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RESOLUTION NUMBER R- 306014

DATE OF FINAL PASSAGE AUG 03 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO STATING FOR RECORD THAT THE CITY COUNCIL, AS RESPONSIBLE AGENCY, HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN FINAL ENVIRONMENTAL IMPACT REPORT NO. D-04001A AND ADDENDA THERETO AND ADOPTING THE MITIGATION, MONITORING AND REPORTING PROGRAM FOR THE DESIGN AND CONSTRUCTION OF THE CIVIC CENTER.

WHEREAS, the Redevelopment Agency of the City of San Diego [Redevelopment Agency] is engaged in activities necessary and appropriate to carry out and implement the Redevelopment Plan for the Centre City Redevelopment Project [Project]; and

WHEREAS, the Centre City Development Corporation [CCDC], acting on behalf of the Agency, prepared a Draft Environmental Impact Report [Draft EIR] in July 2005 of the Downtown Community Plan, amendments to the Centre City Planned Districts Ordinance, and Tenth Amendment to the Redevelopment Plan, and circulated the Draft EIR for a 45-day public comment period pursuant to the California Environmental Quality Act of 1970 [CEQA] and related Guidelines; and

WHEREAS, with date of final passage on March 14, 2006, the Redevelopment Agency, as Lead Agency pursuant to the California Environmental Quality Act of 1970 [CEQA], certified Final Environmental Impact Report (Document No. D-04001a) [Final EIR No. D-04001a], and adopted the Findings (Document No. D-04001b), Statement of Overriding Considerations (Document No. D-04001c), and Mitigation, Monitoring, and Reporting Program (Volume 1.B of Final EIR No. D-04001a) [MMRP] in connection with the approval or adoption of the Project

and activities to implement the Project, including the Tenth Amendment to the Redevelopment Plan, the Downtown Community Plan, and the Centre City Planned District Ordinance; and

WHEREAS, on March 14, 2006, the Redevelopment Agency certified Addendum to Final EIR No. D-04001a in connection with the City Council approval or adoption of the Eleventh Amendment to the Redevelopment Plan and amendments to the Downtown Community Plan and the Centre City Planned District Ordinance; and

WHEREAS, pursuant to Resolution No. R-301265 with date of final passage on March 14, 2006, the Council of the City of San Diego [Council], acting as the “responsible agency” for purposes of CEQA, reviewed and considered the 2006 Final EIR; and

WHEREAS, pursuant to Resolution No. R-04193 with date of final passage on August 3, 2007, the Agency certified the Addendum [2007 (First) Addendum] to the 2006 Final EIR in connection with the Eleventh Amendment to the Redevelopment Plan and amendments to the San Diego Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program of the 2006 Final EIR; and

WHEREAS, pursuant to Resolution No. R-04508 with date of final passage on April 21, 2010, the Agency certified the Second Addendum [Second Addendum] to the 2006 Final EIR in connection with amendments to the San Diego Downtown Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance, and Mitigation, Monitoring and Reporting Program [MMRP] of the 2006 Final EIR; and

WHEREAS, pursuant to Resolution No. R-04509 with date of final passage on April 21, 2010, the Agency adopted revisions to the Original MMRP [Revised MMRP] of the 2006 Final EIR; and

WHEREAS, pursuant to Resolution No. R-04510 with date of final passage on April 21, 2010, the Agency certified the Third Addendum [Third Addendum] to the 2006 Final EIR in connection with amendments to the Centre City Planned District Ordinance relating to the Residential Emphasis District; and

WHEREAS, CCDC, on behalf of the Agency, has caused the preparation of the Fourth Addendum [Fourth Addendum] to the 2006 Final EIR in accordance with CEQA and state and local guidelines adopted pursuant thereto, which evaluates the potential environmental impacts associated with the implementation of the proposed San Diego Civic Center Complex Project [Project], an activity in furtherance of the Redevelopment Plan for the Project Area; and revisions to the MMRP to improve mitigation for air quality, historical, and paleontological resources; and

