(R-2009-542)

RESOLUTION NUMBER R- 304373

DATE OF FINAL PASSAGE NOV 2 4 2008

A RESOLUTION ADOPTING THE MITIGATION, MONITORING AND REPORTING PROGRAM REGARDING WATER MAIN REPLACEMENT GROUP 3008

BE IT RESOLVED, by the Council of the City of San Diego [Council], that the Addendum to a Mitigated Negative Declaration, Project No. 130739 (Addendum of MND Project No. 63654), dated September 5, 2007 [Addendum], for Water Main Replacement Group 3008 [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 Addendum 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 130739, Addendum, 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 Attor	ney
By Pedro De Lara, Jr.	
Deputy City Attorney	
PDJ:js	
10/28/08	
Or.Dept:E&CP R-2009-542	
R-2009-342	
I hereby certify that the foregoing Resolution was p Diego, at this meeting of NOV 1 8 2008.	assed by the Council of the City of San
	ELIZABETH S. MALAND City Clerk
	By Colo
	Deputy City Clerk
Approved: 11-24.08	JBL
(date)	JERRY SANDERS, Mayor
Vetoed:	· .
(date)	JERRY SANDERS, Mayor



Land Development Review Division (619) 446-5460

Addendum to a Mitigated Negative Declaration

Project No. 130739 Addendum to MND Project No.63654

SUBJECT:

Water Group Job 3008 (Group Jobs 532 & 533) CITY COUNCIL APPROVAL to allow for the installation of 18,155 lineal feet of water mains, construction of curb ramps, replacement of water laterals, and the installation of new hydrants and valve boxes. Installation of the water pipe alignment would occur in trenches that would vary in depth from four to seven feet and would be approximately three feet wide. Construction of the project would affect portions of the following streets: North Harbor Drive and Pacific Highway. The project is located within the Peninsula and Centre City Community Plan areas. Applicant: City of San Diego, Engineering and Capital Projects Department, Water and Sewer Design Division.

I. DESCRIPTION OF CURRENT ACTION:

City Council approval would allow for the installation of a combined 18,155 lineal feet of water mains, the construction of curb ramps, the replacement of water laterals, and the installation of new hydrants and valve boxes. All work would occur primarily within the public right-of-way (ROW) and in developed streets and alleys.

The open trench method of construction would be employed to install the water alignment. Trench depths for both GJ 533 and 532 would vary from five to nine feet depending on the topography of the area. All of the new water alignment would be located in new trenches. Other components of the project would include abandonment and potholing. Abandonment would involve the injection of slurry seal into the existing water alignment and would not disturb the surface or subsurface. Potholing is employed to verify the reconnection of service to mains or to verify utility crossings.

II. ENVIRONMENTAL SETTING:

The proposed project would affect portions of the following streets: North Harbor Drive and Pacific Highway within the Peninsula and Centre Community Plan areas (Figure 1). Much of the work would occur within the ROW in developed streets and alleys except for the connections of laterals on private property. The water alignment project is adjacent to office and commercial buildings, local government offices and the San Diego International Airport. The site is not located within or adjacent to the City's Multiple Species Conservation Program (MSCP), Multi-Habitat Planning Area (MHPA).

III. PROJECT BACKGROUND

A Citywide Pipelines Projects Mitigated Negative Declaration (MND) was prepared by the City of San Diego's Environmental Analysis Section (EAS) and was certified by City Council on May 30th 2006 (resolution number 301496). The Citywide Pipelines Projects

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

Therefore, in accordance with Section 15164 of the State CEQA Guidelines this addendum has been prepared. No public review of this addendum is required under CEQA.

V. MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT

General

- 1. The Assistant Deputy Director (ADD) of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading Environmental Requirements: Water Group Job 3008 (Group Jobs 532 & 533) is subject to a Mitigation, Monitoring and Reporting Program (MMRP) and shall conform to the mitigation conditions as contained in the AMND (Project No. 130739).
- 2. The owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the Resident Engineer, the Qualified Archaeologist, Native American Monitor and the City's Mitigation Monitoring Coordination (MMC) Section.

Historic Resources (Archaeology)

Since MND 98-1182 was certified the mitigation language for archaeological resources has been updated. The updated MMRP is included below:

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

- A. Land Development Review (LDR) 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 Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.

