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(R-2007-473)  
COR. COPY 1/8/07

RESOLUTION NUMBER R- 302249

DATE OF FINAL PASSAGE JAN - 8 2007

WHEREAS, San Diego Community College District [SDCCD] submitted an application to the City of San Diego for a site development permit, Multiple Habitat Planning Area Boundary Line Adjustment and public right-of-way vacation for grading and re-vegetation within the Multiple Habitat Planning Area for Mesa College Street Vacation project [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, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the issue was heard by the City Council on JAN - 8 2007; and

WHEREAS, the City Council as a Responsible Agency under the California Environmental Quality Act of 1970, as amended [CEQA], considered the issues discussed in Mitigated Negative Declaration No. SCH-2005121106, prepared by the San Diego Community College District; NOW, THEREFORE,

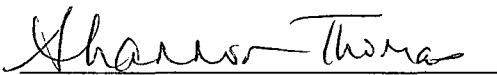
BE IT RESOLVED, by the Council of the City of San Diego, that the information contained in the final document, including any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of a

site development permit, Multiple Habitat Planning Area Boundary Line Adjustment and Public Right-of-Way Vacation for the Mesa College Street Vacation 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, a copy of which is attached hereto, as Exhibit A, and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
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12/18/06 COR.COPY  
Or.Dept:DSD  
R-2007-473  
MM#3951  
ENVIRONMENTAL - MND 11-01-04

**EXHIBIT A**  
**MITIGATION MONITORING AND REPORTING PROGRAM**  
**MESA COLLEGE**  
**SITE DEVELOPMENT PERMIT, MHPA BOUNDARY LINE ADJUSTMENT**  
**AND PUBLIC RIGHT-OF-WAY**  
**Project No. 60885**

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with California 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. The City of San Diego, Engineering and Capital Projects Department and the Development Services Department are jointly responsible for ensuring that this program is carried out.

The following mitigation measures shall be implemented in conjunction with the construction of the parking structure to be located at the western terminus of Mesa College Drive.

**Biological Resources**

The following mitigation measures shall be a condition of the Site Development Permit:

- The San Diego Community College District shall contribute \$10,500 to the City's Habitat Acquisition Fund to mitigate impacts to upland vegetation.
- To adjust the MHPA Boundary the San Diego Community College District shall fund the acquisition of 1.12 acres of Tiers II and III habitat in East Elliott.
- Impacts to Corps and CDFG jurisdictional areas shall be mitigated by restoration/enhancement on the Mesa College property within a nearby, highly disturbed wetland drainage that feeds into Tecolote Creek (located within the MHPA) as shown in Figure 11 in the Initial Study. Mitigation shall occur at a 5:1 ratio for impacts to cismontane alkali marsh and disturbed wetland habitat and at a 4:1 ratio for impacts to Waters of the U.S./streambed, for a total of 0.10 acre of mitigation.

Restoration/enhancement shall involve removal of non-native invasive plant species, including giant reed (*Arundo donax*), pampas grass (*Cortaderia jubata*), myoporum (*Myoporum sp.*), castor bean (*Ricinus communis*), Canary Island date palm (*Phoenix canariensis*), and Mexican fan palm (*Washingtonia robusta*) followed by establishment of native plant species associated with southern willow scrub, mule fat scrub, and cismontane alkali marsh habitats, as appropriate. In the restoration/enhancement areas, all non-native plant species shall be targeted for removal, excluding palm trees that are over 15 feet tall. Future maintenance will

be required to prevent the re-establishment of these non-native plant species in the future.

The proposed restoration and enhancement activities shall be implemented in accordance with the "Wetland Restoration Plan for the Mesa College Parking Structure" dated February 23, 2006.

- All grading and clearing of vegetation shall take place outside of the bird breeding season (February 15 through August 31) to avoid impacting native wildlife, including raptors and the coastal California gnatcatcher that may be nesting in the project vicinity.

If construction is proposed during the breeding season of the California gnatcatcher (between March 1 and August 15), a USFWS protocol survey shall be required to determine the presence or absence of this species within areas experiencing noise in excess of 60 dB(A) hourly Leq. If no gnatcatchers are identified in this area, no additional measures will be required. If it is determined that California gnatcatchers are present, construction operations shall be suspended or measures to minimize noise impacts, including temporary noise walls/berms, will be required. If a survey is not conducted and construction is proposed during the breeding season, presence would be assumed and a temporary wall/berm would be required. Noise levels from construction activities during the gnatcatcher breeding season shall not exceed 60 dB(A) hourly Leq at nest locations or the ambient noise level if noise levels already exceed 60 dB(A) hourly Leq.

If construction is proposed to occur during the raptor breeding season (generally February 1 through September 15), a pre-construction survey for active raptor nests shall be conducted by a qualified biologist to determine the presence or absence of nesting raptors. If no active nests are found, no additional measures will be required; however, no construction may occur within 300 to 500 feet of any identified nests until all young have fledged.

### **Traffic**

The following mitigation measures shall be implemented prior to construction of the new east entry and parking garage:

- An eastbound left turn lane on Mesa College Drive at Ashford Street shall be provided for interim and future conditions.

A stop sign for eastbound traffic shall be installed at the intersection of Armstrong Street and the temporary east campus entry drive (Armstrong Place extension).

A temporary northbound left turn lane into the project shall be provided.

A traffic control plan with temporary alignment, turn lanes, and parking restrictions shall be submitted to the City of San Diego.