

RESOLUTION NUMBER R- 285908

ADOPTED ON JUN 06 1995

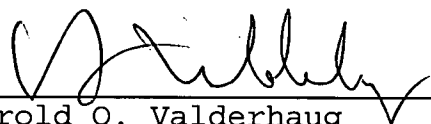
BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 92-0657, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the Declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with Conditional Use Permit No. 92-0657.

BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, on file in the office of the City Clerk, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the

environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: JOHN W. WITT, City Attorney

By 

Harold O. Valderhaug
Chief Deputy City Attorney

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04/28/95
Or.Dept:Dev.Svcs.
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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Villa View Medical Office Building

Street Vacation, Mid-City Development Permit and Conditional Use PERMIT

DEP NO. 92-0657

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with AB 3180 (1989) during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. All mitigation measures contained in the Mitigated Negative Declaration (Dep No. 92-0657) shall be made conditions of Street Vacation, Mid-City Development Permit and Conditional Use Permit 92-0657 as may be further described below.

Noise.

Prior to issuance of a building permit, an acoustical analysis shall be prepared and submitted to the Noise Abatement Officer, Building Inspection Department. The report shall show that interior noise levels would be reduced to 55 dB(A) CNEL or less based on future traffic volumes of 28,000 ADT on University Avenue.

Paleontology.

1) A qualified paleontologist shall attend any preconstruction meetings to consult with the excavation contractor. A qualified paleontologist is defined as an individual with a PhD or MS degree in paleontology or geology who is a recognized expert in the application of paleontological procedures and techniques such as screen washing of materials and identification of fossil deposits. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials and who is working under the direction of a qualified paleontologist.

2) Prior to issuance of a land development or building permit, the requirement for paleontological monitoring shall be noted on the construction drawings. The paleontologist's duties shall include monitoring, salvaging, preparation of materials for deposit at a scientific institution that houses paleontological collections and preparation of a results report. These duties are defined as follows:

a. Monitoring

The paleontologist or paleontological monitor shall be on site during the initial cutting of previously undisturbed areas to inspect for well-preserved fossils. The paleontologist shall work with the contractor to determine the monitoring locations and the amount of time necessary to ensure adequate monitoring of the project.

b. Salvaqing

In the event that well-preserved fossils are found, the paleontologist shall have the authority to divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains.

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c. Preparation

Fossil remains shall be cleaned, sorted, catalogued, and then deposited in a scientific institution that houses paleontological collections (such as the San Diego Natural History Museum).

d. Monitoring Results Report

Prior to the issuance of a building permit, a monitoring results report, with appropriate graphics, summarizing the results, analysis and conclusions of the above program shall be submitted to EAS for approval.

Hazardous Materials.

- 1) Subsequent to demolition of the existing site improvements, the applicant shall define the limits of contamination to the satisfaction of the County of San Diego, Hazardous Materials Management Division.
- 2) If soil and/or groundwater contamination is considered significant by the County of San Diego's Hazardous Materials Management Division (HMMMD), the applicant shall prepare a remediation plan for site clean-up. This program must be approved by HMMMD. If groundwater contamination is found, the San Diego Regional Water Control Board must also approve the remediation plan.
- 3) A report summarizing the results of the hydrocarbon investigation and remediation shall be submitted to the Principal Planner, Environmental Analysis Section for approval prior to issuance of building permits.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

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