

(R-99-1147)

RESOLUTION NUMBER R- **291629**

ADOPTED ON **MAY 18 1999**

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR No. 98-0849, 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 CONSTRUCTION OF SEWER AND WATER GROUP 637.

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

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5/4/99  
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## EXHIBIT A

### MITIGATION MONITORING AND REPORTING PROGRAM

Sewer Group Job 637

LDR No.98-0849

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 Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (LDR No. 98-0849) shall be included in the Project Plans and Specifications. The City of San Diego, Engineering and Capital Projects Department and Planning and Development Review Department are jointly responsible for ensuring that the following program is carried out.

#### MITIGATION, MONITORING AND REPORTING PROGRAM:

##### Cultural Resources

The following measures comprise the archaeological Mitigation, Monitoring, and Reporting Program (MMRP) and shall be stated in the contract documents and on the construction plans. The plans and specifications shall be reviewed by the Environmental Analysis Section (EAS) of Development Services prior to contract advertisement:

The applicant (City of San Diego Engineering & Capital Projects Department) shall provide a letter of verification to EAS stating that a qualified archaeologist and/or archaeological monitor has been retained to implement the monitoring program. All persons involved in the archaeological monitoring of this project shall be approved by EAS prior to the start of monitoring.

1. The qualified archaeologist shall attend the preconstruction meeting to consult with the excavation contractor.
2. Monitoring of excavation of the following proposed sewer main trenches and connecting laterals shall be undertaken:
  - a. Chatsworth Boulevard between Nimitz Boulevard and Voltaire Street.

R- 291629

- b. Clove Street between Voltaire Street and Station 13+55.
  - c. Udall Street between Voltaire Street and Station 4+45.
  - d. Poinsettia between Station 2+70 and Station 4+50.
  - e. Voltaire Street between Poinsettia Street and Station 1+05.
3. In the event that cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The archaeologist shall contact EAS at the time of discovery. The significance of the discovered resources shall be determined by the archaeologist in consultation with EAS. EAS must concur with the evaluation before grading activities will be 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.
  4. All cultural materials collected shall be cleaned, catalogued, 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.
  5. A monitoring results report and/or evaluation report, if appropriate, which describes the results, analysis, and conclusions of the archaeological monitoring program (with appropriate graphics) shall be submitted to and approved by EAS within three months following the termination of the archaeological monitoring program. For significant cultural resources, a Research Design and Data Recovery Program shall be included as part of the evaluation report. A mitigation report for significant cultural resources, if required, shall be submitted to and approved by EAS within three months following the termination of the archaeological monitoring program.

Paleontological Resources

The following measures comprise the paleontological Mitigation, Monitoring, and Reporting Program (MMRP) and shall be stated in the contract documents and on the construction plans. The plans and specifications shall be reviewed by the Environmental Analysis Section (EAS) of Development Services prior to contract advertisement:

1. The applicant (City of San Diego Engineering & Capital Projects Department) shall provide a letter of verification to the EAS stating that a qualified paleontologist has been retained to implement the monitoring program. A qualified paleontologist is defined as an individual with a Ph.D. or M.S. 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 this project shall be approved by EAS prior to the start of monitoring.

2. The qualified paleontologist shall attend the preconstruction meeting to consult with 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 as described below.
3. The paleontologist or paleontological monitor shall be on-site to inspect for fossils only during excavation activities that would affect previously undisturbed formations. Where existing trenches are to be excavated, monitoring shall be required only where excavation would occur below the invert of the existing pipe. Monitoring of excavation within previously undisturbed formations within the following proposed sewer trenches and connecting laterals shall be undertaken:
  - a. Chatsworth Boulevard between Nimitz Boulevard and Voltaire Street.

- b. Quimby Street between Chatsworth Boulevard and Station 4+90.
  - c. Tennyson Street between Chatsworth Boulevard and Station 16+00.
  - d. Sterne Street between Tennyson Street and Station 3+00.
  - e. Voltaire Street between Chatsworth Boulevard and Clove Street.
  - f. Clove Street between Voltaire Street and Station 13+55.
  - g. Udall Street between Voltaire Street and Station 10+15.
  - h. Voltaire Street between Poinsettia Drive and Station 1+00.
4. 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 EAS at the time of discovery. EAS must concur with the salvaging methods before construction activities are allowed to resume.

5. Fossil remains shall be cleaned, sorted, repaired, catalogued, and then stored in a local scientific institution that houses paleontological collections. 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. If the fossil collection is not accepted by a local qualified facility for reasons other than inadequate preparation of specimens, the project paleontologist shall contact EAS to suggest an alternative disposition of the collection.
6. A monitoring results report with appropriate graphics summarizing the results (even if negative), analyses, and conclusions of the above program shall be prepared and submitted to EAS within three months following the termination of the paleontological monitoring program. Any discovered fossil sites shall be recorded at the San Diego Natural History Museum.