

(R-2002-377)

RESOLUTION NUMBER R- 295463

ADOPTED ON SEP. 18 2001

WHEREAS, on March 16, 2001, LandGrant Development submitted an application to the City of San Diego for a Site Development Permit, Coastal Development Permit, Parcel Map, Street Vacation, and Alleyway Vacations for the San Diego Mercado at Crosby Street project; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council on SEP 18 2001; and

WHEREAS, the City Council considered the issues discussed in Addendum to a Finding of No Significant Impact/Environmental Assessment [FONSI/EA], LDR No. 40-0401, Addendum to FONSI/EA for Mercado del Barrio (May 18, 1992) (no LDR number) [Addendum LDR No. 40-0401]; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Addendum LDR No. 40-0401, 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; the State guidelines thereto (California Code of Regulations section 15000 et seq.); and the National Environmental Policy Act of 1969, and that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said 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 the land use actions for the San Diego Mercado at Crosby Street project.

BE IT FURTHER RESOLVED, that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that Addendum LDR No. 40-0401, a copy of which is attached hereto and incorporated by reference, is approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council 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.

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 
Richard A. Duvernay
Deputy City Attorney

RAD:lc
09/06/01
Or.Dept:Dev.Svcs.
R-2002-377
Form=eirl.frm



**ADDENDUM TO A FINDING OF
NO SIGNIFICANT
IMPACT/ENVIRONMENTAL ASSESSMENT**

Land Development
Review Division
(619) 446-5460

LDR No. 40-0401

Addendum to FONSI/EA for Mercado del Barrio (May 18, 1992)(no LDR No.)

SUBJECT: San Diego Mercado at Crosby Street. SITE DEVELOPMENT PERMIT, COASTAL DEVELOPMENT PERMIT, PARCEL MAP, STREET VACATION, ALLEYWAY VACATIONS (Process 5) for the purpose of constructing a 115,928-square-foot retail commercial center on a 6.55-acre site bounded by Crosby Street to the northwest, National Avenue to the northeast, Main Street to the southwest and the Coronado Bay Bridge right-of-way and Chicano Park to the south and southeast. The project includes the vacation of Newton Street and two alleyways through the project site. On-site parking for the project would provide 358 parking spaces. The project is located in the Redevelopment Subdistrict of the Barrio Logan Planned District, specifically the Mercado District. It is also located in the Coastal Zone (Non-Appealable Area 2) and in the Barrio Logan Redevelopment Plan and Barrio Logan Community Plan areas (Lots 3-18, 31-47, and portions of 1, 2, 19 and 48 of Block 95, and Lots 2-17, 32-46 and portions of 1, 47 and 48 of Block 129, Mannasse and Schiller's Subdivision of Pueblo Lot 1157, Map 209). Applicant: Land Grant Development.

I. PROJECT DESCRIPTION:

The proposed project is part of the larger Mercado del Barrio project which was initiated by the Redevelopment Agency of the City of San Diego in 1992. Mercado del Barrio encompasses 12 acres located generally between Crosby Street, National Avenue, Evans Street, and Harbor Drive. The purpose of Mercado del Barrio is to implement portions of the adopted Barrio Logan Redevelopment Plan (1991) by initially constructing 100,525 square feet of commercial space and up to 150 units of multi-family residential development within the Barrio Logan community. Chicano Park would be expanded southwest under the Coronado Bay Bridge. Overall, this mixed-use development would replace blighted industrial, commercial, residential uses and vacant land. It would also improve the present lack of adequate commercial and retail shopping facilities within Barrio Logan, which has forced local residents to travel outside the community to buy goods and services. By the late-1990's, the multi-family residential portion of Mercado del Barrio was developed.

In an effort to realize the full completion of Mercado del Barrio, the subject project proposes the construction of a 115,928-square-foot retail commercial center on a vacant 6.55-acre site, located north/northwest of the residential development (see Figures 1 and 2). This rectangular-shaped project site would contain one- to two-story structures situated around the periphery of the property, surrounding an interior parking lot that would contain 358 parking spaces.

Direct pedestrian and vehicle access to the center would be provided on Crosby Street, National Avenue and Newton Street. Pedestrian access would also be provided to the center from Chicano Park which lies immediately to the southeast of the project site. A portion of Newton Avenue now traversing the site would be vacated along with two

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alleyways. The access points would include plaza areas with decorative, colored concrete paving and complimentary landscaping. The retail commercial structures would be constructed in the Spanish architectural style with the facades articulated with a range of architectural treatments. These treatments would include a Barrio Logan artist mural, various window and glass display panel shapes, canvas awnings, tin roof canopies, ceramic tile wainscoting, foam cornices, wrought iron railing, and wood trimming (see Figures 3 through 5).

II. ENVIRONMENTAL SETTING:

The project site is located within the urbanized community of Barrio Logan, just south of downtown San Diego, west of Interstate 5 and adjacent to San Diego Bay. It is currently vacant with relatively flat terrain sloping gently from 44 feet Above Mean Sea Level (AMSL) southwest to 31 feet AMSL towards the bay. Previous buildings located on the site have been demolished leaving disturbed and bare soil overgrown in areas with ruderal weeds and covered with scattered debris.

The existing land uses within Barrio Logan are predominately industrial, consisting of warehousing and indoor/outdoor storage uses, offices, and auto-related/repair businesses. Land uses surrounding the subject site include a mixture of commercial and single-family dwelling units along the northwest side of Crosby Street, north of Main Street. To the northeast of the site are multi-family residences located along National Avenue. Just southeast of the project lies Chicano Park and the Coronado Bridge right-of-way. Chicano Park is situated under the columns of the Coronado Bridge and serves as an important community gathering place and cultural center. Mural artwork appears on the bridge's columns with a colorful, cultural theme that would be repeated in the mural proposed for the retail commercial center. Along the southwest side of the project area are mixed industrial uses along Main Street. The San Diego Trolley line parallels Harbor Drive, with a trolley station located just one block southwest of the project.

III. DETERMINATION:

The Redevelopment Agency of the City of San Diego previously prepared a Finding of No Significant Impact/Environmental Assessment (FONSI/EA) for the Mercado del Barrio project, dated May 18, 1992, which is attached.

Based upon a review of the current project, it has been determined that:

- a. There are no new significant environmental impacts not considered in the previous FONSI/EA;
- b. No substantial changes have occurred with respect to the circumstances under which the project is undertaken; and
- c. There is no new information of substantial importance to the project.

Therefore, in accordance with Section 58.47 of 24 CFR Part 58 (NEPA/HUD Environmental Review Procedures) and Section 15164 of the State CEQA Guidelines an addendum shall be prepared.

IV. MITIGATION, MONITORING AND REPORTING PROGRAM:

This Mitigation, Monitoring and Reporting Program (MMRP) 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.

Historical Resources

1. Based on the report entitled, *An Archaeological/Historical Survey and Evaluation Report for the Mercado Project*, dated March 9, 2000, prepared by Brian F. Smith and Associates for this project, mitigation for potential impacts to historical resources shall be implemented to avoid or lessen those impacts to below a level of significance.
 - a. Prior to issuance of any grading permits, the applicant shall provide a letter of verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified archaeologist, as defined in the City of San Diego Historical Resources Guidelines, has been retained to carry out the following mitigation measures. These measures shall also be accomplished prior to the issuance of any grading permits.
 1. Prepare and submit a Research Design to LDR for review and approval. This program shall detail the historic research questions to be pursued of data collected from the project field work and the methodology of the field and laboratory work.
 2. Conduct a Data Recovery Program of the historic features identified during the trenching program which possess the potential to produce historic artifacts (Features F, G, H, I, and J). This should include the excavation of at least two test units, and up to six test units, at each deposit location. Each test unit shall conform to the City's guideline specifications (i.e. each would measure one meter square and would be excavated to a minimum depth of 50 centimeters). In the event of the discovery of intact structural entities, such as cisterns or foundations, additional field work shall be required to analyze the features and conduct additional excavations. A backhoe may be employed in the case of foundations to delineate their configurations or that of other similar features.
 - a. All artifacts recovered from the excavations shall be subject to standard historic artifact laboratory analysis, cataloging, and preservation/curation efforts. All artifacts recovered shall be prepared for permanent curation

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in an appropriate institution, such as the San Diego Archaeological Center.

