

RESOLUTION NUMBER R- **289543**

ADOPTED ON DEC 09 1997

WHEREAS, on November, 26, 1996, Enrique Mereles submitted an application to the Development Services Department for a coastal development permit, and on April 27, 1997, Enrique Mereles and Ferdinand Fletcher submitted an application to the Development Services Department for a street vacation; and

WHEREAS, the permit and street vacation were 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 Council on DEC 09 1997; and

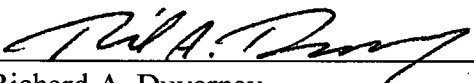
WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 96-0712; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 96-0712, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California 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 the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the permit and street vacation for the Mereles Residence located at 450 Tavera Place.

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, a copy of which is on file in the office of the City Clerk and incorporated by reference, 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: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

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Or.Dept:Dev.Svcs.
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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

MERELES RESIDENCE and MERELES/FLETCHER STREET VACATION

COASTAL DEVELOPMENT PERMIT NO. 96-0712 and STREET VACATION FILE NO. SA 97-511

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Development Services Department, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (LDR No. 96-0712) shall be made conditions of Coastal Development Permit No. 96-0712 as may be further described below.

Paleontological Resources

The geologic formations underlying the project site, Lindavista Formation and Cabrillo Formation, are assigned a moderate paleontological resource sensitivity. In order to avoid any significant impacts to sensitive paleontological resources, monitoring of the site by a qualified paleontologist during grading activities and recovery of any resources encountered would be necessary. The following Mitigation, Monitoring, and Reporting Program (MMRP) shall be included in contract documents and on final grading plans:

1. Prior to issuance of any grading permit, the applicant shall provide a letter to the City of San Diego Development Services Manager verifying that a qualified paleontologist has been retained to implement this MMRP. A qualified paleontologist is defined as an individual with a PhD or MS degree in paleontology or geology and 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 may be retained to perform the on-site monitoring in place of the qualified paleontologist. 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 supervision of a qualified paleontologist. All persons involved in the paleontological monitoring of the project shall be approved by the Development Services Manager prior to the first preconstruction conference.

2. The qualified paleontologist shall attend all applicable preconstruction meetings to consult with the grading contractor. The paleontologist's duties shall include monitoring, salvaging, preparation of collected materials for storage at a scientific institution that houses paleontological collections, and preparation of a monitoring results report. These duties are defined as follows:

- a. The paleontologist or paleontological monitor shall be on-site to inspect for fossils only during excavation activities; monitoring shall occur only when excavation activities affect geologic formations. Monitoring shall be required at all times during the original cutting of formations with a known potential to contain

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fossils.

- b. In the event that fossils are encountered, the paleontologist shall have the authority to divert or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains in a timely fashion. Because of the potential for recovery of small fossil remains, it may be necessary to set up a screen-washing operation on-site. The paleontologist shall contact the Development Services Manager at the time of discovery, who must concur with the salvaging methods before construction activities are allowed to resume.
- c. Fossil remains shall be cleaned, sorted, and catalogued and then (with the permission of the owner of property where the remains were collected) stored in a local scientific institution that houses paleontological collections.
- d. The qualified paleontologist shall be responsible for preparation of fossils to a point of identification, and submittal of a letter of acceptance from a local qualified curation facility, defined as a research institution with a permanent commitment to long-term care of paleontological collections and with professional curatorial staff. If the fossil collection is not accepted by a local qualified facility for reasons other than inadequate preparation of specimens, the paleontologist shall contact the Development Services Manager to suggest an alternative disposition of the collection. A monitoring results report with appropriate graphics summarizing the results, analyses, and conclusions of the above program shall be prepared and submitted to the Development Services Manager within three months following the termination of the paleontological monitoring program, and prior to the final inspection, even if the monitoring results are negative. Any discovered fossil sites shall be recorded at the San Diego Natural History Museum.

The above mitigation, monitoring, and reporting program will require a deposit of \$450.00 to be collected prior to the issuance of any grading permit to ensure the successful implementation of the monitoring program.

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