

RESOLUTION NUMBER R- 293047

ADOPTED ON MAY 01 2000

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that LDR Mitigated Negative Declaration No. 99-1191, 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 Sewer and Water Group 79.

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   
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John F. Kirk, Deputy

JFK:aw:mr  
04/13/00  
Or.Dept:Eng&CP  
Bid No:  
R-2000-1200  
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## Mitigated Negative Declaration

Land Development  
Review Division  
(619) 446-5460

LDR No. 99-1191

**SUBJECT:** Sewer & Water Group Job 79. COUNCIL APPROVAL of Capital Improvement Project Nos. 44-001/44-103.7 (Sewer) and 73-083/73-837.0 (Water) for the ~~rehabilitation~~ and replacement of approximately 11,100 linear feet of old six-inch concrete sewer mains, laterals and manholes and 3,560 linear feet of old four-inch and six-inch cast iron water mains, laterals and manholes. The project is located east of Morley Field in Balboa Park and bounded on the south by Kalmia Street, the north by Upas Street, and is between 30th Street on the east and Granada Avenue on the west within the Greater North Park Community Planning Area. Applicant: City of San Diego, Engineering and Capital Projects Department, Water and Wastewater Facilities Division.

- 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.

- V. MITIGATION, MONITORING AND REPORTING PROGRAM:

This Mitigation, Monitoring, and Reporting Program (MM&RP) is designed to ensure compliance with AB 3180 (1989) during implementation of mitigation measures. The program specifies what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. The City of San Diego, Engineering and Capital Projects, and Planning and Development Review Departments are jointly responsible for ensuring that this program is carried out.

R- 293047

**Historical Resources**

1. Prior to the preconstruction meeting, the Engineering and Capital Projects Department Project Manager shall provide a letter of verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified archaeologist and/or an archaeological monitor as defined in the City of San Diego Historical Resources Guidelines, have been retained to implement the archaeological 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 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 construction activity involving only **NEW AND/OR DEEPER EXCAVATION** work in previously undisturbed soils. This would include the following sheets (Drawing No. 27520-D). **Station numbers are approximate and subject to change:**

Sheet 2	from Sta. 1+00 @ MH 2A to Sta. <del>4+29.84</del> <u>4+28.49</u> @ MH 2B
Sheet 3	from Sta. 1+00 @ MH 2A to Sta. 5+00
Sheet 4	from Sta. 5+00 to Sta. <del>7+4.83</del> <u>7+04.83</u> @ MH 4A
Sheet 6	from Sta. <del>4+00</del> <u>4+00.11</u> @ MH 6A. to Sta. <del>7+73</del> <u>7+07.28</u> @ MH 6B
Sheet 7	from Sta. 1+00 <u>@ MH 7A</u> to Sta. 3+00
Sheet 8	from Sta. 3+00 to Sta. <del>6+32</del> <u>6+03.2</u> @ MH 8B
Sheet 9	from Sta. 1+00 @ MH 9A to Sta. <del>4+9.5</del> <u>4+09.51</u> @ <u>MH 9B</u>
Sheet 10	from Sta. 1+00 @ MH 10A to Sta. <del>5+84.7</del> <u>5+84.75</u> <u>@ MH 10C</u>

Sheet 11 from Sta. 1+02 @ MH 11A to Sta. 4+29.84 @  
MH11B

Sheet 11 from Sta. 1+02 @ MH 11B to Sta. 1+50 @ MH 11C

Sheet 13 from Sta. 4+00 1+02 @ MH 11A to Sta. 5+00

Sheet 14 from Sta. 5+00 to Sta. 9+00

Sheet 15 from Sta. 9+00 to Sta. ~~43+64.34~~ 13+64.38 @ MH  
15B

Sheet 16 from Sta. 1+00 @ MH 16A to Sta. 6+00

Sheet 17 from Sta. 6+00 to Sta. 10+58.66 @ MH 17B

Sheet 18 from Sta. 1+00 @ ~~MH 12A~~ EX MH to Sta. 9+04  
8+99.77 @ MH 18C

Sheet 19 from Sta. 1+00 @ MH 19A to Sta. 5+00

Sheet 20 from Sta. 5+00 to Sta. 8+57.63 8+57.70 @ MH 11A  
MH 20B

Sheet 21 from Sta. 1+00 @ MH 21A to Sta. 7+00

Sheet 21 from Sta. 1+00 @ MH 21C to Sta. 1+80.70 @  
MH21D

Sheet 22 from Sta. 7+00 to Sta. 12+62.11 @ MH 22C

Sheet 23 from Sta. 1+00 @ MH ~~23A~~ 22B to Sta. 4+40.19 @  
MH 23C

Sheet 23 from Sta. 4+00 2+50 @ MH ~~23B~~ 23A to Sta.  
2+72.68 @ MH 23B

Sheet 24 from Sta. 1+00 @ MH ~~23A~~ 24A to Sta. 8+00

Sheet 24 from Sta. 1+00 @ MH 24C to Sta. 2+03 2+08 @  
MH 24E

R- 293047

Sheet 25	from Sta. <del>6+00</del> <u>8+00</u> to Sta. 12+59.16 @ MH 25B
Sheet 26	from Sta. 1+00 to Sta. <del>12+92.56</del> <u>12+95.33</u> @ MH 26E
<u>Sheet 29</u>	<u>from Sta. 0+20 to Sta. 3+50</u>
<u>Sheet 30</u>	<u>from Sta. 3+50 to Sta. 6+78</u>
<u>Sheet 31</u>	<u>from Sta. 0+20 to Sta. 4+00</u>
<u>Sheet 32</u>	<u>from Sta. 4+00 to Sta. 6+77</u>
<u>Sheet 33</u>	<u>from Sta. 0+20 to Sta. 4+00</u>
<u>Sheet 34</u>	<u>from Sta. 4+00 to Sta. 6+79</u>
<u>Sheet 34</u>	<u>from Sta. 1+00 to Sta. 1+88</u>
<u>Sheet 35</u>	<u>from Sta. 0+35 to Sta. 7+15</u>
<u>Sheet 36</u>	<u>from Sta. 0+00 to Sta. 9+041.71</u>

- 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 HISTORICAL 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 procedures to be performed before construction activities will be allowed to resume. For significant historical resources, a Research Design and Data Recovery Program shall be prepared and carried out to mitigate impacts before construction 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, cataloged 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. Additionally, any sites or features encountered shall be recorded with the South Coastal Information Center at San Diego State University and with the San Diego Museum of Man.

- e. Within three months following completion of grading, a monitoring results report and/or evaluation report, with appropriate graphics, which describes the results, analysis, and conclusions of the above archaeological program 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 historical resources (with updated and/or new DPR forms), if required, shall be submitted to and approved by the Environmental Review Manager prior to the issuance of the Notice of Completion.

#### **Paleontological Resources**

1. Prior to the preconstruction meeting, the Engineering and Capital Projects Department Project Manager shall provide verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified paleontologist and/or paleontological monitor, as defined by 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 construction plans. **ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL MONITORING OF THE 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 sediments of the San Diego Formation. 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 would include the following sheets (Drawing No. 27520-D). **Station numbers are approximate and subject to change:**

R- 293047

Sheet 2 from Sta. 1+00 @ MH 2A to Sta. ~~4+29.84~~ 4+28.49  
@ MH 2B

Sheet 10 from Sta. 1+00 @ MH 10A to Sta. ~~5+84.7~~ 5+84.75  
@ MH 10C

Sheet 13 from Sta. ~~4+00~~ 1+02 @ MH 11A to Sta. 5+00

Sheet 18 from Sta. 1+00 @ ~~MH 12A~~ EX MH to Sta. ~~9+01~~  
8+99.77 @ MH 18C

Sheet 19 from Sta. 1+00 @ MH 19A to Sta. 5+00

Sheet 20 from Sta. 5+00 to Sta. ~~8+57.63~~ 8+57.70 @ MH ~~11A~~  
MH 20B

Sheet 21 from Sta. 1+00 @ MH 21A to Sta. 7+00

Sheet 21 from Sta. 1+00 @ MH 21C to Sta. 1+80.70 @  
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Sheet 24 from Sta. 1+00 @ MH 24C to Sta. ~~2+03~~ 2+08 @  
MH 24E

Sheet 25 from Sta. ~~6+00~~ 8+00 to Sta. 12+59.16 @ MH 25B

Sheet 26 from Sta. 1+00 to Sta. ~~12+92.56~~ 12+95.33 @  
MH 26E

- c. **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 FINDINGS 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 by 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.
- f. Within three months following the completion of grading, a monitoring results report with appropriate graphics summarizing the results, analysis, and conclusions of the above monitoring program shall be submitted to and approved by the Environmental Review Manager of LDR.

**Biological Resources**

- 1. Although no impacts to biological resources are anticipated, the following mitigation would reduce the potential for significant, indirect impacts to occur:
  - a. A qualified biologist shall be retained to flag the nearby drainage and monitor construction of the sewer segment east of 30<sup>th</sup> Street within Switzer Canyon.

**Geology/Soils**

- 1. The following mitigation measures for erosion control along the sewer segment east of 30<sup>th</sup> Street would reduce the impact to below a level of significance:
  - a. The ECP project manager shall ensure the installation of a silt fence at the edge of the drainage adjacent to the sewer segment east of 30<sup>th</sup> Street prior to commencement of work.
  - b. The ECP project manager shall ensure that revegetation of all disturbed portions of the alignment for erosion control purposes shall be in conformance with Section 7.2 of the Landscape Technical Manual.

VI. PUBLIC REVIEW DISTRIBUTION:

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

Federal Government

US Fish and Wildlife Service (23)

US Army Corps of Engineers (26)

R- 293047

State of California

California Department of Fish and Game (32A)  
Regional Water Quality Control Board (44)

City of San Diego

Mayor's Office, Karen Scarborough (91)  
Councilmember Kehoe, District 3  
Planning and Development Review Department  
Engineering and Capital Projects Department  
North Park Branch Library (MS 17)  
Historical Resources Board (87)  
Library Dept. - Gov. Documents (81)  
Park and Recreation Department - Open Space Division (89)

Others

San Diego Transit Corporation (112)  
San Diego Gas & Electric Co. (114)  
Metropolitan Transit Development Board (115)  
Botanic Garden (161)  
Sierra Club (165)  
San Diego Audubon Society (167)  
California Native Plant Society (170)  
The Southwest Center for Biological Diversity (176)  
Dr. Florence Shipek (208)  
Dr. Lynne Christenson (208A)  
Vonn-Marie May (209)  
San Diego State University (210)  
San Diego Historical Society (211)  
San Diego Natural History Museum (213)  
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)  
Native American Distribution - NOTICE ONLY (225A-225R)  
Greater North Park Planning Committee (363)  
Burlingame Homeowners Association (364)  
North Park Community Association (366)  
Tom Held, RECON (Consultant)

VII. RESULTS OF PUBLIC REVIEW:

- ( ) 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.
- (X) 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.

  
Chris Zirkle, Senior Planner  
Planning and Development Review

March 3, 2000  
Date of Draft Report

March 27, 2000  
Date of Final Report

Analyst: Myra S. Herrmann (A:1991191mnd.wpd)