

RESOLUTION NUMBER R- 304370

DATE OF FINAL PASSAGE NOV 24 2008

A RESOLUTION ADOPTING THE MITIGATION,
MONITORING AND REPORTING PROGRAM REGARDING
SEWER GROUP 703

BE IT RESOLVED, by the Council of the City of San Diego [Council], that the Revised Mitigated Negative Declaration, Project No. 3740 (LDR No. 42-0341), dated June 18, 2008, for Sewer Group 703 [the Project] 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.);

BE IT FURTHER RESOLVED, that the Revised Mitigated Negative 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 the Project.

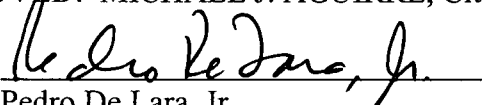
BE IT FURTHER RESOLVED, that the Council finds that revisions to the Project now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Project 3740 (LDR No. 42-0341), Revised Mitigated Negative Declaration, a copy of which is on file in the Office of the City Clerk and incorporated herein by this reference, is 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 and incorporated herein by this reference.

BE IT FURTHER RESOLOVED, 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 Project.

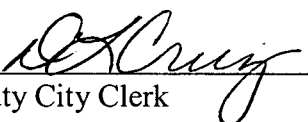
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Pedro De Lara, Jr.
Deputy City Attorney

PDJ:js
10/14/08
Or.Dept:E&CP
R-2009-469

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 18 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11-24-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor



Land Development
Review Division
(619) 446-5460

REVISED

Mitigated Negative Declaration

Project No. 3740
(LDR No. 42-0341)

SUBJECT: Sewer Group 703 COUNCIL APPROVAL of Capital Improvement Project No. 44-311.3 within developed streets and alleys including the replacement of ~~8,875~~ ~~8,273~~ 9,652 linear feet of 6-inch ~~and~~ 8-inch ~~and~~ 10-inch sewer lines, manholes, replacement of pedestrian ramps and slurry sealing on Contour Boulevard, Monroe Avenue, ~~Madison Avenue~~, an unnamed alley between Altadena Avenue and 51st Street from an unnamed alley between El Cajon Boulevard and Monroe Street to Madison Avenue from an unnumbered mahole, 241.87 feet east of manhole No.82 to Colwood Avenue to 52nd Street, an unnamed alley between 51st Street and 52nd Street from an unnamed alley between El Cajon Boulevard and Monroe Boulevard to Contour Boulevard, 52nd Street from Monroe Avenue to manhole NO. 131 which is located 158.26 feet south of Trojan Avenue; an unnamed alley between 52nd Street and Dawson Avenue from an unnamed alley between El Cajon Boulevard and Monroe Boulevard to Contour Boulevard, an unnamed alley between Altadena Avenue and Contour Boulevard from an unnamed alley south of Adams Avenue between Altadena Avenue and Contour Boulevard, to an unnamed alley north of Madison Avenue between Altadena Avenue and Contour Boulevard the entire length of both above described alleys south of Adams Avenue and north of Madison Avenue between Altadena Avenue and Contour Boulevard, Dawson Avenue from an unnamed alley between 52nd Street and Dawson Avenue an unnamed alley from Dawson Street to a private parking lot located in back of 5322 El Cajon Boulevard, and an unnamed alley from this unnamed alley to Monroe Avenue in the Kensington-Talmadge Neighborhood within the Mid-City Communities Planning Area. Applicant: City of San Diego Engineering & Capital Projects Department.

UPDATE 6/18/08:

Revisions to this document have been made when compared to the Final Mitigated Negative Declaration (FMND) dated December 16, 2003. The FMND contained a MMRP for Archaeological and Paleontological monitoring. Subsequent to distribution of the FMND the MMRP's for Archaeology and Paleontology have been updated. The updated MMRP has been included in this revised final. In accordance with the California Environmental Quality Act, Section 15073.5 (c)(4), the addition of new information that clarifies, amplifies, or makes insignificant modification does not require recirculation as there are no new impacts and no new mitigation identified. An environmental document need only be recirculated when there is identification of new significant environmental impact or the addition of a new mitigation measure required to avoid a significant environmental impact. The addition of updated mitigation language within the environmental document does not affect the environmental analysis or conclusions of the MND.

Because the electronic version of original MND is no longer on record a new coversheet has been prepared and the original is attached for reference.

- I. PROJECT DESCRIPTION: See attached Initial Study in the attached original MND.
- II. ENVIRONMENTAL SETTING: See attached Initial Study in the attached original MND.

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2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the 1/4 mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.

3. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.

The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).

MMC shall notify the PI that the AME has been approved.

4. When Monitoring Will Occur

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C. Determination of Significance

1. The PI and Native American monitor shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.
 - (1). Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - c. If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.
 - (1). Note: For Pipeline Trenching Projects Only. If the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.
 - (2). Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.

D. Discovery Process for Significant Resources - Pipeline Trenching Projects

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:

1. Procedures for documentation, curation and reporting
 - a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.
 - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
 - c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR

- b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.
- c. To protect these sites, the landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement; or
 - (3) Record a document with the County.
- d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are NOT Native American

- 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant department and/or Real Estate Assets Department (READ) and the Museum of Man.

