

ITEM # S500
SUB-B
3/26/13

RESOLUTION NUMBER R- 308061

DATE OF FINAL PASSAGE MAR 27 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO STATING FOR THE RECORD THAT THE CITY COUNCIL, AS RESPONSIBLE AGENCY, HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTED FINDINGS PURSUANT TO CEQA IN APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO UNIFIED SCHOOL DISTRICT AND THE CITY OF SAN DIEGO FOR THE BIOLOGICAL MITIGATION, PARK LAND AND JOINT USE FACILITIES FOR THE JONAS SALK ELEMENTARY SCHOOL, MCAULIFFE COMMUNITY PARK, AND CARROLL CANYON VERNAL POOL RESERVE, AND RELATED ACTIONS.

WHEREAS, San Diego Unified School District and the City of San Diego desire to enter into a Memorandum of Agreement Regarding Biological Mitigation, Park Land and Joint Use Facilities Involving the Jonas Salk Elementary School, McAuliffe Community Park, and Carroll Canyon Vernal Pool Preserve (Project); and

WHEREAS, on November 8, 2011, the San Diego Unified School District, as lead agency for the Project pursuant to California Environmental Quality Act (CEQA) approved the Project and certified a Final Environmental Impact Report (EIR), SCH No. 2010011021, dated October 2011, adopted Findings, a Statement of Overriding Considerations, and a Mitigation, Monitoring, and Reporting Program; 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 City Council on MAR 26 2013; and

WHEREAS, the City Council as a Responsible Agency under CEQA, considered the Final EIR, SCH No. 2010011021, prepared by the San Diego Unified School District; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the information contained in the Final EIR, including any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of a Memorandum of Agreement between the City of San Diego and the District Regarding Biological Mitigation, Park Land and Joint Use Facilities Involving Jonas Salk Elementary School, McAuliffe Community Park, and Carroll Canyon Vernal Pool Preserve; and

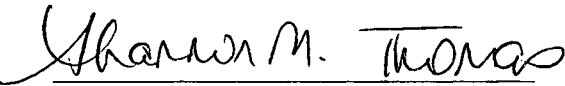
BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and CEQA Guidelines Sections 15091, the City Council hereby adopts the San Diego Unified School District's Findings made with respect to the Project, as well as the Statement of Overriding Considerations, pursuant to CEQA Guidelines Section 15093, both of which are attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program as it relates to the City of San Diego responsibilities for Traffic (T-1) Mitigation and Biological Resources Habitat Mitigation Measures and Vernal Pool Mitigation Sites tied to the MOU (BR-11 through BR-25), or alterations to implement the changes to the Project as required by this Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit B.

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, San Diego, CA 92101.

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

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
03/14/13
Or.Dept:DSD
Doc. No.: 529679

ATTACHMENT(S): Exhibit A, Findings and Statement of Overriding Considerations
Exhibit B, Mitigation Monitoring and Reporting Program

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 3/26/13.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: _____

3/27/13
(date)


BOB FILNER, Mayor

Vetoed: _____

(date)

BOB FILNER, Mayor

EXHIBIT A

CEQA Findings of Fact

(Public Resources Code § 21081 CEQA Guidelines §15091)

and

Statement of Overriding Considerations

(CEQA Guidelines §15093)

for the

Jonas Salk Area Elementary School

Final Environmental Impact Report

SCH Number: 2010011021

San Diego Unified School District

Facilities Planning and Construction

Physical Plant Operations Annex

4860 Ruffner Street

San Diego, CA 92111-1522

October 2011

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1.0 INTRODUCTION

The Jonas Salk Area Elementary School Final Environmental Impact Report (SCH No. 2010011021) (hereafter "Final EIR" or "FEIR") has been prepared pursuant to the California Environmental Quality Act to address the potential environmental effects of the Jonas Salk Area Elementary School and associated actions (hereafter "Proposed Project") and considered by the District in connection with its public consideration of requested approvals for the Proposed Project. While the full scope of the Proposed Project and associated approvals are more detailed in Section 1.4, the Proposed Project includes three locations or sites: 1) new school, park, and joint-use facilities site; 2) McAuliffe Park - vernal pool mitigation site; and 3) Carroll Canyon Preserve - vernal pool mitigation site. The proposed new school would be located within the Mira Mesa Community in the north-central portion of the City of San Diego. The McAuliffe Park vernal pool mitigation site consists of four City-owned parcels (approximately 33 acres), of which, one parcel is developed with an existing park and the other three parcels are undeveloped open space. The Carroll Canyon Preserve vernal pool mitigation site consists of 19.1 acres, with 119 vernal pools, totaling 1.18 acres of existing basin surface area. The District and the City of San Diego have entered into a Memorandum of Understanding (MOU) regarding Biological Mitigation, Park Land and Joint Use Facilities at the Jonas Salk Area Elementary School and McAuliffe Community Park. The MOU is provided as a reference in the EIR as Appendix B. Section 1.0 of the EIR summarizes the objectives of the MOU.

The Final EIR also analyzed the environmental effects of a range of project alternatives as well. The Final EIR and its technical appendices (provided on a CD attached to the back cover of the Final EIR) are incorporated herein by reference as though fully set forth.

1.1 Purpose of CEQA Findings; Terminology

CEQA Findings play an important role in the consideration of projects for which an EIR is prepared. Under **Public Resources Code (PRC) §21081** and **Guidelines §15091** below, where a final EIR identifies one or more significant environmental effects, a project may not be approved until the public agency makes written findings supported by substantial evidence in the administrative record as to each of the significant effects. In turn, the three possible findings specified in **Guidelines §15091** are:

- (a) (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.

The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

- (d) When making the findings required in subsection (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials, which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

In turn, **Guidelines §15092(b)** provides that no agency shall approve a project for which an EIR was prepared unless either:

- (1) The project as approved will not have a significant effect on the environment, or
- (2) The agency has:
 - (A) Eliminated or substantially lessened all significant effects where feasible as shown in the findings under Section 15091, and
 - (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

Based on the foregoing, the Guidelines do not provide a bright distinction between the meaning of "avoid" or "substantially lessen." The applicable Guidelines are based on PRC §21081, which uses the phrase "mitigate or avoid", and hence it is generally considered that to "avoid" is to include changes or alterations that result in the significant effect being reduced to below a level of significance. In contrast, the phrase "substantially lessen" is used to describe changes or alterations that materially reduce the significant effect, but not below a level of significance, thus, while mitigated, the effect remains significant. These Findings will distinguish, for the purposes of clarity, between effects that have been "avoided" (thereby reduced below a level of significance) and those that have been "substantially lessened" (and thus remain significant).

In combination with the mitigation and monitoring program discussed in Section 1.7, the following Findings and Statement of Overriding Considerations are binding obligations of the project to implement all required mitigation measures.

1.2 Purpose and Legal Authorities

The California Environmental Quality Act (hereafter "CEQA") was adopted in 1970 and is codified in California Public Resources Code §§ 21000 et.seq. (hereafter "PRC §21000"). CEQA is an important environmental law applicable to most public agency decisions to carry out, authorize or approve projects

that could have adverse effects on the environment. CEQA does not directly regulate project implementation or approvals through substantive standards or prohibitions, but rather CEQA generally requires only that agencies inform themselves about the potential environmental effects of a Proposed Project, carefully consider all pertinent environmental information effects of a Proposed Project, carefully consider all pertinent environmental information before they act, provide the public an opportunity to review and comment on any environmental issues, and include conditions or other requirements to avoid or reduce potential significant adverse effects of the project or action when feasible.

The San Diego Unified School District (hereinafter referred to as "District") has codified environmental protection procedures implementing CEQA and the state administrative guidelines issued pursuant to CEQA. The District's consideration of Findings of Fact and a Statement of Overriding Considerations are key steps in the process of considering the approval of the Proposed Project while concurrently protecting and enhancing the environment. The applicable standards and scope of the District's responsibilities are detailed in the following excerpts from the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §§ 15000 et. seq.; hereafter "Guidelines §15000").

Guidelines §15040. Authority Provided by CEQA

- (a) CEQA is intended to be used in conjunction with discretionary powers granted to public agencies by other laws.
- (b) CEQA does not grant an agency new powers independent of the powers granted to the agency by other laws.
- (c) Where another law grants an agency discretionary powers, CEQA supplements those discretionary powers by authorizing the agency to use the discretionary powers to mitigate or avoid significant effects on the environment when it is feasible to do so with respect to projects subject to the powers of the agency. Prior to January 1, 1983, CEQA provided implied authority for an agency to use its discretionary powers to mitigate or avoid significant effects on the environment. Effective January 1, 1983, CEQA provides express authority to do so.
- (d) The exercise of the discretionary powers may take forms that had not been expected before the enactment of CEQA, but the exercise must be within the scope of the power.
- (e) The exercise of discretionary powers for environmental protection shall be consistent with express or implied limitations provided by other laws.

Guidelines §15041. Authority to Mitigate

Within the limitations described in Section 15040,

- (a) A lead agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the "nexus" and "rough proportionality" standards established by case law (*Nollan v. California Coastal Commission* (1987) 483 U.S. 825; *Dolan v. City of Tigard*, (1994) 512 U.S. 374; *Ehrlich v. City of Culver City*, (1996) 12 Cal. 4th 854.).

- (b) When a public agency acts as a responsible agency for a project, the agency shall have more limited authority than a lead agency. The responsible agency may require changes in a project to lessen or avoid only the effects, either direct or indirect, of that part of the project which the agency will be called on to carry out or approve.
- (c) With respect to a project which includes housing development, a lead or responsible agency shall not reduce the proposed number of housing units as a mitigation measure or alternative to lessen a particular significant effect on the environment if that agency determines that there is another feasible, specific mitigation measure or alternative that would provide a comparable lessening of the significant effect.

Guidelines §15042. Authority to Disapprove Projects

A public agency may disapprove a project if necessary in order to avoid one or more significant effects on the environment that would occur if the project were approved as proposed. A lead agency has broader authority to disapprove a project than does a responsible agency. A responsible agency may refuse to approve a project in order to avoid direct or indirect environmental effects of that part of the project that the responsible agency would be called on to carry out or approve. For example, an air quality management district acting as a responsible agency would not have authority to disapprove a project for water pollution effects that were unrelated to the air quality aspects of the project regulated by the district.

Guidelines §15043. Authority to Approve Projects Despite Significant Effects

A public agency may approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that:

- (a) There is no feasible way to lessen or avoid the significant effect (see Section 15091); and
- (b) Specifically identified expected benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project. (See Section 15093)

Guidelines §15090. Certification of the Final EIR

- (a) Prior to approving a project the lead agency shall certify that:
 - (1) The final EIR has been completed in compliance with CEQA;
 - (2) The final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
 - (3) The final EIR reflects the lead agency's independent judgment and analysis.
- (b) When an EIR is certified by a non-elected decision-making body within a local lead agency, that certification may be appealed to the local lead agency's elected decision-making body, if one exists. For example, certification of an EIR for a tentative subdivision map by a city's planning commission may be appealed to the city council. Each local lead agency shall provide for such appeals.

Guidelines §15091. Findings

The purpose of this resolution is to adopt the findings required by this CEQA Guideline section and the underlying California Public Resource Code § 20181.

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are: -
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subsection (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes, which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials, which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

Guidelines § 15364. Feasible

Feasible means capable of being accomplished in a successful manner within a reasonable period of time taking into consideration economic, environmental, legal, social and technological factors. Feasibility must also be considered in the context of alternatives, which obtain most of the basic objectives of the Project, but would avoid and substantially lessen any significant effects of the Project. See Guideline § 15126.6(a).

Guidelines §15092. Approval

- (a) After considering the final EIR and in conjunction with making findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project.

- (b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either:
 - (1) The project as approved will not have a significant effect on the environment, or
 - (2) The agency has:
 - (A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and
 - (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.
- (c) With respect to a project, which includes housing development, the public agency shall not reduce the proposed number of housing units as a mitigation measure if it determines that there is another feasible mitigation measure available that will provide a comparable level of mitigation.

1.3 Environmental Impact Report Process

Based on preliminary review of the proposed project, the District concluded that the proposed project could have a significant impact on the environment and that preparation of an environmental impact report was necessary and issued its Notice of Preparation ("NOP") in accordance with CEQA, on January 11, 2010. The NOP was mailed to county, city, and state and federal agencies, other public agencies, and various interested private organizations and individuals. A scoping meeting was held on January 27, 2010. A copy of the NOP and the written comments received in response to the NOP are included in Appendix A to the Final EIR.

After consideration of the Scoping meeting comments and other comments in response to the NOP, the District identified that the Draft EIR should analyze the potential for environmental impacts associated with the following twelve substantive potential impact areas in the **Environmental Analysis** section:

Aesthetics/Neighborhood Character	Hazards and Hazardous Materials
Air Quality	Hydrology and Water Quality
Greenhouse Gas Emissions	Land Use and Planning
Biological Resources	Transportation/Circulation
Cultural Resources	Noise
Geology/Soils	Public Services and Utilities

Additionally, the Draft EIR was directed to include other CEQA substantive sections including **Executive Summary, Introduction, Project Description, Environmental Setting, Cumulative Impacts, Alternatives, Analysis of Long-Term Effects, and Effects Found Not Significant.**

1.4 Description of Proposed Project

The District proposes the Jonas Salk Area Elementary School (new school, park, and joint-use facilities) within the Mira Mesa Community of the City of San Diego. The proposed project involves the following components:

- 1) Construction and operation of the new school;
- 2) Construction and operation of a park and joint-use facilities (to be owned by the City of San Diego);
- 3) Implementation of a Vernal Pool Restoration Plan (mitigation) within the City of San Diego's McAuliffe Park site (restoration site to be owned and maintained by the District); and,
- 4) Implementation of 0.76-acres of vernal pool mitigation within the City of San Diego's Carroll Canyon Preserve site.

1.4.1 Jonas Salk Area Elementary School

This new school is proposed to support the enrollment needs in the Mira Mesa Community and help the District achieve the enrollment standard set forth in its Long-Range Facilities Master Plan. The development of the park and joint-use facilities will allow the City of San Diego to fulfill the need of such facilities in Mira Mesa. The development of the school and park and joint-use facilities on the school site relies upon the terms of the MOU between the City of San Diego and District.

The physical layout of the new school will include classrooms and associated facilities, parking areas, playground areas, joint-use play field, and landscaping associated with a K-6 facility. The following school facilities are proposed:

- 2-story Classroom Building (approximately 17,736 square feet);
- Multi-Purpose Building (approximately 12,656 square feet);
- Special Education Building (approximately 3,527 square feet);
- Reading Specialist/Learning Center (approximately 4,214 square feet);
- Administration Building (approximately 4,263 square feet);
- Lunch Court Shelter;
- Courtyard;
- Joint-Use Hard Court;
- Joint-Use Playfield (to be constructed, owned, and maintained by the City of San Diego);
- Two Pick-up/Drop-off Areas;
- On-site Parking;

- Park Facilities (to be constructed, owned, and maintained by the City of San Diego); and,
- Low Impact Development (LID) water quality features have been incorporated into the design of the project. These LID features will include:
 - a. Pervious pavement for the fire lane;
 - b. Cobble swale on the outside edge of the fire lane;
 - c. Sloping walkways and playgrounds into landscaped areas (where feasible); and,
 - d. Soil amendments to improve filtration.

Park and Joint-Use Facilities

The District plans to construct the proposed Jonas Salk Area Elementary School on District-owned property. Vernal pool impacts that occur on the school site will be mitigated at the two vernal pool mitigation sites (McAuliffe Park and the Carroll Canyon Preserve). To facilitate construction of the proposed new school, which is the goal of the District and construction of a park use, which is a goal of the City, the District would take ownership of 12.7 acres of the McAuliffe Park vernal pool mitigation site and convey 6.1 acres of the new school site to the City for development of a 2-acre multi-use play field, with the remaining 4.1 acres developed for park use. Joint-use facilities (playfield, hard courts) would be provided between the new school and adjacent existing City-owned Maddox Park. The joint-use facilities would serve the needs of both the general public and the students and faculty of the new school. The joint-use facilities would include, but are not limited to the 2.0-acre multi-use play field, approximately 1.1 acres of hard courts and miscellaneous equipment, and approximately 1.0 acre of the school parking lot.

School Operations

The school year calendar for the new school has not yet been set. Similarly, daily schedules, student enrollment, and staffing have not been established at this point of the project planning process. In order to assess potential project effects related to school operations, data from neighboring Mason, Hickman and Sandburg elementary schools was used to develop functional estimates for the new school.

Student enrollment for the proposed school is estimated to be 700. The estimated daily schedule for classes at the proposed new school will commence at approximately 8:00 AM. Classes finish by approximately 12:00 PM for Kindergarten and by 2:30 PM for grades 1 through 6. "Bell times" (i.e., times when the school day begins and ends) are approximately 8:00 AM and 2:30 PM. The inclusion of certain before and afterschool programs could require the school to open at 6:00 AM and close at 6:00 PM every school day. Such programs could include Prime Time, or 6 to 6.

Access/Transportation

Primary ingress and egress points to the proposed new school would be along Flanders Drive and Parkdale Avenue.

Parking

The proposed school would provide approximately 89 parking spaces within a proposed parking lot located at the corner of Flanders Drive and Parkdale Avenue.

1.4.2 Vernal Pool Mitigation Sites

1.4.2.1 McAuliffe Park – Vernal Pool Mitigation Site

The proposed school site contains 1.23 acres of vernal pools with San Diego fairy shrimp present, 0.35 acres of vernal pools with San Diego fairy shrimp absent (but assumed to be present), and 0.08 acres of vernal pools that were not surveyed for the San Diego fairy shrimp (San Diego Fairy Shrimp assumed to be present). The total impact to vernal pools with fairy shrimp present or assumed present is 1.66 acres. Applying a 2:1 mitigation ratio, required mitigation would be 3.32 acres.

Throughout 2008 and portions of 2009, the District and City developed a Memorandum of Understanding (MOU), which was approved by the Board of Education on September 8, 2009, and the City Council on October 6, 2009. As part of the MOU, the City would set aside approximately 12.7 acres of McAuliffe Park for 2.62 acres vernal pool mitigation. The remaining required mitigation acreage (0.76 acres) will be mitigated at the City of San Diego's Carroll Canyon Preserve site or at a separate location acceptable to the USFWS.

In order to support the Habitat Conservation Plan (HCP) process, a detailed Vernal Pool Restoration Plan, consistent with the Concept Vernal Pool Mitigation Plan, has been prepared for the mitigation of 2.62 acres of vernal pool mitigation at the 12.7 acre McAuliffe Park vernal pool mitigation site. A draft HCP has been prepared for approval by the U.S. Fish and Wildlife Service (USFWS) that would include the Vernal Pool Restoration Plan as the mitigation component.

The objectives of the Vernal Pool Restoration Plan include the following:

- Preserve 0.06 acre of existing vernal pool habitat (does not count towards mitigation requirement, because these are existing restored pools);
- Restore and enhance 0.95 acre of existing vernal pool habitat;
- Restore 1.61 acres of vernal pool habitat on the fill pad area of the site; and
- Restore and enhance the upland watershed areas of the mitigation site.

The vernal pool restoration, enhancement, and preservation program would include a number of activities on the site, all of which are designed to achieve the objectives listed above. These activities would include the following:

- A dethatching program for the entire project mitigation site, including both the vernal pool and upland habitats;
- Topographic recontouring of some of the existing basins and a complete topographic reconstruction of the fill pad area for vernal pool restoration;
- Seed collection, seed bulking (in a greenhouse), and seed dispersal;
- Container planting of both vernal pool and upland habitat species;

- Weed control, including the use of hand weeding, mowing, and herbicide application;
- Inoculation of the basin areas with fairy shrimp cyst and soil;
- Monitoring of both the vernal pool and upland flora and fauna; and,
- Preparation of reports to document progress toward achieving site success criteria.

1.4.2.2 *Carroll Canyon Preserve – Vernal Pool Mitigation Site*

Subsequent to the release of the Jonas Salk Area Elementary School Draft EIR for public review, the USFWS deemed all vernal pools on the school site to be potentially occupied by the San Diego fairy shrimp. Previous surveys only identified 1.31 acres of vernal pools as occupied. As such, the total fairy shrimp occupied vernal pool impact acreage for the proposed project has been increased from 1.31 in the Draft EIR acres to 1.66 acres in the Final EIR. Furthermore, the mitigation requirement has been revised from 2.62 acres to 3.32 acres as a result of the increased acreage of fairy shrimp occupied pools at the school site (Section 4.4 Biological Resources of the Final EIR, Mitigation Measure BR-11). The District has been working with USFWS since the beginning of this year (2011) to identify a location to fulfill the additional 0.76-acre mitigation requirement. The USFWS suggested that the District determine the availability of the City of San Diego's Carroll Canyon Preserve or another location within the project vicinity for this additional mitigation. The District has been in discussions with the City of San Diego (City) for use of the Carroll Canyon Preserve site. At this time, the Carroll Canyon Preserve site appears to be a viable mitigation option for the District. If the District is unable to negotiate a Right of Entry Permit with the City for use of the Carroll Canyon Preserve site, the District will be required to pursue other options acceptable to the USFWS. All off-site mitigation will be secured prior to disturbance of vernal pool habitat by the proposed project.

The potential area for mitigation within the Carroll Canyon Preserve would be approximately 3.37 acres, including approximately 0.76 acre of vernal pool basin restoration.

Similar to the restoration activities that will occur on the McAuliffe Park mitigation site, the following types of restoration activities are proposed for the 3.37-acre restoration area at the Carroll Canyon Preserve site:

- A dethatching program, including both the vernal pool and upland habitats;
- Topographic recontouring of some of the existing basins and disturbed areas around those basins. This would be accomplished with small, mechanized equipment and hand labor, and would be monitored using basic survey equipment (laser transit). The area proposed for topographic recontouring is primarily in the northwestern portion of the site;
- Seed collection, seed bulking (with a greenhouse propagation program), and seed dispersal throughout all of the basins and adjacent upland habitat on the site;
- Container planting of both vernal pool and upland habitat species in and adjacent to the recontoured basins;
- Weed control, including the use of hand weeding, mowing, and herbicide application;

- Inoculation of the recontoured basin areas with San Diego fairy shrimp cysts and soil from existing pools on the Carroll Canyon Preserve;
- Monitoring of both the vernal pool and upland flora and fauna, for a time period to be determined in the detailed restoration plan, and as approved by the USFWS and the City; and,
- Preparation of reports to document progress toward achieving site success criteria.

1.5 Project Objectives

As required by Proposition MM, the proposed project is intended to relieve enrollment pressures at the existing Mira Mesa community elementary schools. The *Mira Mesa Community Plan* (1992) contains a primary objective to monitor the capacities and enrollment of schools to "ensure that any additional facilities can be constructed in time to prevent overcrowding." The project objectives identified below incorporate the community plan objectives, as applicable.

- Provide additional capacity for elementary school students within the existing Mason, Hickman, and Sandburg elementary school attendance boundaries;
- Provide a neighborhood elementary school option for students currently transported to overflow schools outside the neighborhood;
- Assist the District in achieving the enrollment standard set forth in the Long-Range Facilities Master Plan (LRFMP) 1999-2013;
- Ensure that the new school development is compatible with adjacent land uses and that impacts are mitigated to the maximum extent feasible;
- Provide adequate mitigation for impacts to vernal pools at the McAuliffe Park site and Carroll Canyon Preserve site; and,
- Provide park and joint-use facilities on the Jonas Salk Area Elementary School site.

1.6 Environmental Setting

The project includes three locations or sites: 1) new school, park, and joint-use facilities site; 2) McAuliffe Park - vernal pool mitigation site; and 3) Carroll Canyon Preserve - vernal pool mitigation site. The proposed new school would be located within the Mira Mesa Community in the north-central portion of the City of San Diego. The site of the proposed new school, park, and joint-use facilities is located at the southwest corner of the intersection of Parkdale Avenue and Flanders Drive, adjacent to Maddox Park in the Mira Mesa Community. The proposed school site is approximately 13.1 acres in size and is owned by the District. The site is bound by residences on the north, east and southeast, Rattlesnake Canyon on the south and southwest, and Maddox Park on the west.

The McAuliffe Park vernal pool mitigation site consists of four City-owned parcels (approximately 33 acres), of which, one parcel is developed with an existing park and the other three parcels are undeveloped open space. Implementation of the McAuliffe Park - Vernal Pool Restoration Plan would occur on approximately 12.7 acres within portions of the three undeveloped parcels.

The Carroll Canyon Preserve is located approximately one-half mile south of the proposed Jonas Salk Area Elementary School site. The approximately 19.1-acre site is located within the City of San Diego's Multi-Habitat Planning Area. The entire Carroll Canyon Preserve is also fenced, dedicated as open space, and owned by the City of San Diego Park and Recreation Department. The potential area for mitigation within the Carroll Canyon Preserve would be approximately 3.37 acres, including approximately 0.76 acre of vernal pool basin restoration.

1.7 Mitigation Monitoring Program

Pursuant to PRC §21081.6, the District has also adopted a detailed mitigation and monitoring program prepared by the EIR consultant under the direction of the District. The program is designed to assure that all mitigation measures as hereafter required are in fact implemented on a timely basis as the Project progresses through its development, construction, and operational phases.

1.8 Record of Proceedings

For all purposes of CEQA compliance, including these Findings of Fact and Statement of Overriding Considerations, the administrative record of all District proceedings and decisions regarding the environmental analysis of the Proposed Project shall include but are not limited to the following:

- The Draft and Final EIR for the Proposed Project, together with all appendices and technical reports referred to therein, whether separately bound or not, or on a CD;
- All reports, letters, applications, memoranda, maps or other planning and engineering documents prepared by the District, environmental consultant, or others presented to or before the Board of Education as determined by the District;
- All letters, reports or other documents submitted to the District by members of the public or public agencies in connection with the District's environmental analysis on the Proposed Project;
- All minutes of any public workshops, meetings or hearings, including the scoping meeting, and any recorded or verbatim transcripts/videotapes thereof;
- Any letters, reports or other documents or other evidence submitted into the record at any public workshops, meetings or hearings; and
- Matters of common general knowledge to the District, which they may consider, including applicable state or local laws, and ordinances and policies.

Documents or other materials which constitute the record of proceedings upon which these Findings are made are located at:

San Diego Unified School District
Facilities Planning and Construction
Physical Plant Operations Annex
4860 Ruffner Street
San Diego, CA 92111-1522

2.0 FINDINGS OF SIGNIFICANT IMPACTS, REQUIRED MITIGATION MEASURES AND SUPPORTING FACTS

The District, having reviewed and considered the information contained in the EIR, finds pursuant to Public Resources Code §21081(a)(1) and Guidelines §15091(a)(1) that changes or alterations have been required in, or incorporated into, the Project which would mitigate, avoid, or substantially lessen to below a level of significance the following potential significant environmental effects identified in the EIR.

2.1 Project-Level Impacts Determined to be Significant and Unmitigable

2.1.1 Transportation/Circulation

2.1.1.1 *Jonas Salk Area Elementary School Site*

A. Near-Term with Project Conditions

Flanders Drive from Aderman Avenue to Dabney Drive

1. **Impact.** Implementation of the proposed project would result in a direct impact to the roadway segment of Flanders from Aderman to Dabney.
2. **Finding.** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.
3. **Mitigation Measure.** No feasible mitigation measure has been identified for this impact. Therefore, the direct impact to this roadway segment is identified as significant and unmitigable.
4. **Factual Support and Rationale.** The impact to the Flanders Drive from Aderman Avenue to Dabney Drive segment will result in a significant and unmitigable impact due to the need to acquire substantial property including that of single-family residential homes in an established residential neighborhood in order to widen this roadway. Therefore, due to economic, legal, and social considerations related to the acquisition of substantial property, no feasible mitigation measure is identified. As such, this impact is identified as a significant and unmitigable impact.

Flanders Drive from Parkdale Avenue to Amantha Avenue

1. **Impact.** Implementation of the proposed project would result in a direct impact to the roadway segment of Flanders from Parkdale to Amantha.
2. **Finding.** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.
3. **Mitigation Measure.** No feasible mitigation measure has been identified for this impact. Therefore, the direct impact to this roadway segment is identified as significant and unmitigable.
4. **Factual Support and Rationale.** The impact to the Flanders Drive from Parkdale Avenue to Amantha Avenue segment will result in a significant and unmitigable impact due to the need to acquire substantial property including that of single-family residential homes in an established residential neighborhood in order to widen this roadway. Therefore, due to economic, legal, and social considerations related to the acquisition of substantial property, no feasible mitigation measure is identified. As such, this impact is identified as a significant and unmitigable impact.

Parkdale Avenue from Flanders Drive to Gold Coast Drive

1. **Impact.** Implementation of the proposed project would result in a direct impact to the roadway segment of Parkdale Avenue from Flanders to Gold Coast.
2. **Finding.** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.
3. **Mitigation Measure.** No feasible mitigation measure has been identified for this impact. Therefore, the direct impact to this roadway segment is identified as significant and unmitigable.
4. **Factual Support and Rationale.** The impact to the Parkdale Avenue from Flanders Drive to Gold Coast Drive segment will result in a significant and unmitigable impact due to the need to acquire substantial property including that of single-family residential homes in an established residential neighborhood in order to widen this roadway. Therefore, due to economic, legal, and social considerations related to the acquisition of substantial property, no feasible mitigation measure is identified. As such, this impact is identified as a significant and unmitigable impact.

2.2 Project-Level Impacts Determined to be Significant and Mitigable

2.2.1 Greenhouse Gas Emissions

2.2.1.1 *Jonas Salk Area Elementary School Site*

- 1. Impact.** The Jonas Salk Area Elementary School Site is anticipated to generate an aggregate equivalent greenhouse loading of 1,094,900.4 + 11,308.5/day pounds of CO_{2e} associated with construction and operational emissions. This CO_{2e} level would be approximately 2.1 times greater than the California Air Pollution Controls Officers Association (CAPCOA) 900 MT screening level.
- 2. Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- 3. Mitigation Measure GHG-1.** The proposed project should demonstrate that it has policies in place that would assist in providing a statewide reduction in CO₂ as compared to "business as usual." To this end, the following greenhouse gas offset measures have been shown to be effective by CARB and should be implemented wherever possible.

The Diesel Equipment (Compression Ignition) offset Strategies (40% to 60% Reduction):

1. Construction equipment operating onsite should be equipped with two to four degree engine timing retard or precombustion chamber engines.
2. Construction equipment used for the project should utilize EPA Tier 2 or better engine technology.

Vehicular Trip (Spark Ignition) Offset Strategies (30% to 70% Reduction):

1. Encourage commute alternatives by informing construction employees and parents about transportation options for reaching your location (i.e. post transit schedules/routes).
2. Help construction employees rideshare by posting commuter ride sign-up sheets, employee home zip code map, etc.
3. When possible, arrange for a single construction vendor who makes deliveries for several items.
4. Plan construction delivery routes to eliminate unnecessary trips.
5. Keep construction vehicles well maintained to prevent leaks and minimize emissions, and encourage employees to do the same.

Onsite Energy Offset Strategies (50% to 70% Reduction):

1. Complete regularly scheduled maintenance on your HVAC (heating, ventilation and air conditioning system).
2. Use an energy management system to control lighting, kitchen exhaust, refrigeration and HVAC.
3. Install occupancy sensors for lighting in low occupancy areas.
4. Retrofit incandescent bulbs with compact fluorescent lights.
5. Install ultra efficient ballasts to dim lights to take advantage of daylight.
6. Upgrade existing fluorescent lighting with T-8 lamps with electronic ballasts (T-8 systems consume up to 40% less energy than conventional T-12 systems).
7. Install a programmable thermostat to control heating and air conditioning.
8. Insulate all major hot water pipes.
9. Insulate refrigeration cold suction lines.
10. Use weather stripping to close air gaps around doors and windows.
11. Select electrical equipment with energy saving features (e.g. Energy Star).
12. Plant native shrubs or trees near windows for shade.
13. Convert hot water heaters to on-demand systems.
14. Reduce the number of lamps and increase lighting efficiency by installing optical reflectors or diffusers.

4. Factual Support and Rationale. The foregoing mitigation measure requires the proposed project to demonstrate that it has policies in place that would assist in providing a statewide reduction in CO₂ by implementing greenhouse gas offset measures. These measures will offset greenhouse gas emissions by using better engine technology, reducing vehicular trips, and conserving energy.

Since 1994, the District's Energy/Utilities Management (E/UM) team has pursued innovative projects to save energy, reduce utility costs, and protect the environment while promoting sustainability in the District.

In 2003 the San Diego Unified School District began a photovoltaic roofing project that converts the sun's energy into electricity and reduces energy costs. As an added benefit, both the new roof and maintenance are of little or no cost to the District. In December of 2003, the Board of Education approved the solar roof installation for 14 schools and administrative sites. In 2005 the Board approved an additional 9 sites, and as of June 2008, a total of 28 systems are installed and operational.

District staff has been actively pursuing various opportunities with the California Center for Sustainable Energy, CleanTECH San Diego and the Renewable Energy Development Institute to provide the District with

a sustainable and predictable source of discounted electricity. This photovoltaic project helps the District provide such electricity.

The installed photovoltaics have a capacity of 4.17MW. Over the past 10 years, the District has also decreased energy usage by 25% due to occupancy sensors, a global lighting control system, efficient lighting, cool curtains, dark campus policy, re-engineered HVAC systems, and more.

- CHPS/LEED criteria adopted by School Board for all new construction
- 154 Energy Star schools designated by EPA
- Time clocks are installed at schools to manage outside lighting and tied to sunrise/sunset calculations
- Energy Management Control System monitors HVAC and sets temperatures at 176 sites.
- 28 facilities generating 4.17 MW of clean power with photovoltaics
- Payroll advices are no longer being printed
- All sites participate in paper and beverage container recycling
- Water brooms are used at all sites, using as little as 2 gallons/minute compared to 8 gallons/minute for an ordinary garden hose.
- \$2 million in irrigation water costs have been saved over the last five years due to its Irrigation Management Control system
- District school bus fleet is fueled with low-sulfur "Green Diesel" and 30 buses operate using a BR-20 blend of bio diesel fuel
- "No-idling" policy during bus loading and unloading

This progress would continue with the development of the Jonas Salk Elementary School, incorporating, as appropriate, the latest green technologies through the construction and operation of the school.

Implementation of Mitigation Measure GHG-1 will reduce the potential greenhouse gas emissions impact to a level less than significant because it would require that the proposed project implement greenhouse gas offset measures.

2.2.2 Biological Resources

2.2.2.1 *Jonas Salk Area Elementary School Site-Construction Impacts*

A. **Vegetation Communities**

1. **Impact.** Implementation of the school project (including the park and joint-use facilities) would result in a direct, permanent impact to six different vegetation communities, three of which are City of San

Diego Multiple Species Conservation Plan (MSCP) Tier IIIA vegetation types and one that is Tier IV. Approximately 0.06 acres of chamise chaparral, 0.02 acre of southern mixed chaparral, and 6.99 acres of disturbed southern mixed chaparral would be impacted by construction of the project. In addition 4.17 acres of disturbed habitat and 0.22 acre of ornamental/nonnative habitat would be permanently impacted by the project. In addition, the proposed project will directly impact vernal pools during grading of the project site.

The vegetation types in the buffer areas could be indirectly impacted by construction activities. These include: chamise chaparral, southern mixed chaparral, southern willow scrub, and southern cottonwood-willow riparian forest. Project construction could result in erosion and siltation into the surrounding habitat areas. Temporary indirect impacts could occur associated with dust accumulation on the vegetation in the surrounding buffer areas. This could cause significant problems with native vegetation until the accumulated dust is washed off after the next rainfall event. Furthermore, potential temporary indirect impacts could occur from the accumulation of construction spoils and trash from project construction.

2. Finding. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. Mitigation Measures.

BR-1 The District shall inform the construction contractor(s), prior to the bidding process, about the biological constraints of this project. All sensitive habitat areas to be avoided should be clearly marked on project maps provided to the contractor and designated as "no construction" zones. These areas shall be flagged by the project biologist prior to the onset of construction activities. In some cases, resources may need to be fenced or otherwise protected from direct or indirect impacts. The contractor will be responsible for mitigation of any direct or indirect impacts to biological resources outside the flagged construction zone or not identified in this report as caused by the project.

BR-2 A contractor education program shall be implemented to ensure that contractors and all construction personnel are fully informed of the biological resources associated with this project. This program shall focus on (a) the purpose for resource protection, (b) contractor identification of sensitive resource areas in the field (e.g., areas delineated on maps and by flags or fencing), (c) sensitive construction practices (see numbers 3 through 9 below), (d) protocol to resolve conflicts that may arise at any time during the construction process, and (e) ramifications of noncompliance. This program shall be conducted by a qualified biologist.

BR-3 Activities shall be prohibited within drainages or other wetland areas outside of the construction footprint, including staging areas, equipment access, and disposal or temporary placement of excess fill.

- BR-4** Vehicles shall use existing access roads to the degree feasible. Where new access is required, all vehicles shall use the same route, even if this requires heavy equipment to back out of such areas. All access routes outside of existing roads or the construction corridor shall be clearly marked (i.e., flagged and/or staked) prior to the onset of construction. All access roads outside of existing roads or the construction corridor shall be delineated on the grading plans and reviewed by a qualified biologist.
- BR-5** Topsoil shall be stockpiled in disturbed areas currently lacking native vegetation. Stockpile areas will be delineated on the grading plans and reviewed by a qualified biologist.
- BR-6** Staging areas shall be located in disturbed habitat, to the degree feasible. Staging areas are prohibited within sensitive habitat areas. Staging areas will be delineated on the grading plans and reviewed by a qualified biologist. If staging areas outside the construction footprint are used, they will be surveyed for biological resources.
- BR-7** Fueling of equipment shall take place within existing paved roads, and not within or adjacent to drainages or native habitats. Contractor equipment will be checked for leaks prior to operation and repaired as necessary. "No-fueling zones" will be designated on construction maps and would be situated a minimum distance of 50 feet from all drainages.
- BR-8** Construction in, or adjacent to, sensitive areas will be appropriately scheduled to minimize potential impacts to biological resources. The contractor shall prepare and implement a Dust Control Program and remove construction spills and trash from the site to the satisfaction of the District.
- BR-9** Erosion and siltation into off-site areas during construction will be minimized. An erosion control plan and a Storm Water Pollution Prevention Plan (SWPPP) will be required of the contractor. The contract supervisor will be responsible for ensuring that the erosion control plan and SWPPP are developed and implemented. The plan will include the use of hay bales, silt fences, siltation basins, or other devices necessary to stabilize the soil in denuded or graded areas during the construction and revegetation phases of the project.
- BR-10** Construction activities performed with mechanized equipment shall be conducted outside of the breeding season to the extent feasible. To the extent feasible, grading shall be scheduled to occur between September 1 and January 15 to avoid the avian breeding season and to limit the effects of rainfall on the grading activities. If construction is unavoidable during the breeding season, preconstruction presence/absence surveys shall be conducted to verify that no nesting birds (e.g., gnatcatcher) occur on-site or within 500 feet of construction activity. Areas to be graded shall be clearly delineated by a survey crew prior to conducting grading activities. If gnatcatchers are determined to be present on-site, protocol surveys will be initiated to determine number of individuals, breeding activity, and nest presence. All construction will halt until nests are no longer active, as determined by the project biologist. If construction must

occur, formal consultation will be initiated with USFWS. If other nesting birds covered under the MBTA are determined to be present, construction activities shall not occur within 500 feet of the active nest until August 31 or until it is determined that the nest is no longer active. If construction must continue and other nesting birds are present, noise attenuation measures (e.g., sound walls) will be implemented to reduce levels to below 60 dBA.

BR-11 The proposed project will result in direct project impacts to 1.23 acres of vernal pools with San Diego fairy shrimp present, 0.35 acres of unoccupied pools, and 0.08 acres of pools not sampled. The total potential impact to vernal pools with San Diego fairy shrimp present, or unoccupied or not sampled but assumed present, is 1.66 acres. Compensation for such impacts shall be conducted through restoration, enhancement, and preservation of vernal pools at a 2:1 mitigation ratio, for a total of 3.32 acres of vernal pool mitigation. Based on District coordination with USFWS, vernal pool mitigation for 2.62 acres of vernal pool mitigation is proposed on approximately 12.7 acres of the City's McAuliffe Park site (vernal pool mitigation site). In addition, to compensate for approximately 0.06 acre of chamise chaparral, 0.02 acre of southern mixed chaparral, and 6.99 acres of disturbed southern mixed chaparral that would be permanently impacted by the project, upland habitat enhancement and restoration shall be conducted at a 1:1 mitigation ratio. A total of 0.06 acre of chamise chaparral and 7.01 acres of southern mixed chaparral will be restored at the 12.7-acre McAuliffe vernal pool mitigation site.

The additional 0.76 acre of mitigation is proposed to be mitigated at the City of San Diego's Carroll Canyon Preserve site. If the District is unable to negotiate a Right of Entry Permit with the City for use of the Carroll Canyon Preserve site, the District is required to pursue other options acceptable to the USFWS. All off-site mitigation shall be secured prior to disturbance of vernal pool habitat by the proposed project.

A 5-year vernal pool and upland restoration plan has been prepared by the District for approval by USFWS for the McAuliffe Park site (Appendix A of the Biological Resources Technical Report, Appendix E1 of this EIR). The restoration provides detail for the required vernal pool and upland mitigation and determine the exact acreage and extent of the vernal pool and sensitive vegetation community mitigation. This restoration plan details the implementation of the mitigation program, which will include topographic reconstruction, seeding, container planting, and weed control. The plan provides detailed monitoring methods for both the vernal pool and upland restoration and enhancement, including success criteria and remedial recommendations. The District would be required to prepare a 5-year vernal pool restoration plan for the Carroll Canyon Preserve site, similar to the McAuliffe Park plan.

BR-12 In addition to a 5-year vernal pool and upland restoration plan, a long-term management plan has been developed by the District for approval by USFWS. This long-term management plan provides direction for the maintenance and monitoring in perpetuity that shall be implemented following successful completion of the 5-year maintenance and monitoring program. Estimated costs for long-term management and an endowment to fund long-term management activities are identified in the plan. The District shall work with USFWS to establish an appropriate endowment.

4. Factual Support and Rationale. Mitigation Measures BR-1 through BR-12 will reduce the biological impact to a level less than significant. Mitigation Measures BR-1 through BR-9 require the construction contractor to be informed of the biological constraints of the project; implementation of a contractor education program; prohibition of activities within drainages or other wetland areas; access to the roads, if not an existing road would need to be evaluated by a biologist; topsoil shall be stockpiled; staging areas shall be located in disturbed habitat; furling shall take place within existing roads; scheduling of construction activities appropriately to minimize impacts to biological resources and implementation of a Dust Control Program; and creation of an erosion control plan and a Storm Water Pollution Prevention Plan (SWPPP). Mitigation Measure BR-10 requires that to the extent feasible, construction activities shall be conducted between September 1 and January 15 to avoid the avian breeding season. If construction is unavoidable during the breeding season, preconstruction presence/absence surveys shall be conducted to verify that no nesting birds occur on-site or within 500 feet of construction activity. If construction must continue during breeding season and nesting birds are present, noise attenuation measures (e.g. sound walls) will be implemented to reduce levels to below 60 dBA.

Implementation of Mitigation Measures BR-11 and BR-12 will reduce the impacts to vernal pools to a level less than significant. Mitigation Measure BR-11 requires that compensation of direct impacts to vernal pools with San Diego fairy shrimp present be conducted through restoration, enhancement, and preservation of vernal pools at the McAuliffe Park vernal pool mitigation site and the remaining acres will be mitigated at the City of San Diego's Carroll Canyon Preserve site or at a separate location acceptable to the USFWS. The details for the required mitigation will be provided in a 5-year vernal pool program. In addition, Mitigation Measure BR-12 will require the development of a long-term management plan to provide direction for the maintenance and monitoring of vernal pools.

The proposed Vernal Pool Restoration Plan for the McAuliffe Park site, will enable the District to meet the goal of enhancing, restoring, preserving, and ultimately conserving higher quality vernal pools that would have been proposed for park development at some time in the future. As part of the vernal pool restoration plan, a 2:1 mitigation ratio is proposed for impacts to vernal pools that will occur at the proposed Jonas Salk Elementary School site. A 2:1 mitigation ratio has been determined to be appropriate for the proposed vernal pool restoration based on several factors. The vernal pool restoration plan for the proposed project would achieve an overall goal of enhancing, restoring, preserving, and ultimately conserving higher quality vernal pools at the McAuliffe Park site, which has been, and would likely be proposed for park development at some future time, if it is not conserved for vernal pool restoration as part of the proposed mitigation for the project. The area of proposed mitigation is located within an existing

vernal pool complex, which is connected to four other pool complexes in the vicinity. The complexes are connected via the Lopez Canyon Open Space and its tributaries.

In addition, the District has provided assurances to the Service through a Long-Term Management Plan that the proposed mitigation site will be managed and monitored to ensure long-term conservation of the San Diego fairy shrimp.

The vernal pools and ephemeral ponds located on the proposed Jonas Salk school site have been subject to a high level of disturbance over the last 30 years. The proposed project site was cleared and graded by Pardee Construction in 1979 during the development of the surrounding neighborhood, which dramatically altered the site topography. Changes in topography from the original condition range from approximately 14 feet of cut to 15 feet of fill, with the vast majority of the site having experienced at least three or more feet of cut or fill. In addition, the grading of the site in 1979 removed all of the natural mima mound topography that supported the vernal pools and their watershed, essentially leaving a large flat pad area. Following grading, Pardee turned the property over to the District. Since 1979, the Project Site has been subject to continued disturbance including digging and mounding soil for bicycle jumps, off-road vehicle traffic, and pedestrian traffic. It also is likely that domestic cats and dogs use the site. The mitigation proposal includes a trade-off of impacts to this lower quality habitat, for the long-term preservation of a much more viable habitat at the proposed mitigation site.

The benefits of the restoration to the San Diego fairy shrimp include a substantial increase in the available habitat for the San Diego fairy shrimp at the proposed mitigation site, improvement in the natural ponding capabilities of this habitat (through topographic reconstruction and weed control), and an overall improvement in the quality of the existing habitat. While the San Diego fairy shrimp are capable of living in disturbed vernal pool habitat, the adult and cyst densities for San Diego fairy shrimp in high-quality vernal pools is usually greater than disturbed basin areas (Simovich and Fugate 1992). Sensitive vernal pool plant species do not persist well in disturbed vernal pool habitat, so the restoration and enhancement would greatly increase the opportunities for the native vernal pool plants to remain stable with viable populations over time, as well as increase the opportunities for these plant species to colonize new basin areas.

In addition to the improvement in the habitat value of the proposed mitigation site as a result of vernal pool restoration, restoration would protect a large portion of the site from being developed, helping to maintain better wildlife connectivity to the surrounding open space areas (Lopez Canyon Open Space and Los Peñasquitos Canyon Preserve). Also, the proposed restoration would provide opportunities to evaluate the applicability and success of several vernal pool habitat restoration techniques, specifically in terms of crustacean biology (i.e., community richness, reproductive success, population ecology, and genetic variability). With these potential areas of research, there would be opportunities for hands-on research for local college students (e.g., University of San Diego (Dr. Simovich) and San Diego State University (Dr. Bohonak)), as well as students from San Diego Unified School District. Research opportunities could include work on experimental design, field techniques, laboratory techniques, data analysis, population ecology, genetic variability, and applied ecological methods. Students from Challenger Middle School would not

only have an opportunity to participate in scientific research, but would develop a better understanding of and appreciation for their local environment and native biodiversity.

With implementation of Mitigation Measures BR-1 through BR-12, the potential direct and indirect impacts to biological resources would be reduced to a level less than significant.

B. Plant Species

1. **Impact.** Project construction may result in erosion and siltation into the surrounding buffer area and dust accumulation, potentially resulting in indirect impacts to three surrounding sensitive plant species: San Diego barrel cactus, golden-rayed pentachacta, and western dichondra.
2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
3. **Mitigation Measures.** Mitigation Measures BR-8 and BR-9 as listed above.
4. **Factual Support and Rationale.** Mitigation Measure BR-8 requires the development and implementation of a Dust Control Program and the removal of construction spills and trash from the site. Implementation of Mitigation Measure BR-9 requires the preparation and implementation of an erosion control plan and SWPPP during construction. With implementation of Mitigation Measures BR-8 and BR-9, the potential indirect impacts to plant species during project construction will be reduced to a level less than significant.

C. Wildlife

1. **Impact.** Implementation of the proposed new school would result in direct, significant, permanent impacts to wildlife including vernal pools and the San Diego fairy shrimp on-site, and sensitive avian species.

Indirect impacts to sensitive wildlife species could result from increased noise, light, and dust during construction activities. Construction of the proposed project could result in permanent indirect impacts to sensitive wildlife species by isolating some populations already existing in a fragmented system and reducing the amount of adjacent quality habitat due to edge effects.

2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
3. **Mitigation Measures.** Mitigation Measures BR-8, BR-10, and BR-11 as listed above, including the Factual Support and Rationale provided for these measures, and the following:

BR-13 Appropriate post construction fencing and signage shall be installed to prohibit access and avoid potential impacts to biological resources adjacent to the site.

BR-14 No invasive nonnative plant species shall be planted, seeded, or otherwise introduced to habitats adjacent to the project site. No myoporum, eucalyptus, acacia or any other invasive exotics shall be used. Exotic plant species that shall not be used include, at the minimum, those species on Lists A and B of the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California." A qualified biologist shall review any landscape plans before approval.

BR-15 Irrigation on the project site shall not run off into adjacent habitat.

BR-16 BMP erosion control measures and site-specific designs shall be implemented, directing runoff into the City's storm drain system and not into the adjacent canyons.

4. Factual Support and Rationale. With implementation of Mitigation Measures BR-8, BR-10, BR-11 and BR-13 through BR-16, the potential direct and indirect impacts to wildlife will be reduced to a level less than significant. Mitigation Measure BR-8 requires the development and implementation of a Dust Control Program and the removal of construction spills and trash from the site. Mitigation Measure BR-10 requires that to the extent feasible, construction activities shall be conducted between September 1 and January 15 to avoid the avian breeding season. If construction is unavoidable during the breeding season, preconstruction presence/absence surveys shall be conducted to verify that no nesting birds occur on-site or within 500 feet of construction activity. If construction must continue during breeding season and nesting birds are present, noise attenuation measures (e.g. sound walls) will be implemented to reduce levels to below 60 dBA. Mitigation Measure BR-11 requires that compensation of direct impacts to vernal pools with San Diego fairy shrimp present be conducted through restoration, enhancement, and preservation of vernal pools. Mitigation Measure BR-13 requires the installation of appropriate post construction fencing and signage to prohibit access and avoid potential impacts to biological resources adjacent to the site. Mitigation Measure BR-14 requires that no invasive plant species be planted, seeded, or otherwise introduced to habitats adjacent to the project site. Mitigation Measure BR-15 requires that irrigation on the project site shall not run off into adjacent habitat. Finally, Mitigation Measure BR-16 requires the implementation of BMP erosion control measures and site-specific designs.

2.2.2.2 *Jonas Salk Area Elementary School Site-Operational Impacts*

1. Impact. The operation of the proposed project could potentially result in an increase in more trails and wider trails, resulting in loss or type conversion of native vegetation from erosion, siltation, and vegetation trampling.

The use of irrigation in the landscaped areas of the project site may result in indirect impacts to sensitive vegetation types as a result of an increase in water availability. The increase in water availability may

adversely impact adjacent native habitat areas, as these areas may become more moist, which would facilitate the invasion of nonnative plant species and potentially lead to habitat conversion.

Furthermore, a related concern is the invasion of nonnative plant species; particularly those potentially used in the school's landscaping that could potentially invade the surrounding native vegetation areas.

2. Finding. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. Mitigation Measures. Mitigation Measures BR-13 through BR-16 as identified above.

4. Factual Support and Rationale. The potential impact associated with the loss or type conversion of native vegetation from erosion, siltation, and vegetation trampling will be reduced to a level less than significant with implementation of Mitigation Measure BR-13. This mitigation measure requires the installation of appropriate post construction fencing and signage, which will prohibit access and avoid potential impacts to adjacent biological resources.

The potential impact associated with the increase in water availability and invasion of nonnative plant species that could potentially lead to habitat conversion will be reduced to a level less than significant with implementation of Mitigation Measures BR-15 and BR-16. Mitigation Measure BR-15 requires that irrigation on the project site shall not run off into adjacent habitat. Mitigation Measure BR-16 requires that BMP erosion control measures and site-specific designs shall be implemented to direct runoff into the City's storm drain system and not into adjacent canyons.

With implementation of Mitigation Measure BR-14, the potential impact associated with nonnative species competing with native vegetation will be reduced to a level less than significant. Mitigation Measure BR-14 requires that no invasive nonnative plant species be planted, seeded, or otherwise introduced to habitats adjacent to the project site.

With implementation of Mitigation Measures BR-13 through BR-16, the potential direct and indirect impacts to vegetation communities during operations of the proposed project will be reduced to a level less than significant.

2.2.2.3 *McAuliffe Park - Vernal Pool Mitigation Site*

A. Vegetation Communities

1. Impact. With implementation of the vernal pool restoration plan, the only vegetation type directly impacted would be those that occur at the fill-pad area in the northeastern corner of the vernal pool mitigation site. This vegetation would be temporarily impacted by the topographic recontouring proposed in the restoration plan. It should be noted that no permanent significant impacts would occur. The restoration and enhancement of the site will provide indirect benefits.

2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

3. **Mitigation Measures.**

BR-18 Basin recontouring disturbance shall be limited to the grading zones as indicated by flagging. A qualified biologist familiar with vernal pools shall monitor construction that occurs near sensitive habitat areas.

BR-19 Equipment staging and access, refueling areas, and disposal or temporary placement of excess fill shall be located outside of any vernal pool watersheds and away from sensitive habitat and natural drainages outside the project footprint. Staging areas are identified in the restoration plan.

BR-22 All access routes shall be clearly marked (e.g., flagged and/or staked) by a biological monitor prior to the onset of construction.

4. **Factual Support and Rationale.** Mitigation Measures BR-18, BR-19, and BR-22 will ensure that no impacts to sensitive habitats occur with the implementation of the vernal pool restoration plan. Mitigation Measure BR-18 requires that disturbance of soils as a result of basin recontouring be limited to the grading zoned as indicated by flagging. Mitigation Measure BR-19 requires that equipment staging and access, refueling areas, and disposal or temporary placement of excess fills be located away from sensitive habitats. Lastly, Mitigation Measure BR-22 will ensure that all access routes are clearly marked prior to the onset of construction. Implementation of Mitigation Measures BR-18, BR-19, and BR-22 will reduce this impact to a level less than significant.

B. Plant Species

1. **Impact.** Sensitive plant species that occur in vernal pools targeted for rut removal may be indirectly impacted if the rut removal results in any changes to the hydrology or causes any siltation or other erosion issue.

2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. **Mitigation Measures BR-21.** Temporary siltation and turbidity increase may occur in the recontoured basins following the grading activities. Graded areas shall be compacted using a combination of the mechanized equipment and hand compaction. Areas that have been graded shall also be seeded with vernal pool and upland species where appropriate to help stabilize the soils following the first rainfall of the season.

4. **Factual Support and Rationale.** Mitigation Measure BR-21 requires that graded areas shall be compacted using a combination of the mechanized equipment and hand compaction. In addition, Mitigation Measure BR-21 also requires that graded areas will be immediately seeded with native vernal pool species to stabilize the temporarily disturbed substrate. With implementation of Mitigation Measure BR-21, the temporary siltation impact to sensitive species will be reduced to a level less than significant.

C. Wildlife

1. **Impact.** The proposed vernal pool restoration plan could potentially directly impact Bell's sage sparrow, Cooper's hawk, California gnatcatcher during topographic recontouring of the vernal pool basin areas. In addition, implementation of the vernal pool restoration plan may result in some potential indirect temporary impacts to San Diego and Riverside fairy shrimp as a result of the rut removal in some of the basins. There is a potential for this rut removal to have a temporary effect on the turbidity of the basin.

2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

3. Mitigation Measures.

BR-17 Topographic recontouring of the vernal pool basin areas with mechanized equipment shall be conducted outside of the breeding season to the extent feasible. Grading shall be scheduled to occur between September 1 and January 15 to avoid the avian breeding season and to limit the effects of rainfall on the grading activities. If construction is unavoidable during the avian breeding season, presence/absence surveys shall be conducted to verify that no nesting birds (e.g., gnatcatchers) occur on-site or within 500 feet of construction activity. Areas to be graded shall be clearly delineated by a survey crew prior to conducting grading activities. If nesting birds covered under the MBTA are determined to be present, restoration activities shall not occur within 500 feet of the active nest until August 31 or until it is determined that the nest is no longer active. The contractor(s) shall be responsible to mitigate impacts to sensitive biological resources beyond those identified in this report or any subsequent reports that occur as a direct result of grading activities.

BR-20 To minimize risk of crushing cysts during grading, the top layer of soil from each pool to be graded shall be excavated and temporarily stored while the grading occurs. Following the completion of grading, the soils shall be placed back in the appropriate basin areas.

BR-21 Temporary siltation and turbidity increase may occur in the recontoured basins following the grading activities. Graded areas shall be compacted using a combination of the mechanized equipment and hand compaction. Areas that have been graded shall also be seeded with vernal pool and upland species where appropriate to help stabilize the soils following the first rainfall of the season.

BR-23 At the onset of habitat maintenance each season (approximately January to February), a wildlife biologist shall conduct presence/absence survey to determine if nesting birds are on-site or within 500 feet of the restoration site. If nesting birds are detected, nests shall be flagged and maintenance activities that could be a nuisance to nesting birds (e.g., weed control, planting, etc.) shall not be conducted within 500 feet of nests until August 31 or until it is determined that the nest is no longer active.

4. Factual Support and Rationale. The potential direct and indirect impacts to wildlife during topographic recontouring of the vernal pool basin areas will be reduced to a level less than significant with implementation of Mitigation Measures BR-17, BR-20, BR-21, and BR-23.

The potential impact associated with avian species during topographic recontouring of the mitigation site will be reduced to a level less than significant with implementation of Mitigation Measures BR-17 and BR-23. Mitigation Measure BR-17 requires that topographic recontouring of the vernal pool basin areas with mechanized equipment shall be conducted outside of the avian breeding season the extent feasible. Mitigation Measure BR-23 requires that the presence/absence surveys shall be conducted each breeding season during habit maintenance. If any nesting birds are detected, nests shall be flagged and maintenance activities that could be a nuisance to nest birds shall not be conducted within 500 feet of the nests until August 31 or until it is determined that the nest is no longer active.

With implementation of Mitigation Measures BR-20 and BR-21, the potential impact to San Diego fairy shrimp as a result of the rut removal in some of the basins will be reduced to a level less than significant. Mitigation Measure BR-20 requires that the top layer of each pool be excavated and temporarily stored while grading occurs in order to minimize the risk of crushing cysts. Mitigation Measure BR-21 requires that graded areas shall be compacted using a combination of the mechanized equipment and hand compaction. In addition, areas that have been graded shall also be seeded with vernal pool and upland species where appropriate to help stabilize the soils following the first rainfall of the season.

D. Multiple Species Conservation Plan Consistency

1. Impact. The proposed vernal pool restoration plan has the potential to result in indirect impacts from adjacency issues such as human access, invasion of nonnative plant species, and trampling of sensitive resources.

2. Finding. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. Mitigation Measures.

BR-24 Appropriate post-construction fencing and signage shall be installed to prohibit access and avoid potential impacts to sensitive resources adjacent to the site, including vernal pools. The restoration plan identifies the proposed fencing and signage.

BR-25 No invasive nonnative plant species shall be planted, seeded, or otherwise introduced to habitats adjacent to the MHPA or vernal pool watersheds. No myoporum, eucalyptus, acacia, or any other invasive exotics shall be used. Exotic plant species that should not be used include, at the minimum, those species on Lists A and B of the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California." A qualified vernal pool and wetlands biologist shall review any landscape plans for the adjacent school property before approval. Construction vehicles, including wheels and blades, shall be cleaned prior to entering the site to minimize importing exotic species into the project mitigation site.

4. Factual Support and Rationale. Mitigation Measures BR-24 and BR-25 will be implemented to ensure that potential indirect impacts from adjacency issues such as human access, invasion of nonnative plant species, and trampling of sensitive resources will not occur as a result of the vernal pool restoration plan. Mitigation Measure BR-24 requires additional signage as part of the proposed restoration program to prohibit access and avoid potential impacts to sensitive resources adjacent to the site. Implementation of Mitigation Measure BR-25 will reduce nonnative plants on the vernal pool mitigation site and increase the overall native species cover. With implementation of Mitigation Measures BR-24 and BR-25, the potential indirect impacts from adjacency issues will be reduced to a level less than significant.

2.2.2.4 *Carroll Canyon Preserve - Vernal Pool Mitigation Site*

A. Vegetation Communities

1. Impact. With implementation of the vernal pool restoration plan, the only vegetation type directly impacted would be vernal pool habitat and upland chamise chaparral. This vegetation would be temporarily impacted by the topographic recontouring proposed in the restoration plan. It should be noted that no permanent significant impacts would occur. The restoration and enhancement of the site will provide indirect benefits.

2. Finding. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. Mitigation Measures. Mitigation Measures BR-18, BR-19 and BR-22 as identified above.

4. Factual Support and Rationale. Mitigation Measures BR-18, BR-19, and BR-22 will ensure that no impacts to sensitive habitats occur with the implementation of the vernal pool restoration plan. Mitigation Measure BR-18 requires that disturbance of soils as a result of basin recontouring be limited to the grading zoned as indicated by flagging. Mitigation Measure BR-19 requires that equipment staging and access, refueling areas, and disposal or temporary placement of excess fills be located away from sensitive habitats. Lastly, Mitigation Measure BR-22 will ensure that all access routes are clearly marked prior to the onset of construction. Implementation of Mitigation Measures BR-18, BR-19, and BR-22 will reduce this impact to a level less than significant.

B. Plant Species

1. **Impact.** Sensitive plant species that occur in vernal pools located in disturbed areas may be indirectly impacted if the rut removal results in any changes to the hydrology or causes any siltation or other erosion issue.
2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
3. **Mitigation Measure.** Mitigation Measure BR-21 as identified above.
4. **Factual Support and Rationale.** Mitigation Measure BR-21 requires that graded areas shall be compacted using a combination of the mechanized equipment and hand compaction. In addition, Mitigation Measure BR-21 also requires that graded areas will be immediately seeded with native vernal pool species to stabilize the temporarily disturbed substrate. With implementation of Mitigation Measure BR-21, the temporary siltation impact to sensitive species will be reduced to a level less than significant.

C. Wildlife

1. **Impact.** The proposed vernal pool restoration plan could potentially directly impact potential bird species present within the restoration site. In addition, implementation of the vernal pool restoration plan may result in some potential indirect temporary impacts to San Diego and Riverside fairy shrimp as a result of the rut removal in some of the basins. There is a potential for this rut removal to have a temporary effect on the turbidity of the basin.
2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
3. **Mitigation Measures.** Mitigation Measures BR-17, BR-20, BR-21, and BR-23 as identified above.
4. **Factual Support and Rationale.** The potential direct and indirect impacts to wildlife during topographic recontouring of the vernal pool basin areas will be reduced to a level less than significant with implementation of Mitigation Measures BR-17, BR-20, BR-21, and BR-23.

The potential impact associated with avian species during topographic recontouring of the mitigation site will be reduced to a level less than significant with implementation of Mitigation Measures BR-17 and BR-23. Mitigation Measure BR-17 requires that topographic recontouring of the vernal pool basin areas with mechanized equipment shall be conducted outside of the avian breeding season the extent feasible. Mitigation Measure BR-23 requires that the presence/absence surveys shall be conducted each breeding season during habit maintenance. If any nesting birds are detected, nests shall be flagged and maintenance activities that could be a nuisance to nest birds shall not be conducted within 500 feet of the nests until August 31 or until it is determined that the nest is no longer active.

With implementation of Mitigation Measures BR-20 and BR-21, the potential impact to San Diego fairy shrimp as a result of the rut removal in some of the basins will be reduced to a level less than significant. Mitigation Measure BR-20 requires that the top layer of each pool be excavated and temporarily stored while grading occurs in order to minimize the risk of crushing cysts. Mitigation Measure BR-21 requires that graded areas shall be compacted using a combination of the mechanized equipment and hand compaction. In addition, areas that have been graded shall also be seeded with vernal pool and upland species where appropriate to help stabilize the soils following the first rainfall of the season.

D. Multiple Species Conservation Plan Consistency

1. **Impact.** The proposed vernal pool restoration activities are consistent with the activities allowed within the MHPA. Increased human use of the area is not expected as the site would not be accessible to the public.
2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
3. **Mitigation Measure.** Mitigation Measure BR-25 as identified above.
4. **Factual Support and Rationale.** Mitigation Measure BR-25 will be implemented to ensure that potential indirect impacts from invasion of nonnative plant species and trampling of sensitive resources will not occur as a result of the vernal pool restoration plan. Implementation of Mitigation Measure BR-25 will reduce nonnative plants on the vernal pool mitigation site and increase the overall native species cover. With implementation of Mitigation Measure BR-25, the potential indirect impacts from adjacency issues will be reduced to a level less than significant.

2.2.3 Cultural Resources

2.2.3.1 Jonas Salk Area Elementary School Site

1. **Impact.** The proposed project has the potential to impact paleontological resources during substantial grading and excavation of the project site. The project site is underlain by the Lindavista and Stadium Conglomerate formations, which are considered to have moderate paleontological resources sensitivity.
2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
3. **Mitigation Measure CR-1.** Prior to site grading, a qualified paleontologist shall be retained by the District to carry out an appropriate mitigation program. (A qualified paleontologist is defined as an individual with a minimum MS or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.) In addition, the following shall be implemented:

- The qualified paleontologist shall be present at the pre-construction meeting to consult with the grading and excavation contractors.
- A paleontological monitor shall be on-site a minimum of half time during the original cutting of previously undisturbed sediments to inspect cuts for contained fossils. In the event that fossils are discovered, it may be necessary to increase the per/day in field monitoring time. Conversely, if fossils are not being found then the monitoring should be reduced. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor shall work under the direction of a qualified paleontologist.)
- When fossils are discovered the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as complete large mammal skeleton) may require an extended salvage period. In these instances the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains, such as isolated mammal teeth, it may be necessary in certain instances, to set up a screen-washing operation on the site.
- Fossil remains collected during the monitoring and salvage portion of the mitigation program shall be cleaned, repaired, sorted, and cataloged.
- Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall either be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum or retained by the District and displayed for the public at an appropriate location such as the District offices.
- A final summary report shall be completed and retained on file at the District that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

4. Factual Support and Rationale. Mitigation Measure CR-1 requires that a qualified paleontologist implement an appropriate mitigation program for paleontological resources on the project site. The qualified paleontologist or paleontological monitor shall be on-site during grading to ensure that potential paleontological resources discovered on-site are recovered and collected, in a manner appropriate to the qualified paleontologist. If any paleontological resources are discovered, grading shall be put to halt in order to implement a salvage program. Implementation of Mitigation Measure CR-1 will reduce the potential impact to paleontological resources to a level less than significant.

2.2.3.2 *McAuliffe Park - Vernal Pool Mitigation Site*

1. Impact. The proposed project has the potential to impact paleontological resources during grading and excavation of the McAuliffe Park vernal pool mitigation site. The mitigation site is underlain by the Lindavista and Stadium Conglomerate formations, which are considered to have moderate paleontological resources sensitivity.

2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. **Mitigation Measure CR-1** (as described above).

4. **Factual Support and Rationale.** Mitigation Measure CR-1 requires that a qualified paleontologist implement an appropriate mitigation program for paleontological resources on the project site. The qualified paleontologist or paleontological monitor shall be on-site during grading to ensure that potential paleontological resources discovered on-site are recovered and collected, in a manner appropriate to the qualified paleontologist. If any paleontological resources are discovered, grading shall be put to halt in order to implement a salvage program. Implementation of Mitigation Measure CR-1 will reduce the potential impact to paleontological resources to a level less than significant.

2.2.3.3 *Carroll Canyon Preserve - Vernal Pool Mitigation Site*

1. **Impact.** The proposed project has the potential to impact paleontological resources during grading and excavation of the Carroll Canyon Preserve vernal pool mitigation site. The mitigation site is underlain by the Lindavista and Stadium Conglomerate formations, which are considered to have moderate paleontological resources sensitivity.

2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. **Mitigation Measure CR-1** (as described above).

4. **Factual Support and Rationale.** Mitigation Measure CR-1 requires that a qualified paleontologist implement an appropriate mitigation program for paleontological resources on the project site. The qualified paleontologist or paleontological monitor shall be on-site during grading to ensure that potential paleontological resources discovered on-site are recovered and collected, in a manner appropriate to the qualified paleontologist. If any paleontological resources are discovered, grading shall be put to halt in order to implement a salvage program. Implementation of Mitigation Measure CR-1 will reduce the potential impact to paleontological resources to a level less than significant.

2.2.4 *Geology/Soils*

2.2.4.1 *Jonas Salk Area Elementary School Site*

1. **Impact.** Implementation of the proposed Jonas Salk Area Elementary School has the potential to result in geology/soils impacts related to strong ground motion, ground surface rupture, and unstable soils.

2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. **Mitigation Measure GS-1.** All future grading and construction of the project site shall comply with the geotechnical recommendations contained in the geotechnical reports prepared for the proposed project (*Geology and Soils Evaluation* prepared by Ninyo and Moore and *Updated Geotechnical Investigation* prepared by Geocon Incorporated). The reports identify specific measures for mitigating geotechnical conditions on the project site that shall be implemented during the design and construction of the project.

4. **Factual Support and Rationale.** The proposed project will reduce the potential geology/soils impact on-site to a level less than significant with implementation of Mitigation Measure GS-1 and compliance with the requirements of the California Building Code (CBC) and Division of State Architect (DSA). Mitigation Measure GS-1 requires that the proposed project comply with the geotechnical recommendations contained in the geotechnical report, as listed above, to reduce the potential impact to strong ground motion, ground surface rupture, and unstable soils. In addition, the proposed project is required to comply with the requirements of the CBC and DSA, which would incorporate standard engineering practices into the design and construction of the proposed development to reduce seismic related impacts to a level less than significant.

2.2.5 Hazards and Hazardous Materials

2.2.5.1 Jonas Salk Area Elementary School Site

1. **Impact.** The implementation of the proposed project would result in a significant hazards and hazardous materials impact associated with undocumented fill soils present on the site, and potential for radon.

2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. **Mitigation Measure HH-1.** Prior to issuance of grading permits, undocumented fill soils on the site shall be evaluated per the California Department of Toxic Substances Control (DTSC) guidance document. The DTSC should be contacted for guidance whether radon sampling is recommended for the site.

4. **Factual Support and Rationale.** Mitigation Measure HH-1 requires that the site be evaluated per DTSC guidance document prior to the issuance of grading permits. The undocumented fill soils and the potential for radon on the project site would be evaluated prior to issuance of a grading permit to ensure that the project site will not adversely affect human health and safety. Implementation of Mitigation Measure HH-1 will reduce the impact associated with undocumented fill soils and the potential presence of radon on the Jonas Salk Area Elementary School Site to a level less than significant.

2.2.6 Transportation/Circulation

2.2.6.1 Jonas Salk Area Elementary School Site

A. Near-Term with Project Conditions

Flanders Drive at Parkdale Avenue

1. **Impact.** Without the project this intersection will operate at a Level of Service (LOS) D and with the addition of project traffic, this intersection will operate at a LOS F.
2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
3. **Mitigation Measure T-1.** The applicant shall widened the eastbound approach of the Flanders Drive and Parkdale Avenue intersection and construct an additional eastbound right turn land to the satisfaction of the City of San Diego Traffic Engineer.
4. **Factual Support and Rationale.** Mitigation Measure T-1 will require the widening the eastbound approach to include an additional eastbound right turn lane to improve the Flanders Drive/Parkdale Avenue intersection LOS to acceptable levels. Without mitigation, this intersection is calculated to operate at LOS F, which is considered an unacceptable LOS. However, with mitigation incorporated, this intersection will operate at LOS C. This measure has been reviewed and accepted by the City of San Diego. Therefore, with the implementation of Mitigation Measure T-1, this impact will be reduced to a level less than significant.

2.2.7 Noise

2.2.7.1 Jonas Salk Area Elementary School Site

A. Operational Noise Levels-Future Traffic Noise

1. **Impact.** The proposed new school has the potential to result in noise impacts associated with surrounding traffic noise. Future development within the school site would be exposed to noise levels in excess of the CCR Title 24 threshold of 60 dBA CNEL.
2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
3. **Mitigation Measures N-1.** A structural interior acoustical study shall be performed for the proposed school site, when architectural plans are available for the purpose of determining appropriate door,

window, and exterior wall assemblies. The study shall confirm that interior noise levels will be below 50 dBA CNEL, per CCR Title 24.

4. Factual Support and Rationale. Mitigation Measure N-1 requires that a structural interior acoustical study be performed for the proposed school site. The acoustical study will determine the structural design of the doors, windows, and exterior walls to ensure that interior noise levels do not exceed the CCR Title 24 threshold of 50 dBA CNEL. Implementation of Mitigation Measure N-1 will reduce the potential noise impact to a level less than significant.

B. Operational Noise Levels-Wildlife Species

1. Impact. The implementation of the proposed project has the potential to result in temporary noise impacts to nesting avian species from short-term construction noise in excess of 60 dBA.

2. Finding. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. Mitigation Measures BR-10. Construction activities performed with mechanized equipment shall be conducted outside of the breeding season to the extent feasible. To the extent feasible, grading shall be scheduled to occur between September 1 and January 15 to avoid the avian breeding season and to limit the effects of rainfall on the grading activities. If construction is unavoidable during the breeding season, preconstruction presence/absence surveys shall be conducted to verify that no nesting birds (e.g., gnatcatcher) occur on-site or within 500 feet of construction activity. Areas to be graded shall be clearly delineated by a survey crew prior to conducting grading activities. If gnatcatchers are determined to be present on-site, protocol surveys will be initiated to determine number of individuals, breeding activity, and nest presence. All construction will halt until nests are no longer active, as determined by the project biologist. If construction must occur, formal consultation will be initiated with USFWS. If other nesting birds covered under the MBTA are determined to be present, construction activities shall not occur within 500 feet of the active nest until August 30 or until it is determined that the nest is no longer active. If construction must continue and other nesting birds are present, noise attenuation measures (e.g., sound walls) will be implemented to reduce levels to below 60 dBA.

4. Factual Support and Rationale. With implementation of Mitigation Measure BR-10, construction activities shall occur between September 1 and January 15 to avoid the avian breeding season, if feasible. If construction during the breeding season is not feasible, then a preconstruction survey shall be conducted to verify that no nesting birds occur within, or near, any construction activity areas. If nesting birds are present on-site, construction may not occur on the site until active nests are found to be no longer active or proper noise attenuation measures are in place. With the implementation of Mitigation Measure BR-10, the noise impact to nesting avian species from short-term construction noise would be reduced to a level less than significant.

2.2.7.2 McAuliffe Park - Vernal Pool Mitigation Site

1. **Impact.** The implementation of the proposed project has the potential to result in temporary noise impacts to nesting avian species from short-term construction noise in excess of 60 dBA.
2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
3. **Mitigation Measure.** Mitigation Measure BR-10 as identified above.
4. **Factual Support and Rationale.** With implementation of Mitigation Measure BR-10, construction activities shall occur between September 1 and January 15 to avoid the avian breeding season, if feasible. If construction during the breeding season is not feasible, then a preconstruction survey shall be conducted to verify that no nesting birds occur within, or near, any construction activity areas. If nesting birds are present on-site, construction may not occur on the site until active nests are found to be no longer active or proper noise attenuation measures are in place. With the implementation of Mitigation Measure BR-10, the noise impact to nesting avian species from short-term construction noise would be reduced to a level less than significant.

2.2.7.3 Carroll Canyon Preserve - Vernal Pool Mitigation Site

1. **Impact.** The implementation of the proposed project has the potential to result in temporary noise impacts to nesting avian species from short-term construction noise in excess of 60 dBA.
2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
3. **Mitigation Measure.** Mitigation Measure BR-10 as identified above.
4. **Factual Support and Rationale.** With implementation of Mitigation Measure BR-10, construction activities shall occur between September 1 and January 15 to avoid the avian breeding season, if feasible. If construction during the breeding season is not feasible, then a preconstruction survey shall be conducted to verify that no nesting birds occur within, or near, any construction activity areas. If nesting birds are present on-site, construction may not occur on the site until active nests are found to be no longer active or proper noise attenuation measures are in place. With the implementation of Mitigation Measure BR-10, the noise impact to nesting avian species from short-term construction noise would be reduced to a level less than significant.

2.3 Cumulative Impacts Determined to be Significant and Unmitigable

2.3.1 Transportation/Circulation

2.3.1.1 *Jonas Salk Area Elementary School Site*

Flanders Drive from Aderman Avenue to Dabney Drive

1. **Impact.** Implementation of the proposed project would result in a direct cumulative impact to the roadway segment of Flanders from Aderman to Dabney.
2. **Finding.** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.
3. **Mitigation Measure.** No feasible mitigation measure has been identified for this impact. Therefore, the direct impact to this roadway segment is identified as significant and unmitigable.
4. **Factual Support and Rationale.** The impact to the Flanders Drive from Aderman Avenue to Dabney Drive segment will result in a significant and unmitigable impact due to the need to acquire substantial property including that of single-family residential homes in an established residential neighborhood in order to widen this roadway. Therefore, due to economic, legal, and social considerations related to the acquisition of substantial property, no feasible mitigation measure is identified. As such, the project's cumulative impact to this roadway segment will remain cumulatively significant and unmitigated.

Flanders Drive from Parkdale Avenue to Amantha Avenue

1. **Impact.** Implementation of the proposed project would result in a direct cumulative impact to the roadway segment of Flanders from Parkdale to Amantha.
2. **Finding.** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.
3. **Mitigation Measure.** No feasible mitigation measure has been identified for this impact. Therefore, the direct impact to this roadway segment is identified as significant and unmitigable.
4. **Factual Support and Rationale.** The impact to the Flanders Drive from Parkdale Avenue to Amantha Avenue segment will result in a significant and unmitigable impact due to the need to acquire substantial property including that of single-family residential homes in an established residential

neighborhood in order to widen this roadway. Therefore, due to economic, legal, and social considerations related to the acquisition of substantial property, no feasible mitigation measure is identified. As such, the project's cumulative impact to this roadway segment will remain cumulatively significant and unmitigated.

Parkdale Avenue from Flanders Drive to Gold Coast Drive

1. **Impact.** Implementation of the proposed project would result in a direct cumulative impact to the roadway segment of Parkdale Avenue from Flanders to Gold Coast.
2. **Finding.** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.
3. **Mitigation Measure.** No feasible mitigation measure has been identified for this impact. Therefore, the direct impact to this roadway segment is identified as significant and unmitigable.
4. **Factual Support and Rationale.** The impact to the Parkdale Avenue from Flanders Drive to Gold Coast Drive segment will result in a significant and unmitigable impact due to the need to acquire substantial property including that of single-family residential homes in an established residential neighborhood in order to widen this roadway. Therefore, due to economic, legal, and social considerations related to the acquisition of substantial property, no feasible mitigation measure is identified. As such, the project's cumulative impact to this roadway segment will remain cumulatively significant and unmitigated.

2.4 Cumulative Impacts Determined to be Significant and Mitigable

2.4.1 Transportation/Circulation

2.4.1.1 *Jonas Salk Area Elementary School Site*

Flanders Drive at Parkdale Avenue

1. **Impact.** Without the project this intersection will operate at a LOS D. With the addition of the proposed project traffic to the cumulative traffic conditions, this intersection will operate at LOS F (AM and PM). This is considered a cumulative impact.
2. **Finding.** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

3. **Mitigation Measure T-1.** The applicant shall widened the eastbound approach of the Flanders Drive and Parkdale Avenue intersection and construct an additional eastbound right turn land to the satisfaction of the City of San Diego Traffic Engineer.

4. **Factual Support and Rationale.** Mitigation Measure T-1 will require the widening the eastbound approach to include an additional eastbound right turn lane to improve the Flanders Drive/Parkdale Avenue intersection LOS to acceptable levels. Without mitigation, this intersection is calculated to operate at LOS F, which is considered an unacceptable LOS. However, with mitigation incorporated, this intersection will operate at LOS C. This measure has been reviewed and accepted by the City of San Diego. Therefore, with the implementation of Mitigation Measure T-1, this impact will be reduced to a level less than significant.

3.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

3.1 Jonas Salk Area Elementary School Site

The District finds, based on the substantial evidence appearing in Chapters 4.0 and 8.0 of the EIR that the following impacts will not be significant: aesthetics/neighborhood character, air quality, hydrology and water quality, land use and planning, public services and utilities, agricultural and forest resources, mineral resources, recreation, and population/housing.

3.2 Vernal Pool Mitigation Sites

The District finds, based on the substantial evidence appearing in Chapters 4.0 and 8.0 of the EIR that the following impacts will not be significant: aesthetics/neighborhood character, air quality, greenhouse gas emissions, geology/soils, hazards and hazardous materials, hydrology and water quality, land use and planning, transportation/circulation, public services and utilities, agricultural and forest resources, mineral resources, recreation, and population/housing.

4.0 FINDINGS REGARDING PROJECT ALTERNATIVES

Pursuant to CEQA Guidelines §15126.6(a), EIRs must "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."

The EIR considers a reasonable range of alternatives. The alternatives to the Project are evaluated in Chapter 6.0 of the EIR in terms of their ability to meet the basic objectives of the Project, and eliminate or further reduce its significant environmental effects. Based on these parameters, the following alternatives are considered: (1) No Project Alternative, (2) Alternative Site Plan A, and (3) Alternative Site Plan D. The alternatives are summarized in Sections 4.2, 4.3, and 4.4.

4.1 Alternatives Considered but Rejected without Detailed Analysis

Based on parameters described in Chapter 6 – Alternatives of the EIR, the following six alternatives were considered but rejected without detailed analysis.

4.1.1 Non-Construction Alternatives

The District's Long-Range Facilities Master Plan 1999 – 2013 (LRFMP) identifies two separate levels of solution strategies employed by the District to address its identified facilities needs. The majority of these solution strategies will not involve the construction of new school facilities and are referred to in this EIR as Non-Construction Alternatives. The first level strategies tend to be less costly and are tied to District policies related to classroom usage standards, kindergarten scheduling, and other planning guideline priorities. The second set of strategies is employed only after the first level strategies have been implemented and have proven insufficient to address facility needs of a school or cluster of schools. The following discussion analyzes the effectiveness of Non-Construction alternatives in meeting the project objectives.

4.1.1.1 Level One Solution Strategies

A. Double Session Kindergarten Programs

The District has initiated a policy to operate single session, full-day kindergarten programs system-wide. Double session kindergarten is no longer an option.

B. Boundary Changes

Geographic boundaries designate which students attend which schools within the District. Changes to the enrollment boundaries are used each year throughout the District to adjust enrollment and improve school housing capacity. Boundary changes will not provide additional capacity for elementary school children within the attendance areas. Instead, it will shift students to those schools with remaining operating capacity. Therefore, changing the enrollment boundaries and increasing the number of students at existing elementary schools sites will not meet the project's objective of achieving the District's planning standards.

C. Portable Classrooms

Another alternative is the provision of additional portable classrooms and/or the modification and modernization of permanent space. Enrollment levels in the area of the proposed elementary school can no longer be accommodated at existing schools. The LRFMP identifies a total need of 9 to 11 elementary schools, 0.9 to 1.5 middle schools and 0.5 to 0.9 high schools through 2015 to meet the District's enrollment needs and accommodate forecast enrollment growth within the project area. The upper end of the range assumes the residential redevelopment forecast by SANDAG is to occur. As such, portable classrooms would not meet the future enrollment growth needs of the surrounding community; therefore, this is not a feasible alternative.

D. Grade Level Reconfiguration

In a number of school clusters, the District has changed the grade level configuration of a particular school to provide more space for a given grade level. For example, in areas with increased kindergarten through grade six elementary school enrollment, the District has reassigned the grade six enrollment to a nearby middle school, thereby freeing necessary space at the elementary school. This solution strategy has enabled the District to operate a number of middle-level schools serving grades six through eight and several high schools serving grades 9 through 12. However, this strategy has not eliminated the need for additional elementary schools. Because there is no further opportunity to adjust grade levels, this is not a feasible alternative.

E. Conversion of Leased or Administrative Space into Classrooms

Several District-owned facilities are currently used for administrative purposes. While it will appear that these facilities have the potential to be converted into operating schools as student enrollment warrants, the District has determined that there are no District-owned facilities in the project vicinity available for re-establishment as operating schools. Thus, converting leased space or administrative space into classrooms to increase the capacity for elementary school students in the Mira Mesa Community is not a feasible alternative. In other areas of the District that contain leased space, there are insufficient school-aged children enrolled in public school to justify the re-opening of the sites as schools. Furthermore, the conversion of leased sites outside of the study area will not serve the project's objective of providing an additional neighborhood school in Mira Mesa.

4.1.1.2 Level Two Solution Strategies

A. Multi-track Year Round Scheduling

After initiating multi-track year round scheduling at several District schools, the District, for the 1999-2000 school year and thereafter, adopted a policy of not implementing multi-track year round scheduling any longer, unless requested by a school and its community, and approved by the Board of Education. Therefore, this is not a feasible alternative.

B. Relocation with Transportation

To address enrollment at overcrowded schools, the District, with Board of Education approval, may elect to transport students to underutilized school sites in other parts of the District as an interim measure until the new neighborhood school is opened. Although relocation with transportation will reduce overcrowding, it will not provide additional capacity for elementary school students within the resident neighborhood, and therefore, will not meet the objectives of the project.

C. Reopening Closed School Sites

The District closed several underutilized school sites in the 1980's in response to enrollment declines in some parts of the City. Many of these sites are now leased and provide revenue to the District through the Property Management Program. As part of the annual review of the LRFMP, the need and cost effectiveness of reopening closed sites to house growing enrollments was assessed. Because many of the closed school sites are now leased by the District, the effects of reopening closed school sites will be similar to those discussed for the strategy of converting leased space into classrooms. However, there are no

closed school sites in the Mira Mesa Community that could be reopened. Reopening closed school sites outside of Mira Mesa will not meet the objectives of the project and is not a feasible alternative.

4.1.2 Additional Construction at Operating Schools

There is no more room at the existing area elementary schools to build additional classrooms. Throughout the District there are schools that are master planned for more permanent core facilities and classrooms than they now have. The LRFMP forecasts enrollment trends through the year 2013 that justify the construction of additional permanent facilities in areas where enrollment growth is expected. This type of construction will serve three functions: 1) it will provide more adequate facilities for current programs, 2) it will relieve overcrowding, and 3) it will free portable classrooms, which will become available for use throughout the District. In addition, the construction of additional permanent facilities will reduce the need for additional portables.

This strategy could provide additional capacity for elementary school students within the Mira Mesa Community; however, it will also increase enrollment and will increase the number of students per acre at each of the affected school sites. Providing additional capacity at existing schools will further hinder the District's ability to meet its planning standards. Current enrollments and anticipated growth could not be accommodated at existing school sites because of the size and site limitations at the existing schools.

4.1.3 Alternative Site Locations

Typically, the District considers a number of criteria in selecting sites for proposed school, i.e., safety, location, environment, soils, size and shape, topography, accessibility, public services, utilities, cost availability, and political implications.

When evaluating a school site, the District considers the new usable acreage and shape of the site. It is important to determine whether the new useable acreage will be adequate for the operation of the proposed school and whether the size and shape of the site will allow for an adequate and efficient layout of the proposed facilities. Ideally the site will be able to accommodate a large building pad and playing field, and require a minimum amount of grading. Other important factors include the proposed school's compatibility with the surrounding community and safety of students and employees on the site.

Community meetings held for the selection of potential sites for the Mason-Hage Area Elementary School involved the volunteer-based Mira Mesa Community Planning Group and District staff. This representative group, comprised of residents and business-owners, acted on behalf of the community of Mira Mesa and included 18 executive committee members. Preliminary review of the site identified potential existing biological issues that stimulated consideration of off-site alternatives.

Three meetings were held with the Mira Mesa Community Planning Group to decide and evaluate off-site alternatives (Pers. Comm., J. Wolf, May 7, 2003). During the meetings, the Mira Mesa Community Planning Group identified general locations for a possible school site and the District staff evaluated the suggestions for compliance with site selection criteria. All off-site alternatives were found to be problematic and

infeasible. Based on the infeasibility of the off-site alternatives and the existing site being designated in the Mira Mesa Community Plan for a "School", it was concluded that a reduced site plan alternative, rather than off-site alternatives, should be evaluated for its potential to avoid and/or reduce impacts to sensitive biological resources and for its feasibility school construction and operation requirements.

The Off-Site Alternative is defined as constructing and operating the proposed Mason/Hage Area Elementary School on a different site within the existing attendance boundaries of the existing Mason and Hage elementary schools in order to meet the project objective to alleviate overcrowding within these attendance boundaries. As such, alternatives located outside these existing attendance boundaries were rejected. In addition, the Off-Site Alternative would have to be large enough to accommodate the proposed school. The District does not own another site within the affected attendance boundaries. Therefore, implementation of the Off-Site Alternative would require the District find and purchase property suitable to meet the needs of the proposed elementary school. Based upon a review of the area, there are no available vacant sites large enough to accommodate the proposed elementary school. As such, the Off-Site Alternative would require the displacement of established existing uses resulting in significant and unmitigable impacts to the loss of housing within the region. In addition to unmitigable impacts associated with the loss of housing, this alternative would result in significant population displacement impacts, the mitigation to which is extremely costly for the District. Due to the increase in financial burden, the Off-Site Alternative is infeasible and was rejected from further analysis in this EIR.

4.1.4 Mason/Hage Area Elementary School Final EIR (September 2003)

In 2003, the San Diego Unified School District (District), as Lead Agency under the California Environmental Quality Act (CEQA), prepared an Environmental Impact Report (EIR) for the construction and operation of the proposed Mason/Hage Area Elementary School, located at the same location as the proposed Jonas Salk Elementary School analyzed in this EIR. The 2003 EIR provided an analysis of the District's proposed project alternatives (Alternative A and Alternative B) for an elementary school to be located on District-owned property formerly known as the Maddox site in the Mira Mesa community of San Diego (the same project site as the proposed Jonas Salk Elementary School). In order to provide adequate information to the District's Board of Education in choosing a project alternative for the proposed elementary school, two alternatives were identified for environmental review and consideration by the Board. Both alternative projects (Alternative A and Alternative B) were evaluated at the same level of detail in this EIR. Alternative A proposed development of the entire 13.1-acre site with school-related facilities. Alternative B proposed a reduced school development footprint of approximately nine acres, with the remainder of the site (approximately 4.1 acres) utilized for a vernal pool research project.

As described in the 2003 EIR, impacts associated with development of the proposed school were generally equal between Alternatives A and B, with the exception of impacts to Biological Resources. Implementation of Alternative A would have resulted in significant and unmitigable impacts to approximately 1.61 acres of Disturbed San Diego Mesa Hardpan Vernal Pool habitat as well as significant

and unmitigable impacts to the federally-listed endangered San Diego fairy shrimp due to loss of its habitat.

Under Alternative B, approximately 0.22 acre of Disturbed San Diego Mesa Hardpan Vernal Pool habitat was proposed to be enhanced (i.e., not impacted) and approximately 1.39 acre would have been significantly impacted. Alternative B would have also resulted in significant impacts to the San Diego fairy shrimp.

Subsequent to preparation of this EIR, in 2003, the District, as Lead Agency under CEQA, prepared an EIR for the construction and operation of the proposed Mason Hage Area Elementary School, located at the same location as the proposed Jonas Salk Elementary School analyzed in this EIR. As with the proposed project, the previously proposed Mason Hage Elementary School project would impact the existing vernal pools on the project site; however, the Mason Hage Elementary School project involved on-site vernal pool mitigation only. A Draft Habitat Conservation Plan (HCP) and Implementing Agreement were prepared in conjunction with the EIR and submitted to the USFWS for review. However, the HCP was not accepted by the USFWS and the Mason Hage Elementary School was never built.

Subsequent to 2001 discussions that occurred between the USFWS and the District regarding on-site mitigation options and on-site development plan alternatives, the USFWS requested that a Concept Mitigation Plan be prepared for the off-site mitigation alternative (McAuliffe Park). Through a cooperative planning process with the City of San Diego, the District will be able to meet the goal of enhancing, restoring, preserving, and ultimately conserving higher quality vernal pools (McAuliffe Park site) that would have been proposed for park development at some future time. The vernal pool complex at the mitigation site is connected to four other pool complexes in the vicinity. On February 20, 2008, the USFWS replied, "USFWS generally supports the mitigation plan given in the Jonas Salk Elementary School HCP – Draft Vernal Pool Concept Mitigation Plan Summary." In particular, the Service stated that it "support[s] the use of the City of San Diego's McAuliffe property to mitigate impacts." Therefore, the District has proceeded with the preparation of an EIR, Habitat Conservation Plan and Implementing Agreement for the proposed Jonas Salk Elementary School. As such, based on the decisions received from the USFWS on vernal pool mitigation, it was determined that the mitigation of vernal pool impacts on-site was not feasible; as such, these previous alternatives are rejected from further consideration.

4.1.5 Alternative Site Plans

The District submitted a letter to the U.S. Fish and Wildlife Service (USFWS) on April 1, 2005 that analyzed five alternative site plans (A, B, C, D, and E) for the Mason-Hage Elementary School project. The intent of the alternative site plans was to identify a site plan that could avoid and/or reduce impacts to vernal pools and the San Diego fairy shrimp while providing an effective primary school educational facility. The alternative site plans were based on discussions and direction provided by the USFWS at meetings on March 2, 2005 and March 21, 2005.

Based on previous meetings with the USFWS, Alternative Site Plan Layouts A, B, C, D, and E were developed and considered. As a result of these meetings, Alternative Site Plan Layouts A and D were determined to

be potential viable alternative site plans and are analyzed in more detail below. However, as summarized in Table 6-2 of the EIR and below, Alternative Site Plan Layouts B, C, and E are not considered feasible alternatives, due to the inability to develop a school as recommended in the California Department of Education School Development Guidelines and the ability to provide on-site mitigation.

Site Plan Layouts B and C

As depicted on Figures 6-1 and 6-2 of the EIR and provided in Appendix A of this document, respectively, Site Plan Layouts B and C are significantly smaller than the school development sites recommended in the California Department of Education School Development Guidelines. In addition, these site plan layouts do not incorporate a turf field and parking is insufficient (not provided in Site Plan Layout C).

Biologically, Site Plan Layouts B and C have similar impacts to the onsite vernal pools. Both site plan layouts significantly impact vernal pools 49 and fully impact vernal pools 88 and 89, which are occupied by San Diego fairy shrimp (Figures 6-1 and 6-2 of the EIR and provided in Appendix A of this document). However, these site plan layouts are able to avoid pools 2, 3, 28, 39, 43, 44, 45, 48, 88, and 89, which are also occupied by San Diego fairy shrimp. Because these Site Plan Layouts do not meet the California Department of Education School Development Guidelines, these alternatives were considered to be infeasible and were rejected from further analysis in the EIR.

Site Plan Layout E

As depicted on Figure 6-3 of the EIR and provided in Appendix A of this document, Site Plan Layout E is significantly smaller than school development sites recommended in the California Department of Education School Development Guidelines. Also, this layout does not provide enough hard court play area or adequate site circulation (i.e., parking, student drop-off area).

Biologically, Site Plan Layout E fully impacts vernal pools 49, 88, and 89, which are occupied by San Diego fairy shrimp. However, this layout is able to avoid vernal pools 2, 3, 28, 39, 43, 44, 45, and 48, which are also occupied by San Diego fairy shrimp. This layout avoids the majority of the occupied vernal pools and provides enough land area onsite for mitigation. However, because this Site Plan Layout does not meet the California Department of Education School Development Guidelines, this alternative was considered to be infeasible and were rejected from further analysis in the EIR.

4.2 No Project Alternative

The State CEQA Guidelines require analysis of the No Project Alternative. According to §15126.6(e)(1), "[t]he specific alternative of 'no project' shall also be evaluated along with its impact." Additionally, according to CEQA Guideline §15126.6(e)(2), the 'no project' analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on the current plans and consistent with available infrastructure and community services."

This alternative compares the present existing conditions if the project did not occur with significant impacts that would result from implementation of the proposed project. Under this alternative, there would

not be any alteration of the existing project location and it would remain vacant land. The No Project Alternative would not alleviate or decrease the existing significant impacts relating to traffic at the proposed site although this alternative would not contribute to the existing problems.

The existing traffic and overcrowding conditions at the adjacent elementary schools would remain and would become significantly more problematic as the student population grows without relief from a second school. The District would have to continue adding relocatable classrooms to accommodate the increasing student population, further reducing the limited campus space available for parking, playgrounds or playfields. At some point it would become infeasible to continue adding relocatable classrooms, at which time the District would need to re-evaluate its student-teacher ratio by increasing class sizes. The California Department of Education has already advised the District the existing student population conditions at the adjacent elementary schools are out of compliance with the recommended ratios of students to site area for California schools.

Because the school would not be developed on the proposed project site, the No Project Alternative would avoid the significant project impacts associated with greenhouse gas emissions, biological resources, cultural resources, geology/soils, hazards and hazardous materials, transportation/circulation, and noise. Table 1 compares the No Project Alternative impacts to the proposed project impacts. However, the No Project Alternative is rejected because it will not meet the primary objective of the project, which is to provide a neighborhood elementary school that provides additional capacity for elementary school students within the existing Mason, Hickman, and Sandburg elementary school attendance boundaries.

TABLE 1
Comparison of No Project Alternative Impacts
To Proposed Project Impacts

Impact Category	No Project Alternative
Aesthetics/Neighborhood Character	N/A
Air Quality	N/A
Greenhouse Gas Emissions	Avoid
Biological Resources	Avoid
Cultural Resources	Avoid
Geology/Soils	Avoid
Hazards and Hazardous Materials	Avoid
Hydrology and Water Quality	N/A
Land Use and Planning	N/A
Transportation/Circulation	Less
Noise	Avoid
Public Services and Utilities	N/A
Environmentally Superior?	Yes
Meets Project Objectives?	No

Source: BRG Consulting, Inc., 2010.

N/A – Not applicable. No significant project impact has been identified.

4.3 Alternative Site Plan Layout A

As depicted on Figure 6-4 of the EIR, and enclosed in Appendix A of this document, Site Plan Layout A would have a site area of approximately 7.05 acres, which is significantly smaller than school development sites recommended in the California Department of Education School Development Guidelines. Also, this layout does not provide an onsite turf field.

This alternative is environmentally superior to the proposed project. Table 2 compares the Alternative Site Plan Layout A impacts to the proposed project impacts. Implementation of this alternative would reduce the project's impact to biological resources. However, this alternative does not provide an onsite turf field and the hard court play court play area does not meet California Department of Education School Development Guidelines; therefore, this alternative is not considered a feasible alternative.

TABLE 2
Comparison of Alternative Site Plan Layout A Impacts
To Proposed Project Impacts

Impact Category	Alternative Site Plan Layout A
Aesthetics/Neighborhood Character	N/A
Air Quality	N/A
Greenhouse Gas Emissions	Similar
Biological Resources	Reduced
Cultural Resources	Similar
Geology/Soils	Similar
Hazards and Hazardous Materials	Similar
Hydrology and Water Quality	N/A
Land Use and Planning	N/A
Transportation/Circulation	Similar
Noise	Similar
Public Services and Utilities	N/A
Environmentally Superior?	Yes
Meets Project Objectives?	Most

Source: BRG Consulting, Inc., 2010.

N/A – Not applicable. No significant project impact has been identified.

Furthermore, Site Plan Layouts A and D (as discussed in Section 4.4) would have almost identical impacts to vernal pools. Both site plan layouts would impact 0.41 acre of vernal pools occupied by the San Diego fairy shrimp, 0.25 acre of unoccupied vernal pools, and 0.05 acre of vernal pools not surveyed. Similar to the proposed project, all of the pools identified as occupied and not surveyed within the Site Plan Layout A are assumed occupied; as such, the total occupied and assumed occupied vernal pools is 0.71 acre. Both site plan layouts provide avoidance of vernal pools 2, 3, 28, and 49, which are occupied by San Diego fairy shrimp and have a high biological value. Additionally, each of these layouts avoids impacts to the cluster of vernal pools (17 complex) that lie between pools 2, 28, and 49. However, these site plan layouts would

fully impact vernal pools 39, 43, 44, 45, 48, 88, and 89, which are also occupied by San Diego fairy shrimp. These site plan layouts initially included mitigation of vernal pool habitat on-site in addition to off-site mitigation. Based on further discussions with USFWS, it was determined that on-site mitigation was not a viable mitigation option because it would not provide a comprehensive approach to vernal habitat restoration and enhancement. Therefore, all mitigation would have to take place off-site.

The District conducted an extensive search for off-site mitigation opportunities. Potential mitigation sites, however, were limited. Undeveloped parcels on the McAuliffe Park site turned out to be the only viable option for the District to mitigate off-site. Following extensive negotiations, the Applicant and the City of San Diego developed a Memorandum of Understanding (MOU), which was approved by the Board of Education on September 8, 2009 and the City Council on October 6, 2009. The MOU allows for off-site mitigation to occur on the McAuliffe Park site. The McAuliffe Park site will provide a mitigation environment superior to that available on-site and a connection to four other vernal pool complexes in the vicinity. In exchange for the McAuliffe Park site, the school district will transfer land from the proposed school site. Site Plan Layouts A and D would not allow for the appropriate land transfer and are no longer considered feasible based on the terms of the MOU and USFWS's requirement that all mitigation be performed off-site. The USFWS requested that a Concept Mitigation Plan be prepared for the off-site mitigation alternative (McAuliffe Park). On February 20, 2008 the District submitted the "*Jonas Salk Area Elementary School HCP – Draft Vernal Pool Concept Mitigation Plan Summary*" to the USFWS for review. On March 19, 2008 the USFWS replied, "USFWS generally supports the mitigation plan given in the *Jonas Salk Area Elementary School HCP – Draft Vernal Pool Concept Mitigation Plan Summary*." In particular, the Service stated that it "support[s] the use of the City of San Diego's McAuliffe property to mitigate impacts."

Subsequent to the release of the Jonas Salk Area Elementary School Draft EIR for public review, the USFWS deemed all vernal pools on the school site to be potentially occupied by the San Diego fairy shrimp. Previous surveys only identified 1.31 acres of vernal pools as occupied. As such, the total fairy shrimp occupied vernal pool impact acreage for the proposed project has been increased from 1.31 in the Draft EIR acres to 1.66 acres in the Final EIR. Furthermore, the mitigation requirement has been revised from 2.62 acres to 3.32 acres as a result of the increased acreage of fairy shrimp occupied pools at the school site (Section 4.4 Biological Resources of the Final EIR, Mitigation Measure BR-11). The District has been working with USFWS since the beginning of this year (2011) to identify a location to fulfill the additional 0.76-acre mitigation requirement. The USFWS suggested that the District determine the availability of the City of San Diego's Carroll Canyon Preserve or another location within the project vicinity for this additional mitigation. The District has been in discussions with the City of San Diego (City) for use of the Carroll Canyon Preserve site. At this time, the Carroll Canyon Preserve site appears to be a viable mitigation option for the District. If the District is unable to negotiate a Right of Entry Permit with the City for use of the Carroll Canyon Preserve site, the District will be required to pursue other options acceptable to the USFWS. All off-site mitigation will be secured prior to disturbance of vernal pool habitat by the proposed project.

Furthermore, the McAuliffe Park site and the Carroll Canyon Preserve site are considered ideal locations for vernal pool mitigation because they include vernal pool watershed, species diversity, and biological connectivity to a larger wildlife corridor. In fact, the vernal pool restoration plan proposed under the

proposed project for the McAuliffe site and the Carroll Canyon Preserve site would be able to support a greater number of pools and at a much higher level of habitat quality for sensitive species, than the isolated remnant vernal pools located on the project site. Changes to hydrology of the watershed would improve the quality of pools for listed San Diego fairy shrimp and listed vernal pool species (e.g., button-celery and mesa mint) resulting in a long-term benefit to vernal pool species. As such, the McAuliffe Park site and the Carroll Canyon Preserve site provide a whole connected complex of vernal pools on sites of sufficient size to manage properly as opposed to minimizing impacts to isolated remnant vernal pools on the project site that would provide little conservation benefit and would be harder to manage.

As such, Alternative Site Plan Layout A would require on-site and off-site vernal pool habitat mitigation. However, based on discussions with the USFWS, it was determined that on-site mitigation was not a viable mitigation option because it would not provide a comprehensive approach to vernal pool habitat restoration and enhancement. Therefore, all mitigation would have to take place off-site. The District and the City of San Diego developed a Memorandum of Understanding (MOU), which was approved by the Board of Education on September 8, 2009 and the City Council on October 6, 2009. The MOU allows for off-site mitigation to occur on the McAuliffe Park site. Therefore, this alternative would not allow for the appropriate land transfer and is not considered feasible based on the terms of the MOU and USFWS's requirement that all mitigation be performed off-site. Therefore, this alternative has been rejected.

4.4 Alternative Site Plan Layout D

Alternative Site Plan Layout D would have a site area of 8.83 acres, which is also undersized based on the California Department of Education School Development Guidelines. This layout is feasible in a minimal sense with regard to a school development and operations standpoint. This layout only minimally meets the State and District requirements for classrooms, support facilities, the turf field requirement for kindergarten and primary grades, hard court area (with the exception of kindergarten), the site circulation requirements, and fire access requirements.

This alternative is environmentally superior as compared to the proposed project. Table 3 below compares the Alternative Site Plan Layout D impacts to the proposed project impacts. Implementation of this alternative would reduce the project's impact to biological resources. In addition, Alternative Site Plan Layout D provides the best compromise between avoidance of vernal pools that contain San Diego fairy shrimp and the District's need to develop an elementary school that meets the recommendations of the California Department of Education School Development Guidelines and the general educational needs of the children the schools need to serve. However, as compared to the proposed project, Site Plan Layout D provides a smaller and much less functional school site. One aspect being that the playfield layouts are in less than desirable locations which presents constructability, operational and security issues, and it is possible that damage to the vernal pools would occur during construction of the fields and permanent structures. Further, Layout D does not allow for any school site expansion that may be required for future growth. It is also possible that, due to the school being in close proximity to an identified vernal pool maintenance area, individuals may enter the field and cause damage to the vernal pools.

TABLE 3
Comparison of Alternative Site Plan Layout D Impacts
To Proposed Project Impacts

Impact Category	Alternative Site Plan Layout D
Aesthetics/Neighborhood Character	N/A
Air Quality	N/A
Greenhouse Gas Emissions	Similar
Biological Resources	Reduced
Cultural Resources	Similar
Geology/Soils	Similar
Hazards and Hazardous Materials	Similar
Hydrology and Water Quality	N/A
Land Use and Planning	N/A
Transportation/Circulation	Similar
Noise	Similar
Public Services and Utilities	N/A
Environmentally Superior?	Yes
Meets Project Objectives?	Most

Source: BRG Consulting, Inc., 2010.

N/A – Not applicable. No significant project impact has been identified.

Similar to Alternative Site Plan Layout A, this alternative would require on-site and off-site vernal pool habitat mitigation. However, based on discussions with the USFWS, it was determined that on-site mitigation was not a viable mitigation option because it would not provide a comprehensive approach to vernal pool habitat restoration and enhancement. Therefore, all mitigation would have to take place off-site. The District and City of San Diego developed a MOU, which was approved by the Board of Education on September 8, 2009 and the City Council on October 6, 2009. The MOU allows for off-site mitigation to occur on the McAuliffe Park site. Therefore, this alternative would not allow for the appropriate land transfer and is no longer considered a feasible alternative based on the terms of the MOU and USFWS's requirement that all mitigation be performed off-site. Therefore, this alternative has been rejected.

5.0 STATEMENT OF OVERRIDING CONSIDERATIONS

Public Resources Code §21081(b) prohibits approval of a project with significant, unmitigable adverse impacts resulting from infeasible mitigation measures or alternatives unless the agency finds that specific overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment. Guidelines §15093 adds that the decision-making agency must "balance, as applicable, economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The Project could have significant, unmitigable, adverse impacts, as described above. However, having balanced the applicable factors, the decision maker finds that those impacts are outweighed and made acceptable by any (and all) of the following specific overriding benefits of the Project:

1. The proposed school site is located on a site that is owned by the District, zoned and intended for an elementary school, and located in an area identified as in need of an elementary school;
2. The proposed Jonas Salk Elementary school project will provide additional capacity for elementary school students within the existing Mason, Hickman, and Sandburg elementary school attendance boundaries;
3. The proposed Jonas Salk Elementary school project will provide a neighborhood elementary school option for students currently transported to overflow schools outside the neighborhood;
4. The proposed Jonas Salk Elementary school project will assist the San Diego Unified School District in achieving the enrollment standard set forth in the Long-Range Facilities Master Plan (LRFMP) 1999-2013. This plan provides recommendations for the number and types of facilities that will be needed to accommodate enrollment growth and reduce overcrowding at existing schools;
5. The proposed Jonas Salk Elementary School would be constructed with Proposition MM funding. Prop. MM is a \$1.51 billion bond measure that funds modernization of 161 existing schools and construction of 12 new and three rebuilt schools to support student achievement;
6. The proposed project will ensure that the new school development is compatible with adjacent land uses and that all impacts are mitigated to the extent feasible;
7. The proposed project will provide substantial mitigation commitments regarding the long-term preservation of vernal pools and the endangered San Diego fairy shrimp.

The mitigation concept plan for the proposed project would achieve an overall goal of enhancing, restoring, preserving, and ultimately conserving higher quality vernal pools at the McAuliffe Park site and the Carroll Canyon Preserve site. McAuliffe Park has been, and would likely be proposed for park development at some future time, if it is not conserved for vernal pool restoration as part of the proposed mitigation for the project.

In addition, the District has provided assurances to the U.S Fish and Wildlife Service through a Long-Term Management Plan that the proposed mitigation sites will be managed and monitored to ensure long-term conservation of the San Diego fairy shrimp.

The benefits of the restoration to the shrimp include a substantial increase in the available habitat for the shrimp at the proposed mitigation sites, improvement in the natural ponding capabilities of this habitat (through topographic reconstruction and weed control), and an overall improvement in the quality of the existing habitat.

Furthermore, the Habitat Conservation Plan stipulates that an endowment be established to fund regular maintenance and monitoring so that the intended functions and values of the proposed mitigation area are sustained in perpetuity.

Management costs have been calculated based on the activities presented within the Long-Term Management Plan, including site annual maintenance, field surveys, and preparation of monitoring reports. A Property Analysis Record (PAR), developed using software created by the Center for Natural Lands Management, was completed to determine the costs of management activities. Long-term management costs would require an endowment of \$466,4496. This endowment would provide an annual budget of \$20,990 for maintenance and monitoring of the site in perpetuity. If the Carroll Canyon Preserve site is approved by the City, a Long Term Mitigation Plan will be prepared for the site by the District. The plan would identify the long-term management costs, endowment, and annual maintenance and monitoring costs for the Carroll Canyon Preserve vernal pool mitigation site.

8. The proposed project will provide additional park and joint-use facilities at the Jonas Salk Elementary School site that will serve the general public, and specifically the community of Mira Mesa. As part of the Memorandum of Understanding with the City of San Diego, the District will:
 - Pay to City one million eight hundred forty-five thousand (\$1,845,000.00) in 2008 dollars adjusted annually for inflation, until received by the City, for design and construction of 4.10 acres of the 6.10 acres conveyed to the City for park purposes.
 - Pay to City nine hundred thousand (\$900,000.00) in 2008 dollars adjusted annually for inflation, until received by the City, for design and construction of a multi-use play field on 2.0 acres of the 6.10 acres conveyed to the City for joint-use purposes. The design and construction will be consistent with Council Policy 600-33, Community Notification and Input for City-wide Park Development Projects, and City design and construction standards. This development cost will be included in the parity calculation in the joint-use agreement benefiting the District.
 - Additional costs would be paid by the District to the City if the Carroll Canyon Preserve vernal pool mitigation site is approved by the City. Those costs are not known at this time.
9. The significant unmitigated traffic impacts will occur to roadway segments that are located within an established, single-family residential neighborhood and community. The method of mitigating these impacts would normally be in the form of road widening, which would increase roadway capacity and the LOS for these roadway segments. However, any road widening would involve taking of single-family residential properties in this established community. The District finds that this social impact is not acceptable in light of the whole of the project, which provides an overriding social benefit (the provision of a new school, City parkland and joint use facilities, and mitigation for the preservation, restoration, and enhancement of vernal pools) to the community.

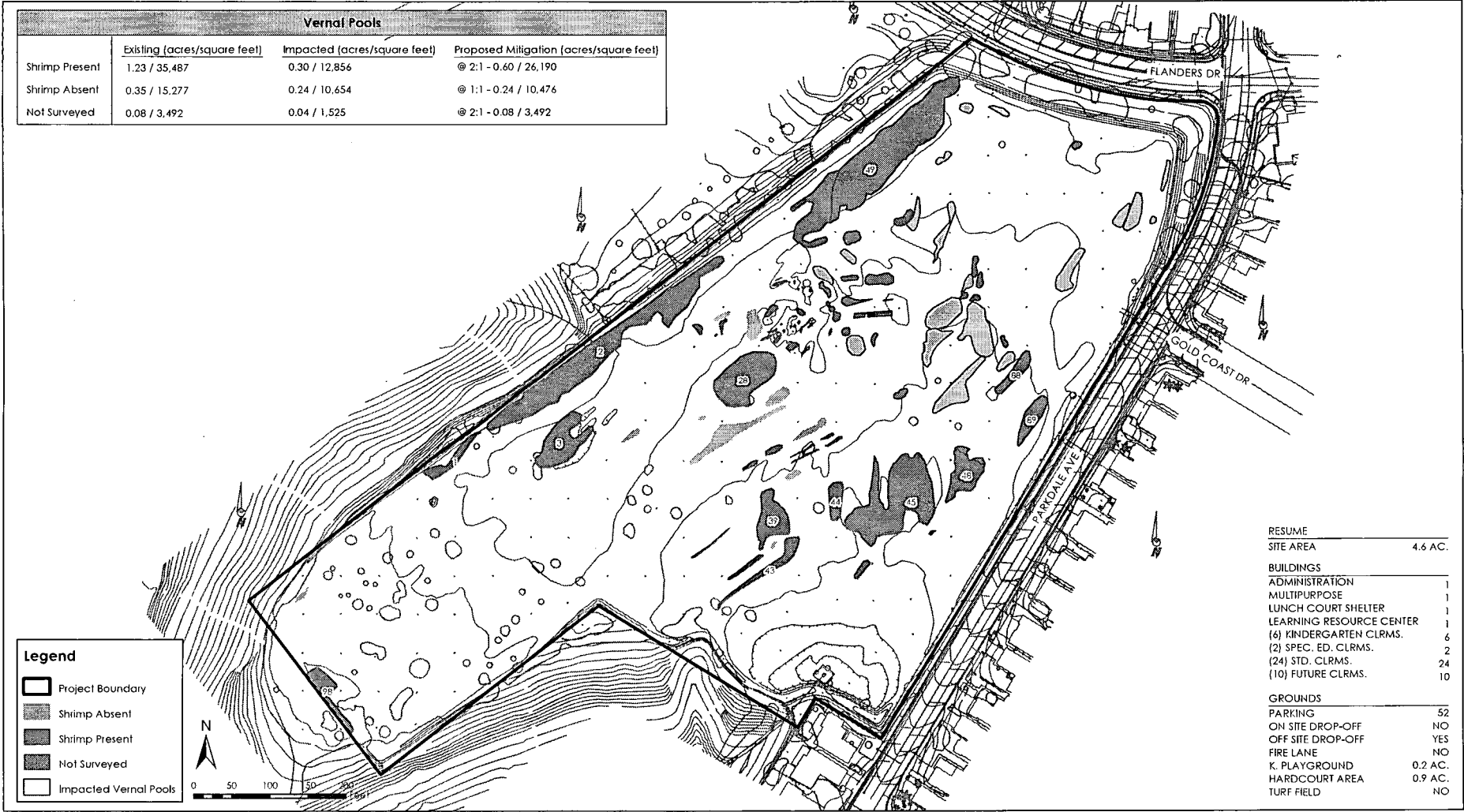
Furthermore, while a significant traffic impact has been identified, this determination is based on City of San Diego traffic impact assessment criteria, and the project's contribution to this impact, although deemed significant is marginal. At the Flanders Drive from Aderman Avenue to Dabney Drive segment, the project-generated traffic would increase the volume to capacity (V/C) ratio by 0.081; at the Flanders Drive from Parkdale Avenue to Amantha Avenue segment, the project-generated traffic would increase the volume to capacity (V/C) ratio by 0.040; at the Parkdale

Avenue from Flanders Drive to Gold Coast Drive segment, the project-generated traffic would increase the volume to capacity (V/C) ratio by 0.202. The resultant mitigation requirement, which would be to widen roadways in existing, established neighborhoods, is not considered an acceptable trade-off with respect to these traffic impacts. However, in consultation with the City of San Diego, the proposed project has been revised to include the widening at the intersection of Flanders Drive and Parkdale Avenue along the frontage of the proposed school, in order to avoid the loss of on-street parking, while achieving acceptable intersection operation.

**Jonas Salk Area Elementary School
CEQA Findings of Fact
and
Statement of Overriding Considerations**

Appendix A

Figures



SOURCE: Merkel & Associates, 2003; Sillman Wright Architects, 2005; BRG Consulting, Inc., 2010

5/14/10



Jonas Salk Area Elementary School EIR
Alternative Site Plan Layout B

FIGURE
6-1

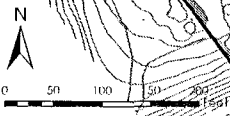
F:\project\128 Jonas Salk Elementary\Final EIR\Chapter 6\Figure 6-1 Alternative Site Plan Layout B.mxd

Vernal Pools			
	Existing (acres/square feet)	Impacted (acres/square feet)	Proposed Mitigation (acres/square feet)
Shrimp Present	1.23 / 35,487	0.19 / 8,344	@ 2:1 - 0.38 / 16,587
Shrimp Absent	0.35 / 15,277	0.22 / 9,597	@ 1:1 - 0.22 / 9,603
Not Surveyed	0.08 / 3,492	0.03 / 1,306	@ 2:1 - 0.06 / 2,619



Legend

- Project Boundary
- Shrimp Absent
- Shrimp Present
- Not Surveyed
- Impacted Vernal Pools



RESUME	
SITE AREA	3.72 AC.
BUILDINGS	
ADMINISTRATION	1
MULTIPURPOSE	1
LUNCH COURT SHELTER	1
LEARNING RESOURCE CENTER	1
(6) KINDERGARTEN CLRMS.	6
(2) SPEC. ED. CLRMS.	2
(24) STD. CLRMS.	24
(10) FUTURE CLRMS.	10
GROUNDS	
PARKING	0
ON SITE DROP-OFF	NO
OFF SITE DROP-OFF	YES
FIRE LANE	NO
K. PLAYGROUND	0.2 AC.
HARDCOURT AREA	0.5 AC.
TURF FIELD	NO

SOURCE: Merkel & Associates, 2003; Sillman Wright Architects, 2005; BRG Consulting, Inc., 2010

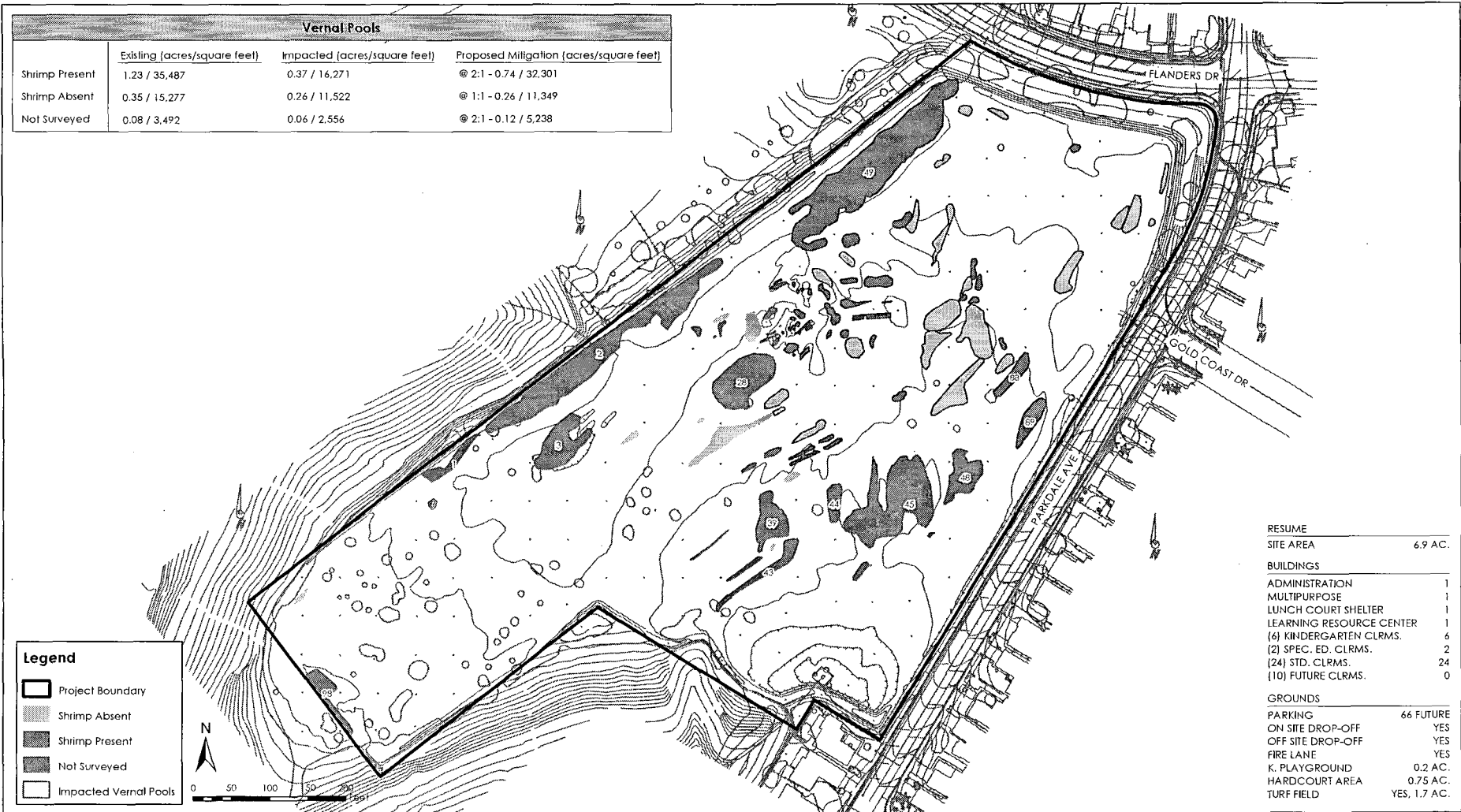
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Jonas Salk Area Elementary School EIR
Alternative Site Plan Layout C

FIGURE
6-2

F:\projects\128 Jonas Salk Elementary\Final EIR\Chapter 6\Figure 6-2 Alternative Site Plan Layout C.mxd



SOURCE: Merkel & Associates, 2003; Sillman Wright Architects, 2005; BRG Consulting, Inc., 2010

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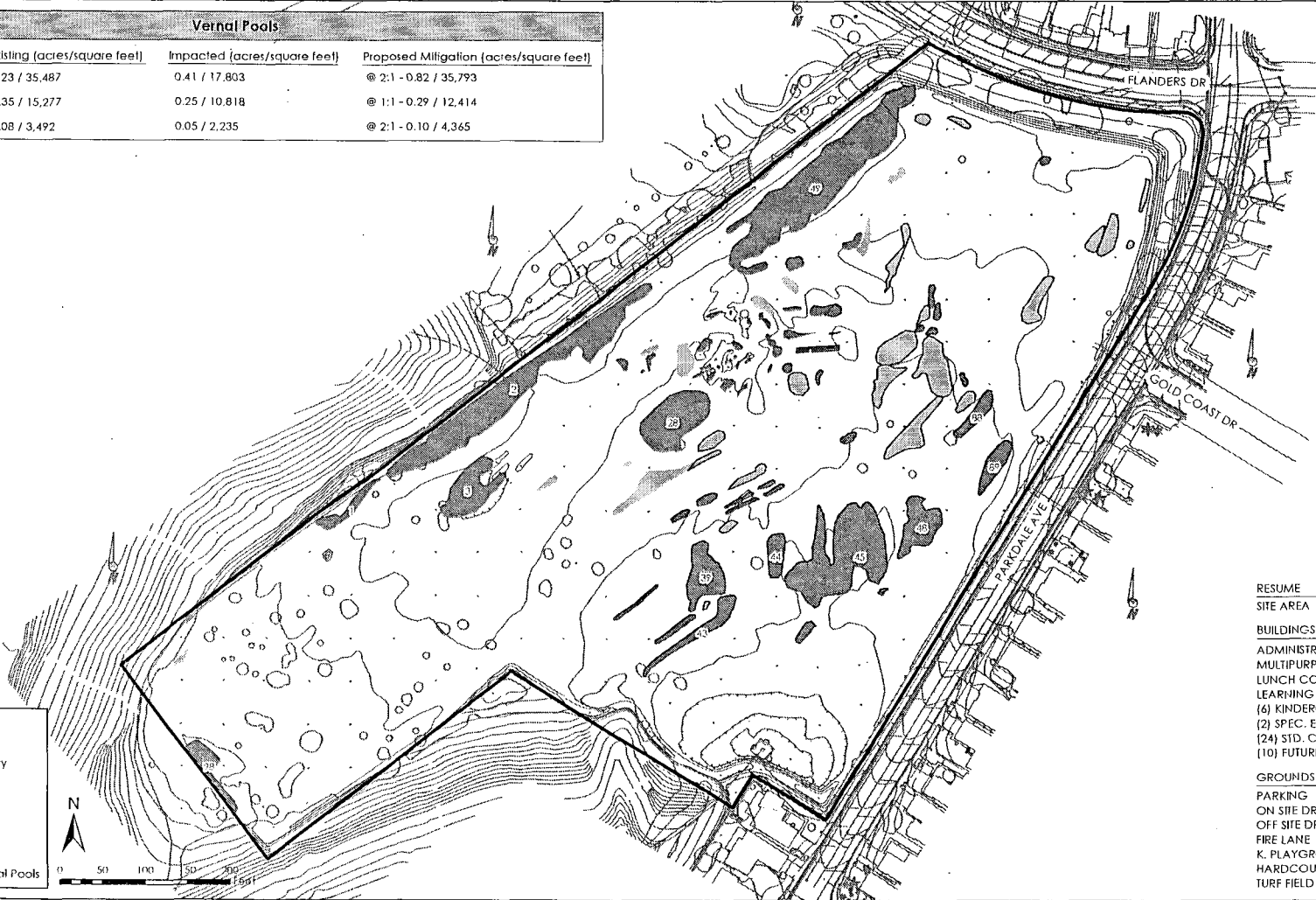
Jonas Salk Area Elementary School EIR
Alternative Site Plan Layout E

FIGURE
6-3

Vernal Pools			
	Existing (acres/square feet)	Impacted (acres/square feet)	Proposed Mitigation (acres/square feet)
Shrimp Present	1.23 / 35,487	0.41 / 17,803	@ 2:1 - 0.82 / 35,793
Shrimp Absent	0.35 / 15,277	0.25 / 10,818	@ 1:1 - 0.29 / 12,414
Not Surveyed	0.08 / 3,492	0.05 / 2,235	@ 2:1 - 0.10 / 4,365

Legend

- Project Boundary
- Shrimp Absent
- Shrimp Present
- Not Surveyed
- Impacted Vernal Pools



RESUME	
SITE AREA	7.05 AC.
BUILDINGS	
ADMINISTRATION	1
MULTIPURPOSE	1
LUNCH COURT SHELTER	1
LEARNING RESOURCE CENTER	1
(6) KINDERGARTEN CLRMS.	6
(2) SPEC. ED. CLRMS.	2
(24) STD. CLRMS.	24
(10) FUTURE CLRMS.	10
GROUPS	
PARKING	74+15 FUTURE
ON SITE DROP-OFF	YES
OFF SITE DROP-OFF	YES
FIRE LANE	YES
K. PLAYGROUND	0.2 AC.
HARDCOURT AREA	1.0 AC.
TURF FIELD	NO

SOURCE: Merkel & Associates, 2003; Silliman Wright Architects, 2005; BRG Consulting, Inc., 2010

5/14/10



Jonas Salk Area Elementary School EIR
Alternative Site Plan Layout A

FIGURE
6-4

Vernal Pools			
	Existing (acres/square feet)	Impacted (acres/square feet)	Proposed Mitigation (acres/square feet)
Shrimp Present	1.23 / 35,487	0.41 / 17,803	@ 2:1 - 0.82 / 35,793
Shrimp Absent	0.35 / 15,277	0.25 / 10,945	@ 2:1 - 0.25 / 10,945
Not Surveyed	0.08 / 3,492	0.05 / 2,235	@ 2:1 - 0.10 / 4,365



SITE PLAN DEVELOPMENT	
SITE AREA	8.83 A.C.
BUILDINGS	
ADMINISTRATION	1
MULTIPURPOSE	1
LUNCH COURT SHELTER	1
LEARNING RESOURCE CENTER	1
(6) KINDERGARTEN CLRMS.	6
(2) SPEC. ED. CLRMS.	2
(24) STD. CLRMS.	24
(10) FUTURE CLRMS.	10
GROUNDS	
PARKING	74+15 FUTURE
ON SITE DROP-OFF	YES
OFF SITE DROP-OFF	YES
FIRE LANE	YES
K. PLAYGROUND	0.2 AC.
HARDCOURT AREA	1.85 AC.
TURF FIELD	YES, 1.86 AC.

SOURCE: Merkel & Associates, 2003; Sillman Wright Architects, 2005; BRG Consulting, Inc., 2010



Jonas Salk Area Elementary School EIR
Alternative Site Plan Layout D

FIGURE
6-5

5/14/10

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EXHIBIT B

Mitigation Monitoring and Reporting Program

Jonas Salk Area Elementary School

State Clearinghouse No. 2010011021

Lead Agency:
San Diego Unified School District
4860 Ruffner Street
San Diego, CA 92111

Prepared by:
BRG Consulting, Inc.
304 Ivy Street
San Diego, CA 92101

October 2011

MITIGATION MONITORING AND REPORTING PROGRAM

San Diego Unified School District

Jonas Salk Area Elementary School

The San Diego Unified School District will adopt this Mitigation Monitoring and Reporting Program (MMRP) in accordance with Public Resources Code (PRC) Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines. The purpose of the MMRP is to ensure that the Jonas Salk Area Elementary School Project, which is the subject of the Environmental Impact Report (EIR), complies with all applicable environmental mitigation requirements. The mitigation measures for the project will be adopted by the San Diego Unified School District, in conjunction with the adoption of the EIR. The mitigation measures have been integrated into this MMRP. Within this document, the approved mitigation measures are organized and referenced by subject category and include: Greenhouse Gas Emissions, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Transportation/Circulation, and Noise. The mitigation measures are provided in Attachment A. The specific mitigation measures are identified, as well as the method and timing of verification and the responsible party that will ensure that each action is implemented.

The mitigation measures applicable to the project include avoiding certain impacts altogether, minimizing impacts by limiting the degree or magnitude of the action and its implementation, and/or reducing or eliminating impacts over time by maintenance operations during the life of the action.

Public Resources Code Section 21081.6 requires the Lead Agency, for each project that is subject to CEQA, to monitor performance of the mitigation measures included in any environmental document to ensure that implementation does, in fact, take place. The San Diego Unified School District is the designated lead agency for the Mitigation Monitoring and Reporting Program. The San Diego Unified School District is responsible for review of all monitoring reports, enforcement actions, and document disposition. The San Diego Unified School District will rely on information provided by the monitor as accurate and up to date and will field check mitigation measure status as required.

A record of the MMRP will be maintained at San Diego Unified School District, 4860 Ruffner Street, San Diego, CA 92111 (Physical Plant Operations Annex). All mitigation measures contained in the EIR shall be made conditions of the project as may be further described below.

Attachment A
Mitigation Monitoring and Reporting Program
San Diego Unified School District
Jonas Salk Area Elementary School Final EIR