- b. Historic research shall be conducted to expand from the Sanborn Map research already completed, and focused upon detailed information gathering about the residents of the lots where materials have been found and the history of the neighborhood.
- c. The historic artifacts recovered from the two cisterns in 1996 shall be subject to laboratory analysis, consistent with item "a" above. This collection contains an extensive number of historic artifacts dating from the 1920s to the 1950s. It is anticipated that this collection will represent a significant contribution to the historical research of the community's development during that time period.

b. Historical Resources (Archaeological) -

- 1. Prior to issuance of the recordation of the first final map, and/or issuance of a Notice to Proceed (NTP), grading permit, or demolition permit, the applicant shall provide a letter of verification to the ERM of LDR stating that a qualified archaeologist, as defined in the City of San Diego Historical Resources Guidelines, have been retained to implement an archaeological monitoring program. **A SECOND LETTER SHALL BE SUBMITTED TO MITIGATION MONITORING COORDINATION (MMC) AT LEAST THIRTY DAYS PRIOR TO THE PRECONSTRUCTION MEETING AND SHALL INCLUDE THE NAMES OF ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL MONITORING OF THIS PROJECT.**
- 2. **PRIOR TO THE ISSUANCE OF THE FIRST GRADING PERMIT, THE ERM SHALL VERIFY THAT THE REQUIREMENT FOR ARCHAEOLOGICAL MONITORING AND NATIVE AMERICAN MONITORING, IF APPLICABLE, HAS BEEN NOTED ON THE GRADING PLANS.**
- 3. Prior to beginning construction (any work on site), the owner/permittee shall arrange a Preconstruction Meeting that shall include the Archaeologist, Construction Manager or Grading Contractor, Resident Engineer (RE) and MMC. The qualified archaeologist shall attend any grading related preconstruction meetings to make comments and/or suggestions concerning the archaeological monitoring program with the construction manager and/or grading contractor.

AT THE PRECONSTRUCTION MEETING, THE ARCHAEOLOGIST SHALL SUBMIT TO MMC A COPY OF THE SITE/GRADING PLAN (REDUCED TO 11X17) THAT IDENTIFIES AREAS TO BE MONITORED. THE ARCHAEOLOGIST ALSO SHALL SUBMIT A CONSTRUCTION SCHEDULE INDICATING WHEN MONITORING IS TO OCCUR.

THE QUALIFIED ARCHAEOLOGIST SHALL COMPLETE A RECORDS SEARCH PRIOR TO THE PRECONSTRUCTION MEETING AND BE PREPARED TO INTRODUCE ANY PERTINENT INFORMATION CONCERNING EXPECTATIONS AND PROBABILITIES OF DISCOVERY DURING TRENCHING AND/OR GRADING ACTIVITIES. THE ARCHAEOLOGIST SHALL NOTIFY MMC OF THE START AND END OF MONITORING.

4. The qualified archaeologist shall be present full-time during grading/excavation of native soils and shall document activity via the Consultant Site Visit Record. This record shall be faxed to the RE and MMC each month.
5. **IN THE EVENT OF A DISCOVERY, AND 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 FOR PRELIMINARY EVALUATION OF POTENTIALLY SIGNIFICANT ARCHAEOLOGICAL RESOURCES. THE ARCHAEOLOGIST WITH PRINCIPAL INVESTIGATOR (PI) LEVEL EVALUATION RESPONSIBILITIES SHALL ALSO IMMEDIATELY NOTIFY MMC STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY. MMC WILL PROVIDE APPROPRIATE LDR STAFF CONTACT FOR CONSULTATION.**

The significance of the discovered resources shall be determined by the archaeologist in consultation with LDR and the Native American community, if applicable. LDR **must** concur with the evaluation **before** grading activities will be allowed to resume. For significant archaeological resources, a Research Design and Data Recovery Program shall be prepared and carried out to mitigate impacts **before** ground disturbing activities in the area of discovery will be allowed to resume.

6. If human remains are discovered, work shall halt in the area and procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be followed by the archaeological monitor after notification to the County Coroner by the City RE. If Native American remains are present, the County Coroner shall contact the Native American Heritage Commission to designate an Most Likely Descendant, who will arrange for the dignified disposition and treatment of the remains. Ground disturbing activities shall be allowed to resume in the area of discovery upon completion of the above requirements, to the satisfaction of LDR.
7. The archaeologist shall be responsible for ensuring that all cultural remains collected are cleaned, catalogued, and permanently curated with an appropriate institution; that a letter of acceptance from the curation institution has been submitted to MMC; that all artifacts are analyzed to identify function and

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chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

- c. Prior to the release of the grading bond, two copies of a monitoring results report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the archaeological monitoring program (with appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR and one copy sent to the RE. This report shall **also** incorporate the work conducted in 1996 on the site, the laboratory analysis of materials collected in 1996, the trench testing of 1999, and all data recovery and related research conducted for the mitigation monitoring program as discussed above in Section 1(a). The report shall focus on the presentation of data and the discussion of the research questions included in the Research Design.
- d. For significant archaeological resources encountered during monitoring, an expanded Research Design and Data Recovery Program shall be included as part of the final evaluation monitoring report. Two copies of the final monitoring report for significant archaeological resources, if required, shall be submitted to MMC for approval by the ERM of LDR and one copy sent to the RE.
- e. The archaeologist shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms - DPR 523 A/B) any significant or potentially significant resources encountered during the archaeological monitoring program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center at San Diego State University with the final monitoring results report.

Paleontological Resources

2. The project site is underlain with the geologic Bay Point formation which is assigned a high paleontological resource potential. Should project grading activities occur deeper than ten feet from the ground surface and excavate over 2000 cubic yards of soil, monitoring for paleontological resources shall be required.
 - a. Prior to recordation of the first final map, and/or issuance of a Notice To Proceed (NTP), grading permit, or demolition permit, the applicant shall provide a letter of verification to the Environmental Review Manager (ERM) of 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. **A SECOND LETTER SHALL BE SUBMITTED TO MITIGATION MONITORING COORDINATION (MMC) OF LDR AT LEAST THIRTY DAYS PRIOR TO THE PRECONSTRUCTION MEETING AND SHALL INCLUDE THE NAMES OF ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL MONITORING OF THIS PROJECT.**

