails Regional Park. Specifically, this proposed mitigation site is located northeast of Calle de Cir, at its connection with Colina Dorada. While this offsite mitigation parcel and adjoining parcel to the east are not a part of the regional park, it and the adjoining City park site parcel are bounded by the park on three sides and were included in the MHPA.

The use of this Tierrasanta site as mitigation must be assured with the placement of a conservation or non-building easement or any other similar, equivalent method to guarantee its preservation in perpetuity. This mitigation assurance must be in place prior to issuance of any grading permits for the Fairbrook project site.

Prior to the issuance of building permits, a permanent wall shall be installed along the open space/MHPA boundary. The specific design of the wall shall be subject to review and approval by the City of San Diego Environmental Review Manager.

Wetland Mitigation Measures

Impacts to 0.26 acre of disturbed wetland habitat shall be mitigated at a 2:1 ratio, for a total of 0.52 acre. Mitigation for wetland impacts shall consist of off-site habitat acquisition of freshwater marsh or better habitat adjacent to a larger, pre-existing mitigation project. The acquired mitigation site shall be specified and acquired prior to the issuance of any grading permit and shall be approved by the Environmental Review Manager of Land Development Review.

- A. Revegetation installation shall be provided by a licensed landscape contractor.
- B. Revegetation must occur prior to, concurrent with, or immediately following destruction of the on-site wetlands.
- C. Maintenance inspections shall be conducted weekly for the first four weeks, monthly for the next five months, and quarterly thereafter for the remainder of the revegetation project.
- D. The wetland mitigation site shall be monitored by a qualified project biologist over a 5-year monitoring period. Monitoring shall occur immediately following plant installation, and quarterly for the first year, and twice a year for the next four years to evaluate the success of the revegetation efforts.
- E. By the fifth year, a 80% survival of all transplanted trees and 20% coverage of herbs shall be attained.
- F. The project biologist shall prepare and submit annual reports summarizing the results of each monitoring survey. Upon completion of the mitigation effort, a final report shall be submitted to the Environmental Review Manager of Land Development Review.

A wetland mitigation site has been identified. The site is in two locations adjoining the Scripps Ranch High School site, one is an east-west, mapped drainage (referred to as "Creek A") which flows into Carroll Canyon paralleling Carroll Creek and the other is its smaller side drainage ("Creek B"). (See attached letter report and figure.) The main parallel drainage is located along the southern boundary of the school and is located parallel to and to the north of Carroll Canyon Road and Scripps Ranch Boulevard; the side drainage is located west of the t-intersection of Treena Street and Scripps Lake Drive, adjoining the right-of-way of Interstate 15.

The selected mitigation area of Creek A would be approximately 8 to 10 feet wide and 800 feet long, and situated on the south side of an existing, 25 to 50 feet wide riparian corridor. The proposed mitigation effort would revegetate this 7,200 square feet area (0.17 acre) with plant species such as mulefat, willows, cottonwood, and sycamore, to match the adjoining existing wetland habitat. Temporary irrigation to establish this

revegetation effort is readily available.

The selected mitigation area of Creek B would be approximately 100 feet by 150 feet (15,000 sf / 0.35 acre) and would be revegetated to provide a contiguous habitat similar to adjoining, existing southern willow scrub vegetation. Temporary irrigation to establish this revegetation effort needs to be provided for this site.

The proposed total 0.52 acre of revegetation/enhancement of these two drainages satisfies the required 2:1 mitigation ratio for the project's wetland impacts. The previous Conditions A through F of the MMRP applies to these two wetland mitigation efforts.

Alternative Adequate Mitigation for Upland Biological Impacts

In lieu of the setting aside of 4.10 acre of the proposed Tierrasanta parcel owned by SDUSD, the significant loss of upland habitat can be mitigated by the contribution of \$101,475 (\$22,500 per acre of impact plus 10% administration and maintenance costs) into the City's Habitat Acquisition Fund. Proof of this monetary contribution is required prior to the issuance of any grading permit. A combination of acreage and monetary contribution is also adequate mitigation.

Hydrology/Water Quality

The water quality of the watershed, including Pomerado Creek, could temporarily be impacted by the construction activities associated with the proposed development. The project would be required to adhere to local and regional requirements relative to stormwater discharges. Adherence to those requirements would reduce impacts to a level below significant.

Mitigation Measures

Prior to obtaining grading permits, the applicant shall be required to submit a Storm Water Pollution Prevention Plan (SWPPP) for construction activities to City of San Diego for approval. That SWPPP shall require the applicant's contractors to implement best management practices (BMPs) that would control or prevent the amount of dirt, debris, and toxics that could potentially enter the storm drain system during construction activities. In addition, a State NPDES permit shall be obtained and submitted to the Environmental Review Manager (ERM) of the Land Development Review Division, prior to issuance of grading permits.

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