

RESOLUTION NUMBER R- 298054

ADOPTED ON JUN 10 2003

BE IT RESOLVED, by the Council of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 99-0232, and Mitigated Negative Declaration No. 99-0697, 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 reports, together with any comments received during the public review process, have been reviewed and considered by this Council in connection with the approval of Coastal Sewage Interception/Low Flow Storm Drain Diversion Project - Phase II and IIB.

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 Declarations, copies of which are on file in the office of the City Clerk and incorporated by reference, are 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

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Capital Improvement Project Nos. 45-938.0 and 12-124.0 for

Coastal Low Flow Storm Drain Diversion Project Phase II

LDR No. 99-0232

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 (Project No. 4515) shall be made conditions of the Coastal Development Permit and Site Development Permit as may be further described below.

MITIGATION, MONITORING AND REPORTING PROGRAM:

To ensure that further site development would avoid significant environmental impacts, a Mitigation, Monitoring and Reporting Program (MMRP) is required. Compliance with the mitigation measures would be the responsibility of the applicant. The basis for the MMRP can be found in the Initial Study. The mitigation measures are described below.

Land Use

1. The Resident Engineer or designee shall be responsible for ensuring that construction equipment and vehicles (including the personal vehicles of construction crews) are not stored or parked outside of the paved public right-of-way on the western side of the project area at diversion structure sites 3 through 10; that is, at Windansea Beach.
2. The Resident Engineer or designee shall be responsible for ensuring that construction equipment and vehicles are serviced and fueled at an approved location away from the project area.

Historical Resources

3. Thirty days prior to the preconstruction meeting, the Engineering and Capital Projects Department project manager shall provide a letter of verification to the Environmental Review Manager (ERM) of Land Development Review (LDR) stating that a qualified archaeologist and/or archaeological monitor have been retained to implement the archaeological construction monitoring program. ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL CONSTRUCTION MONITORING OF THIS PROJECT SHALL BE APPROVED BY LDR PRIOR TO THE START OF MONITORING.

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- a. The project archaeologist shall include a local Native American representative in the monitoring program.
 - b. The qualified archaeologist shall attend the preconstruction meeting to discuss the archaeological construction monitoring program with the construction manager and City staff.
 - c. The qualified archaeologist or archaeological monitor shall be present on site full-time during excavation into native soil at construction sites 1 and 2 on Grand Avenue; at construction sites 3, 4, 5 and 6 on Neptune Place; at construction site 13 on Spindrift Drive; and at construction site 14 on El Paseo Grande.
 - d. **WHEN REQUESTED BY THE ARCHAEOLOGIST, THE CITY RESIDENT ENGINEER OR DESIGNEE SHALL DIVERT, DIRECT, OR TEMPORARILY HALT GROUND DISTURBANCE ACTIVITIES IN THE AREA OF DISCOVERY TO ALLOW EVALUATION OF POTENTIALLY SIGNIFICANT HISTORICAL RESOURCES. THE ARCHAEOLOGIST SHALL CONTACT LDR 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 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. Any human bones of Native American origin shall be given to the appropriate Native American group for reburial.
 - e. 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.
 - f. Within three months following the end of the monitoring program, a monitoring report (with appropriate graphics) which describes the results, analysis, and conclusions of the archaeological monitoring program shall be submitted to and approved by the ERM of LDR.
4. The Engineering and Capital Projects Department project manager shall notify LDR of the start and end of excavation activities at construction sites 1, 2, 3, 4, 5, 6, 13 and 14.

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EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM Capital Improvement Project Nos. 45-938.0 and 12-124.0 for Coastal Low Flow Storm Drain Diversion Project Phase II-B LDR No. 99-0697

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 (Project No. 4515) shall be made conditions of the Coastal Development Permit and Site Development Permit as may be further described below.

MITIGATION, MONITORING AND REPORTING PROGRAM:

To ensure that further site development would avoid significant environmental impacts, a Mitigation, Monitoring and Reporting Program (MMRP) is required. Compliance with the mitigation measures would be the responsibility of the applicant. The basis for the MMRP can be found in the Initial Study. The mitigation measures are described below.

Historical Resources

1. Mitigation measures 2-a through 2-f shall be made a part of the construction plans and specifications for this Capital Improvement Project. Inclusion of the measures shall be verified by the Land Development Review (LDR) Division at the plan check stage.
2. Thirty days prior to the preconstruction meeting, the Engineering and Capital Projects Department project manager shall provide a letter of verification to the Environmental Review Manager (ERM) of Land Development Review (LDR) stating that a qualified archaeologist and/or archaeological monitor have been retained to implement the archaeological construction monitoring program. ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL CONSTRUCTION MONITORING OF THIS PROJECT SHALL BE APPROVED BY LDR PRIOR TO THE START OF MONITORING.
 - a. The project archaeologist shall include a local Native American representative in the monitoring program.
 - b. The qualified archaeologist shall attend the preconstruction meeting to discuss the archaeological construction monitoring program with the construction manager and City staff.

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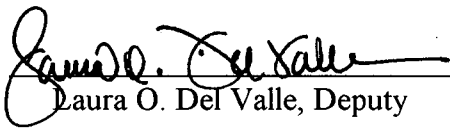
- c. The qualified archaeologist or archaeological monitor shall be present on site full-time during excavation into native soil at construction locations 15 through 18 on Coast Boulevard between Jenner Street and Ravina Street.
 - d. **WHEN REQUESTED BY THE ARCHAEOLOGIST, THE CITY RESIDENT ENGINEER OR DESIGNEE SHALL DIVERT, DIRECT, OR TEMPORARILY HALT GROUND DISTURBANCE ACTIVITIES IN THE AREA OF DISCOVERY TO ALLOW EVALUATION OF POTENTIALLY SIGNIFICANT HISTORICAL RESOURCES. THE ARCHAEOLOGIST SHALL CONTACT LDR 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 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. Any human bones of Native American origin shall be given to the appropriate Native American group for reburial.
 - e. 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.
 - f. Within three months following the end of the monitoring program, a monitoring report (with appropriate graphics) which describes the results, analysis, and conclusions of the archaeological monitoring program shall be submitted to and approved by the ERM of LDR.
2. The Engineering and Capital Projects Department project manager shall notify LDR of the start and end of excavation activities at construction sites 15 through 18.

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avoid significant effects on the environment, copies of which are attached hereto as Exhibits A and B, 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  _____
Laura O. Del Valle, Deputy

LOD/db:pev
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Or.Dept:E&CP
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