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
Section 4.3 Greenhouse Gas Emissions				
<i>Jonas Salk Elementary School Site</i>				
<p>Mitigation Measure GHG-1: The proposed project should demonstrate that it has policies in place that would assist in providing a statewide reduction in CO2 as compared to "business as usual." To this end, the following greenhouse gas offset measures have been shown to be effective by CARB and should be implemented wherever possible.</p> <p>The Diesel Equipment (Compression Ignition) offset Strategies (40% to 60% Reduction):</p> <ol style="list-style-type: none"> 1. Construction equipment operating onsite should be equipped with two to four degree engine timing retard or precombustion chamber engines. 2. Construction equipment used for the project should utilize EPA Tier 2 or better engine technology. 	<p>Prior to and During Construction</p>	<p>Provide construction equipment specifications in bid documents</p>	<p>San Diego Unified School District – Facilities Planning and Construction (FPC)</p>	<p>San Diego Unified School District – FPC</p>
<p>Vehicular Trip (Spark Ignition) Offset Strategies (30% to 70% Reduction):</p> <ol style="list-style-type: none"> 1. Encourage commute alternatives by informing construction employees and parents about transportation options for reaching your location (i.e. post transit schedules/routes). 2. Help construction employees rideshare by posting commuter ride sign-up sheets, employee home zip code map, etc. 3. When possible, arrange for a single construction vendor who makes deliveries for several items. 4. Plan construction delivery routes to eliminate unnecessary trips. 	<p>Prior to and During Construction</p>	<p>Post Transit Schedules, Rideshare Boards at Construction Trailer</p>	<p>San Diego Unified School District – FPC</p>	<p>San Diego Unified School District – FPC</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>5. Keep construction vehicles well maintained to prevent leaks and minimize emissions, and encourage employees to do the same.</p> <p>Onsite Energy Offset Strategies (50% to 70% Reduction):</p> <ol style="list-style-type: none"> 1. Complete regularly scheduled maintenance on your HVAC (heating, ventilation and air conditioning system). 2. Use an energy management system to control lighting, kitchen exhaust, refrigeration and HVAC. 3. Install occupancy sensors for lighting in low occupancy areas. 4. Retrofit incandescent bulbs with compact fluorescent lights. 5. Install ultra efficient ballasts to dim lights to take advantage of daylight. 6. Upgrade existing fluorescent lighting with T-8 lamps with electronic ballasts (T-8 systems consume up to 40% less energy than conventional T-12 systems). 7. Install a programmable thermostat to control heating and air conditioning. 8. Insulate all major hot water pipes. 9. Insulate refrigeration cold suction lines. 10. Use weather stripping to close air gaps around doors and windows. 11. Select electrical equipment with energy saving features (e.g. Energy Star). 12. Plant native shrubs or trees near windows for shade. 13. Convert hot water heaters to on-demand systems. 14. Reduce the number of lamps and increase lighting efficiency by installing optical reflectors or diffusers. 	<p>During regularly-scheduled maintenance</p> <p>Prior to Construction and Upon Installation</p>	<p>Review maintenance logs</p> <p>Efficiency measures shall be shown on architectural plans</p>	<p>San Diego Unified School District – Facilities Planning and Construction FPC</p> <p>San Diego Unified School District – FPC</p>	<p>San Diego Unified School District – FPC</p> <p>San Diego Unified School District – FPC</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
Section 4.4 Biological Resources				
Jonas Salk Elementary School Site – Construction Impacts				
<p>Mitigation Measure BR-1: The District shall inform the construction contractor(s), prior to the bidding process, about the biological constraints of this project. All sensitive habitat areas to be avoided should be clearly marked on project maps provided to the contractor and designated as "no construction" zones. These areas shall be flagged by the project biologist prior to the onset of construction activities. In some cases, resources may need to be fenced or otherwise protected from direct or indirect impacts. The contractor will be responsible for mitigation of any direct or indirect impacts to biological resources outside the flagged construction zone or not identified in this report as caused by the project.</p>	<p>Prior to Site Grading</p>	<p>The District to provide project site maps indicating the limits of grading to construction contractor(s). Limits of grading/no construction zones shall be flagged and fenced prior to grading.</p>	<p>Monitoring Biologist and San Diego Unified School District – FPC</p>	<p>San Diego Unified School District – FPC</p>
<p>Mitigation Measure BR-2: A contractor education program shall be implemented to ensure that contractors and all construction personnel are fully informed of the biological resources associated with this project. This program shall focus on (a) the purpose for resource protection, (b) contractor identification of sensitive resource areas in the field (e.g., areas delineated on maps and by flags or fencing), (c) sensitive construction practices (see numbers 3 through 9 below), (d) protocol to resolve conflicts that may arise at any time during the construction process, and (e) ramifications of noncompliance. This program shall be conducted by a qualified biologist.</p>	<p>Prior to Grading and During Construction</p>	<p>Requirement for contractor education program shall be included in construction bid documents.</p>	<p>Monitoring Biologist and San Diego Unified School District – FPC</p>	<p>San Diego Unified School District – FPC</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p><u>Mitigation Measure BR-3:</u> Activities shall be prohibited within drainages or other wetland areas outside of the construction footprint, including staging areas, equipment access, and disposal or temporary placement of excess fill.</p>	<p>Prior to and During Construction</p>	<p>Monitoring Biologist to monitor construction activity. The Construction Contractor responsible for marking construction areas.</p>	<p>Monitoring Biologist and San Diego Unified School District – FPC</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-4:</u> Vehicles shall use existing access roads to the degree feasible. Where new access is required, all vehicles shall use the same route, even if this requires heavy equipment to back out of such areas. All access routes outside of existing roads or the construction corridor shall be clearly marked (i.e., flagged and/or staked) prior to the onset of construction. All access roads outside of existing roads or the construction corridor shall be delineated on the grading plans and reviewed by a qualified biologist.</p>	<p>Prior to and During Construction</p>	<p>Monitoring Biologist to review grading plans. The Construction Contractor responsible for marking access routes.</p>	<p>Construction Contractor</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-5:</u> Topsoil shall be stockpiled in disturbed areas currently lacking native vegetation. Stockpile areas will be delineated on the grading plans and reviewed by a qualified biologist.</p>	<p>Prior to and During Construction</p>	<p>Shown on Grading Plans. Monitoring Biologist to review grading plans.</p>	<p>San Diego Unified School District – FPC</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-6:</u> Staging areas shall be located in disturbed habitat, to the degree feasible. Staging areas are prohibited within sensitive habitat areas. Staging areas will be delineated on the grading plans and reviewed by a qualified biologist. If staging areas outside the construction footprint are used, they will be surveyed for biological resources.</p>	<p>Prior to and During Construction</p>	<p>Shown on Grading Plans. Monitoring Biologist to review grading plans.</p>	<p>San Diego Unified School District – FPC</p>	<p>San Diego Unified School District – FPC</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p><u>Mitigation Measure BR-7:</u> Fueling of equipment shall take place within existing paved roads, and not within or adjacent to drainages or native habitats. Contractor equipment will be checked for leaks prior to operation and repaired as necessary. "No-fueling zones" will be designated on construction maps and would be situated a minimum distance of 50 feet from all drainages.</p>	<p>Prior to and During Construction</p>	<p>Specify "no fueling zones" on construction plans.</p>	<p>San Diego Unified School District – FPC</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-8:</u> Construction in, or adjacent to, sensitive areas will be appropriately scheduled to minimize potential impacts to biological resources. The contractor shall prepare and implement a Dust Control Program and remove construction spills and trash from the site to the satisfaction of the District.</p>	<p>Prior to and During Construction</p>	<p>Include Dust Control Program on construction bid documents. The contractor to be responsible for the implementation of the Dust Control Program.</p>	<p>Construction Contractor</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-9:</u> Erosion and siltation into off-site areas during construction will be minimized. An erosion control plan and a Storm Water Pollution Prevention Plan (SWPPP) will be required of the contractor. The contract supervisor will be responsible for ensuring that the erosion control plan and SWPPP are developed and implemented. The plan will include the use of hay bales, silt fences, siltation basins, or other devices necessary to stabilize the soil in denuded or graded areas during the construction and revegetation phases of the project.</p>	<p>Prior to and During Construction</p>	<p>The Construction Contractor responsible for the implementation of the erosion control plan and SWPPP.</p>	<p>Construction Contractor</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-10:</u> Construction activities performed with mechanized equipment shall be conducted outside of the breeding season to the extent feasible. To the extent feasible, grading shall be scheduled to occur between September 1 and January 15 to avoid the avian breeding season and to limit the effects of rainfall on the grading activities. If construction is unavoidable during the breeding season, preconstruction presence/absence surveys shall be conducted to verify that no nesting birds (e.g., gnatcatcher) occur on-site or within 500</p>	<p>Prior to and During Construction</p>	<p>Monitoring Biologist</p>	<p>Monitoring Biologist</p>	<p>San Diego Unified School District – FPC</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>feet of construction activity. Areas to be graded shall be clearly delineated by a survey crew prior to conducting grading activities. If gnatcatchers are determined to be present on-site, protocol surveys will be initiated to determine number of individuals, breeding activity, and nest presence. All construction will halt until nests are no longer active, as determined by the project biologist. If construction must occur, formal consultation will be initiated with USFWS. If other nesting birds covered under the MBTA are determined to be present, construction activities shall not occur within 500 feet of the active nest until August 30 or until it is determined that the nest is no longer active. If construction must continue and other nesting birds are present, noise attenuation measures (e.g., sound walls) will be implemented to reduce levels to below 60 dBA.</p>				
Jonas Salk Elementary School Site – Habitat Mitigation Measures				
<p>Mitigation Measure BR-11: The proposed project will result in direct project impacts to 1.23 acres of vernal pools with San Diego fairy shrimp present, 0.35 acres of unoccupied pools, and 0.08 acres of pools not sampled. The total potential impact to vernal pools with San Diego fairy shrimp present, or unoccupied or not sampled but assumed present, is 1.66 acres. Compensation for such impacts shall be conducted through restoration, enhancement, and preservation of vernal pools at a 2:1 mitigation ratio, for a total of 3.32 acres. Based on District coordination with USFWS, vernal pool mitigation for 2.62 acres is proposed on approximately 12.7 acres of the City's McAuliffe Park site (vernal pool mitigation site). In addition, to compensate for approximately 0.06 acre of chamise chaparral, 0.02 acre of southern mixed chaparral, and 6.99 acres of disturbed southern mixed chaparral that would be permanently impacted by the project, upland habitat enhancement and restoration shall be conducted at a 1:1 mitigation ratio. A total of 0.06 acre of chamise chaparral and 7.01 acres of southern mixed chaparral will be restored at the 12.7-acre McAuliffe vernal pool mitigation site.</p> <p>The additional 0.76 acre of mitigation is proposed to be mitigated at the City of San Diego's Carroll Canyon Preserve site. If the District is unable to negotiate a Right of Entry Permit with the City for use of the Carroll Canyon Preserve site, the District is required to pursue other options acceptable to the USFWS. All off-site mitigation shall be secured prior to disturbance of vernal pool habitat by the proposed project.</p>	<p>Prior to Construction/5-Year Monitoring Reports</p>	<p>Provide documentation that the vernal pool and upland restoration plan has been implemented.</p>	<p>San Diego Unified School District</p>	<p>U.S. Fish and Wildlife Service</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>A 5-year vernal pool and upland restoration plan has been prepared by the District for approval by USFWS for the McAuliffe Park site (Appendix A of the Biological Resources Technical Report, Appendix E1 of this EIR). The restoration provides detail for the required vernal pool and upland mitigation and determine the exact acreage and extent of the vernal pool and sensitive vegetation community mitigation. This restoration plan details the implementation of the mitigation program, which will include topographic reconstruction, seeding, container planting, and weed control. The plan provides detailed monitoring methods for both the vernal pool and upland restoration and enhancement, including success criteria and remedial recommendations. The District would be required to prepare a 5-year vernal pool restoration plan for the Carroll Canyon Preserve site, similar to the McAuliffe Park plan.</p>				
<p><u>Mitigation Measure BR-12:</u> In addition to a 5-year vernal pool and upland restoration plan, a long-term management plan has been developed by the District for approval by USFWS. This long-term management plan provides direction for the maintenance and monitoring in perpetuity that shall be implemented following successful completion of the 5-year maintenance and monitoring program. Estimated costs for long-term management and an endowment to fund long-term management activities are identified in the plan. The District shall work with USFWS to establish an appropriate endowment.</p>	<p>Prior to Construction/5-Year Monitoring Reports</p>	<p>Prepare Monitoring Reports</p>	<p>San Diego Unified School District</p>	<p>U.S. Fish and Wildlife Service</p>
<p><i>Jonas Salk Elementary School Site – Operation Impacts</i></p>				
<p><u>Mitigation Measure BR-13:</u> Appropriate post construction fencing and signage shall be installed to prohibit access and avoid potential impacts to biological resources adjacent to the site.</p>	<p>Prior to and During Construction</p>	<p>The contractor responsible for installing appropriate post-construction fencing and signage.</p>	<p>Construction Biological Monitor</p>	<p>San Diego Unified School District – FPC</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p><u>Mitigation Measure BR-14:</u> No invasive nonnative plant species shall be planted, seeded, or otherwise introduced to habitats adjacent to the project site. No myoporum, eucalyptus, acacia or any other invasive exotics shall be used. Exotic plant species that shall not be used include, at the minimum, those species on Lists A and B of the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California." A qualified biologist shall review any landscape plans before approval.</p>	Prior to and During Construction	Approval of landscape plans.	San Diego Unified School District – FPC	San Diego Unified School District – FPC
<p><u>Mitigation Measure BR-15:</u> Irrigation on the project site shall not run off into adjacent habitat.</p>	Prior to and During Construction	A qualified biologist responsible for monitoring construction activities.	Monitoring Biologist	San Diego Unified School District – FPC
<p><u>Mitigation Measure BR-16:</u> BMP erosion control measures and site-specific designs shall be implemented, directing runoff into the City's storm drain system and not into the adjacent canyons.</p>	Prior to and During Construction	The Construction Contractor responsible for implementing BMP erosion control measures.	Construction Contractor	San Diego Unified School District – FPC
<u>Vernal Pool Mitigation Sites</u>				
<p><u>Mitigation Measure BR-17:</u> Topographic recontouring of the vernal pool basin areas with mechanized equipment shall be conducted outside of the breeding season to the extent feasible. Grading shall be scheduled to occur between September 1 and January 15 to avoid the avian breeding season and to limit the effects of rainfall on the grading activities. If construction is unavoidable during the avian breeding season, presence/absence surveys shall be conducted to verify that no nesting birds (e.g., gnatcatchers) occur on-site or within 500 feet of construction activity. Areas to be graded shall be clearly delineated by a survey crew prior to conducting grading activities. If nesting birds covered under the MBTA are determined to be present, restoration activities shall not occur within 500 feet of the active</p>	Prior to and During Construction	Restoration Ecologist responsible for monitoring construction activities.	Restoration Ecologist	San Diego Unified School District – FPC

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>nest until August 31 or until it is determined that the nest is no longer active. The contractor(s) shall be responsible to mitigate impacts to sensitive biological resources beyond those identified in this report or any subsequent reports that occur as a direct result of grading activities.</p>				
<p><u>Mitigation Measure BR-18:</u> Basin recontouring disturbance shall be limited to the grading zones as indicated by flagging. A qualified biologist familiar with vernal pools shall monitor construction that occurs near sensitive habitat areas.</p>	<p>Prior to and During Construction</p>	<p>Restoration Ecologist responsible for monitoring construction near sensitive habitat areas.</p>	<p>Restoration Ecologist</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-19:</u> Equipment staging and access, refueling areas, and disposal or temporary placement of excess fill shall be located outside of any vernal pool watersheds and away from sensitive habitat and natural drainages outside the project footprint. Staging areas are identified in the restoration plan.</p>	<p>Prior to and During Construction</p>	<p>Show staging areas on restoration plan.</p>	<p>Restoration Ecologist</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-20:</u> To minimize risk of crushing cysts during grading, the top layer of soil from each pool to be graded shall be excavated and temporarily stored while the grading occurs. Following the completion of grading, the soils shall be placed back in the appropriate basin areas.</p>	<p>Prior to and During Construction</p>	<p>Restoration Ecologist responsible for monitoring construction activities.</p>	<p>Restoration Ecologist</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-21:</u> Temporary siltation and turbidity increase may occur in the recontoured basins following the grading activities. Graded areas shall be compacted using a combination of the mechanized equipment and hand compaction. Areas that have been graded shall also be seeded with vernal pool and upland species where appropriate to help stabilize the soils following the first rainfall of the season.</p>	<p>Prior to and During Construction</p>	<p>Restoration Ecologist shall oversee grading/reseeding.</p>	<p>Restoration Ecologist</p>	<p>San Diego Unified School District – FPC</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p><u>Mitigation Measure BR-22:</u> All access routes shall be clearly marked (e.g., flagged and/or staked) by a biological monitor prior to the onset of construction.</p>	<p>Prior to and During Construction</p>	<p>Restoration Ecologist responsible for marking access routes.</p>	<p>Restoration Ecologist</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-23:</u> At the onset of habitat maintenance each season (approximately January to February), a wildlife biologist shall conduct presence/absence survey to determine if nesting birds are on-site or within 500 feet of the restoration site. If nesting birds are detected, nests shall be flagged and maintenance activities that could be a nuisance to nesting birds (e.g., weed control, planting, etc.) shall not be conducted within 500 feet of nests until August 31 or until it is determined that the nest is no longer active.</p>	<p>Prior to and During Construction</p>	<p>A qualified wildlife biologist responsible for conducting surveys.</p>	<p>Restoration Ecologist</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-24:</u> Appropriate post-construction fencing and signage shall be installed to prohibit access and avoid potential impacts to sensitive resources adjacent to the site, including vernal pools. The restoration plan identifies the proposed fencing and signage.</p>	<p>Prior to and During Construction</p>	<p>The contractor responsible for installing appropriate post-construction fencing and signage.</p>	<p>Construction Biological Monitor</p>	<p>San Diego Unified School District – FPC</p>
<p><u>Mitigation Measure BR-25:</u> No invasive nonnative plant species shall be planted, seeded, or otherwise introduced to habitats adjacent to the MHPA or vernal pool watersheds. No myoporum, eucalyptus, acacia, or any other invasive exotics shall be used. Exotic plant species that should not be used include, at the minimum, those species on Lists A and B of the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California." A qualified vernal pool and wetlands biologist shall review any landscape plans for the adjacent school property before approval. Construction vehicles, including wheels and blades, shall be cleaned prior to entering the site to minimize importing exotic species into the project mitigation site.</p>	<p>Prior to and During Construction</p>	<p>Approval of landscape plans by a qualified vernal pool and wetlands biologist.</p>	<p>Restoration Ecologist</p>	<p>San Diego Unified School District – FPC</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
Section 4.5 Cultural Resources				
<p>Mitigation Measure CR-1: Prior to site grading, a qualified paleontologist shall be retained by the District to carry out an appropriate mitigation program. (A qualified paleontologist is defined as an individual with a minimum MS or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.) In addition, the following shall be implemented:</p> <ul style="list-style-type: none"> • The qualified paleontologist shall be present at the pre-construction meeting to consult with the grading and excavation contractors. • A paleontological monitor shall be on-site a minimum of half-time during the original cutting of previously undisturbed sediments to inspect cuts for contained fossils. In the event that fossils are discovered, it may be necessary to increase the per/day in field monitoring time. Conversely, if fossils are not being found then the monitoring should be reduced. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor shall work under the direction of a qualified paleontologist.) • When fossils are discovered the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as complete large mammal skeleton) may require an extended salvage period. In these instances the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains, such as isolated mammal teeth, it may be necessary in certain instances, to set up a screen-washing operation on the site. • Fossil remains collected during the monitoring and salvage portion of the mitigation program shall be cleaned, repaired, sorted, and cataloged. • Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall either be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum or retained by the District and displayed for the public at an appropriate location such as the 	<p>Prior to and During Construction</p>	<p>A qualified paleontologist responsible for implementation of the mitigation program.</p>	<p>San Diego Unified School District – FPC</p>	<p>San Diego Unified School District – FPC</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>District offices.</p> <ul style="list-style-type: none"> A final summary report shall be completed and retained on file at the District that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils. 				
Section 4.6 Geology and Soils				
Jonas Salk Elementary School Site				
<p>Mitigation Measure GS-1: All future grading and construction of the project site shall comply with the geotechnical recommendations contained in the geotechnical reports prepared for the proposed project (<i>Geology and Soils Evaluation</i> prepared by Ninyo and Moore and <i>Updated Geotechnical Investigation</i> prepared by Geocon Incorporated). The reports identify specific measures for mitigating geotechnical conditions on the project site that shall be implemented during the design and construction of the project.</p>	Prior to and During Construction	The District to document compliance with geotechnical recommendations.	Grading Contractor and/or Construction Contractor with San Diego Unified School District – FPC	San Diego Unified School District – FPC
Section 4.7 Hazards and Hazardous Materials				
Jonas Salk Elementary School Site				
<p>Mitigation Measure HH-1: Prior to issuance of grading permits, undocumented fill soils on the site shall be evaluated per the California Department of Toxic Substances Control (DTSC) guidance document. The DTSC should be contacted for guidance whether radon sampling is recommended for the site.</p>	Prior and During Construction	<p>The District to provide documentation that the project site has been evaluated per the DTSC guidance document.</p> <p>The District to contact DTSC for further action regarding radon</p>	San Diego Unified School District – FPC	San Diego Unified School District – FPC

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
		sampling.		
<p>Mitigation Measure HH-2: Prior to issuance of grading permits, potential safety risks should be evaluated with respect to the presence of the City of San Diego high-pressure water pipeline adjacent to the site.</p>	Prior to Issuance of Grading Permits	The District to evaluate potential safety risks regarding City of San Diego high-pressure water pipeline adjacent to the site.	San Diego Unified School District – FPC	San Diego Unified School District – FPC
<p>Section 4.10 Transportation/Circulation</p>				
<p>Jonas Salk Elementary School Site</p>				
<p>Mitigation Measure T-1: Flanders Drive/Parkdale Avenue Intersection The applicant shall widen the eastbound approach of the Flanders Drive and Parkdale Avenue intersection and construct an additional eastbound right turn lane to the satisfaction of the City of San Diego Traffic Engineer. Figure 4.10-7 depicts the conceptual widening of this intersection.</p> <p>Flanders Drive from Aderman Avenue to Dabney Drive The segment of Flanders Drive from Aderman Avenue to Dabney Drive is currently constructed to the ultimate roadway classification of a two-lane collector with parking along both sides of the roadway. Furthermore, the surrounding area is built-out with residential driveways loading directly onto Flanders Drive. To increase roadway capacity as a means of potential mitigation, roadway widening through the purchase of property would be required. Such mitigation is not feasible because roadway widening may require substantial property acquisition, thus the impact is significant, unmitigated, and unavoidable.</p> <p>Flanders Drive from Parkdale Avenue to Amantha Avenue The segment of Flanders Drive from Parkdale Avenue to Amantha Avenue is currently constructed to the ultimate roadway classification of a two-lane collector with parking along both sides of the roadway. Furthermore, the surrounding area is built-out with</p>	Prior and During Construction	The District to install an additional eastbound right turn lane to the intersection of Flanders Drive and Parkdale Avenue.	San Diego Unified School District – FPC	City of San Diego/San Diego Unified School District – FPC

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>residential driveways loading directly onto Flanders Drive. To increase roadway capacity as a means of potential mitigation, roadway widening through the purchase of property would be required. Such mitigation is not feasible because roadway widening may require substantial property acquisition, thus the impact is significant, unmitigated, and unavoidable.</p> <p>Parkdale Avenue from Flanders Drive to Gold Coast Drive</p> <p>The segment of Parkdale Avenue from Flanders Drive to Gold Coast Drive is currently constructed to the ultimate roadway classification of a two-lane collector with parking along both sides of the roadway. Furthermore, the surrounding area is built-out with residential driveways loading directly onto Parkdale Avenue. To increase roadway capacity as a means of potential mitigation, roadway widening through the purchase of property would be required. Such mitigation is not feasible because roadway widening may require substantial property acquisition, thus the impact is significant, unmitigated, and unavoidable.</p>				
Section 4.11 Noise				
Jonas Salk Elementary School Site				
<p>Mitigation Measure N-1:</p> <p>A structural interior acoustical study shall be performed for the proposed school site, when architectural plans are available for the purpose of determining appropriate door, window, and exterior wall assemblies. The study shall confirm that interior noise levels will be below 50 dBA CNEL, per CCR Title 24.</p>	Prior and During Construction	<p>Shown on architectural plans.</p> <p>The District to provide documentation of compliance with noise levels per CCR Title 24.</p>	San Diego Unified School District – FPC	San Diego Unified School District – FPC
Vernal Pool Mitigation Sites				
<p>Mitigation Measure BR-10 (as described above)</p>	Prior to and During Construction	Monitoring Biologist	Monitoring Biologist	San Diego Unified School District – FPC

Source: BRG Consulting, Inc., 2010.