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- b. **PRIOR TO THE ISSUANCE OF THE FIRST GRADING PERMIT, THE ERM SHALL VERIFY THAT THE REQUIREMENT FOR PALEONTOLOGICAL MONITORING HAS BEEN NOTED ON THE GRADING PLANS.**
- c. Prior to beginning construction (any work on site) the owner/permittee shall arrange a Preconstruction Meeting that shall include the Paleontologist, Construction Manager or Grading Contractor, Resident Engineer (RE), and MMC. The qualified paleontologist shall attend any grading related preconstruction meetings to make comments and/or suggestions concerning the paleontological monitoring program with the construction manager and/or grading contractor. **AT THE PRECONSTRUCTION MEETING THE PALEONTOLOGIST SHALL SUBMIT TO MMC A COPY OF THE SITE/GRADING PLAN (REDUCED TO 11X17) THAT IDENTIFIES AREAS TO BE MONITORED. THE PALEONTOLOGIST ALSO SHALL SUBMIT A CONSTRUCTION SCHEDULE INDICATING WHEN MONITORING IS TO OCCUR. THE PALEONTOLOGIST SHALL NOTIFY MMC OF THE START AND END OF MONITORING.**
- d. The qualified paleontological monitor shall be present full-time during the initial cutting of previously undisturbed formation with high and moderate resource sensitivity and shall document activity via the Consultant Site Visit Record. This record shall be faxed to the RE and MMC each month. Monitoring may be decreased at the discretion of the qualified paleontologist, provided they contact MMC and consult with appropriate EAS Staff. The decrease will depend on the rate of excavation, the materials excavated, and the abundance of fossils.
- e. **IN THE EVENT OF A SIGNIFICANT PALEONTOLOGICAL DISCOVERY, AND WHEN REQUESTED BY THE PALEONTOLOGIST, THE CITY RESIDENT ENGINEER (RE) SHALL DIVERT, DIRECT, OR TEMPORARILY HALT CONSTRUCTION ACTIVITIES IN THE AREA OF DISCOVERY TO ALLOW RECOVERY OF FOSSIL REMAINS. THE DETERMINATION OF SIGNIFICANCE SHALL BE AT THE DISCRETION OF THE QUALIFIED PALEONTOLOGIST. THE PALEONTOLOGIST WITH PRINCIPAL INVESTIGATOR (PI) LEVEL EVALUATION RESPONSIBILITIES SHALL ALSO IMMEDIATELY NOTIFY MMC STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY. MMC STAFF WILL PROVIDE APPROPRIATE LDR STAFF CONTACT FOR CONSULTATION.**
- f. The paleontologist shall be responsible for preparation of fossils to a point of curation as defined in the City of San Diego Paleontological Guidelines, and submittal of a letter of acceptance from a local qualified curation facility. If the fossil collection is not accepted by a local qualified facility for reasons other than inadequate preparation of specimens, the project paleontologist shall contact LDR to suggest an alternative disposition of the collection.
- g. Paleontologist shall be responsible for the recordation of any discovered fossil sites at the San Diego Natural History Museum.

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- h. Prior to the release of the grading bond, two monitoring results report which describes the results, analysis, and conclusions of the above monitoring program (with appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR and one copy sent to the RE.

Water Quality

3. Prior to the issuance of the first grading permit, the City Engineer shall verify that appropriate stormwater Best Management Practices (BMPs) are incorporated into the project design, and depicted on the Conceptual Grading Plan, for the purpose of reducing discharge of pollutants into adjacent watersheds from project stormwater runoff. The stormwater BMPs could include, but are not limited to, one or a combination of the following:
 - a. Infiltration trenches or dry wells which can reduce runoff volume and the peak discharge rate from a site.
 - b. Vegetative controls such as grassed swales and filter strips.
 - c. Porous pavement that allows stormwater to pass through and infiltrate the underlying soil, such as pre-cast concrete pavers or porous asphalt that contains a much smaller percentage of very fine particles.

Hazardous Materials/Public Safety

4. Based on the report entitled, *Phase II Environmental Site Assessment Crosby Street Mercado Project, San Diego, California*, dated June 14, 2000, prepared by Ninyo & Moore Geotechnical and Environmental Sciences Consultants, mitigation for potential impacts to hazardous materials/public safety at the project site shall be implemented to avoid or lessen those impacts to below a level of significance.
 - a. Construct properly engineered vapor barriers beneath project structures that would reduce the excessive carcinogenic risk (ECR) to an acceptable level for the proposed site use. Another option to reducing ECR on-site would be to obtain additional site-specific data, such as soil permeabilities to evaluate the source(s) of contamination, delineate the contaminants, and use this additional site-specific data in the risk analysis. The additional data may or may not result in an acceptable level of risk.
 - b. The 55-gallon drums containing soil cuttings may be disposed of on-site. The drums containing decontamination fluids and groundwater shall to be transported and disposed of in accordance with applicable regulatory requirements.
 - c. Any regulated and non-regulated waste generated by construction equipment or activities at the site shall be evaluated, handled, stored, transported, and disposed of in accordance with all local, state and federal laws and regulations.

- d. Prior to the issuance of any grading permits, the City Engineer shall verify that a Site-Specific Health and Safety Plan, identifying the potential chemical and physical hazards that could be encountered during project activities, and providing guidelines for use of personal protective equipment for the site-specific conditions, has been prepared and/or approved by a Certified Industrial Hygienist.
 1. The Site-Specific Health and Safety Plan shall be reviewed and understood by the contractor prior to initiation of construction activities to reduce the exposure potential to workers and the public. A contingency plan to separate contaminated soil from clean soil, if encountered, shall be prepared before initiating project activities. Failure to prepare and implement such a plan could result in avoidable human exposure to potential contaminants and potential construction delays. This Site-Specific Health and Safety Plan shall be noted on project plans and specifications.

Traffic and Circulation

5. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, signal modification at Crosby Street/Newton Avenue/project main driveway (with a 20-foot inbound lane, an 11-foot outbound left turn lane, an 18-foot outbound right/through lane, and a 4-foot-wide median - with no break in the median) satisfactory to the City Engineer.
6. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, re-striping Crosby Street between Kearney Avenue and Main Street with appropriate transition and any needed modifications to the signals and loop detectors in this segment of Crosby Street, to provide two travel lanes in each direction with a center turn lane and no on-street parking satisfactory to the City Engineer.
7. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, a fair share contribution of 14.6 percent of the estimated cost towards future signalization of Logan Avenue/Beardsley Street intersection satisfactory to the City Engineer.

General

8. The MMRP shall require a deposit of \$450.00 to be collected prior to the issuance of the first grading permit to cover the City's costs associated with implementation of the MMRP and to ensure the successful completion of the monitoring program.



Anne Lowry, Senior Planner
Development Services Department

July 24, 2001
Date of Draft Report

August 7, 2001
Date of Final Report

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Analyst: Lowry

DISTRIBUTION:

The addendum and Finding of No Significant/Environmental Assessment Impact were distributed to:

- Federal Government
 - U.S. Department of Housing and Urban Development (7)
 - Environmental Protection Agency, Region IX (19)
- State Government
 - California Coastal Commission (47)
 - California Department of Transportation (31)
 - Native American Heritage Commission (56)
 - Regional Water Quality Control Board, Region 9 (44)
- County of San Diego
 - Department of Environmental Health (75)
- City of San Diego
 - Councilmember Inzunza, District 8
 - Development Services Department
 - Economic Development and Community Services
 - Environmental Services (93A)
 - Central Library - Government Documents
 - Historical Resources Board (87)
 - Housing Commission (MS 49)
 - Planning Commissioners (MS 5A)
- Other Organizations and Interested Individuals
 - Barrio Station, Inc. (241)
 - Centre City Redevelopment Corporation (MS 51D)
 - Chicano Federation (193)
 - Citizens Coordinate for Century III (179)
 - City of Coronado (95)
 - City of National City (102)
 - Dr. Florence Shipek (208)
 - Dr. Lynne Christenson (208A)
 - Harborview Community Council (246)
 - Kumeyaay Cultural Repatriation Committee (225)
 - Land Grant Development
 - Louis Guassac (215A)
 - Metropolitan Transit Development Board (115)
 - Native American Distribution (Public Notices only)(225A-R)
 - Ron Christman (215)
 - South Coastal Information Center (SCIC/SDSU)(210)
 - San Diego Archaeological Center (212)
 - San Diego Historical Society (211)
 - San Diego Chamber of Commerce (157)
 - San Diego County Archaeological Society (SDCAS)(218)

San Diego Gas & Electric Company (114)
San Diego Historical Society (211)
San Diego Natural History Museum (213)
San Diego Regulatory Alert (174)
San Diego Transit Corporation (112)
San Diego Unified Port District (240)
Save Our Heritage Organisation (SOHO)(214)
Sierra Club (165)

Copies of the Addendum, the Finding of No Significant Impact, Environmental Assessment, Mitigation 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.

RESULTS OF PUBLIC REVIEW:

- No comments were received during the public input period.
- Comments were received but the comments do not address the accuracy or completeness of the environmental report. No response is necessary and the letters are attached at the end of the addendum.
- Comments addressing the accuracy or completeness of the addendum were received during the public input period. The letters and responses follow.

295463



San Diego County Archaeological Society
Environmental Review Committee

RESPONSE TO COMMENTS

26 July 2001

To: Ms. Anne Lowry
Land Development Review Division
Planning and Development Review Department
City of San Diego
1222 First Avenue, Mail Station 501
San Diego, California 92101

Subject: Addendum to a Finding of No Significant Impact/Environmental Assessment
San Diego Mercado at Crosby Street
LDR No. 40-0401

Dear Ms. Lowry:

I have reviewed the subject document, and its cultural resources report, on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the documents, we concur in the impact analysis and mitigation measures proposed for cultural resources. One possible addition that could be considered would be inclusion of an interpretive display on the history of Barrio Logan in general, and of the Mercado Project in particular, as part of the completed project. Such an exhibit should be in both English and Spanish, and would bring directly to the community a view of its history and evolution.

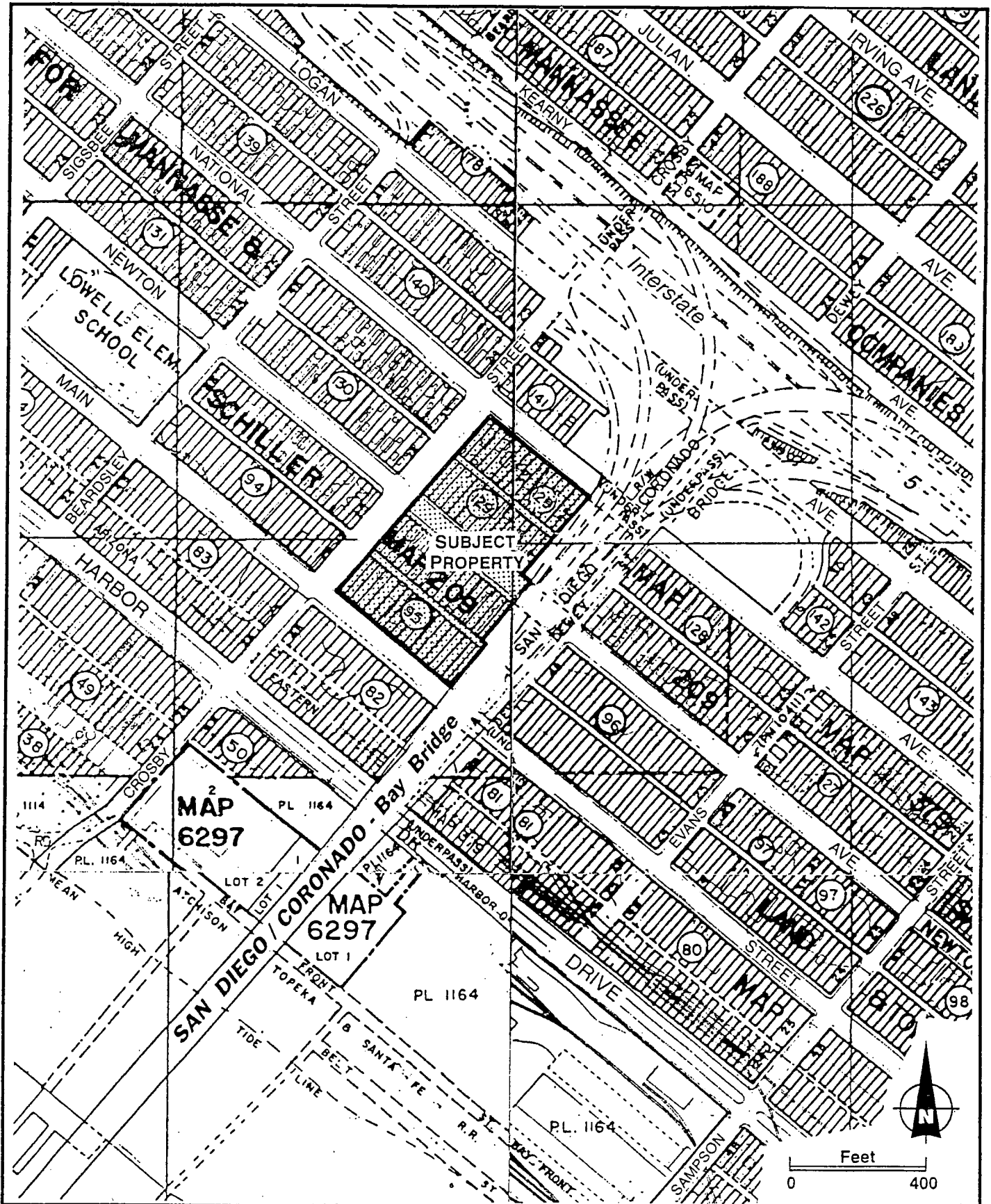
Thank you for providing SDCAS this opportunity to participate in the City's environmental review process for this project.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: Brian F. Smith and Associates
SDCAS President
File

1. Comment noted, and thank you for the suggestion of including an interpretive display in the project's design on the history of Barrio Logan which will be considered.



40-0401

(194-1724) 7-20-2001 bf.



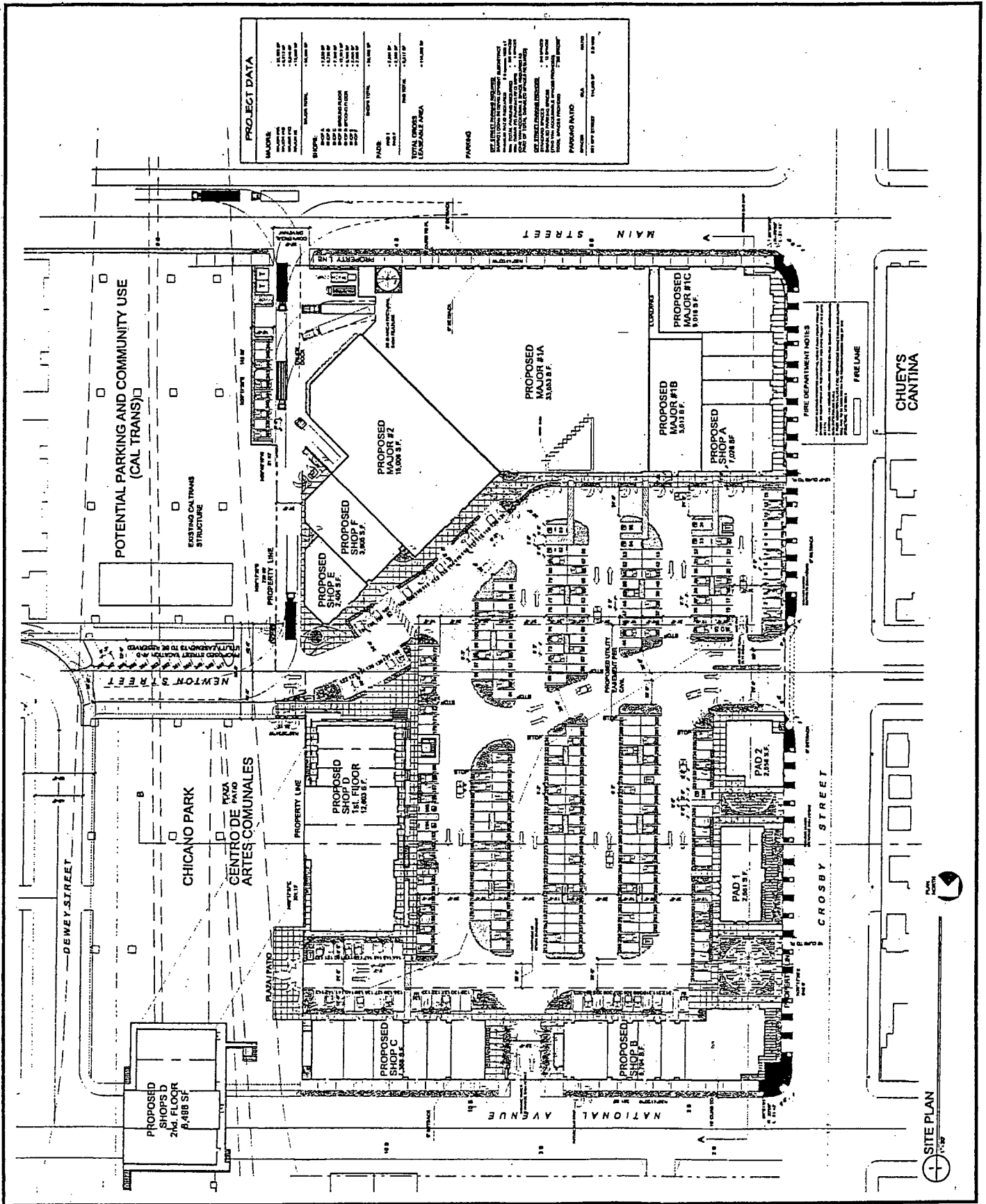
LOCATION MAP

Environmenta Analysis Section

CITY OF SAN DIEGO • DEVELOPMENT REVIEW

Figure
1

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PROJECT DATA	
MAJOR #1	15,000 SF
MAJOR #2	15,000 SF
MAJOR #3	15,000 SF
MAJOR #4	15,000 SF
MAJOR #5	15,000 SF
MAJOR #6	15,000 SF
MAJOR #7	15,000 SF
MAJOR #8	15,000 SF
MAJOR #9	15,000 SF
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MAJOR #16	15,000 SF
MAJOR #17	15,000 SF
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MAJOR #67	15,000 SF
MAJOR #68	15,000 SF
MAJOR #69	15,000 SF
MAJOR #70	15,000 SF
MAJOR #71	15,000 SF
MAJOR #72	15,000 SF
MAJOR #73	15,000 SF
MAJOR #74	15,000 SF
MAJOR #75	15,000 SF
MAJOR #76	15,000 SF
MAJOR #77	15,000 SF
MAJOR #78	15,000 SF
MAJOR #79	15,000 SF
MAJOR #80	15,000 SF
MAJOR #81	15,000 SF
MAJOR #82	15,000 SF
MAJOR #83	15,000 SF
MAJOR #84	15,000 SF
MAJOR #85	15,000 SF
MAJOR #86	15,000 SF
MAJOR #87	15,000 SF
MAJOR #88	15,000 SF
MAJOR #89	15,000 SF
MAJOR #90	15,000 SF
MAJOR #91	15,000 SF
MAJOR #92	15,000 SF
MAJOR #93	15,000 SF
MAJOR #94	15,000 SF
MAJOR #95	15,000 SF
MAJOR #96	15,000 SF
MAJOR #97	15,000 SF
MAJOR #98	15,000 SF
MAJOR #99	15,000 SF
MAJOR #100	15,000 SF

40-0401

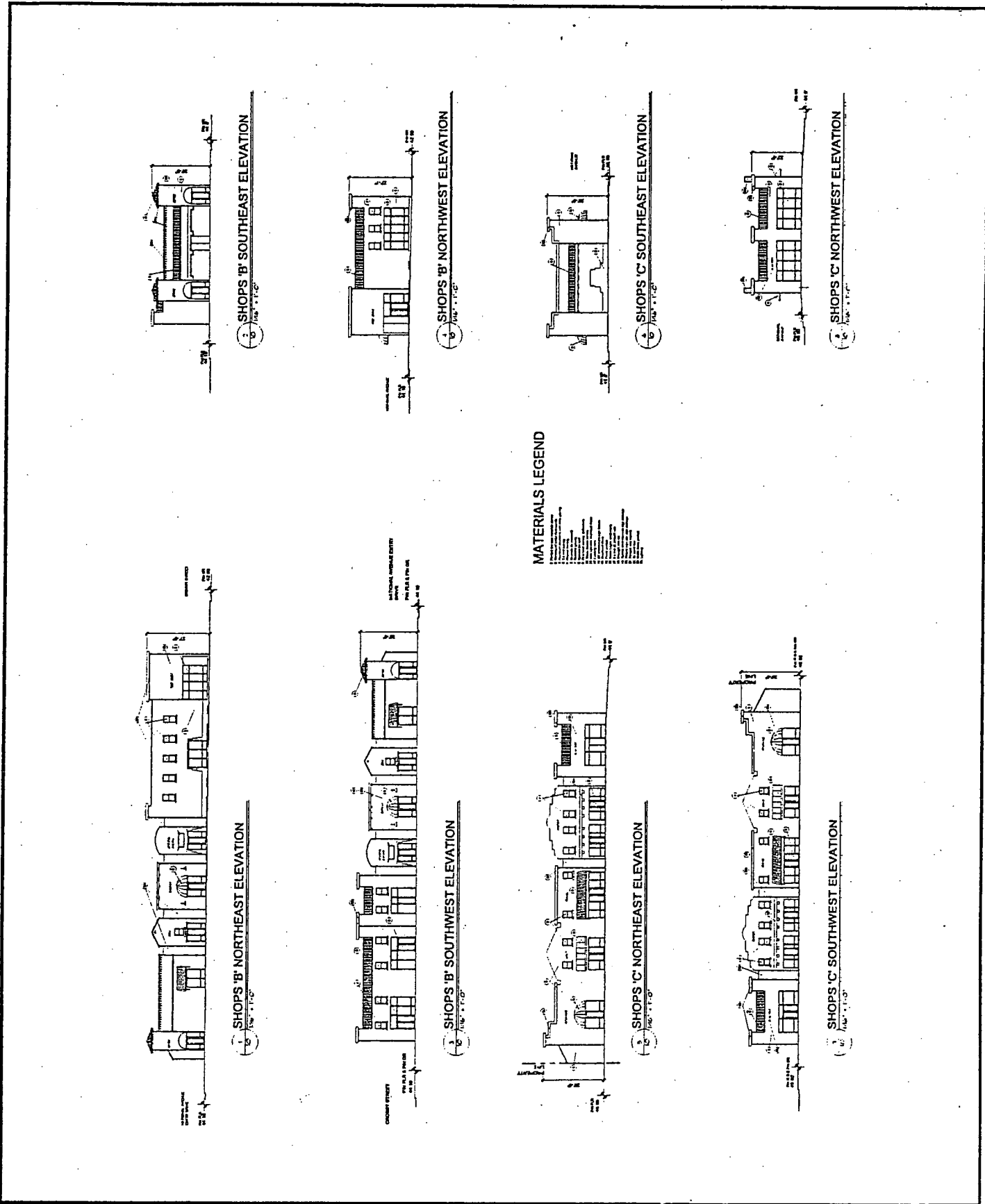
(194-1724) 7-20-2001 bf.