- 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 and Native American 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 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 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.
 - 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

- 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. The NAHC will contact the PI within 24 hours or sooner, after Medical Examiner has completed coordination.
- 3. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
- 4. The PI shall coordinate with the MLD for additional consultation.
- 5. The MLD has 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.
- 6. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - 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.

- d. The PI shall immediately contact the RE and MMC, or by 8AM the following morning 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
 - The PI shall submit two copies of the Draft Monitoring Report (even if negative) 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,
 - 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.
- B. Handling of Artifacts
 - 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 - 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. 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

Clint Linton (215B) Carmen Lucas (206) South Coastal Information Center (210) Save Our Heritage Organization (214) Ron Christman (215) Dr. Jerry Schaefer (208A) San Diego County Archaeological Society (218) San Diego Archaeological Center (212) Louie Guassac (215A) Kumeyaay Cultural Repatriation Committee (225) Native American Distribution (225A-R Public Notice only) Barona Group of Capitan Grande Band of Mission Indians Campo Band of Mission Indians Cuyapaipe Band of Mission Indians Inaja and Cosmit Band of Mission Indians Jamul Band of Mission Indians La Posta Band of Mission Indians Manzanita Band of Mission Indians Sycuan Band of Mission Indians Viejas Group of Capitan Grande Band of Mission Indians Mesa Grande Band of Mission Indians San Pasqual Band of Mission Indians Santa Ysabel Band of Diegueño Indians La Jolla Band of Mission Indians Pala Band of Mission Indians Pauma Band of Mission Indians Pechanga Band of Mission Indians Rincon Band of Luiseno Mission Indians

Los Coyotes Band of Mission Indians

Initial Study Checklist

		Date:	June 6, 2	.004	
		Project No.:	63654		
III. ENV	RONMENTAL ANALYSIS:	Name of Project:	Citywide	Pipeline F	rojects
which con Guideline the basis or Mitiga environm project m potential	ose of the Initial Study is to identify uld be associated with a project purs es. In addition, the Initial Study pro- for deciding whether to prepare an I- ted Negative Declaration. This Che ental assessment. However, subseq ay mitigate adverse impacts. All an for significant environmental impac- Initial Study.	suant to Section 15062 vides the lead agency Environmental Impact ecklist provides a mea- uent to this prelimina swers of "yes" and "n	of the Standard with informal Report, Name to facility review, naybe" independent	ate CEQA mation wh legative De tate early modificati licate that t	ich forms eclaration ons to the here is a
			Yes	Maybe	No
[, A]	ESTHETICS / NEIGHBORHOOD	CHARACTER – Wil	the propo	sal result i	n:
A.	The obstruction of any vista or see view from a public viewing area? No obstructions of any vistas or see would result.	·		- -	<u>X</u>
B.	The creation of a negative aesthetic. The proposed project would not creaesthetic.			_	<u>X</u>
C.	Project bulk, scale, materials, or st be incompatible with surrounding The proposed replacement rehability point repair, open trenching, and/of water and/or sewer alignments with San Diego would be compatible we surrounding development.	development? itation, relocation, r abandonment of hin the City of	- '.		<u>X</u>
D.	Substantial alteration to the existing the area? No such alteration would result.	g character of	. <u>-</u>	· . —	<u>X</u>
E.	The loss of any distinctive or landr stand of mature trees? No such loss would result.	mark tree(s), or a	-	_	X
F.	Substantial change in topography of surface relief features? No such change would result.	or ground			<u>X</u>

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		<u>Yes</u>	<u>Maybe</u>	<u>No</u>
	F. Alter air movement in the area of the project? No such alteration would result.	·	bereiten.	X
	G. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally? No such change would result.	_	_	×
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? No such reduction would result as all proposed work would include areas devoid of potentially sensitive highesters. As such the proposed projects.	· <u> </u>		X
	biological resources. As such the proposed projects would not be located within or adjacent to the City of San Diego's Multi-Habitat Planning Area (MHPA).			
	 B. A substantial change in the diversity of any species of animals or plants? No such change would result. See IV. A. 			X
	 C. Introduction of invasive species of plants into the area? No invasive plant species would be proposed. 		_	X
٠.	E. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors? No such interference would result. See IV.A.	·		<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? No such impact would result. See IV.A.			X
	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? No such impact would result, no wetland habitat occurs on the proposed project sites. See IV.A.			X
•	G. Conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan? No such conflict would result. See IV.A.		· <u>-</u>	X