V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVr and submit to MMC via fax by 8AM of the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains.
 - c. Potentially Significant Discoveries

faunal material is identified as to species; and that specialty studies are completed, as appropriate.

- C. Curation of artifacts: Accession Agreement and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 - 2. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
 - 3. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
 - 4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
 - 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
 - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance or Bid Opening/Bid Award

- A. Entitlements Plan Check
 - 1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
 - 1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

- A. Verification of Records Search
 - 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a

After approval of the PME by MMC, the PI shall submit to MMC written authorization of the PME and Construction Schedule from the CM.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the PME and as authorized by the CM that could result in impacts to formations with high and/or moderate resource sensitivity at depths of 10 feet or greater and as authorized by the construction manager.. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval of the program from MMC, MC and/or RE. PRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via the RE via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact the RE and MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.



REVISED

Mitigated Negative Declaration

Land Development
Review Division
(619) 446-5460

PTS No. 3740
(LDR No. 42-0341)

SUBJECT: Sewer Group 703. COUNCIL APPROVAL of Capital Improvement Project No. 44-311.3 within developed streets and alleys including the replacement of ~~8,875~~ 9,652 linear feet of 6-inch, and 8-inch and 10-inch sewer lines, manholes, replacement of pedestrian ramps and slurry sealing on Contour Boulevard, Monroe Avenue, ~~Madison Avenue~~, an unnamed alley between Altadena Avenue and 51st Street from an unnamed alley between El Cajon Boulevard and Monroe Street to Madison Avenue from an unnumbered manhole 241.87 feet east of manhole No.82 to Colwood Avenue to 52nd Street, an unnamed alley between 51st Street and 52nd Street from an unnamed alley between El Cajon Boulevard and Monroe Boulevard to Contour Boulevard, 52nd Street from Monroe Avenue to manhole NO. 131 which is located 158.26 feet south of Trojan Avenue; an unnamed alley between 52nd Street and Dawson Avenue from an unnamed alley between El Cajon Boulevard and Monroe Boulevard to Contour Boulevard, an unnamed alley between Altadena Avenue and Contour Boulevard from an unnamed alley south of Adams Avenue between Altadena Avenue and Contour Boulevard, to an unnamed alley north of Madison Avenue between Altadena Avenue and Contour Boulevard the entire length of both above described alleys south of Adams Avenue and north of Madison Avenue between Altadena Avenue and Contour Boulevard, Dawson Avenue from an unnamed alley between 52nd Street and Dawson Avenue, an unnamed alley from Dawson Street to a private parking lot located in back of 5322 El Cajon Boulevard, and an unnamed alley from this unnamed alley to Monroe Avenue in the Kensington-Talmadge Neighborhood within the Mid-City Communities Planning Area. Applicant: City of San Diego Engineering & Capital Projects Department.

UPDATE:

Minor revisions have been made to the Mitigated Negative Declaration and attached Initial Study subsequent to the distribution of the draft document and completion of the public review and comment period. Revisions are denoted by ~~strikeout~~/underline.

REVISED UPDATE:

Additional minor revisions to the location and total linear feet of sewer lines to be replaced have been made to Final Mitigated Negative Declaration and attached Initial Study subsequent to the distribution of the final document and completion of the public review and comment period. Revisions are denoted by ~~strikeout~~/underline.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas: Historical

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- b. If the Monitor is not able to attend the Precon Meeting, the RE or BI, if appropriate, will schedule a focused Precon Meeting for MMC, EAS staff, as appropriate, Monitors, Construction Manager and appropriate Contractor's representatives to meet and review the job on-site prior to start of any work that requires monitoring.
2. Units of Measure and Cost of Curation for CIP or Other Public Projects
Units of measure and cost of curation will be discussed and resolved at the Precon Meeting prior to start of any work that requires monitoring.
3. Identify Areas to be Monitored
At the Precon Meeting, the Archaeologist shall submit to MMC a copy of the site/grading plan (reduced to 11x17) that identifies areas to be monitored as well as areas that may require delineation of grading limits.
4. When Monitoring Will Occur
Prior to the start of work, the Archaeologist shall also submit a construction schedule to MMC through the RE or BI, as appropriate, indicating when and where monitoring is to begin and shall notify MMC of the start date for monitoring.

During Construction

1. Monitor Shall be Present During Grading/Excavation
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 sent to the RE or BI, as appropriate, each month. The RE, or BI as appropriate, will forward copies to MMC.
2. Monitoring
Trenches Will Include Mainline, Laterals, and all Appurtenances
For all projects: Monitoring of trenches is required for the mainline, laterals, services and all other appurtenances that impact native soils one foot deeper than existing as detailed on the plans or in the contract documents identified by drawing number or plan file number. *It is the Construction Manager's responsibility to keep the monitors up-to-date with current plans.*
3. Discoveries
 - a. Discovery Process
In the event of a discovery, and when requested by the Archaeologist, or the PI if the Monitor is not qualified as a PI, the RE or BI, as appropriate, shall be contacted and shall divert, direct or temporarily halt ground disturbing activities in the area of discovery to allow for preliminary evaluation of potentially significant archaeological resources. The PI shall also immediately notify MMC of such findings at the time of discovery. MMC will coordinate with appropriate LDR staff.
 - b. Determination of Significance
The significance of the discovered resources shall be determined by the PI 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, approved by DSD and carried out to mitigate impacts before ground disturbing activities in the area of discovery will be allowed to resume.

in consultation with the PI concerning the origin of the remains and the cause of death.