SITE PLAN
 Environmental Analysis Section
 CITY OF SAN DIEGO • DEVELOPMENT REVIEW

Figure
2

R295463



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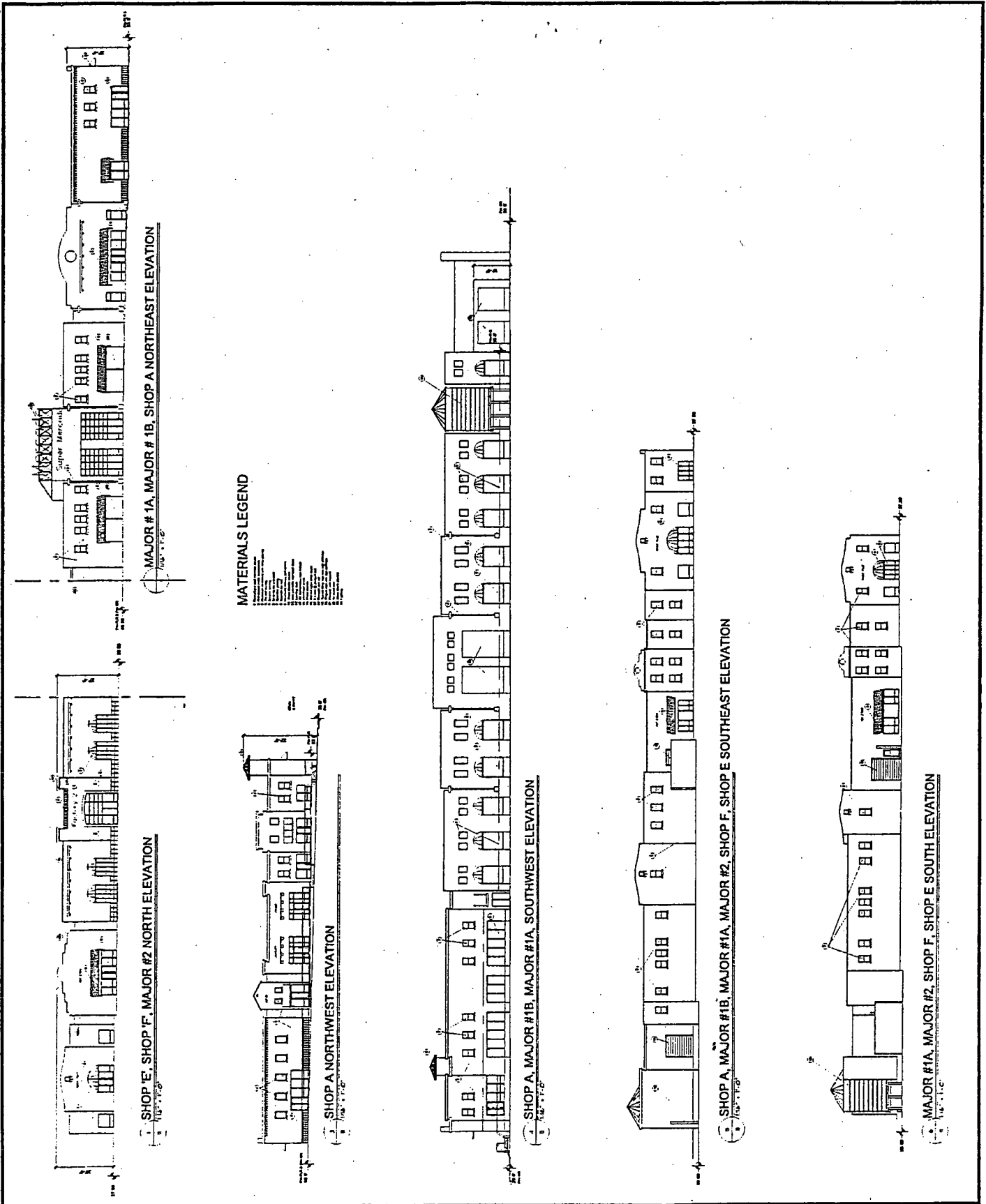
ELEVATIONS

Environmenta Analysis Section

CITY OF SAN DIEGO • DEVELOPMENT REVIEW

Figure
3

R 295463



40-0401

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ELEVATIONS

Environmenta Analysis Section

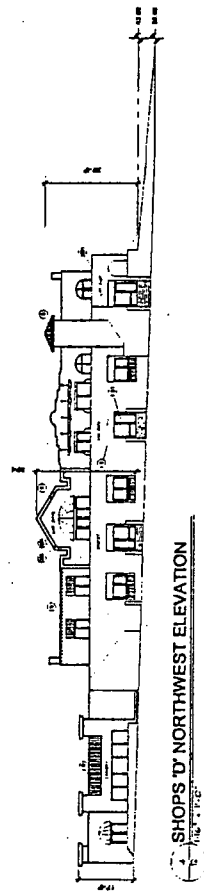
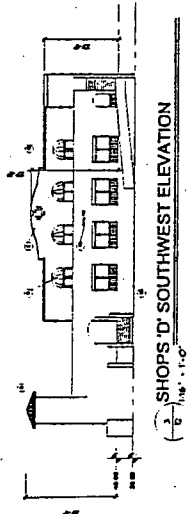
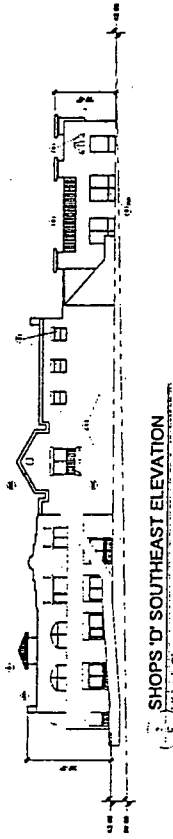
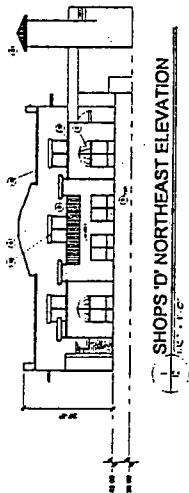
CITY OF SAN DIEGO • DEVELOPMENT REVIEW

Figure
4

R-295463

MATERIALS LEGEND

1	Concrete
2	Stucco
3	Brick
4	Wood Siding
5	Shingles
6	Asphalt Shingles
7	Clay Tiles
8	Slate Tiles
9	Metal Roofing
10	Glass
11	Aluminum
12	Steel
13	Copper
14	Zinc
15	Lead
16	Tin
17	Nickel
18	Silver
19	Gold
20	Bronze
21	Iron
22	Cast Iron
23	Wrought Iron
24	Steel
25	Aluminum
26	Copper
27	Zinc
28	Lead
29	Tin
30	Nickel
31	Silver
32	Gold
33	Bronze
34	Iron
35	Cast Iron
36	Wrought Iron
37	Steel
38	Aluminum
39	Copper
40	Zinc
41	Lead
42	Tin
43	Nickel
44	Silver
45	Gold
46	Bronze
47	Iron
48	Cast Iron
49	Wrought Iron
50	Steel
51	Aluminum
52	Copper
53	Zinc
54	Lead
55	Tin
56	Nickel
57	Silver
58	Gold
59	Bronze
60	Iron
61	Cast Iron
62	Wrought Iron
63	Steel
64	Aluminum
65	Copper
66	Zinc
67	Lead
68	Tin
69	Nickel
70	Silver
71	Gold
72	Bronze
73	Iron
74	Cast Iron
75	Wrought Iron
76	Steel
77	Aluminum
78	Copper
79	Zinc
80	Lead
81	Tin
82	Nickel
83	Silver
84	Gold
85	Bronze
86	Iron
87	Cast Iron
88	Wrought Iron
89	Steel
90	Aluminum
91	Copper
92	Zinc
93	Lead
94	Tin
95	Nickel
96	Silver
97	Gold
98	Bronze
99	Iron
100	Cast Iron



40-0401

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ELEVATIONS

Environmenta Analysis Section

CITY OF SAN DIEGO • DEVELOPMENT REVIEW

Figure

5

R-295463

EXHIBIT A

MITIGATION, MONITORING AND REPORTING PROGRAM

SAN DIEGO MERCADO AT CROSBY STREET

SITE DEVELOPMENT PERMIT, COASTAL DEVELOPMENT PERMIT, PARCEL MAP, STREET VACATION, AND ALLEYWAY VACATIONS

LDR NO. 40-0401

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 Addendum (LDR No. 40-0401) shall be made conditions of Site Development Permit, Coastal Development Permit, Parcel Map, Street Vacation, and Alleyway Vacations as may be further described below.

