

RESOLUTION NUMBER R- **292684**

ADOPTED ON JAN 31 2000

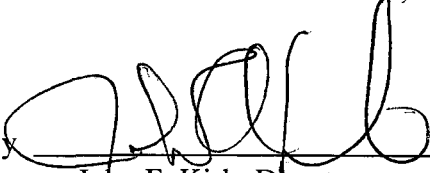
BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR No. 99-0101, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 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 Replacement Contract A2.

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

JFK:aw:mr  
1/11/00  
Or.Dept: Eng&CP  
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## EXHIBIT A

### MITIGATION MONITORING AND REPORTING PROGRAM 3030 FRONT STREET SEWER REPLACEMENT PROJECT

LDR NO. 99-0101

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. 99-0101) shall be incorporated into the Plans and Specifications for the 3030 Front Street Sewer Replacement Project as further described below.

#### Biological Resources

Prior to the project preconstruction meeting, the Engineering and Capital Projects Department shall provide verification to the satisfaction of the Environmental Review Manager, that a qualified biologist has been retained to implement the revegetation program in accordance with the *Revegetation Plan for the Sewer Line Installation at 3030 Front Street*, prepared by RECON, dated July, 1999. This requirement shall be included in the project plans and specifications. The Revegetation Plan includes, but is not limited to the following elements:

- The project biologist shall have a minimum of two years experience in upland restoration;
- Prior to project implementation, the project biologist in coordination with the Resident Engineer, shall flag the construction corridor;
- The project biologist shall oversee the execution of seed collection, plant propagation, plan implementation, and maintenance;
- The site shall be hydroseeded with seeds locally collected from native shrubs, annuals, and grasses;
- A three-year monitoring and maintenance period shall be implemented which includes qualitative and quantitative monitoring, debris removal, weed control, replanting and reseeding, and site protection;
- Monitoring reports shall be submitted to the satisfaction of the Environmental Review Manager at three, six, and twelve months for the first year, and annually thereafter for the remaining two years;
- The monitoring program shall be considered successful when the performance standards have been met (year three: 85% container plant survival and 70% coverage of shrubs and herbs);
- If, at the end of three years, any of the revegetation areas fails to meet the performance standards, then the monitoring and maintenance period for that area may be extended.

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## Cultural Resources

Prior to the recordation of the first final map and/or issuance of the first grading permit (*For public projects: Prior to the preconstruction meeting*), 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 CITY 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 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 (*For public projects: Within three months following the completion of grading*), 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. 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.

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## Paleontological Resources

Prior to the recordation of the first final map and/or issuance of the first grading permit (*For public projects: Prior to the preconstruction meeting*), the applicant shall provide a letter of verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified paleontologist and/or paleontological monitor, as defined in the City of San Diego Paleontological Guidelines, have been retained to implement the monitoring program. The requirement for paleontological monitoring shall be noted on the grading plans. **ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL 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.**

- e. The qualified paleontologist shall attend any preconstruction meetings to make comments and/or suggestions concerning the paleontological monitoring program with the construction manager.
- f. The paleontologist or paleontological monitor shall be on site full-time during the initial cutting of previously undisturbed areas. 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.
- g. **WHEN REQUESTED BY THE PALEONTOLOGIST, THE CITY RESIDENT ENGINEER SHALL 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.**
- h. The paleontologist shall be responsible for preparation of fossils to a point of identification as defined in the City of San Diego Paleontological Guidelines and submittal of 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.
- i. Prior to the release of the grading bond (*For public projects: Within three months following the completion of grading*), a monitoring results report, with appropriate graphics, summarizing the results, analysis, and conclusions of the paleontological monitoring program shall be submitted to and approved by Environmental Review Manager of LDR.