

RESOLUTION NUMBER R- 302497

DATE OF FINAL PASSAGE APR - 2 2007

A RESOLUTION SUPERSEDING RESOLUTION NUMBER R-301787 PASSED AND ADOPTED ON AUGUST 21, 2006.

WHEREAS, the Council of the City of San Diego previously adopted Resolution Number R-301787 (August 21, 2006), authorizing, in part, the Mayor “to proceed with the implementation of the Regents Road Bridge Alternative, C.I.P. No. 53-044.0” [Bridge Alternative], and whereas the Council wishes to clarify that such authorization intended that a full and separate Environmental Impact Report [EIR] under the California Environmental Quality Act of 1970 (Cal. Pub. Res. Code § 21000 *et seq.*) [CEQA], as amended, and the State guidelines thereto (Cal. Code Regs. § 15000 *et seq.*) [Guidelines] be prepared, considered and certified before any Bridge Alternative improvement is finally considered, approved and commenced; and

WHEREAS, Resolution Number R-301787 adopted, in part, certain Findings and Statement of Overriding Considerations [collectively Statement] for the Bridge Alternative that have been interpreted by some to have authorized construction of the Bridge Alternative notwithstanding the Council’s intent and direction that a project-level EIR first be prepared, considered and certified prior to the final implementation of the Bridge Alternative, if warranted; and

WHEREAS, Resolution Number R-301787 approved “initiat[ing] a community plan amendment to delete the Genesee Avenue Widening Alternative from the University Community Plan,” which the Council clarifies as intending to direct that the appropriate CEQA review

process be undertaken, approved and certified before the Genesee Avenue Widening Alternative be deleted from the University Community Plan, if at all; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that Resolution Number R-301787 (August 21, 2006) is hereby superseded as follows:

1. That the Mayor is authorized to proceed with the preparation of a full, separate, independent project-specific Environmental Impact Report under the provisions of CEQA and its Guidelines for the Bridge Alternative, which the Council must certify before any implementation, if any, of that Bridge Alternative is approved and commenced.

2. That the Council confirms and re-iterates that the EIR for the University City North/South Transportation Corridor Study [University N/S Study] dated June 13, 2006, on file in the office of the City Clerk and incorporated herein by reference, is certified as having been completed in compliance with CEQA, and the EIR reflects the independent judgment of the City of San Diego as Lead Agency only for the environmental review for the University N/S Study.

3. That the information contained in the University N/S Study EIR, together with any comments received during the public review process, was reviewed and considered by this Council prior to selecting the Bridge Alternative for preparation of a full, separate, independent project-specific EIR under CEQA. Notwithstanding the foregoing, the certification of the University N/S Study EIR and the selection of the Bridge Alternative for further environmental review are not "projects" within the meaning of CEQA, Public Resources Code section 21065 [CEQA project].

4. That the adoption of the Statement for the Bridge Alternative on file in the office of the City Clerk, is rescinded, without prejudice to the later consideration and adoption, if any, of any Statement following the preparation and certification of a full, separate, independent project-specific EIR under CEQA for the Bridge Alternative.

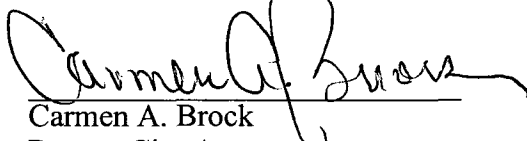
5. That the adoption of the Mitigation, Monitoring and Reporting Program for the Bridge Alternative on file in the office of the City Clerk is rescinded, without prejudice to the later consideration and adoption, if any, of the Mitigation Program following the preparation and certification of a full, separate, independent project-specific EIR under CEQA for the Bridge Alternative.

6. That this Council initiates the preparation of all appropriate environmental review under CEQA for a community plan amendment to delete the Genesee Avenue Widening Alternative from the University Community Plan, which review the Council must consider and certify before any such amendment, if any, is adopted.

7. Because this Resolution confirms that the certification of the University N/S Study EIR and the selection of the Bridge Alternative for further environmental review are not considered CEQA projects, the Council rescinds the Notice of Determination filed August 4, 2006 (State Clearinghouse No. 2004031011).

APPROVED AS TO FORM ONLY: MICHAEL J. AGUIRRE, City Attorney


By:


Carmen A. Brock
Deputy City Attorney

CAB:amj
3/29/07
Aud Cert.: N/A
Or.Dept:Clerk
R-2007-961

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 27 2007.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4.2.07
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor