

RESOLUTION NUMBER R-305578

DATE OF FINAL PASSAGE **JAN 26 2010**

A RESOLUTION DENYING THE APPEAL AND CERTIFYING FINDINGS TO MASTER ENVIRONMENTAL IMPACT REPORT (PACIFIC HIGHLANDS RANCH-SUBAREA III) NO. 96-7918 INCLUDING MMRP, FOR THE PACIFIC HIGHLANDS RANCH VILLAGE PROJECT – PROJECT NO. 7029.

WHEREAS, on June 2, 2003, Pardee Homes, a California Corporation, and Pacific Carmel AFG, LLC, a California limited liability company, Pacific Carmel MAG, LLC, a California limited liability company, Pacific Carmel RWJ, LLC, a California limited liability company and Pacific Carmel TMJ, LLC, a California limited liability company, collectively known as the Gonsalves Ownership as Subdivider/Applicant, submitted an application to the Development Services Department for a vesting tentative map, planned development permit, site development permit and conditional use permit; and

WHEREAS, the permit was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on October 15, 2009, and the Planning Commission granted the permits and made findings to the Master Environmental Impact Report [MEIR]; and

WHEREAS, the Planning Commission's decision was appealed; and

WHEREAS, the issue was heard by the City Council of the City of San Diego on January 26, 2010; and

WHEREAS, the City Council of the City of San Diego considered the issues discussed in Findings to MEIR No. 96-7918 (Pacific Highlands Ranch - Subarea III) for the Pacific Highlands Village Project, Project No. 7029; 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 of the City of San Diego to act as a quasi-judicial body, a public hearing was required by law implicating due process rights of individuals affected by the decision, and 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 matter was set for public hearing on January 26, 2010, testimony having been heard, evidence having been submitted, and the City Council of the City of San Diego having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the appeal of the Planning Commission's decision is hereby denied; and

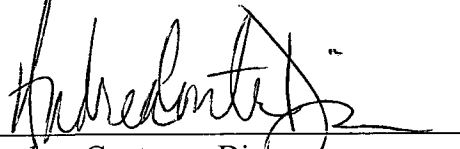
BE IT FURTHER RESOLVED, that it is hereby certified that Findings to MEIR No. 96- 7918 (Pacific Highlands Ranch - Subarea III) for the Pacific Highlands Ranch Village Project, Project No. 7029 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.) as amended, and the State guidelines thereto (California Administration Code section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission; and

BE IT FURTHER RESOLVED, that the City Council of the City of San Diego finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Findings to a MEIR, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code, section 21081.6, the City Council of the City of San Diego 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: JAN I. GOLDSMITH, City Attorney

By


Andrea Contreras Dixon
Deputy City Attorney

ACD:cw
01/29/10
03/04/10 REV.COPY
Or.Dept:DSD
R-2010-533
MMS #11175

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM PACIFIC HIGHLANDS RANCH, VILLAGE VESTING TENTATIVE MAP, PLANNED DEVELOPMENT PERMIT, SITE DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT PROJECT NO. 7029

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with 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. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Findings to Master EIR No. 96-7918 (Pacific Highlands Ranch - Subarea III) (Project No. 5382) shall be made conditions of the Vesting Tentative Map, Planned Development Permit, Site Development Permit and Conditional Use Permit as may be further described below.

GENERAL MEASURES

1. Prior to recordation of the permit, the Owner/Permittee shall deposit \$3,200.00 with the Environmental Analysis Section (EAS) of the Development Services Department to cover the City's costs associated with ensuring the implementation of the Mitigation, Monitoring and Reporting Program (MMRP).
2. Prior to issuance of any grading permits, (and prior to the issuance of subsequent permits which are subject to mitigation measures remaining after the grading permit is issued, i.e. geological reconnaissance plans; landscape plans, improvement plans, etc.); the Assistant Deputy Director (ADD) of the City's Entitlements Division shall verify that the first page index of the grading plans includes the pages where all the Unit 23-28 mitigation measures are listed verbatim and that the following note is placed in a box directly under the index under the heading, Environmental Requirements: "The Pacific Highlands Ranch-Village Project – LDR No. 42-1524 is subject to a Mitigation Monitoring and Reporting Program (see Sheet(s) and shall conform to the mitigation conditions as contained in the environmental document "LDR No. 42-1524 -Village Findings to the Master EIR for Pacific Highlands Ranch Subarea III (LDR No. 96-7918)". The Project (LDR No. 42-1524) is conditioned to include the monitoring of grading operations by a biologist and a paleontologist, as outlined in said document."
3. Prior to issuance of any grading permits, the Owner/Permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the City Field Resident Engineer; the monitoring biologist and paleontologist; City Mitigation Monitoring Coordination (MMC) Staff, and other City Staff as needed.

TRANSPORTATION/CIRCULATION

4. Prior to issuance of any building permit, the project shall conform to the Subarea III/PHR Transportation Phasing Plan, and the approved Traffic Study/final EIR to the satisfaction of the City Engineer.
5. Prior to the recordation of the first final map, the Subdivider shall assure the construction of Carmel Valley Road from SR-56 to Subarea IV/Torrey Highlands boundary as a six lane/four lane modified major street. The Subdivider shall dedicate 146 feet of right-of-way and shall provide a minimum of 126 feet of curb to curb, curb, gutter and a 5-foot-wide sidewalk within a 10-foot curb to property line distance then transitioning to a minimum curb to curb width of 102 feet within 128-feet of right-of-way east of Del Mar Heights Road, satisfactory to the City Engineer.
6. Prior to the recordation of the first final map, the applicant shall show that no fewer than 2,189 parking spaces (2,055 on site and 134 on local internal streets) shall be permanently maintained on the site within the approximate location shown on the project's Exhibit "A", which includes 91 disabled accessible spaces per CBC Chapter 11A, Section 1118A. Additionally, a minimum of 59 motorcycle and 167 bicycle spaces shall be provided on site. Additionally, a minimum of 8 Off-street Loading spaces shall be provided on site.
7. Prior to the recordation of the first final map, the applicant shall modify the traffic signal at the intersection of Carmel Valley Road/Street "A", satisfactory to the City Engineer.
8. Prior to the recordation of the first final map, the applicant shall modify the traffic signal at the intersection of Village Center Loop Road/Driveway "E", satisfactory to the City Engineer.
9. Prior to the recordation of the first final map, the applicant shall modify the traffic signal at the intersection of Village Center Loop Road/Street "C", satisfactory to the City Engineer.
10. Prior to the recordation of the first final map, the applicant shall assure the construction of Street "A" as a four lane modified urban collector street. The applicant shall dedicate 114' of right-of-way and shall provide a minimum of 84' of curb to curb, curb, gutter and 15' wide sidewalk within 15' curb to property line, satisfactory to the City Engineer.
11. Prior to the recordation of the first final map, the applicant shall assure the construction of Street "B" as a two lane modified urban collector street. The applicant shall dedicate 99' of right-of-way and shall provide a minimum of 69' of curb to curb, curb, gutter and 15' wide sidewalk within 15' curb to property line, satisfactory to the City Engineer.

12. Prior to the recordation of the first final map, the applicant shall assure the construction of Street "C" as a two lane modified urban collector street. The applicant shall dedicate 99-foot of right-of-way and shall provide a minimum of 69 feet of curb-to-curb, curb, gutter, and 15-foot wide sidewalk within 15-foot curb to property line, satisfactory to the City Engineer.

HYDROLOGY/WATER QUALITY

13. Prior to issuance of any grading permits, the City Engineer shall verify that the following measures have been incorporated into the grading and/or landscaping plans and/or project design as appropriate:

Construction Phase (Short Term Mitigation Measures)

- A. Prior to issuance of any grading permits, development of this project shall comply with all requirements of the State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ (NPDES General Permit No. CAS000002), and the Owner/Permittee shall submit evidence to the satisfaction of the ADD of Entitlements that a Clean Water Act Section 401 Water Quality Certification from the RWQCB has been obtained. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB.

Prior to issuance of any grading permits, a copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall also be filed with the City of San Diego.

In addition, the permittee/owner(s) and subsequent permittee/owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 99-08-DWQ.

- B. A Dewatering Discharge Permit (NPDES No. CA1018804) shall be obtained for the removal and disposal of groundwater (if necessary) encountered during construction. Discharge under this permit will require compliance with a number of physical, chemical, and thermal parameters (as applicable), along with pertinent site-specific conditions, pursuant to direction from the RWQCB.

- C. The SWPPP shall identify all applicable erosion control devices to be used during construction. These may include (but may not be limited to) earthen berms, gravel bags, silt fences, temporary storm drains, desilting basins, energy dissipating devices, bladed swales, geotextile mats, plastic sheeting, and hydroseeding or other vegetation and irrigation practices.
- D. Grading plans shall clearly identify the type and location of erosion control devices to preclude any potential erosion impacts to the sensitive habitats to be preserved (including wetlands) within and adjacent to the project footprint as shown on the approved "Exhibit A."
- E. Prior to issuance of any grading permits, the Owner/Permittee shall provide a letter to the ADD of Entitlements verifying that a qualified biologist has been retained to monitor grading activities (and ensure implementation of water quality measures as needed) adjacent to the sensitive habitat to be preserved, as shown on the approved "Exhibit A." The project biologist shall also be responsible for the monitoring of any other grading activities (and ensure implementation of water quality measures as needed) adjacent to off-site sensitive habitats, as shown on the approved "Exhibit A."
- F. The SWPPP shall include a site plan on which the grading footprint (development area) is identified as shown on the approved "Exhibit A." All construction activities (including staging areas) shall be restricted to the development area of this or other fully permitted project. Specified vehicle fueling, maintenance procedures and hazardous materials storage areas shall be clearly designated to preclude the discharge of hazardous materials used during construction (e.g., fuels, lubricants and solvents). The SWPPP shall include measures to preclude spills and provide for the containment of any hazardous materials, including proper handling and disposal techniques and the use of temporary impervious liners to prevent soil and water contamination.

