

RESOLUTION NUMBER R- 294729

ADOPTED ON APR 03 2001

BE IT RESOLVED, by the Council of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR No. 40-0557, 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 UCSD Trunk Sewer.

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 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   
Cristie C McGuire, Deputy

CCM:aw:mr

03/08/01

Or.Dept: Contract Serv

Bid No K01055C

R-2001-819

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## Mitigated Negative Declaration

Land Development  
Review Division  
(619) 446-5460

LDR No. 40-0557  
SCH No. 2000071045

**SUBJECT:** UCSD TRUNK SEWER: SITE DEVELOPMENT PERMIT 40-0557 to install  
~~The proposed project consists of the installation of approximately 5,650~~ 5,710  
linear feet of 21-inch 24-inch diameter PVC trunk sewer within Gilman Drive from  
Via Alicante, to the ~~Rose Canyon Parallel Trunk Sewer east of under~~ Interstate 5,  
connecting to an existing easement sewer main south of the intersection of Gilman  
Drive and La Jolla Colony Drive, and lining a portion of an existing man-made  
drainage channel with cement. ~~The project also includes~~ and the abandonment of  
~~14~~ 18 manholes (14 of which are in Gilman Canyon) and associated 5,650 linear  
feet of an existing trunk sewer within Gilman Canyon. The project site is located  
within the public right-of-way and to the east side of Gilman Drive between Via  
Alicante and south of La Jolla Colony Drive, in the La Jolla Shores Community  
Planning Area and University Community Planning Area. Applicant: City of San  
Diego

**UPDATE:** Subsequent to the distribution of the previous draft Mitigated  
Negative Declaration, the applicant has made revisions to the scope of the  
project that necessitate redistribution of the document. These revisions  
include extending the proposed new sewer main in Gilman Drive under  
Interstate 5 to connect to an existing easement sewer main. The scope of work  
now also includes lining a portion of an existing man-made drainage channel  
with cement to control erosion around a new manhole. Strikeout and  
underlining have been used to denote deletions and additions to the draft  
Mitigated Negative Declaration.

**SECOND UPDATE:** Subsequent to public review, the applicant made  
additional revisions to the scope of the project. The scope of work now  
includes welding the steel caps of the abandoned manholes in Gilman Canyon  
with hand-carried light welding equipment as opposed to removing the above  
ground portion of the manholes, filling with sand, and sealing the openings  
with cement. The scope of work also includes locating all new manholes  
outside of the existing man-made drainage channel and tunneling under the  
channel instead of lining the channel with cement. Strikeout and underlining  
have been used to denote deletions and additions.

- 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

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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 mitigation measures are required to reduce potentially adverse impacts to paleontological, biological, and hydrological resources and shall be stated in contract documents and referenced on the construction plans for UCSD Trunk Sewer.

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, has 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 trenching is 10 feet or deeper. 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.
- 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 the Environmental Review Manager of LDR.

### Biology

- ~~1. Prior to project implementation, a biological monitor shall flag the biologically sensitive areas with the construction foreman to ensure that impacts created by the construction of temporary access roads to each manhole to the following sensitive biological resources are minimal: Diegan coastal sage scrub, 0.13 acre, and southern willow scrub, 0.04 acre, and non-native grassland, 0.062 acre. To minimize impacts, access roads shall not be completely cleared of vegetation and plant species surrounding the manholes shall be hand trimmed.~~
- ~~2. Prior to project implementation, the applicant shall submit a revegetation plan and monitoring program to the satisfaction of the City Manager for impacts to 0.175 acre of Diegan coastal sage scrub. The revegetation plan shall indicate on-site revegetation of coastal sage scrub including revegetation areas to be seeded with California sagebrush, coyote brush, common encelia, and California broom. Applicant shall also submit a revegetation plan and monitoring program for impacts to 0.062 acre of non-native grassland. Monitoring shall be for three years. The monitoring plan shall include the growth and cover of the seeded plants. Maintenance shall include removing weeds from the seeded areas.~~
- ~~3. Prior to project implementation, a biological monitor shall delineate the area of southern willow scrub that is to be avoided. Where avoidance is not feasible, vegetation is to be hand trimmed. Any willow trees that must be removed are to be replaced at a ratio of 2:1.~~
1. If construction is performed during the least Bell's vireo nesting season of mid-March to mid-September, a biological monitor shall survey the southern willow scrub to determine if the species is present. If least Bell's vireo is present and nesting in the drainage during project construction, then a biological monitor would be required to ensure that nests of this species are not impacted. If no least Bell's vireo is present, then work may proceed without further monitoring being required.
2. If construction is performed during the raptor nesting season of February 1 through August 31, a biological monitor shall survey manhole numbers 1, 12, and 14 adjacent to the eucalyptus woodland for active raptor nests. If active raptor nests are located, all construction shall remain at least 500 feet away from the raptor nest until the young have fledged.
3. If construction is performed during the California gnatcatcher breeding season of March 1 through August 15, a biological monitor shall survey to determine if the species is present. If present, coastal sage scrub habitat within the MHPA that is

occupied by California gnatcatchers cannot be cleared during the breeding season. In addition, measures to minimize noise impacts will be required and should include temporary noise walls and/or berms. Noise levels from construction activities during the California gnatcatcher breeding season shall not exceed 60 dBA hourly LEO at the edge of the MHPA or the ambient noise level if noise levels already exceed 60 dBA hourly LEO. If no California gnatcatchers are identified within the MHPA, no additional measures will be required.

### Hydrology

Measures shall be taken to ensure that impacts to the drainages are minimized during the abandonment and construction of the pipelines. Soils removed during the project near the drainages shall be prevented from entering the adjacent wetlands. Prior to project completion, a silt fence shall be manually installed adjacent to the wetlands at the south end of the project site to reduce soil erosion due to recontouring of the streambed resulting from temporary construction access impacts to manhole #14. to prevent soil from entering the drainages.

### Pedestrian Ramps

Prior to start of construction, the contractors shall salvage and reinstall pavement stamps within the new pavement work to the maximum extent possible.

## VI. PUBLIC REVIEW DISTRIBUTION:

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

### Federal Government

U.S. Army Corps of Engineers (16)  
U.S. Fish and Wildlife Service (23)

### State of California

California Department of Fish and Game, Region 5 (32)  
California Department of Fish and Game, Waters of the U.S. (32A)  
Regional Water Quality Control Board (44)  
Richalene Kelsay, CALTRANS, District 11 (31)

### City of San Diego

Deputy Mayor, Harry Mathis, District 1  
Planning and Development Review Department  
Engineering and Capital Projects Department  
Wetland Advisory Board (91A)  
Library, La Jolla/Riford Branch

### RECON

Rancho Santa Ana Botanic Garden at Claremont (161)  
Cam Patterson, Biologists (163)  
Sierra Club, San Diego Chapter (165)  
Carolyn Chase (165A)  
San Diego Natural History Museum (166)  
San Diego Audubon Society (167)  
California Native Plant Society (170)

Stuart Hurlbert (172)  
The Southwest Center for Biological Diversity (176)  
Endangered Habitats League (182 & 182A)  
La Jolla Shores Association (272)  
La Jolla Historical Society (274)  
La Jolla Community Planning Association (275)  
Birdwatcher's Neighborhood Association (276)  
La Jolla Light (280)  
Isabelle Kay (284)  
Gary Hess (479)  
University Community Planning Group (480)  
Editor, The Guardian (481)  
Milton Phegley (482)  
External Affairs-Municipal (483)  
University City Library (488)

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.

Allison Raap  
Allison Raap, Senior Environmental Planner  
Planning and Development Review Department

October 5, 2000  
Date of Draft Report  
December 19, 2000  
Date of Final Report

Analyst: Clark

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