- (2) The County Coroner, in consultation with the PI, shall determine the need for a field investigation to examine the remains and establish a cause of death.

c. If Human Remains are Native American

- (1) The Coroner shall notify the Native American Historic Commission (NAHC).
(By law, ONLY the Coroner can make this call.)
- (2) NAHC will identify the person or persons it believes to be the Most Likely Descendent (MLD).
- (3) The MLD may make recommendations to the land owner or PI responsible for the excavation work to determine the treatment, with appropriate dignity, of the human remains and any associated grave goods (PRC 5097.98).

d. If Human Remains are not Native American

- (1) The PI shall contact the NAHC and notify them of the historical context of the burial.
- (2) NAHC will identify the person or persons it believes to be the MLD.
- (3) The MLD may make recommendations to the land owner or PI responsible for the excavation work to determine the treatment of the human remains (PRC 5097.98).
- (4) If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for reinterment of the human remains shall be made in consultation with MMC, EAS, the land owner, the NAHC and the Museum of Man.

e. Disposition of Human Remains

The land owner, or his authorized representative, shall reinter the Native American human remains and any associated grave goods, with appropriate dignity, on the property in a location not subject to further subsurface disturbance, IF:

- (1) The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24 hours after being notified by the Commission; OR;
- (2) The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.

5. Night Work

a. If night work is included in the contract

- (1) When night work is included in the contract package, the extent and timing shall be presented and discussed at the pre-con meeting.
- (2) The following procedures shall be followed.
 - (a) No Discoveries
In the event that nothing was found during the night work, The PI will record the information on the Site Visit Record Form.
 - (b) Minor Discoveries
All Minor Discoveries will be processed and documented using the existing procedures under **During Construction**; 3.c., for Small Historic Discoveries, with the exception that in **During Construction**; 3.c. (1)(a), the PI will contact MMC by 9A.M. the following morning.

Paleontological Resources

prior to preconstruction (precon) meeting

1. Land Development Review (LDR) Plan Check
 - a. Prior to the first Precon Meeting, the Environmental Review Manager (ERM) of LDR shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
2. Letters of Qualification have been Submitted to ERM
 - a. Prior to the first Precon Meeting, the applicant shall provide a letter of verification to the ERM of LDR stating that a qualified Paleontologist, as defined in the City of San Diego Paleontological Guidelines, has been retained to implement the monitoring program.
3. Second Letter Containing Names of Monitors has been sent to MMC.
 - a. At least thirty days prior to the Precon Meeting, a second letter shall be submitted to Mitigation Monitoring Coordination (MMC) which shall include the name of the Principal Investigator (PI) and the names of all persons involved in the Paleontological Monitoring of the project.
 - b. MMC will provide Plan Check with a copy of both the first and second letter.
4. Records Search Prior to Precon Meeting

At least thirty days prior to the Precon meeting, the qualified Paleontologist shall verify that a records search has been completed, and updated as necessary, and be prepared to introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities. Verification includes, but is not limited to, a copy of a confirmation letter from the San Diego Natural History Museum, other institution, or, if the record search was in-house, a letter of verification from the PI stating that the search was completed.

Precon Meeting

1. Monitor Shall Attend Precon Meetings
 - a. Prior to beginning of any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the Paleontologist, Construction Manager and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), and MMC. The qualified Paleontologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring Program with the Construction Manager and/or Grading Contractor.
 - b. If the Monitor is not able to attend the Precon Meeting, the RE, or BI as appropriate, will schedule a focused Precon Meeting for MMC, Monitors, Construction Manager and appropriate Contractor's representatives to meet and review the job on-site prior to start of any work that requires monitoring.
2. Identify Areas to be Monitored

At the Precon Meeting, the Paleontologist shall submit to MMC a copy of the site/grading plan (reduced to 11x17) that identifies areas to be monitored.
3. When Monitoring Will Occur

Prior to the start of work, the Paleontologist also shall submit a construction schedule to MMC through the RE, or BI, as appropriate, indicating when and where monitoring is to begin and shall notify MMC of the start date for monitoring.

the procedures under 3. b., will be followed, with the exception that the RE will contact MMC by 8 A.M. the following morning to report and discuss the findings.

- d. If night work becomes necessary during the course of construction
 - (1) The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - (2) The RE, or BI, as appropriate, will notify MMC immediately.
 - e. All other procedures described above will apply, as appropriate.
5. Notification of Completion
The Paleontologist shall notify MMC and the RE, or BI as appropriate, of the end date of monitoring.

Post Construction

The Paleontologist shall be responsible for preparation of fossils to a point of curation as defined by the City of San Diego Paleontological Guidelines.