		Yes	Maybe	<u>No</u>
VIII.	HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS: Would the proposal:		·	
	A. Create any known health hazard (excluding mental health)? The County of San Diego Department of Environmental Health (DEH) Hazardous Materials Establishment Listing database	_ :	. 	X
	identifies potentially hazardous material release sites throughout the City of San Diego. As a result, a DEH website search was conducted for the projects listed above resulting in "open" sites along several alignments. As such, trenching activities in			
	this area could possibly encounter some petroleum-contaminated soils. Therefore, the proposed projects would include language within specifications and Contract Documents which address the handling of hazardous materials. See Initial Study Discussion.			
	B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials? See VIII. A.		· .	×
	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>See VIII. A.</u>	. ·	 	X
	D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? The proposed projects would not impair or interfere with an adopted emergency plan.	 		X
	E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment? No sites have been identified.			<u>X</u>
	F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? No such hazards would result.	. 	·	X

	C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an	1, 1.		
	environmental effect for the area? No such conflict would result. See X. A.	-	-	X
	D. Physically divide an established community? <u>Proposed project would not physically divide an established community.</u>		. —	X
	E. Land uses which are not compatible with aircraft accident potential as defined by an adopted airport Comprehensive Land Use Plan? No such impact would result.		- .	X
XI.	NOISE - Would the proposal result in:			
	 A. A significant increase in the existing ambient noise levels? No such increase would result. Address night work and construction noise. 		-	X
	B. Exposure of people to noise levels which exceed the City's adopted noise ordinance? See XI. A.	<u> </u>		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? See XI. A.			X
XII.	PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological resource or site or unique geologic feature? See Initial Study Discussion.	- -	X	· · · · · · · · · · · · · · · · · · ·
XIII.	POPULATION AND HOUSING – Would the proposal:			
	A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? The proposed project would not induce population growth.	— —	_	X
	B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? The project would not displace or necessitate the construction of housing.	—		X

			<u>Yes</u>	<u>Maybe</u>	<u>No</u> .
	В.	An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system? No such increase would result.	, 	_	<u>X</u>
	C.	An increased demand for off-site parking? No parking is proposed with the Citywide Pipelines Project.		 ,	X
•	D.	Effects on existing parking? No such effects would result.	- . •		X
	E.	Substantial impact upon existing or planned transportation systems? Project would not impact existing or planned transportation systems. A traffic control plan would be implemented upon construction.	_		X
	F.	Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas? No such alteration would result.	—	— .	X
	G.	Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)? Project would not increase traffic hazards for motor vehicles, bicyclists or pedestrians.	· .		X
YVII	,	A conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)? See XVI.E above.	-	<u> </u>	X
A V II.	sys	TLITIES – Would the proposal result in a need for new stems, or require substantial alterations to existing lities, including:			
	A.	Natural gas? Existing utilities would not be affected.	 .		X
	B.	Communications systems? Existing utilities would not be affected.	/	-	X
	C.	Water? The proposed project consists of the replacement rehabilitation, relocation, point repair, open trenching, and abandonment of water alignments within the City of San Diego.		, -	X

		⊥ es	<u>Maybe</u>	No
C.	Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate			
٠	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.) The proposed project would not result in cumulative impacts.			X
D.	Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly? The project would not result in environmental effects which would cause substantial effects on human beings		_	X

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.
Energy
Geology/Soils
City of San Diego Seismic Safety Study.
U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and December 1973 and Part III, 1975.
Historical Resources
City of San Diego Historical Resources Guidelines.
City of San Diego Archaeology Library.
Historical Resources Board List.
Community Historical Survey:
Human Health / Public Safety / Hazardous Materials
San Diego County Hazardous Materials Environmental Assessment Listing, County Website.
San Diego County Hazardous Materials Management Division
FAA Determination
State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authori. 1995.
Airport Comprehensive Land Use Plan.
Site Specific Report:
Hydrology/Water Quality