

RESOLUTION NUMBER R- 291508

ADOPTED ON APR 19 1999

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 98-0171, 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 SEWER REPLACEMENT - CONTRACT A-1.

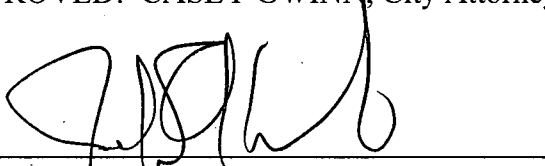
BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated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



John F. Kirk
Deputy City Attorney

JFK:rjs:mr
04/01/99
Or.Dept:E&CP
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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Sewer Group Job 630, 410 Market Street, 5010 Market Street

LDR NO. 98-0171

The following measures comprise the Mitigation, Monitoring, and Reporting Program (MMRP) and shall be stated in the contract documents and referenced on the construction plans for Sewer Group Job 630 and 410 Market Street. The City of San Diego Land Development Review Division (LDR) and Engineering and the Capital Projects Division are responsible for ensuring that the program is carried out.

A. CULTURAL RESOURCES

1. Prior to the start of construction, the Engineering and Capital Projects Project Manager shall provide verification that a qualified archaeologist and/or archaeological monitor have been retained to implement the archaeological construction monitoring program. This verification shall be in the form of a letter from the Project Manager to the Environmental Review Manager of the Land Development Review Division.

A qualified archaeologist is defined as an individual certified by the Society of Professional Archaeologists (SOPA). At least 200 hours of field experience required for certification must have been obtained in southern California. Uncertified individuals who believe they meet the requirements for certification may submit evidence of their qualifications to LDR.

An archaeological monitor is defined as an individual who has expertise in the collection and salvage of cultural resources and who is working under the direction of a qualified archaeologist.

ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL MONITORING OF THIS PROJECT SHALL BE APPROVED BY LDR AT LEAST 30 DAYS PRIOR TO THE PRECONSTRUCTION MEETING. FOR QUESTIONS REGARDING THE ARCHAEOLOGICAL SITES, LDR SHALL BE CONTACTED.

2. The qualified archaeologist shall attend any preconstruction meetings to make comments and/or suggestions concerning the archaeological construction monitoring program and to discuss excavation plans with the excavation contractor. The requirements for archaeological

R 291508

monitoring shall be noted on the excavation/construction plans. The archaeologist's duties shall include monitoring, evaluation, analysis of collected materials, and preparation of a monitoring results report in conformance with the City's *Guidelines for the Determination of the Significance of Archaeological Sites*. These duties are defined as follows:

a. Monitoring

The qualified archaeologist or archaeological monitor shall be present on site during construction activity involving only **NEW AND/OR DEEPER EXCAVATION** work in previously undisturbed soils, as referenced on the following sheets:

1. Sewer Group Job 630

Sheet 3	from Sta. 6+28.46 to Sta. 7+62.46/new trenching
Sheet 5	from Sta. 5+47.35 to Sta. 6+62.35/new trenching
Sheet 6	from Sta. 1+00.00 to Sta. 6+50.47/new trenching
Sheets 7, 8, 9	from Sta. 2+25.96 to Sta. 12+98.53/deeper and new trenching
Sheets 9, 10, 11	from Sta. 12+98.53 to Sta. 18+86.11/deeper and new trenching
Sheet 14	from Sta. 1+00.00 to Sta. 4+37.45/deeper and new trenching
Sheet 15	from Sta 14+00.00 to Sta. 14+58.46/new trenching
Sheet 16	from Sta. 1+00.00 to Sta. 4+68.69/deeper and new trenching
Sheet 19	from Sta. 13+13.25 to Sta. 16+81.09/new trenching
Sheet 21	from Sta. 8+62.31 to Sta. 10+51.25/new trenching

Sheets 23, 24	from Sta. 2+90.91 to Sta. 11+65.09/deeper and new trenching
Sheet 25	from Sta. 1+00.00 to Sta. 4+80.10/deeper and new trenching
Sheet 26	from Sta. 1+00.00 to Sta. 2+90.25/new trenching

