

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING MITIGATED NEGATIVE DECLARATION (IS-15-006) AND APPROVING A WETLAND RESTORATION AGREEMENT BETWEEN HOMEFED CORPORATION AND THE CITY OF CHULA VISTA, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

WHEREAS, HomeFed desires to provide wetland mitigation necessary to complete grading operations for Villages 3 and 8 West in the short term and the rest of its villages (Villages 8 East, 9 and 10) in the long term; and

WHEREAS, wetland mitigation credits within existing mitigation banks are extremely limited at this time; and

WHEREAS, HomeFed proposes to restore existing disturbed wetlands to mitigate for its wetland impacts, but lacks property in a suitable location to do so; and

WHEREAS, the City owns approximately 300 acres of land in the Lower Otay River Valley Watershed that is ideal for restoration due to its location at the top of the river near the dam and its high level of disturbance from previous sand and gravel mining; and

WHEREAS, HomeFed proposes to restore approximately 100 acres of wetland and upland habitat within the City's 300 acre parcel (the "Restoration Site") in accordance with the subject Wetland Restoration Agreement; and

WHEREAS, HomeFed proposes to address Resource Agency permitting requirements through the approval of a Habitat Mitigation and Monitoring Plan (HMMP) that would mitigate for impacts for Villages 3 and 8 West in the short term and establish a mitigation bank with the remainder of the wetlands within the property; and

WHEREAS, the City is desirous of completing the portion of Heritage Road between Olympic Parkway and Main Street which is part of Village 3 and also requires mitigation of associated wetland impacts; and

WHEREAS, the City would like to implement the City's Greenbelt trail system and Otay Valley Regional Park trails system through the Restoration Site at no cost to the City; and

WHEREAS, the City will secure mitigation area sufficient to mitigate wetland impacts for its University and Innovation District project, at no cost to the City, in accordance with the subject Wetland Restoration Agreement.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Chula Vista does hereby find and determine, as follows:

I ENVIRONMENTAL DETERMINATION

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act and has conducted an Initial Study, IS-15-006 in accordance with the California Environmental Quality Act. Based upon the results of the Initial Study, the Director of Development Services has determined that the project could result in significant effects on the environment. However, revisions to the project made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, the Director of Development Services has prepared a Mitigated Negative Declaration, IS-15-006.

II. CERTIFICATION OF COMPLIANCE WITH CEQA

The City Council does hereby find that the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (IS-15-006) has been prepared in accordance with requirements of the California Environmental Quality Act, the State California Environmental Quality Act Guidelines, and the Environmental Review Procedures of the City of Chula Vista. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (IS-15-006) are available for public review in the Development Services Department.

III. INDEPENDENT JUDGEMENT OF CITY COUNCIL

The City Council does hereby find on the basis of the whole record before it, including the initial study and comments received for the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (IS-15-006), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.

BE IT FURTHER RESOLVED, that the City Council of the City of Chula Vista does hereby adopt Mitigated Negative Declaration No. IS-15-006 and approve the Agreement Regarding Otay River Valley Restoration, attached hereto and made part hereof as Exhibit 1, between the City of Chula Vista and HomeFed for restoration of wetland and upland habitat on City-owned land in the Otay River Valley.

BE IT FURTHER RESOLVED, that the Mayor of the City of City of Chula Vista is hereby authorized and directed to execute said Agreement on behalf of the City of Chula Vista.

Presented by

Approved as to form by

Kelly Broughton, Director of Development Services

Glen R. Googins, City Attorney