1. Submit Letter of Acceptance from Local Qualified Curation Facility.
The Paleontologist shall be responsible for submittal of a letter of acceptance to ERM of LDR from a local qualified curation facility. A copy of this letter shall be forwarded to MMC.
2. If Fossil Collection is not Accepted, Contact LDR for Alternatives
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. MMC shall be notified in writing of the situation and resolution.
3. Recording Sites with San Diego Natural History Museum
The Paleontologist shall be responsible for the recordation of any discovered fossil sites at the San Diego Natural History Museum.
4. Final Results Report
 - a. Within three months following the completion of grading/trenching, two copies of the Final Results Report (even if negative), which describes the results, analysis, and conclusions of the above Paleontological Monitoring Program (with appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR and one additional copy shall be sent to the RE or BI, as appropriate.
 - b. MMC shall notify the RE or BI, as appropriate, of receipt of the Final Results Report.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

City of San Diego
Councilmember Atkins
Development Services Department
Engineering & Capital Projects Department
Historical Resources Board
Kensington-Talmadge Community Planning Committee
Mid-City Development Corporation
Mid-City Community Service Center
Dr. Florence Shipek
Dr. Lynne Christenson
San Diego Archaeological Center



San Diego County Archaeological Society

Environmental Review Committee

8 July 2002

To: Mr. Richard Modee
Land Development Review Division
Planning and Development Review Department
City of San Diego
1222 First Avenue, Mail Station 501
San Diego, California 92101

Subject: Proposed Mitigated Negative Declaration
Sewer Group 703
LDR No. 42-0341


Dear Mr. Modee:

I have reviewed the subject PMND on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the PMND and initial study, we agree with the impact analysis and mitigation measures as presented in the PMND.

Thank you for including SDCAS in the public review of this project's environmental documents.

Sincerely,


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

cc: SDCAS President
File

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- II. ENVIRONMENTAL SETTING:
The project areas consist of portions of the following public street rights-of-way within the Mid-City Communities Planning Area of the City of San Diego: Contour Boulevard, Monroe Avenue, Madison Avenue, Altadena Avenue and 14 unnamed alleys. Land uses within the project area consist of commercial uses and mixed residential consisting of multiple residential and single family residences.
- III. ENVIRONMENTAL ANALYSIS: See attached Initial Study Checklist.

IV. DISCUSSION

Historical Resources (Archaeology)

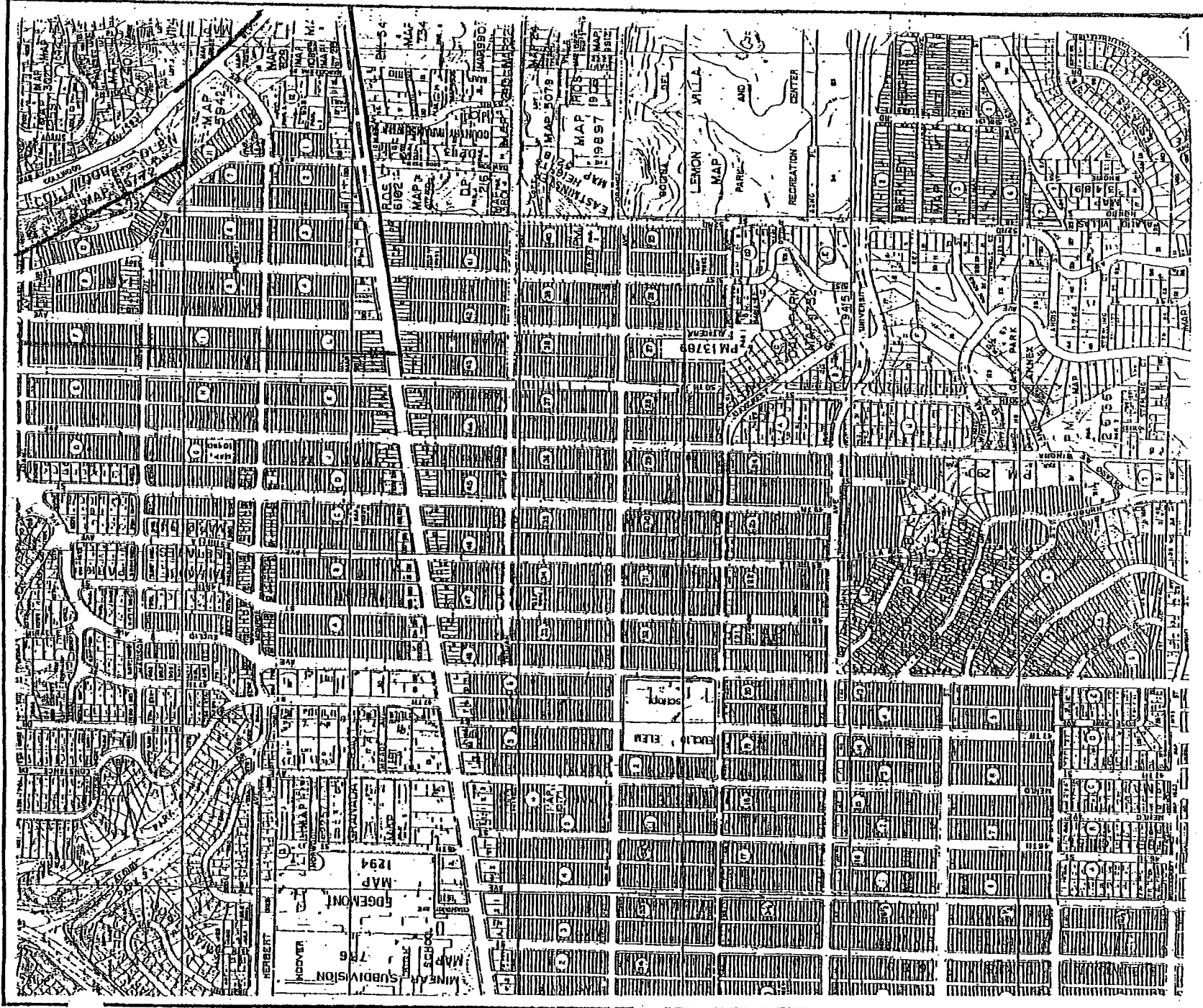
Based on the presence of recorded archaeological sites in the vicinity of the project area and the potential for historical resources to be present within the project area, where new trenches would be excavated or where existing trenches would be deepened the potential exists for significant archaeological resources to be encountered. Therefore, the project could result in significant impacts to historical resources. To reduce this impact to below a level of significance, excavation within native soils would be monitored by a qualified archaeologist or archaeological monitor. Any historical resources encountered during monitoring would be analyzed for significance and curated at an appropriate institution. If encountered resources are determined to be significant, a Research Design and Data Recovery Program would be prepared and implemented. These requirements are outlined in Section V., Mitigation Monitoring and Reporting Program, of the Mitigated Negative Declaration.

Human Health/Public Safety/Hazardous Materials

The establishment at 4904, one block west of the pipeline alignments, and the establishments 5404, 5415 and 5446 El Cajon Blvd located one block east of the proposed pipeline alignments have been identified as potential sources of contaminated soils due to underground storage tanks (UST) and/or other hazardous materials. None of these sites are within or adjacent to the proposed pipeline alignments and there are no records of contaminated soils at those locations. San Diego County Department of Health (DEH) Establishment No. H04712 at 5040 El Cajon Boulevard is a self-service gas station on the west corner of Altadena Avenue and El Cajon Boulevard and is across Altadena Avenue from the westerly portion of proposed pipeline alignments. DEH records indicate that the entire site has been retrofitted to meet the current standards for UST and piping systems and currently has permits to operate. No underground contamination or other problems have been recorded at this location. The establishment located at 5312 El Cajon Boulevard is a radiator repair shop and the establishment at 5100 El Cajon Boulevard is an auto body paint shop. Both establishments currently use products that have the potential for generating hazardous conditions. However, there are no known USTs, appurtenances or open DEH cases at either location or business. Therefore, there are no known risks from soils contamination or hazardous materials within or adjacent to the pipeline alignments.

Paleontological Resources

The project area is underlain by the Lindavista Formation and is assigned a moderate resource potential. Based on the sensitivity of the affected formations and the proposed excavation depths, the project could result in significant impacts to paleontological resources. To reduce this impact to below a level of significance, excavation within previously undisturbed formations at a depth of 10 or more feet



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LOCATION MAP

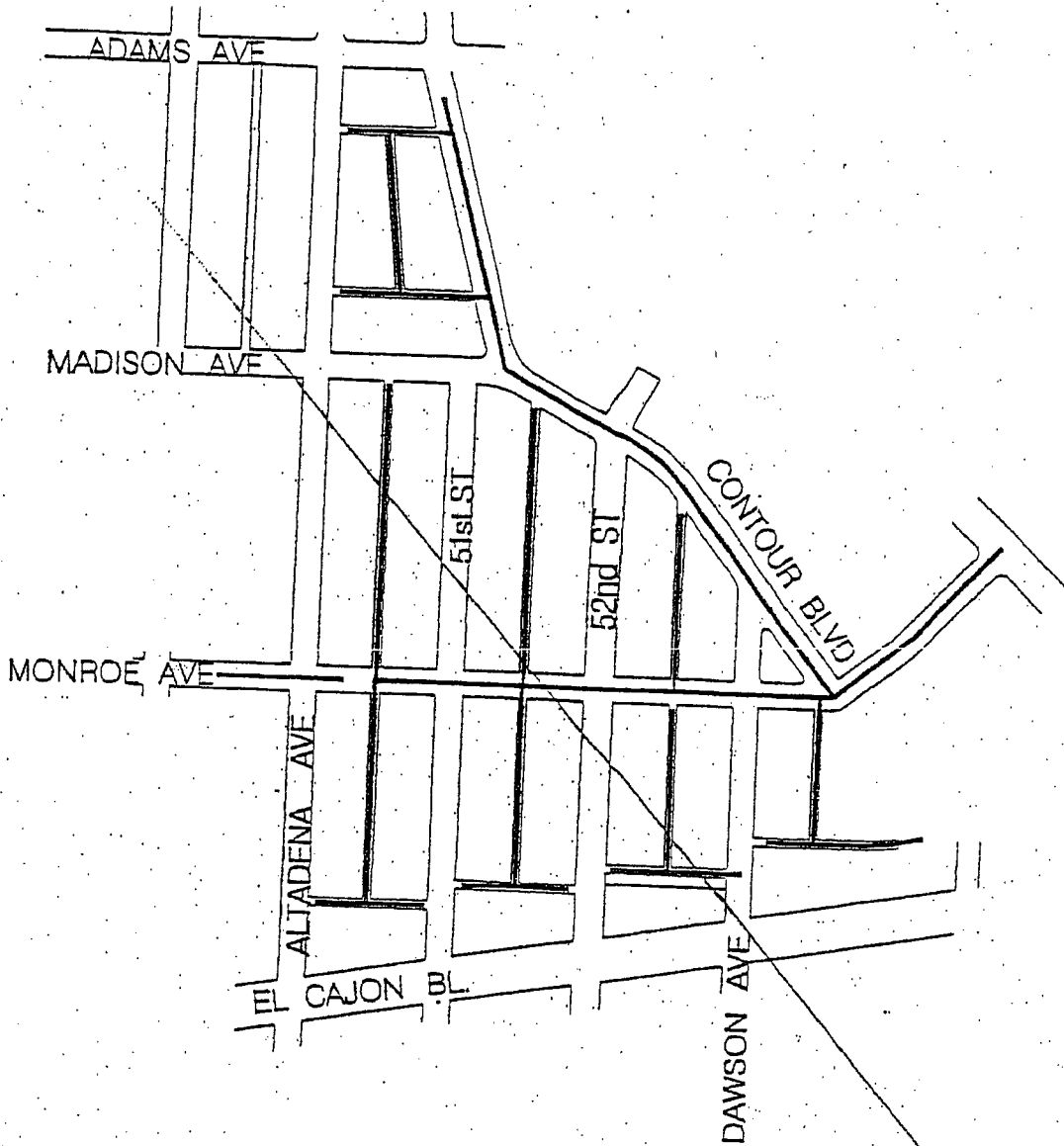
GROUP 703 • PTS No. 3740 (LDR NO 42-0341)

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**FIGURE
1**

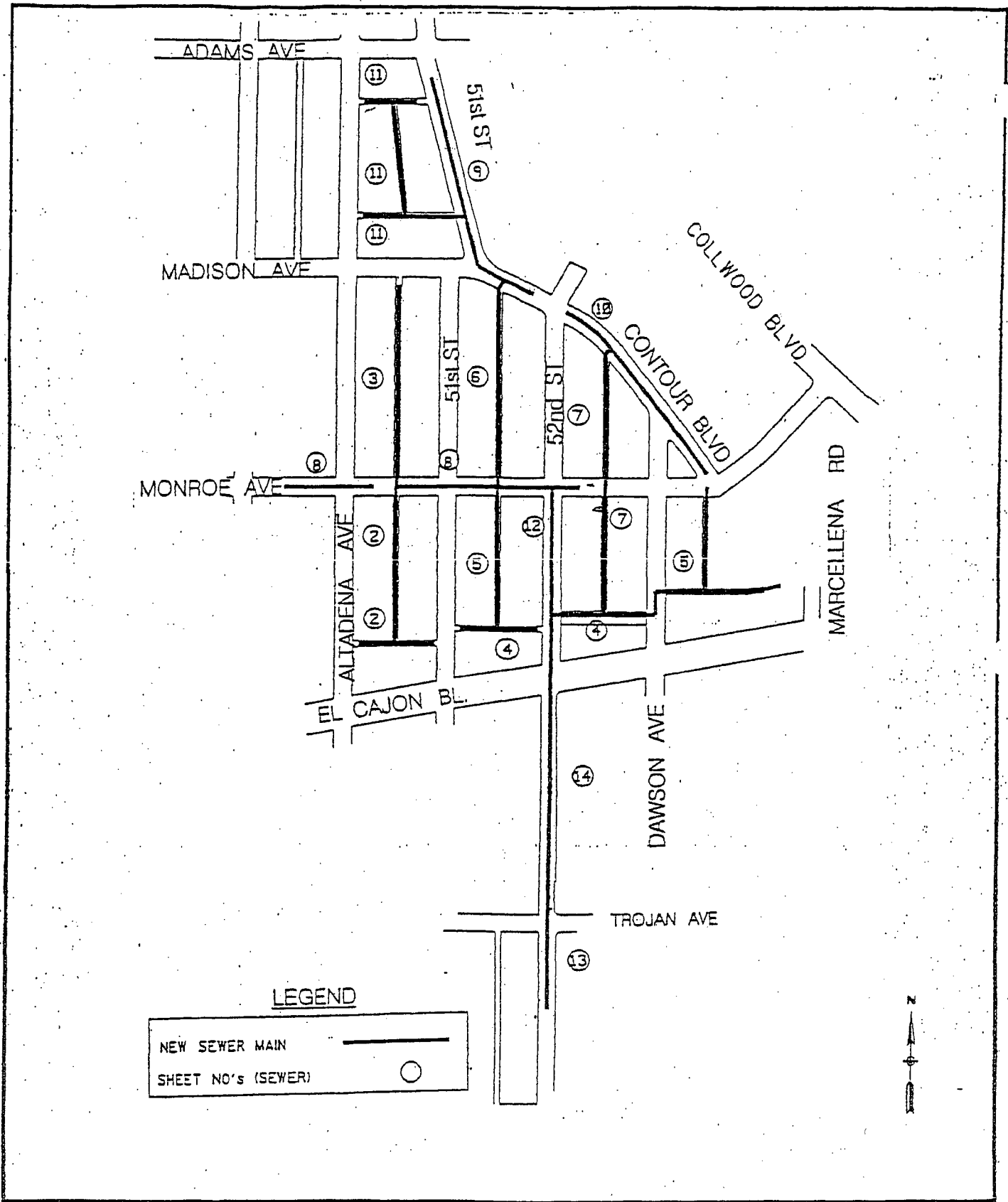
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SITE PLAN
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FIGURE
2

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REVISED SITE PLAN
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FIGURE
2

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III. ENVIRONMENTAL ANALYSIS:

The purpose of the Initial Study is to identify the potential for significant environmental impacts which could be associated with a project pursuant to Section 15063 of the State CEQA Guidelines. In addition, the Initial Study provides the lead agency with information which forms the basis for deciding whether to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. This Checklist provides a means to facilitate early environmental assessment. However, subsequent to this preliminary review, modifications to the project may mitigate adverse impacts. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV of the Initial Study.