WHEREAS, in connection with the consideration of approval relating to the design and construction of the Civic Center, the City Council has reviewed and considered the issues discussed in Final EIR No. D-04001a and the First, Second, and Third Addenda thereto; NOW, THEREFORE,

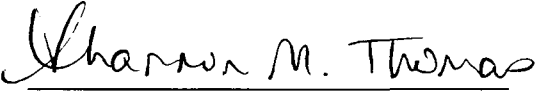
BE IT RESOLVED, by the Council of the City of San Diego, stating for the record that the information contained in the Final EIR No. D-04001a and the First, Second, and Third Addenda thereto, including any comments received during the public review process, have been reviewed and considered by this Council and it is determined that no substantial changes or new information of substantial importance within the meaning of CEQA section 21166 or CEQA Guidelines section 15162 warrant any additional environmental review in connection with approvals relating to the design and construction of Civic Center.

BE IT FURTHER RESOLVED, stating for the record the City of San Diego as Responsible Agency under CEQA has reviewed and considered an Addendum prepared by the Centre City Development Corporation as the Fourth Addendum to the FEIR for the Downtown Community Plan, Centre City Planned District Ordinance, and Redevelopment Plan for the Centre City Project Area (SCH No. 2003041001, revised March 2006) for the San Diego Civic Center Complex Project certified by the Redevelopment Agency on July 19, 2010.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto, as Exhibit A, and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Shannon M. Thomas  
Deputy City Attorney

SMT:js  
07/09/2010  
Or.Dept:COO  
R-2011-50

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 19 2010.

ELIZABETH S. MALAND

City Clerk

By *May Zuma*  
Deputy City Clerk

Approved: 8.3.10  
(date)

*JS*  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

**EXHIBIT A**  
**MITIGATION, MONITORING, AND REPORTING PROGRAM**  
**FOR THE FOURTH ADDENDUM TO THE 2006 FINAL ENVIRONMENTAL IMPACT**  
**REPORT FOR THE CENTRE CITY REDEVELOPMENT PROJECT, THE SAN DIEGO**  
**DOWNTOWN COMMUNITY PLAN, THE CENTRE CITY PLANNED DISTRICT**  
**ORDINANCE AND THE TENTH AMENDMENT TO THE REDEVELOPMENT PLAN**  
**FOR THE CENTRE CITY REDEVELOPMENT PROJECT, IN CONNECTION WITH**  
**THE PROPOSED CIVIC CENTER COMPLEX PROJECT.**  
**SCH NO. 2003041001**

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 or entity 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, Development Services Department and the Center City Development Corporation are jointly responsible for ensuring that the attached program is carried out in accordance with CEQA.

SIGNIFICANT IMPACT(S)	MITIGATION MEASURE(S)	IMPLEMENTATION TIME FRAME	IMPLEMENTATION RESPONSIBILITY	VERIFICATION RESPONSIBILITY
<b>AIR QUALITY (AQ)</b>				
<p><b>Impact AQ-B.1:</b>  <b>Dust and construction equipment engine emissions generated during grading and demolition would impact local and regional air quality. (Direct)</b></p>	<p><i>Mitigation Measure AQ-B.1-1:</i> Prior to approval of a Grading or Demolition Permit, the City shall confirm that the following conditions have been applied, as appropriate:</p> <ol style="list-style-type: none"> <li>1. Exposed soil areas shall be watered twice per day. On windy days or when fugitive dust can be observed leaving the development site, additional applications of water shall be applied as necessary to prevent visible dust plumes from leaving the development site. When wind velocities are forecast to exceed 25 miles per hour, all ground disturbing activities shall be halted until winds that are forecast to abate below this threshold.</li> <li>2. Dust suppression techniques shall be implemented including, but not limited to, the following:               <ol style="list-style-type: none"> <li>a. Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown or otherwise stabilized in a manner acceptable to the CCDC.</li> <li>b. On-site access points shall be paved as soon as feasible or watered periodically or otherwise stabilized.</li> <li>c. Material transported offsite shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.</li> <li>d. The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times.</li> </ol> </li> <li>3. Vehicles on the construction site shall travel at speeds less than 15 miles per hour.</li> <li>4. Material stockpiles subject to wind erosion during construction activities, which will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer.</li> <li>5. Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface. Any visible</li> </ol>	<p>Prior to Demolition or Grading Permit (Design)</p>	<p>Developer</p>	<p>City</p>

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	<p>track-out extending for more than fifty (50) feet from the access point shall be swept or washed within thirty (30) minutes of deposition.</p> <ol style="list-style-type: none"> <li>6. All diesel-powered vehicles and equipment shall be properly operated and maintained.</li> <li>7. All diesel-powered vehicles and gasoline-powered equipment shall be turned off when not in use for more than five minutes, as required by state law.</li> <li>8. The construction contractor shall utilize electric or natural gas-powered equipment in lieu of gasoline or diesel-powered engines, where feasible.</li> <li>9. As much as possible, the construction contractor shall time the construction activities so as not to interfere with peak hour traffic. In order to minimize obstruction of through traffic lanes adjacent to the site, a flag-person shall be retained to maintain safety adjacent to existing roadways, if necessary.</li> <li>10. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.</li> <li>11. Low VOC coatings shall be used as required by SDAPCD Rule 67. Spray equipment with high transfer efficiency, such as the high volume-low pressure (HPLV) spray method, or manual coatings application such as paint brush hand roller, trowel, spatula, dauber, rag, or sponge, shall be used to reduce VOC emissions, where feasible.</li> <li>12. If construction equipment powered by alternative fuel sources (LPG/CNG) is available at comparable cost, the developer shall specify that such equipment be used during all construction activities on the development site.</li> <li>13. The developer shall require the use of particulate filters on diesel construction equipment if use of such filters is demonstrated to be cost-competitive for use on this development.</li> <li>14. During demolition activities, safety measures as required by City/County/State for removal of toxic or hazardous materials shall be utilized.</li> <li>15. Rubble piles shall be maintained in a damp state to minimize dust generation.</li> <li>16. During finish work, low-VOC paints and efficient transfer systems shall be utilized, to the extent possible.</li> </ol>			



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	17. If alternative-fueled and/or particulate filter-equipped construction equipment is not feasible, construction equipment shall use the newest, least-polluting equipment, whenever possible.			
<b>HISTORICAL RESOURCES (HIST)</b>				
<p><b>Impact HIST-A.1:</b>                      Future development in downtown could impact architectural resources. (Direct and Cumulative)</p>	<p><b>Mitigation Measure HIST-A.1-1:</b> For historic resources which are 45 years of age or older and which have not been evaluated for local, state and federal historic significance, CCDC shall consult with HRB to determine whether the resources is significant pursuant to CEQA.</p> <p>For resources that have been formally determined to be significant under federal, state or local criteria, the following actions shall be carried out under direction of CCDC in consultation with HRB, as appropriate.</p> <ul style="list-style-type: none"> <li>• <b>National Register-Listed/Eligible, California Register-Listed/Eligible Resources:</b> Resources listed on or formally determined eligible for the National Register or California Register and structures identified as contributing structures within a National or California Register District, shall be retained onsite and any improvements, renovation, rehabilitation and/or adaptive reuse of the property shall ensure its preservation according to the Secretary of the Interior’s Standards for Rehabilitation of Historic Buildings and Guidelines for Rehabilitation of Historic Buildings.</li> <li>• <b>San Diego Register-Listed Resources:</b> Any development that proposes to remove or significantly alter one of these historical resources shall comply with Chapter 14, Article 3, Division 2 of the San Diego Municipal Code which regulates Historical Resources.</li> </ul>	<p>Prior to Development Permit (Design)</p> <p>Prior to Demolition, Grading, and/or Building Permit (Design)</p> <p>Prior to Certificate of Occupancy (Implementation)</p>	<p>Developer</p>	<p>CCDC/City</p>
<p><b>Impact HIST-B.1:</b>                      Development in downtown could impact significant buried archaeological resources. (Direct and Cumulative)</p>	<p><b>Mitigation Measure HIST-B.1-1:</b> If the potential exists for archaeological resources, the following measures shall be implemented.</p> <p><b>I. Prior to Permit Issuance</b></p> <p>A. Construction Plan Check</p> <p>1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Permits and Building Permits, but prior to the first preconstruction meeting, whichever is applicable, the Centre City Development Corporation (CCDC) shall verify that the requirements for Archaeological Monitoring and Native</p>	<p>Prior to Demolition or Grading Permit (Design)</p> <p>Prior to Certificate of Occupancy (Implementation)</p>	<p>Developer</p>	<p>CCDC</p>