Historical Resources

1. Based on the report entitled, *An Archaeological/Historical Survey and Evaluation Report for the Mercado Project*, dated March 9, 2000, prepared by Brian F. Smith and Associates for this project, mitigation for potential impacts to historical resources shall be implemented to avoid or lessen those impacts to below a level of significance.
 - a. Prior to issuance of any grading permits, the applicant shall provide a letter of verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified archaeologist, as defined in the City of San Diego Historical Resources Guidelines, has been retained to carry out the following mitigation measures. These measures shall also be accomplished prior to the issuance of any grading permits.
 1. Prepare and submit a Research Design to LDR for review and approval. This program shall detail the historic research questions to be pursued of data collected from the project field work and the methodology of the field and laboratory work.
 2. Conduct a Data Recovery Program of the historic features identified during the trenching program which possess the potential to produce historic artifacts (Features F, G, H, I, and J). This should include the excavation of at least two test units, and up to six test units, at each deposit location. Each test unit shall conform to the City's guideline specifications (i.e. each

would measure one meter square and would be excavated to a minimum depth of 50 centimeters). In the event of the discovery of intact structural entities, such as cisterns or foundations, additional field work shall be required to analyze the features and conduct additional excavations. A backhoe may be employed in the case of foundations to delineate their configurations or that of other similar features.

- a. All artifacts recovered from the excavations shall be subject to standard historic artifact laboratory analysis, cataloging, and preservation/curation efforts. All artifacts recovered shall be prepared for permanent curation in an appropriate institution, such as the San Diego Archaeological Center.
- b. Historic research shall be conducted to expand from the Sanborn Map research already completed, and focused upon detailed information gathering about the residents of the lots where materials have been found and the history of the neighborhood.
- c. The historic artifacts recovered from the two cisterns in 1996 shall be subject to laboratory analysis, consistent with item "a" above. This collection contains an extensive number of historic artifacts dating from the 1920s to the 1950s. It is anticipated that this collection will represent a significant contribution to the historical research of the community's development during that time period.

b. Historical Resources (Archaeological) -

1. Prior to issuance of the recordation of the first final map, and/or issuance of a Notice to Proceed (NTP), grading permit, or demolition permit, the applicant shall provide a letter of verification to the ERM of LDR stating that a qualified archaeologist, as defined in the City of San Diego Historical Resources Guidelines, have been retained to implement an archaeological monitoring program. **A SECOND LETTER SHALL BE SUBMITTED TO MITIGATION MONITORING COORDINATION (MMC) AT LEAST THIRTY DAYS PRIOR TO THE PRECONSTRUCTION MEETING AND SHALL INCLUDE THE NAMES OF ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL MONITORING OF THIS PROJECT.**
2. **PRIOR TO THE ISSUANCE OF THE FIRST GRADING PERMIT, THE ERM SHALL VERIFY THAT THE REQUIREMENT FOR ARCHAEOLOGICAL MONITORING AND NATIVE AMERICAN MONITORING, IF APPLICABLE, HAS BEEN NOTED ON THE GRADING PLANS.**

3. Prior to beginning construction (any work on site), the owner/permittee shall arrange a Preconstruction Meeting that shall include the Archaeologist, Construction Manager or Grading Contractor, Resident Engineer (RE) and MMC. The qualified archaeologist shall attend any grading related preconstruction meetings to make comments and/or suggestions concerning the archaeological monitoring program with the construction manager and/or grading contractor.

AT THE PRECONSTRUCTION MEETING, THE ARCHAEOLOGIST SHALL SUBMIT TO MMC A COPY OF THE SITE/GRADING PLAN (REDUCED TO 11X17) THAT IDENTIFIES AREAS TO BE MONITORED. THE ARCHAEOLOGIST ALSO SHALL SUBMIT A CONSTRUCTION SCHEDULE INDICATING WHEN MONITORING IS TO OCCUR.

THE QUALIFIED ARCHAEOLOGIST SHALL COMPLETE A RECORDS SEARCH PRIOR TO THE PRECONSTRUCTION MEETING AND BE PREPARED TO INTRODUCE ANY PERTINENT INFORMATION CONCERNING EXPECTATIONS AND PROBABILITIES OF DISCOVERY DURING TRENCHING AND/OR GRADING ACTIVITIES. THE ARCHAEOLOGIST SHALL NOTIFY MMC OF THE START AND END OF MONITORING.

4. The qualified archaeologist shall be present full-time during grading/excavation of native soils and shall document activity via the Consultant Site Visit Record. This record shall be faxed to the RE and MMC each month.
5. **IN THE EVENT OF A DISCOVERY, AND 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 FOR PRELIMINARY EVALUATION OF POTENTIALLY SIGNIFICANT ARCHAEOLOGICAL RESOURCES. THE ARCHAEOLOGIST WITH PRINCIPAL INVESTIGATOR (PI) LEVEL EVALUATION RESPONSIBILITIES SHALL ALSO IMMEDIATELY NOTIFY MMC STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY. MMC WILL PROVIDE APPROPRIATE LDR STAFF CONTACT FOR CONSULTATION.**

The significance of the discovered resources shall be determined by the archaeologist in consultation with LDR and the Native American community, if applicable. LDR **must** concur with the evaluation **before** grading activities will be allowed to resume. For significant archaeological resources, a Research Design and Data Recovery Program shall be

prepared and carried out to mitigate impacts **before** ground disturbing activities in the area of discovery will be allowed to resume.

6. If human remains are discovered, work shall halt in the area and procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be followed by the archaeological monitor after notification to the County Coroner by the City RE. If Native American remains are present, the County Coroner shall contact the Native American Heritage Commission to designate an Most Likely Descendant, who will arrange for the dignified disposition and treatment of the remains. Ground disturbing activities shall be allowed to resume in the area of discovery upon completion of the above requirements, to the satisfaction of LDR.
 7. The archaeologist shall be responsible for ensuring that all cultural remains collected are cleaned, catalogued, and permanently curated with an appropriate institution; that a letter of acceptance from the curation institution has been submitted to MMC; that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- c. Prior to the release of the grading bond, two copies of a monitoring results report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the archaeological monitoring program (with appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR and one copy sent to the RE. This report shall **also** incorporate the work conducted in 1996 on the site, the laboratory analysis of materials collected in 1996, the trench testing of 1999, and all data recovery and related research conducted for the mitigation monitoring program as discussed above in Section 1(a). The report shall focus on the presentation of data and the discussion of the research questions included in the Research Design.
 - d. For significant archaeological resources encountered during monitoring, an expanded Research Design and Data Recovery Program shall be included as part of the final evaluation monitoring report. Two copies of the final monitoring report for significant archaeological resources, if required, shall be submitted to MMC for approval by the ERM of LDR and one copy sent to the RE.
 - e. The archaeologist shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms - DPR 523 A/B) any significant or potentially significant resources encountered during the archaeological monitoring program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal

Information Center at San Diego State University with the final monitoring results report.

