

RESOLUTION NUMBER R- 292952

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. 99-0701, 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 658.

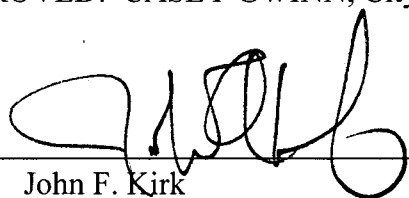
BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said LDR Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and 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 City Attorney

JFK/rjs/mr
03/14/00
Or.Dept:Eng&CP
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Land Development
Review Division
(619) 236-6460

Mitigated Negative Declaration

LDR No. 99-0701

SUBJECT: Sewer & Water Group 658. The proposed project consists of the replacement of sewer and water mains, laterals, and manholes and related improvements within portions of Bermuda Avenue, Pescadero Avenue, Orchard Avenue, Venice Street, Froude Street and several unnamed alleys within the area bounded by the Bermuda Avenue, Orchard Avenue, Catalina Boulevard, and the coastline, within the Ocean Beach and Peninsula Community Planning Areas of the City of San Diego. The installation of approximately 9,050 lineal feet of 8-inch diameter sewer mains and approximately 860 lineal feet of 8-inch diameter water mains within both existing and new trenches is proposed. Applicant: City of San Diego Engineering & Capital Projects Department.

- 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. 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.

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V. MITIGATION, MONITORING AND REPORTING PROGRAM:

Cultural Resources

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, not including geologic formational material, within the following proposed sewer and water main trenches and connecting laterals as identified on the "D" Sheets for Sewer & Water Group 658 (28475):
 - i. Sheet 5, between Station 1+00 and Station 4+00.
 - ii. Sheet 6, between Station 4+00 and Station 8+00.
 - iii. Sheet 7, between Station 8+00 and Station 8+50.
 - iv. Sheet 12, between Station 28+00 and Station 31+54.
 - v. Sheet 13, between Station 1+00 and Station 4+00.
 - vi. Sheet 14, between Station 4+00 and Station 8+00.
 - vii. Sheet 15, between Station 8+00 and Station 11+00.
 - viii. Sheet 16, between Station 13+00 and Station 16+00.
 - ix. Sheet 17, between Station 16+00 and Station 20+00
 - x. Sheet 18, between Station 20+00 and Station 23+00.
 - xi. Sheet 21, between Station 1+00 and Station 3+89.
 - xii. Sheet 22, between Station 3+89 and Station 6+50.
 - xiii. Sheet 23, between Station 1+00 and Station 3+96.

- xiv. Sheet 24, between Station 1+00 and Station 2+32.
- xv. Sheet 27, between Station 1+00 and Station 4+78.
- xvi. Sheet 28, between Station 1+00 and Station 4+22.
- xvii. Sheet 29, between Station 1+60 and Station 2+70.

- 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. 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 (within three months following the completion of grading) to and approved by the Environmental Review Manager of LDR.

Paleontological Resources

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.**

- a. The qualified paleontologist shall attend any preconstruction meetings to make comments and/or suggestions concerning the paleontological monitoring program with the construction manager.
- b. The paleontologist or paleontological monitor shall be on site full-time during the initial cutting of previously undisturbed areas (Where existing trenches are to be excavated, monitoring shall be required only where excavation would occur below the invert of the existing pipe.). 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. Monitoring shall be conducted within the following proposed sewer main trenches and connecting laterals as identified on the "D" Sheets for Sewer & Water Group 658 (28475):
 - i. Sheet 5, between Station 1+00 and Station 4+00.
 - ii. Sheet 6, between Station 4+00 and Station 8+00.
 - iii. Sheet 13, between Station 1+00 and Station 4+00.
 - iv. Sheet 14, between Station 4+00 and Station 6+00.
 - v. Sheet 15, between Station 8+00 and Station 11+00.
 - vi. Sheet 24, between Station 1+00 and Station 2+32.
- c. **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.

- d. 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.
- e. 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.

VI. PUBLIC REVIEW DISTRIBUTION:

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

City of San Diego
Councilmember Wear, District 2
Planning and Development Review
Engineering & Capital Projects
Historical Site Board
Peninsula Community Planning Board
Peninsula Chamber of Commerce
Ocean Beach Planning Board
Ocean Beach Town Council, Inc.
Ocean Beach Merchants Association
San Diego Natural History Museum
EC Allison Research Center, San Diego State University
South Coastal Information Center, San Diego State University
Save Our Heritage Organisation
San Diego County Archaeological Society, Inc.
Dr. Florence Shipek

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Dr. Lynne Christenson
Ron Christman
Louie Guassac
Clarence R. Brown Sr.
Kumeyaay Cultural Repatriation Committee
Barona Group of Capitan Grande Band of Mission Indians
Campo Band of Mission Indians
Cuyapaipe Band of Mission Indians
Inaja and Cosmit Band of Mission Indians
Jamul Band of Mission Indians
La Posta Band of Mission Indians
Manzanita Band of Mission Indians
Sycuan Band of Mission Indians
Viejas Group of Capitan Grande Band of Mission Indians
Mesa Grande Band of Mission Indians
San Pasqual Band of Mission Indians
Santa Ysabel Band of Diegueño Indians
La Jolla Band of Mission Indians
Pala Band of Mission Indians
Pauma Band of Mission Indians
Pechanga Band of Mission Indians
Rincon Band of Luiseno Mission Indians
Los Coyotes Band of Mission Indians

VII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- (x) 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

Jeanne Krosch, Senior Planner
Planning and Development Review

September 22, 1999

Date of Draft Report

October 13, 1999

Date of Final Report

Analyst: Hellman

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