

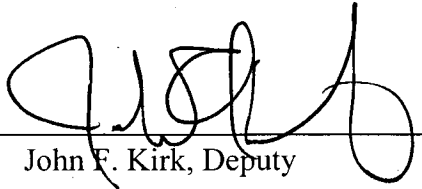
RESOLUTION NUMBER R- 293122
ADOPTED ON MAY 15 2000

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR No. 99-0822, 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 Job 635.

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:aw:mr
04/24/00
Or.Dept:Eng&CP
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RESOLUTION EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Sewer Group Job 635

LDR NO. 99-0822

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. 99-0822) shall be made conditions of the project as may be further described below.

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 635. 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.**

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:

Sheets 2, 3, 4: from Sta. 1+00 (Existing Manhole at Kettner Blvd. and Juniper St.) to Sta. 22 + 34.45 (Existing Manhole at Kettner Blvd. and Palm St.) - new trenching

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Sheet 3	from Sta. 1 + 00 (MH. No. 3) to Sta. 2 + 37 (MH. No. 4) - new trenching
Sheet 5	from Sta. 1 + 00.00 (MH. No. 8) to Sta. 7 + 55.90 (MH. No. 1) - deeper and new trenching from Sta. 4 +80.84 (MH. No. 10) to Sta. 6 + 86.59 (MH No. 11) - deeper and new trenching
Sheet 6	from Sta. 1 + 00.00 (MH. No. 2) to Sta. 2 +37.85 (MH. No. 12) - new trenching
Sheet 8	from Sta. 6 + 56.66 (MH. No. 18) to Sta. 8 + 63.08 (MH. No. 20) - deeper trenching
Sheets 10, 11	from Sta. 1 + 00.00 (MH. No. 20) to Sta. 16 + 49.25 (MH. No. 28) - new trenching
Sheet 12	from Sta. 1 + 00.00 (MH. No. 25) to Sta. 3 + 64.98 (MH. No. 30) - new trenching from Sta. 1 + 00 (MH. No. 31) to Sta. 6 + 63.77 (MH. No. 33) - new trenching
Sheet 13	from Sta. 1 + 00.00 (Existing Manhole at W. Laurel St. and Brant St.) to Sta. 8 + 90.61 (MH. No. 36) - 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

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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.

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- new trenching

Sheet 13 from Sta. 1 + 00.00 (Existing Manhole at W. Laurel St. and Brant St.) to Sta. 8 + 90.61 (MH. No. 36) - 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.

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