

RESOLUTION NUMBER R- 296086

ADOPTED ON FEB 25 2002


BE IT RESOLVED, by the Council of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR No. 40-1026, 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 and Water Main Replacement Group 667.

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 No. 40-1026 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   
Lori W. Girard, Deputy

LWG:far:pev  
01/24/02  
Or.Dept:E&CP  
Bid No:K02070C  
R-2002-842  
Form=mndr.frm

## EXHIBIT A

### MITIGATION MONITORING AND REPORTING PROGRAM

LDR NO. 40-1026

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. 40-1026) shall be made conditions of project approval as may be further described below.

#### Historical Resources

1. 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 archaeologist, as defined in the City of San Diego Historical Guidelines, has been retained to implement the monitoring program. **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.**
2. **THE REQUIREMENT FOR ARCHAEOLOGICAL MONITORING SHALL BE NOTED ON THE GRADING PLANS.**
3. A qualified archaeologist shall attend any preconstruction meetings to make comments and/or suggestions concerning the monitoring program with the construction manager and/or grading contractor. **THE 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.**
4. The qualified archaeologist or archaeological monitor shall be present full-time during excavation of native soils. Monitoring is required for the mainline, laterals and all other appurtenances that impact native soils as detailed on the plans or in the contract documents, and called out on the following sheets (Drawing No. 28889-01-D). **Note: Sheets and station numbers are approximate and subject to change during the life of the job. It is the contractor's responsibility to keep the monitors up-to-date with current plans.**
  - i. Sheets 2, 3, and 4 from Station 1+00 to Station 11+70.44.
  - ii. Sheets 5 and 6 from Station 1+00 to Station 9+74.47.

R- 296086

- iii. Sheet 7 from Station 1+00 to Station 2+22.53.
- iv. Sheet 8 from Station 4+36 to Station 7+49.52.
- v. Sheet 9 on "*Osprey Street*" from Station 1+00 to Station 3+26.52 and on "*Leon Street*" from Station 1+00 to Station 3+81.52.
- vi. Sheet 10 from Station 1+00 to Station 4+18.45.
- vii. Sheet 13 from Station 1+00 to Station 9+43.03.
- viii. Sheets 14 and 15 from Station 1+00 to Station 8+60.14.
- ix. Sheet 16 from Station 1+00 to Station 6+82.17.
- x. Sheet 17 from Station 1+00 to Station 4+68.13.
- xi. Sheet 19 from Station 1+00 to Station 6+56.26.
- xii. Sheet 20 from Station 1+00 to Station 4+47.16.
- xiii. Sheet 21 from Station 1+00 to Station 2+56.88 and from Station 4+15 to Station 5+72.33.
- xiv. Sheets 22, 23 and 24 from Station 1+00 to Station 10+95.70.
- xv. Sheet 24 from Station 1+00 to Station 1+50.66.
- xvi. Sheets 25 and 26 from Station 2+73.73 to Station 8+47.98
- xvii. Sheets 27, 28, and 29 from Station 1+00 to Station 11+42.63.

5. **IN THE CASE 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 EVALUATION OF POTENTIALLY SIGNIFICANT ARCHAEOLOGICAL 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. For significant historical 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.
6. If human remains are discovered, work shall halt in that 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. If Native American remains are present, the County Coroner shall contact the Native American Heritage Commission to designate a Most Likely Descendant, who will arrange for the dignified disposition and treatment of the remains.
7. All historical 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 the species and specialty studies shall be completed, as appropriate.
8. Within three months following the completion of grading, 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 historical resources, a Research Design and Data Recovery Program shall be

included as part of the evaluation report. A mitigation report for significant cultural resources, if required, shall be submitted (within three months following completion of grading) to and approved by the Environmental Review Manager of LDR.

### Paleontological Resources

1. Prior to the first preconstruction meeting, the applicant shall provide verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified paleontologist, as defined in the City of San Diego Paleontological Guidelines, has been retained to implement the monitoring program. **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.**
2. **THE REQUIREMENT FOR PALEONTOLOGICAL MONITORING SHALL BE NOTED ON THE GRADING PLANS.**
3. The qualified paleontologist shall attend any preconstruction meetings to make comments and/or suggestions concerning the monitoring program and discuss grading plans with the construction contractor and/or grading contractor.
4. The qualified paleontologist or paleontological monitor shall be present full time during the initial cutting of previously undisturbed geologic formations of moderate and high resource sensitivity at a depth of 10 or more feet. Monitoring may be 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 is required for the mainline, laterals and all other appurtenances that impact sensitive geologic formations as detailed on the plans or in the contract documents, and called out on the following sheets (Drawing No. 28889-01-D). **Note: Sheets and station numbers are approximate and subject to change during the life of the job. It is the contractor's responsibility to keep the monitors up-to-date with current plans.**
  - i. Sheets 14 and 15 from Station 1+00 to Station 8+60.14.
  - ii. Sheet 17 from Station 1+00 to Station 4+68.13.
5. **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.**
6. 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.

7. Within three months following 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.