

RESOLUTION NUMBER R- 295366

ADOPTED ON AUG 06 2001

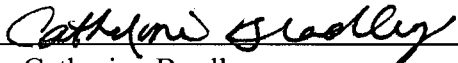
BE IT RESOLVED, by the Council of the City of San Diego, that it is hereby certified that LDR Mitigated Negative Declaration No. 40-0364, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 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 El Capitan Reservoir Road Improvement.

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 as Exhibit A and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: CASEY GWINN, City Attorney

By 
Catherine Bradley
Deputy City Attorney

CB:aw:vl
7/23/01
Or.Dept:Water/E&CP
Bid No:K02003C
Attachment:Exhibit A
R-2002-189

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

DEP NO.40-0364

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. 40-0364) shall be made conditions of the Mitigated Negative Declaration as may be further described below.

MITIGATION, MONITORING, AND REPORTING PROGRAM: Prior to City Council approval of construction bid documents, the following mitigation measures shall be noted on the project construction plans and included in the specifications and contract documents under the heading "Environmental Requirements."

Biological Resources

1. Prior to the first preconstruction meeting, the Water Department shall provide verification to the Environmental Review Manager (ERM) of the City Development Services Department's Land Development Review Division that conservation credits equivalent to 0.05 acre of oak woodland and 0.81 acre of upland habitat have been assigned in the City's Marron Valley Cornerstone Lands Conservation Bank, as mitigation for project impacts to 0.05 acre of oak woodland (1:1 ratio), 0.10 acre of coastal sage scrub (2:1), and 1.22 acre of southern mixed chaparral (0.5:1).
2. Prior to the first preconstruction meeting, the Water Department shall submit a letter to the ERM verifying that a qualified biologist has been retained to implement the biological resources mitigation program.
3. The biologist and Mitigation Monitoring Coordination (MMC) Section staff shall attend the first preconstruction meeting.
4. If removal of mature trees is proposed during the raptor breeding season (February 15 - September 15), the following measures shall be implemented. Prior to the first preconstruction meeting, the ERM shall verify that these measures are noted in the construction plans:
 - a. Prior to cutting of or grading near mature trees along the project alignment, the qualified biologist shall conduct a survey for active raptor nests and prepare a survey report. The report shall be sent to the Water Department Environmental Review Coordinator, who shall forward a copy to the MMC Section for logging and distribution to the ERM.
 - b. If any active raptor nests are discovered, the biologist shall mark all occupied trees and delineate with flagging/staking a "no construction" buffer area around each occupied tree. The size of the buffer area shall depend upon the species present and shall be determined by the biologist in consultation with the ERM. The buffer shall be maintained until the young raptors are fledged.

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Hydrology/Water Quality

5. Prior to construction in areas that drain into adjacent sensitive habitat and/or the reservoir, the Resident Engineer shall supervise the placement of gravel bags, fiber rolls, straw logs, silt fences or equivalent erosion control measures at the proposed grading limits to prevent sedimentation of the habitat and/or reservoir. Prior to the first preconstruction meeting, the ERM shall verify that Best Management Practices are noted on the construction plans.
6. Between September and May following construction, all overburden areas above cut slopes shall be hydroseeded by a qualified landscape contractor with a coastal sage scrub/chaparral seed mix and monitored for 25 months (quarterly for the first year and bi-annually in the second year), in conformance with the City's Landscape Regulations of the Land Development Code. The qualified biologist shall inspect the seed mix prior to hydroseeding and shall monitor the hydroseeding to ensure adequate coverage.

General

7. The Water Department shall provide final monitoring reports to the MMC Section, who shall forward the reports to the ERM, upon completion of: a) raptor nesting surveys and buffer areas, if necessary; b) installation of erosion control measures, as necessary; and d) hydroseeding of manufactured slopes.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

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