

RESOLUTION NUMBER R- 301583

DATE OF FINAL PASSAGE JUN 26 2006

WHEREAS, USA Gasoline submitted an application to the City of San Diego for a planned development permit/conditional use permit/site development permit for the USA Gas Station 855 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 JUN 26 2006, 2006; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration No. 2956; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration No. 2956, 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 planned development permit/conditional use permit/site development permit for USA Gas Station 855 project.

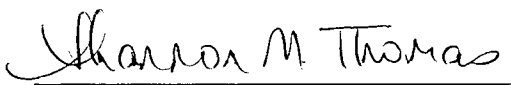
BE IT FURTHER RESOLVED, that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial

Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk 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, 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: MICHAEL J. AGUIRRE, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
06/02/06
Or.Dept:DSD
R-2006-1048
MMS#3334

ENVIRONMENTAL – MND 11-01-04

EXHIBIT A
MITIGATION MONITORING AND REPORTING PROGRAM
USA GAS STATION 855
LDR No. 2956

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with California 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. 31233 shall be made conditions of Council Approval as may be further described below:

MITIGATION, MONITORING AND REPORTING PROGRAM:

Human Health and Public Safety

Prior to the issuance of the grading permit, the applicant shall provide verification, in letter form, to the Mitigation Monitoring and Coordination Section [MMC] that the County of San Diego, Department of Environmental Health has reviewed and approved the proposed Health and Safety Work Plan for the treatment and disposal of hazardous materials or contaminated soils that may be encountered within the project site.

The work plan would contain specific procedures for encountering both expected and unexpected contaminants. The plan would prescribe safe work practices, contaminant monitoring, personal protective equipment, emergency response procedures, and safety training requirements for the protection of construction workers and third parties. The health and safety plan would meet the requirements of 29 CFR 1910 and 1926 and all other applicable federal, state, and local requirements.

Passed by the Council of The City of San Diego on JUN 26 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 26 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By Maurell E. Ketchum, Deputy

Office of the City Clerk, San Diego, California

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