

(R-2000-941)

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RESOLUTION NUMBER R-_____

ADOPTED ON APR 10 2000

BE IT RESOLVED, by the Council of The City of San Diego, that it is certified that DEP No. 94-0474, 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 Mitigated Negative Declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in said 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 replacement of Bayview Reservoir (the "Project").

BE IT FURTHER RESOLVED, that the final Mitigated Negative Declaration has been reviewed and considered prior to approving the Project.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City 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 hereto and incorporated herein by reference.

APPROVED: CASEY GWINN, City Attorney

By *Catherine Bradley*
Catherine Bradley
Deputy City Attorney

PD:cdk
02/16/00
Or.Dept:Water
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ATTACHMENT A
MITIGATION, MONITORING, AND REPORTING PROGRAM
BAYVIEW RESERVOIR
DEP NO. 94-0474

This mitigation, Monitoring, and Reporting Program (MMRP) is designed to ensure compliance with AB 3180 (1988) during implementation of mitigation measures. The program specifies what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedules, and completion requirements. The City of San Diego, Engineering and Capital Projects and Development Services Departments are jointly responsible for ensuring that this program is carried out.

Paleontological Resources

1. Prior to construction activities, the Engineering and Capital Projects Department Project Manager shall provide verification that a qualified paleontologist and/or paleontological monitor has been retained to implement the paleontological monitoring program. This verification shall be in the form of a letter from the Project Manager to the Principal Planner of the Public Project unit of the Environmental Analysis Section (EAS) of the City Development Services Department.

A qualified paleontologist is defined as an individual with a Ph.D. or M.S. degree 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, and who has field experience in southern California.

A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil material and who is working under the direction of a qualified paleontologist.

**ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL
MONITORING OF THE PROJECT SHALL BE APPROVED BY LDR.**

2. The qualified paleontologist shall attend any preconstruction meetings to consult with the excavation contractor and to make comments and/or suggestion concerning the monitoring program. The paleontologist's duties shall include monitoring, salvaging, preparation of materials for deposit at a scientific institution that houses paleontological collections and preparation of a monitoring report. These duties are defined as follows:

a. **Monitoring**

The paleontologist or paleontological monitor shall be on site during all excavation activities in previously undisturbed formations that contain fossilized materials as indicated below (Lindavista, San Diego, and Ardath Shale formations identified in the Initial Study prepared for this project):

1. Reservoir site
2. Bypass piping: Sta. 7+16 to Sta. 11+75.
3. Storm drain: Sta. 0+00 to Sta. 2+67.87

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4. Water pipe: Sta. 0+41.0 to Sta. 1+11.5

b. **Salvaging**

In the event that well-preserved fossils are found, 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 in a timely fashion. Recovery is anticipated to take from one hour to a maximum of two days. **THE PALEONTOLOGIST SHALL CONTACT EAS AT THE TIME OF DISCOVERY.** EAS must concur with the salvaging methods before construction activities are allowed to resume.

c. **Fossil Preparation**

Fossil remains shall be cleaned, sorted, catalogued, and then deposited in a scientific institution that houses paleontological collections (such as the San Diego Natural History Museum).

d. **Report Preparation**

A monitoring results report, with appropriate graphics, which summarizes the results, analysis, and conclusions of the above monitoring program shall be prepared and submitted to EAS within three months following the termination of the paleontological monitoring program.

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

Implementation of the above measures would reduce impacts to fossil resources resulting from construction of this project, to below a level of significance.

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