Yes Maybe No

I. AESTHETICS / NEIGHBORHOOD CHARACTER – Will the proposal result in:

- | | | | |
|---|---|---|----------|
| A. The obstruction of any vista or scenic view from a public viewing area?
<u>No public vistas or scenic views have been identified in the vicinity.</u> | — | — | <u>X</u> |
| B. The creation of a negative aesthetic site or project?
<u>No such impacts would result as the project is the replacement of underground sewer lines.</u> | — | — | <u>X</u> |
| C. Project bulk, scale, materials, or style which would be incompatible with surrounding development?
<u>No such impacts would result. See 1-B.</u> | — | — | <u>X</u> |
| D. Substantial alteration to the existing character of the area?
<u>No such alterations would result. See 1-B.</u> | — | — | <u>X</u> |
| E. The loss of any distinctive or landmark tree(s), or a stand of mature trees?
<u>No such resources are present on-site.</u> | — | — | <u>X</u> |
| F. Substantial change in topography or ground surface relief features?
<u>No significant changes to natural topographic or ground surface relief features would result. See 1-B.</u> | — | — | <u>X</u> |

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
E. Exceed 100 pounds per day of Particulate Matter 10 (dust)? <u>No such impacts would result. Standard dust control measures would be used during construction.</u>	—	—	<u>X</u>
F. Alter air movement in the area of the project? <u>No such impacts would result. See 1-B.</u>	—	—	<u>X</u>
G. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally? <u>No such alteration would result. See 1-B.</u>	—	—	<u>X</u>
IV. BIOLOGY – Would the proposal result in:			
A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals? <u>No such impacts would result.</u>	—	—	<u>x</u>
B. A substantial change in the diversity of any species of animals or plants? <u>No such impact would result.</u>	—	—	<u>X</u>
C. Introduction of invasive species of plants into the area? <u>No such impact would result.</u>	—	—	<u>X</u>
D. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors? <u>No such impact would result.</u>	—	—	<u>X</u>
E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral? <u>No such impacts would result.</u>	—	—	<u>X</u>
F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means? <u>No such impacts would result.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site? <u>See VII A.</u>	—	<u>X</u>	—
C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? <u>See VII A.</u>	—	<u>X</u>	—
D. Any impact to existing religious or sacred uses within the potential impact area? <u>No such uses exist in the vicinity.</u>	—	—	<u>X</u>
E. The disturbance of any human remains, including those interred outside of formal cemeteries? <u>See VII A.</u>	—	<u>X</u>	—
 VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS : Would the proposal:			
A. Create any known health hazard (excluding mental health)? <u>No such hazard would be created.</u>	—	—	<u>X</u>
B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials? <u>No such risk of exposure would result.</u>	—	—	<u>X</u>
C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)? <u>No such future risk would result.</u>	—	—	<u>X</u>
D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? <u>No such impacts would result.</u>	—	—	<u>X</u>

Yes Maybe No

X. LAND USE – Would the proposal result in:

A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project?
No such inconsistencies would result. — — X

B. A conflict with the goals, objectives and recommendations of the community plan in which it is located?
No such conflict would result. — — X

C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an environmental effect for the area?
No such conflicts would result. — — X

D. Physically divide an established community?
No such division would result. — — X

E. Land uses which are not compatible with aircraft accident potential as defined by an adopted airport Comprehensive Land Use Plan?
No such land uses are proposed. — — X

XI. NOISE – Would the proposal result in:

A. A significant increase in the existing ambient noise levels?
No such increase would result. — — X

B. Exposure of people to noise levels which exceed the City's adopted noise ordinance?
No such exposure would result. — — X

C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan?
No such exposure would result. — — X

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	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
F. Other governmental services? <u>See XIV. A.</u>	—	—	<u>X</u>
XV. RECREATIONAL RESOURCES – Would the proposal result in:			
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <u>No such impacts would result.</u>	—	—	<u>X</u>
B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? <u>No such impacts would result.</u>	—	—	<u>X</u>
XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:			
A. Traffic generation in excess of specific/community plan allocation? <u>No such impacts would result.</u>	—	—	<u>X</u>
B. An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system? <u>No such increase would result.</u>	—	—	<u>X</u>
C. An increased demand for off-site parking? <u>Off-site parking would not be affected by the project.</u>	—	—	<u>X</u>
D. Effects on existing parking? <u>No such effects would result.</u>	—	—	<u>X</u>
E. Substantial impact upon existing or planned transportation systems? <u>No such impacts would result.</u>	—	—	<u>X</u>
F. Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas? <u>No such alterations would result.</u>	—	—	<u>X</u>

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XIX. MANDATORY FINDINGS OF SIGNIFICANCE:

- | | |
|--|-------------------------------|
| <p>A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
 <u>Archaeological & Paleontological MMRP required.</u>
 <u>See Initial Study Discussion.</u></p> | <p>— <u> X </u> —</p> |
| <p>B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.)
 <u>No such impacts would result.</u></p> | <p>— — <u> X </u></p> |
| <p>C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)
 <u>No such impacts would result.</u></p> | <p>— — <u> X </u></p> |
| <p>D. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?
 <u>No such impacts would result.</u></p> | <p>— — <u> X </u></p> |

___ California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.

___ City of San Diego Land Development Code Biology Guidelines.

___ Site Specific Report: _____

V. **Energy**

___ _____

VI. **Geology/Soils**

X City of San Diego Seismic Safety Study.

___ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.

___ Site Specific Reports: _____

VII. **Historical Resources**

X City of San Diego Historical Resources Guidelines.

X City of San Diego Archaeology Library.

___ Historical Resources Board List.

___ Community Historical Survey: _____

___ Site Specific Report: _____

VIII. **Human Health / Public Safety / Hazardous Materials**

X San Diego County Hazardous Materials Environmental Assessment Listing

___ San Diego County Hazardous Materials Management Division

___ FAA Determination

___ State Assessment and Mitigation, Unauthorized Release Listing

___ Airport Comprehensive Land Use Plan.

___ Site Specific Information: _____

XII. Paleontological Resources

- City of San Diego Paleontological Guidelines.
- Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996.
- Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.
- Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.
- Site Specific Report: _____

XIII. Population / Housing

- City of San Diego Progress Guide and General Plan.
- Community Plan.
- Series 8 Population Forecasts, SANDAG.
- Other: _____

XIV. Public Services

- City of San Diego Progress Guide and General Plan.
- Community Plan.

XV. Recreational Resources

- City of San Diego Progress Guide and General Plan.
- Community Plan.
- Department of Park and Recreation
- City of San Diego - San Diego Regional Bicycling Map
- Additional Resources: _____

**ATTACHMENT A
MITIGATION, MONITORING, AND REPORTING PROGRAM
SEWER GROUP 703
PROJECT NO. 3740**

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with AB 3180 (1989) 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. The City of San Diego, Engineering and Capital Projects Department and the Development Services Department are jointly responsible for ensuring that this program is carried out.

GENERAL REQUIREMENTS

1. Prior to issuance of a Notice to Proceed (NTC), the Assistant Deputy Director (ADD) Environmental Designee of the Entitlements Division shall verify that Mitigation Measures for Historical Resources/Archaeology and Paleontology have been included in entirety on the submitted construction documents and contract specifications, and included under the heading, "Environmental Mitigation Requirements." In addition, the requirements for a Preconstruction Meeting shall be noted on all construction documents.
2. Prior to the commencement of work, a Preconstruction Meeting (Pre-con) shall be conducted and include the City of San Diego's Mitigation Monitoring Coordination (MMC) Section, Resident Engineer, Project Archaeologist and Paleontologist, Applicant and other parties of interest.
3. Evidence of compliance with other permitting authorities is required, if applicable. Evidence shall include either copies of permits issued, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD Environmental Designee.

HISTORICAL RESOURCES (ARCHAEOLOGY)

I. Prior to Permit Issuance or Bid Opening/Bid Award

A. Entitlements Plan Check

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San

as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).

MMC shall notify the PI that the AME has been approved.

4. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.
5. Approval of AME and Construction Schedule

After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 1. The Archaeological monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the AME and as authorized by the CM. The Native American monitor shall determine the extent of their presence during construction related activities based on the AME and provide that information to the PI and MMC. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
 2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
 3. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.
- B. Discovery Notification Process
 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.

- b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
- c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.
- d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. **Discovery of Human Remains**

If human remains are discovered, work shall halt in that area and the following procedures as set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

- 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
- 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

- 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
- 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
- 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE** determined to be Native American

- 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
- 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
- 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with the California Public Resource and Health & Safety Codes.
- 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains.

- c. Potentially Significant Discoveries
 - If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact the RE and MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring.
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation
 - The PI 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 with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.
 - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the paleontological monitoring program.
3. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
 - c. MMC shall notify the PI that the PME has been approved.
4. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring

- b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval of the program from MMC, MC and/or RE. PRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.
 - (1). Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.
 - (1). Note: For Pipeline Trenching Projects Only. If the fossil discovery is limited in size, both in length and depth; the information value is limited and there are no unique fossil features associated with the discovery area, then the discovery should be considered not significant.
 - (2). Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record shall identify the discovery as Potentially Significant.
- D. Discovery Process for Significant Resources - Pipeline Trenching Projects
- The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance.
1. Procedures for documentation, curation and reporting
 - a. One hundred percent of the fossil resources within the trench alignment and width shall be documented in-situ photographically, drawn in plan view (trench and profiles of side walls), recovered from the trench and photographed after cleaning, then analyzed and curated consistent with Society of Invertebrate Paleontology Standards. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact and so documented.
 - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
 - c. The PI shall be responsible for recording (on the appropriate forms for the San Diego Natural History Museum) the resource(s) encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines. The forms shall be submitted to the San Diego Natural History Museum and included in the Final Monitoring Report.

- City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
- C. Curation of artifacts: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall submit the Deed of Gift and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
 3. The RE or BI, as appropriate shall obtain signature on the Deed of Gift and shall return to PI with copy submitted to MMC.
 4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC of the approved report.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.