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(R-2000-457)

RESOLUTION NUMBER R- 292396

ADOPTED ON NOV 02 1999

WHEREAS, Sunland Home Foundation, Applicant, and Hunsaker and Associates, Engineer, submitted an application to The City of San Diego for a Tentative Map and Mid-City Development (MCD) Permit for the 54th Place and Orange 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 NOV 02 1999; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 99-0322; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 99-0322, 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 54th Place and Orange project.

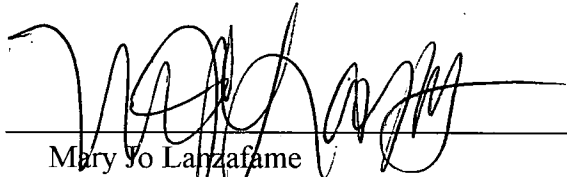
BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and

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:cdk:pev  
10/18/99  
Or.Dept:PDR  
R-2000-457  
Form=mndr.frm

**MITIGATION MONITORING AND REPORTING PROGRAM**  
ORANGE AVE @ 54<sup>TH</sup> PLACE CONDOMINIUMS  
TENTATIVE MAP AND MID-CITY DEVELOPMENT PERMIT  
(LDR MND NO.99-0322)

Biological Resources

A site-specific biological resources survey was conducted to determine the potential impacts to biological resources resulting from the proposed project. The report concluded that the site contained non-native grassland. Due to the location of 3.45-acre project site in a urbanized area surrounded by development and in the vicinity of homes, schools and public park, the site has been cited for wildfire fuel violation by the fire department; the owners have continually attempted to comply with fire regulations by keeping the potential fuel level/fire danger low by mowing the site annually. In consideration of this on-going fuel management required on the site, it was determined that 1.9 acres of non-native grasslands on the site required mitigation at a replacement ratio of 0.5 acre for each acre of impact. The significant loss of 1.9 acres of the Tier III, upland habitat shall be mitigated by the contribution of \$23,512 (\$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.

Potential Paleontological Resources

While portions of the 3.45-acre project site has been filled, the underlying bedrock is the fossiliferous San Diego Formation, a geologic formation with high potential for marine fossils. Any proposed excavation into unweathered portions of this rock formation requires monitoring for potential, significant fossil resources.

Prior to issuance of a grading permit, the applicant shall provide a letter of verification to the Environmental Review Manager of 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.

The qualified paleontologist shall attend any preconstruction meetings to discuss grading plans with the grading and excavation contractor.

The paleontologist or paleontological monitor shall be on site full time during the initial cutting of previously undisturbed and unweathered areas within the San Diego Formation. 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.

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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.

If significant fossils are detected, the 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 recovered by the paleontologist at the San Diego Natural History Museum.

Prior to the issuance of a certificate of occupancy, a paleontological monitoring results report, with appropriate graphics, summarizing the results, analysis, and conclusions of the paleontological monitoring program shall be submitted to LDR for approval. Where appropriate a brief, negative result letter would satisfy this requirement.