

RESOLUTION NUMBER R- 312796

DATE OF FINAL PASSAGE DEC 19 2019

ITEM #101B

12/17/19

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE AUTHORIZATION OF THE APPLICATION AND ACCEPTANCE OF THE SECTION 6 GRANT FUNDS FROM THE UNITED STATES FISH AND WILDLIFE SERVICE, TO TAKE ALL ACTIONS NECESSARY TO SECURE FUNDING FOR LAND ACQUISITION IN OTAY MESA AND KEARNY MESA, AND THE EXPENDITURE OF GRANT FUNDS FOR LAND ACQUISITION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTIONS 15307 AND 15313 OF THE CEQA GUIDELINES.

WHEREAS, California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) Section 15307 provides that CEQA does not apply to actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for the protection of the environment; and

WHEREAS, CEQA Guidelines Section 15313 provides that CEQA does not apply to acquisitions of lands for fish and wildlife conservation purposes including (a) preservation of fish and wildlife habitat, (b) establishing ecological reserves under Fish and Game Code Section 1580, and (c) preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition; and

WHEREAS, the City of San Diego desires to authorize the acceptance of grant funds from the United States Fish and Wildlife Service for land acquisition in Otay Mesa and/or Kearny Mesa (Project); and

WHEREAS, the Project involves the purchase of land that contain valuable vernal pool resources and/or restorable vernal pool habitat; and

WHEREAS, the Planning Department has established that the Project is exempt from CEQA pursuant to CEQA Guidelines Sections 15307 and 15313 and has considered environmental factors regarding the Project; and

WHEREAS, the Council of the City of San Diego has considered the potential environmental effects and considerations of the Project; and

WHEREAS, the City Council held a duly noticed public meeting and considered the written record for the Project as well as public comment; and


WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Project is exempt from CEQA, pursuant to CEQA Guidelines Section 15307 (actions by regulatory agencies for protection of natural resources) and Section 15313 (acquisition of land for wildlife purposes); NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego, using its independent judgment, has considered the written record and public comment for the requested authorization, and determines that the Project is exempt from CEQA pursuant to CEQA Guidelines Sections 15307 and 15313.

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

APPROVED: MARA W. ELLIOTT, City Attorney

By



Corrine L. Neuffer
Deputy City Attorney

CLN:als
11/26/2019
Or.Dept: Planning
Doc. No.: 2231304

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 17 2019.

ELIZABETH S. MALAND
City Clerk

By Hay Bready
Deputy City Clerk

Approved: 12/19/19
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 17 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 19 2019.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Stacy Reed*, Deputy

Office of the City Clerk, San Diego, California
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