2. 410 Market Street

from Sta. 1+00.00 to Sta. 2+50.00/new trenching

b. Evaluation

In the event that cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. **THE ARCHAEOLOGIST SHALL CONTACT LDR AT THE TIME OF DISCOVERY.** The significance of the discovered resources shall be determined by the archaeologist in consultation with LDR. LDR must concur with the evaluation procedures to be performed before construction activities are allowed to resume. For significant cultural resources, a Research Design and Data Recovery Program shall be prepared and carried out to mitigate impacts before grading activities in the area of discovery will be allowed to resume. Any human bones of Native American origin shall be turned over to the appropriate Native American group for reburial.

c. Analysis

All cultural materials collected shall be cleaned, cataloged and permanently curated with an appropriate institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species and specialty studies shall be completed as appropriate.

d. Report Preparation

A monitoring results report with appropriate graphics, which describes the results, analysis, and conclusions of the archaeological monitoring program shall be submitted to and approved by the Environmental Review Manager of LDR within three months following termination of the cultural resources

program. Also, any sites or features encountered shall be recorded with the South Coastal Information Center at San Diego State University and with the San Diego Museum of Man.

THE PROJECT MANAGER SHALL NOTIFY LDR OF ANY PRECONSTRUCTION MEETING DATES AND OF THE START AND END OF CONSTRUCTION.

Implementation of the above measures will reduce impacts to cultural resources resulting from construction of this project to below a level of significance.

B. PALEONTOLOGICAL RESOURCES:

1. Prior to the commencement of the preconstruction meeting, the Engineering and Capital Projects Project Manager shall provide a letter of verification to the Environmental Review Manager of Land Development Review Division (LDR) stating that a qualified paleontologist (or a paleontological monitor) has been retained to implement the paleontological monitoring program. The requirement for paleontological monitoring shall be noted on the construction plans.

A qualified paleontologist is defined as an individual with a PhD. or M.S. 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. The qualified paleontologist must have field experience in southern California and must be an expert in the preparation and curation of fossils.

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 THIS PROJECT SHALL BE APPROVED BY LDR AT LEAST 30 DAYS PRIOR TO THE PRECONSTRUCTION MEETING.

The qualified paleontologist shall attend any preconstruction meeting to consult with City staff and the excavation 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. Monitoring

R- 291508

The qualified paleontologist or paleontological monitor shall be present on-site during construction activity involving only **NEW AND/OR DEEPER EXCAVATION** work in previously undisturbed areas of the Bay Point (Qbp) and San Diego (Tsd) Formations as referenced on the following sheets. Monitoring may be increased or decreased at the discretion of the qualified paleontologist, in consultation with LDR, and will depend on the rate of excavation, the materials excavated and the abundance of fossils.

1. Sewer Group Job 630

Sheet 3	from Sta. 6+28.46 to Sta. 7+62.46/new trenching
Sheet 5	from Sta. 5+47.35 to Sta. 6+62.35/new trenching
Sheet 6	from Sta. 1+00.00 to Sta. 6+50.47/new trenching
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Sheet 26 from Sta. 1+00.00 to Sta. 2+90.25/new trenching

2. 410 Market Street

from Sta. 1+00.00 to Sta. 2+50.00/new trenching

b. Salvaging

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. **THE PALEONTOLOGIST SHALL IMMEDIATELY NOTIFY LDR STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY.** LDR shall approve salvaging procedures to be performed before construction activities are allowed to resume.

c. Fossil Preparation

The qualified paleontologist shall be responsible for preparation of fossils to a point of identification as defined in the City of San Diego *Paleontological Guidelines* and submitting a letter of acceptance from a local qualified curation facility. Any discovered fossil sites shall be recorded by the paleontologist at the San Diego Natural History Museum.

d. Report Preparation

A monitoring results report with appropriate graphics, summarizing the results, analysis and conclusions of the paleontological monitoring program shall be submitted to LDR within three months following the termination of the paleontological monitoring program. Any discovered fossil sites shall be recorded at the San Diego Museum of Natural History.

THE PROJECT MANAGER SHALL NOTIFY LDR STAFF OF ANY PRECONSTRUCTION MEETING DATES AND OF THE START AND END OF CONSTRUCTION.

Implementation of the above program will reduce impacts to cultural and fossil resources resulting from construction of this project to below a level of significance.