

RESOLUTION NUMBER R- **292348**

ADOPTED ON OCT 25 1999


BE IT RESOLVED, by the Council of The City of San Diego, that it is certified that the information in the final Finding of No Significant Impact/Mitigated Negative Declaration LDR File No. 99-0551, 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 report 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 purchase of property for the North Ocean Beach Entryway project.

BE IT FURTHER RESOLVED, that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and, therefore, that said Finding of No Significant Impact/Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council 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 as Exhibit  
"A" and incorporated herein by reference.

APPROVED: CASEY GWINN, City Attorney

By   
Prescilla Dugard  
Deputy City Attorney

PD:cdk  
10/12/99  
Or.Dept:REA  
R-2000-419  
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Exhibit A

MITIGATION, MONITORING AND REPORTING PROGRAM

Anthony's Pizza Acquisition  
LDR NO. 99-0551

This Mitigation, Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 2181.6 during implementation of mitigation measures. This program specifies what is to be mitigated, how the mitigation shall be accomplished, the monitoring and reporting schedule, and the completion requirements. All mitigation measures contained in the Finding of No Significant Impact/Mitigated Negative Declaration (LDR NO. 99-0551) shall be incorporated into the plans and specifications of this project. The City of San Diego Planning and Development Review Department and the project Applicant are responsible for ensuring that this program is carried out.

Historical Resources

1. Prior to the issuance of the first grading permit, the applicant shall provide a letter of verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified archaeologist and/or archaeological monitor, as defined in the City of San Diego Historical Resources Guidelines, have been retained to implement the monitoring program. The requirement for archaeological monitoring shall be noted on the grading plans. **ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL MONITORING OF THIS PROJECT SHALL BE APPROVED BY LDR PRIOR TO THE START OF MONITORING. THE APPLICANT SHALL NOTIFY LDR OF THE START AND END OF CONSTRUCTION.**
  - a. The qualified archaeologist shall attend any preconstruction meetings to make comments and/or suggestions concerning the archaeological monitoring program with the construction manager.
  - b. The qualified archaeologist or archaeological monitor shall be present on site full-time during grading of native soils.
  - c. **WHEN REQUESTED BY THE ARCHAEOLOGIST, THE RESIDENT ENGINEER SHALL DIVERT, DIRECT, OR TEMPORARILY HALT GROUND DISTURBANCE ACTIVITIES IN THE AREA OF DISCOVERY TO ALLOW EVALUATION OF POTENTIALLY SIGNIFICANT CULTURAL RESOURCES. THE ARCHAEOLOGIST SHALL IMMEDIATELY NOTIFY LDR STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY.** The significance of the discovered resources shall be determined by the archaeologist, in consultation with LDR and the Native American community. LDR 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.
  - d. All cultural materials collected shall be cleaned, catalogued, and permanently curated with an appropriate institution. All artifacts shall be analyzed to identify

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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.

- e. Prior to the release of the grading bond, 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 the Environmental Review Manager of LDR. This report shall be prepared in accordance with the National Historic Preservation Act (NHPA), Section 106. 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 the Environmental Review Manager of LDR prior to the release of the grading bond.