Post-Construction/Operational (Long Term Mitigation Measures)

- 14. Prior to issuance of any grading permits, the City Engineer shall verify that the site plan clearly identifies the type and location of post-construction Best Management Practices (BMPs) are clearly identified on the site plan(s). All runoff shall be routed through catch basin filter inserts, or equivalent structural BMPs prior to flowing into the natural draw (to the south of the site) and/or conveyance into the public drainage system. All surface runoff shall be filtered/treated for removal of sediment, constituents absorbed by sediment, and oil/grease prior to leaving the site.

15. Prior to issuance of any grading permits, the following mitigation measures shall be incorporated into project design to the satisfaction of the ADD of Entitlements and the City Engineer:
 - A. A detention basin shall be constructed to provide adequate capacity to detain the first 0.6-inch of a rain event.
 - B. All project-related drainage structures shall be adequately sized to accommodate at a minimum a 50-year flood event (provisions for other storm events may be required pursuant to direction from the City Engineer).
 - C. Appropriate energy dissipating device(s) shall be provided to reduce the velocity and spread of the flow to be directed into natural habitat(s).
 - D. Surface and subsurface drainage shall be designed to preclude ponding outside of designated areas, as well as to avoid sheet flow down slopes.
 - E. Energy-dissipating structures (e.g., detention ponds, riprap, or drop structures) shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion.
16. Prior to issuance of any grading permit, the Owner/Permittee shall submit a Monitoring and Maintenance Program to assure long-term maintenance responsibility of all private drainage facilities, including detention basins and all structural and non-structural BMPs. The Monitoring and Maintenance Program shall be subject to the approval of the ADD of Entitlements and the City Engineer. The Monitoring and Maintenance Program shall include a schedule for the regular maintenance of all private drainage facilities and permanent BMPs.

LANDFORM ALTERATION/VISUAL QUALITY

17. Prior to issuance of any grading permits, the ADD of Entitlements shall verify that the grading plans submitted identify grading in conformance with the approved "Exhibit A."

GEOLOGY/SOILS

18. Prior to the issuance of any grading permits, the owner/permittee shall assure, by permit and bond, that appropriate grading and design features, necessary to serve the subject development, are shown on the grading plans in a manner satisfactory to the City Geological Staff.

PALEONTOLOGICAL RESOURCES

19. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

20. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

21. During Construction

- A. Monitor shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME

that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.

2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
3. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain

written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.

- c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

22. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

- B. If night work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
 - C. All other procedures described above shall apply, as appropriate.
23. Post Construction
- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum -The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.
 - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

C. Curation of fossil remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

NOISE

24. In accordance with Title 24 and the City Noise Ordinance, prior to the issuance of any building permits within the Village project, an acoustical report shall be submitted to the appropriate Engineering Staff and EAS to the satisfaction of the ADD which demonstrates that exterior/interior noise levels comply with City Noise Guidelines.

PUBLIC SERVICES/FACILITIES

25. FBA - Prior to issuance of the first building permit for each unit, the ADD shall verify that the Owner/Permittee has paid the project fair share of the Facilities Benefit Assessment District (FBA), for trails, and other required amenities.
26. Schools - Prior to issuance of the first building permit for each unit, the ADD shall verify that the Owner/Permittee has entered and conformed with any necessary mitigation agreements with the applicable School Districts to construct and fund schools. Submittal

of a County Recorder Document is required to the satisfaction of the ADD of Entitlements.

27. Solid Waste -Prior to the issuance of any building permit, the ADD of Entitlements shall verify that the Owner/Permittee has developed a comprehensive waste management plan for the Village in coordination with the City's Environmental Services Department.
28. Solid Waste - Prior to the Final Building Inspection, the ADD of Entitlements shall verify that containers for waste recycling are provided and a yard waste-composting program has been developed through the HOA; or City Green Waste Recycling Curb Service is confirmed to be provided.
29. Fire - Prior to issuance of any building permits, the Owner/Permittee shall demonstrate to the satisfaction of the ADD of Entitlements that a response time of six minutes or less from Fire Station 47 or any other Fire Station, to all portions of the new developments can be achieved.
30. Fire - Prior to the Final Building Inspection, for those areas of the developments where a six-minute response time cannot be ensured, the ADD of Entitlements shall verify that individual sprinkler systems have been installed in project structures to the satisfaction of the Fire Marshall.

WATER CONSERVATION

31. Prior to the Final Building Inspection, water conservation measures in accordance with the Uniform Plumbing Code and the Land Development Manual, shall be incorporated into the project design and carried out to the satisfaction of the ADD of LDR.

PUBLIC SAFETY

32. Prior to the Final Building Inspection, the Owner/Permittee shall provide a letter from the County Environmental Health Department Vector Surveillance and Control Division to the ADD of Entitlements verifying that a vector control program; to contain mosquito populations within any required temporary or permanent detention basins; has been designed, implemented by the owner/and or the HOA, and is satisfactory.