Paleontological Resources

2. The project site is underlain with the geologic Bay Point formation which is assigned a high paleontological resource potential. Should project grading activities occur deeper than ten feet from the ground surface and excavate over 2000 cubic yards of soil, monitoring for paleontological resources shall be required.
 - a. Prior to recordation of the first final map, and/or issuance of a Notice To Proceed (NTP), grading permit, or demolition permit, the applicant shall provide a letter of verification to the Environmental Review Manager (ERM) of 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. A SECOND LETTER SHALL BE SUBMITTED TO MITIGATION MONITORING COORDINATION (MMC) OF LDR AT LEAST THIRTY DAYS PRIOR TO THE PRECONSTRUCTION MEETING AND SHALL INCLUDE THE NAMES OF ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL MONITORING OF THIS PROJECT.
 - b. **PRIOR TO THE ISSUANCE OF THE FIRST GRADING PERMIT, THE ERM SHALL VERIFY THAT THE REQUIREMENT FOR PALEONTOLOGICAL MONITORING HAS BEEN NOTED ON THE GRADING PLANS.**
 - c. Prior to beginning construction (any work on site) the owner/permittee shall arrange a Preconstruction Meeting that shall include the Paleontologist, Construction Manager or Grading Contractor, Resident Engineer (RE), and MMC. The qualified paleontologist shall attend any grading related preconstruction meetings to make comments and/or suggestions concerning the paleontological monitoring program with the construction manager and/or grading contractor. AT THE PRECONSTRUCTION MEETING THE PALEONTOLOGIST SHALL SUBMIT TO MMC A COPY OF THE SITE/GRADING PLAN (REDUCED TO 11X17) THAT IDENTIFIES AREAS TO BE MONITORED. THE PALEONTOLOGIST ALSO SHALL SUBMIT A CONSTRUCTION SCHEDULE INDICATING WHEN MONITORING IS TO OCCUR. **THE PALEONTOLOGIST SHALL NOTIFY MMC OF THE START AND END OF MONITORING.**
 - d. The qualified paleontological monitor shall be present full-time during the initial cutting of previously undisturbed formation with high and moderate resource sensitivity and shall document activity via the Consultant Site Visit Record. This record shall be faxed to the RE and MMC each month. Monitoring may be

decreased at the discretion of the qualified paleontologist, provided they contact MMC and consult with appropriate EAS Staff. The decrease will depend on the rate of excavation, the materials excavated, and the abundance of fossils.

- e. **IN THE EVENT OF A SIGNIFICANT PALEONTOLOGICAL DISCOVERY, AND WHEN REQUESTED BY THE PALEONTOLOGIST, THE CITY RESIDENT ENGINEER (RE) SHALL DIVERT, DIRECT, OR TEMPORARILY HALT CONSTRUCTION ACTIVITIES IN THE AREA OF DISCOVERY TO ALLOW RECOVERY OF FOSSIL REMAINS. THE DETERMINATION OF SIGNIFICANCE SHALL BE AT THE DISCRETION OF THE QUALIFIED PALEONTOLOGIST. THE PALEONTOLOGIST WITH PRINCIPAL INVESTIGATOR (PI) LEVEL EVALUATION RESPONSIBILITIES SHALL ALSO IMMEDIATELY NOTIFY MMC STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY. MMC STAFF WILL PROVIDE APPROPRIATE LDR STAFF CONTACT FOR CONSULTATION.**
- f. The paleontologist shall be responsible for preparation of fossils to a point of curation as defined in the City of San Diego Paleontological Guidelines, and submittal of a letter of acceptance from a local qualified curation facility. If the fossil collection is not accepted by a local qualified facility for reasons other than inadequate preparation of specimens, the project paleontologist shall contact LDR to suggest an alternative disposition of the collection.
- g. Paleontologist shall be responsible for the recordation of any discovered fossil sites at the San Diego Natural History Museum.
- h. Prior to the release of the grading bond, two monitoring results report which describes the results, analysis, and conclusions of the above monitoring program (with appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR and one copy sent to the RE.

Water Quality

- 3. Prior to the issuance of the first grading permit, the City Engineer shall verify that appropriate stormwater Best Management Practices (BMPs) are incorporated into the project design, and depicted on the Conceptual Grading Plan, for the purpose of reducing discharge of pollutants into adjacent watersheds from project stormwater runoff. The stormwater BMPs could include, but are not limited to, one or a combination of the following:
 - a. Infiltration trenches or dry wells which can reduce runoff volume and the peak discharge rate from a site.
 - b. Vegetative controls such as grassed swales and filter strips.

- c. Porous pavement that allows stormwater to pass through and infiltrate the underlying soil, such as pre-cast concrete pavers or porous asphalt that contains a much smaller percentage of very fine particles.

Hazardous Materials/Public Safety

4. Based on the report entitled, *Phase II Environmental Site Assessment Crosby Street Mercado Project, San Diego, California*, dated June 14, 2000, prepared by Ninyo & Moore Geotechnical and Environmental Sciences Consultants, mitigation for potential impacts to hazardous materials/public safety at the project site shall be implemented to avoid or lessen those impacts to below a level of significance.
 - a. Construct properly engineered vapor barriers beneath project structures that would reduce the excessive carcinogenic risk (ECR) to an acceptable level for the proposed site use. Another option to reducing ECR on-site would be to obtain additional site-specific data, such as soil permeabilities to evaluate the source(s) of contamination, delineate the contaminants, and use this additional site-specific data in the risk analysis. The additional data may or may not result in an acceptable level of risk.
 - b. The 55-gallon drums containing soil cuttings may be disposed of on-site. The drums containing decontamination fluids and groundwater shall to be transported and disposed of in accordance with applicable regulatory requirements.
 - c. Any regulated and non-regulated waste generated by construction equipment or activities at the site shall be evaluated, handled, stored, transported, and disposed of in accordance with all local, state and federal laws and regulations.
 - d. Prior to the issuance of any grading permits, the City Engineer shall verify that a Site-Specific Health and Safety Plan, identifying the potential chemical and physical hazards that could be encountered during project activities, and providing guidelines for use of personal protective equipment for the site-specific conditions, has been prepared and/or approved by a Certified Industrial Hygienist.
 1. The Site-Specific Health and Safety Plan shall be reviewed and understood by the contractor prior to initiation of construction activities to reduce the exposure potential to workers and the public. A contingency plan to separate contaminated soil from clean soil, if encountered, shall be prepared before initiating project activities. Failure to prepare and implement such a plan could result in avoidable human exposure to potential contaminants and potential construction delays. This Site-Specific Health and Safety Plan shall be noted on project plans and specifications.

Traffic and Circulation

5. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, signal modification at Crosby Street/Newton Avenue/project main driveway (with a 20-foot inbound lane, an 11-foot outbound left turn lane, an 18-foot outbound right/through lane, and a 4-foot-wide median - with no break in the median) satisfactory to the City Engineer.
6. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, re-striping Crosby Street between Kearney Avenue and Main Street with appropriate transition and any needed modifications to the signals and loop detectors in this segment of Crosby Street, to provide two travel lanes in each direction with a center turn lane and no on-street parking satisfactory to the City Engineer.
7. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, a fair share contribution of 14.6 percent of the estimated cost towards future signalization of Logan Avenue/Beardsley Street intersection satisfactory to the City Engineer.

General

8. The MMRP shall require a deposit of \$450.00 to be collected prior to the issuance of the first grading permit to cover the City's costs associated with implementation of the MMRP and to ensure the successful completion of the monitoring program.