

RESOLUTION NUMBER R- 292950

ADOPTED ON APR 10 2000

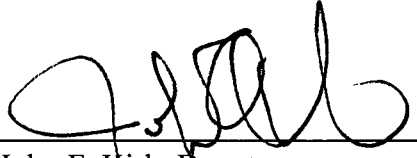
BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that LDR Mitigated Negative Declaration No. 99-0740, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 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 Group 627.

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 LDR 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/rjs/ms
03/14/00
Or.Dept:Eng&CP
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Mitigated Negative Declaration

Land Development
Review Division
(619) 236-6460

LDR No. 99-0740

SUBJECT: Sewer Group Job 627. COUNCIL APPROVAL of the replacement/installation (including some realignment) of approximately 8,866 feet of sewer main, and the abandonment of approximately 8,745 feet of sewer main located in public streets and easements within the Valencia Park Neighborhood of the Southeast San Diego Community Planning Area. Applicant: City of San Diego, Engineering and Capital Projects.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas(s): cultural resources, and paleontological resources. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

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 627. 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

Prior to the start of construction, the Engineering and Capital Projects Project Manager shall provide verification to the Environmental Review Manager of Land Development Review (LDR) 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. 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. The requirements 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.**

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1. The qualified archaeologist shall attend any preconstruction meetings to make comments and/or suggestions concerning the archaeological monitoring program with the construction manager.
2. The qualified archaeologist or archaeological monitor shall be present on site full-time during construction activity involving only **NEW AND/OR DEEPER EXCAVATION** work in previously undisturbed soils, as referenced on the following sheets:

Sheet 2	from Sta. 1+00.00 to Sta. 9 + 06.00/deeper and new trenching
Sheet 3	from Sta. 1 + 00.00 to Sta. 7 + 22.70/deeper and new trenching
Sheet 4	from Sta. 3 + 60.00 to Sta. 7 + 13.78/deeper and new trenching
Sheet 5	from Sta. 1 + 00.00 to Sta. 6 + 17.81/deeper and new trenching
Sheet 6	from Sta. 1 + 00.00 to Sta. 7 + 70.09/deeper and new trenching
Sheets 7, 8, 9	from Sta. 1 + 00.00 to Sta. 14 + 42.12/deeper and new trenching
Sheets 10, 11	from Sta. 1 + 00.00 to Sta. 3 + 06.56, Sta. 5 + 6.89 to Sta. 8 + 06.90, Sta. 10 + 56.67 to Sta. 17 + 07.69/deeper and new trenching
Sheet 12	from Sta. 1 + 00.00 to Sta. 6 + 61.97/deeper and new trenching
Sheet 13	from Sta. 1 + 00.00 to Sta. 7 + 41.65/deeper and new trenching
Sheet 15	from Sta. 2 + 1.60 to Sta. 5 + 60.78/deeper and new trenching

3. **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.
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. 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. 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.

B. PALEONTOLOGICAL RESOURCES

Prior to the start of construction, the Engineering and Capital Projects Project Manager 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. 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. 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.**

1. The qualified paleontologist shall attend any preconstruction meetings to make comments and/or suggestions concerning the paleontological monitoring program with the construction manager.
2. The paleontologist or paleontological monitor shall be present on site full time during construction activity involving only **NEW AND/OR DEEPER EXCAVATION** work in previously undisturbed areas of the Bay Point (Qbp + Qn), San Diego (Tsdss), and Lindavista (Ql) 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.

Sheet 2	from Sta. 1+00.00 to Sta. 9 + 06.00/deeper and new trenching
Sheet 3	from Sta. 1 + 00.00 to Sta. 7 + 22.70/deeper and new trenching
Sheet 4	from Sta. 3 + 60.00 to Sta. 7 + 13.78/deeper and new trenching
Sheet 5	from Sta. 1 + 00.00 to Sta. 6 + 17.81/deeper and new trenching
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Sheet 14	from Sta. 7 + 41.65 to Sta. 13 + 23.81/deeper trenching
Sheet 15	from Sta. 2 + 1.60 to Sta. 5 + 60.78/deeper and new trenching

- 3. WHEN REQUESTED BY THE PALEONTOLOGIST, THE 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.**
4. 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 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.
5. Prior to the release of the grading bond, 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 the Environmental Review Manager of LDR.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

City of San Diego
Council Member Stevens, District 4
Long Range Community Planning
Planning and Development Review
Engineering and Capital Projects
Historical Site Board (87)
Dr. Florence Shipek (208)
Dr. Lynne Christenson (208A)
South Coastal Information Center (210)
Save Our Heritage Organization (214)
Ron Christman (215)
Louie Guassac (215A)
Clarence R. Brown Sr. (217)
San Diego County Archaeological Society (218)
Kumeyaay Cultural Repatriation Committee (225)
Barona Group of Capitan Grande Band of Mission Indians (225A)*
Campo Band of Mission Indians (225B)*

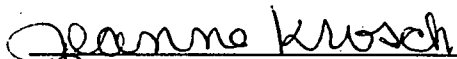
Tony J. Pinto, Chairperson, Cuyapaipe Band of Mission Indians (225C)*
Inaja and Cosmit Band of Mission Indians (225D)*
Kenneth Meza, Chairperson, Jamul Indian Village (225E)*
La Posta Band of Mission Indians (225F)*
Leroy Elliott, Chairperson, Manzanita Band of Mission Indians (225G)*
Sycuan Band of Mission Indians (225H)*
Viejas Group of Capitan Grande Band of Mission Indians (225I)*
Mesa Grande Band of Mission Indians (225J)*
San Pasqual Band of Mission Indians (225K)*
Santa Ysabel Band of Diegueño Indians (225L)*
La Jolla Band of Mission Indians (225M)*
Pala Band of Mission Indians (225N)*
Pauma Band of Mission Indians (225O)*
Mark Macarro, Spokesman, Pechanga Band of Mission Indians (225P)*
John Currier, Chairperson, San Luiseno Band of Mission Indians/Rincon (225Q)*
Katherine Saubel, Chairperson, Los Coyotes Band of Indians (225R)*
Metropolitan Transit Development Board (115)
San Diego Natural History Museum (166)
San Diego State University (EC Allison Research Center) (181)
San Diego Unified School District (132)
Southeast San Diego Development Committee (449)
Southeast San Diego Economic Development Corporation (448)
Southeast San Diego Organizing Project (447)
Educational/Cultural Complex (450)

* Public Notices only.

VII. RESULTS OF PUBLIC REVIEW:

- (x) No comments were received during the public input period.
- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- () Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Monitoring and Reporting Program and any Initial Study material are available in the office of the Land Development Review Division for review, or for purchase at the cost of reproduction.



Jeanne Krosch, Senior Planner
Planning and Development Review

November 19, 1999
Date of Draft Report

December 10, 1999
Date of Final Report

Analyst: Pechersky
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