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	<p>American monitoring, if applicable, have been noted on the appropriate construction documents.</p> <p>B. Letters of Qualification have been submitted to CCDC</p> <ol style="list-style-type: none"> <li>1. The applicant shall submit a letter of verification to CCDC 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.</li> <li>2. CCDC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.</li> <li>3. Prior to the start of work, the applicant must obtain approval from CCDC for any personnel changes associated with the monitoring program.</li> </ol> <p><b>II. Prior to Start of Construction</b></p> <p>A. Verification of Records Search</p> <ol style="list-style-type: none"> <li>1. The PI shall provide verification to CCDC 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.</li> <li>2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.</li> <li>3. The PI may submit a detailed letter to CCDC requesting a reduction to the 1/4 mile radius.</li> </ol> <p>B. PI Shall Attend Precon Meetings</p> <ol style="list-style-type: none"> <li>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 CCDC. The qualified Archaeologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction</li> </ol>			

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	<p>Manager and/or Grading Contractor.</p> <p>(a) If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with CCDC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.</p> <p>2. Archaeological Monitoring Plan (AMP)</p> <p>(a) Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Plan which describes how the monitoring would be accomplished for approval by CCDC. The AMP shall include an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to CCDC identifying the areas to be monitored including the delineation of grading/excavation limits.</p> <p>(b) The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).</p> <p>(c) Prior to the start of any work, the PI shall also submit a construction schedule to CCDC through the RE indicating when and where monitoring will occur.</p> <p>(d) The PI may submit a detailed letter to CCDC 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 site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.</p> <p><b>III. During Construction</b></p> <p>A. Monitor Shall be Present During Grading/Excavation/Trenching</p> <p>1. The monitor shall be present full-time during soil remediation and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and CCDC of changes to any construction activities.</p> <p>2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the</p>			

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	<p>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 CCDC.</p> <p>3. The PI may submit a detailed letter to CCDC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.</p> <p>B. Discovery Notification Process</p> <p>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.</p> <p>2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.</p> <p>3. The PI shall immediately notify CCDC by phone of the discovery, and shall also submit written documentation to CCDC within 24 hours by fax or email with photos of the resource in context, if possible.</p> <p>C. Determination of Significance</p> <p>1. The PI and Native American representative, if applicable, shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.</p> <p>(a) The PI shall immediately notify CCDC by phone to discuss significance determination and shall also submit a letter to CCDC indicating whether additional mitigation is required.</p> <p>(b) If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval from CCDC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.</p> <p>(c) If resource is not significant, the PI shall submit a letter to CCDC 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</p>			

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	<p>required.</p> <p><b>IV. Discovery of Human Remains</b>                      If human remains are discovered, work shall halt in that area and the following procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:</p> <p>A. Notification</p> <ol style="list-style-type: none"> <li>1. Archaeological Monitor shall notify the RE or BI as appropriate, CCDC, and the PI, if the Monitor is not qualified as a PI.</li> <li>2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.</li> </ol> <p>B. Isolate discovery site</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. The Medical Examiner, in consultation with the PI, shall determine the need for a field examination to determine the provenience.</li> <li>3. If a field examination is not warranted, the Medical Examiner shall determine with input from the PI, if the remains are or are most likely to be of Native American origin.</li> </ol> <p>C. If Human Remains are determined to be Native American</p> <ol style="list-style-type: none"> <li>1. The Medical Examiner shall notify the Native American Heritage Commission (NAHC). By law, only the Medical Examiner can make this call.</li> <li>2. The NAHC shall contact the PI within 24 hours or sooner, after Medical Examiner has completed coordination.</li> <li>3. NAHC shall identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information..</li> <li>4. The PI shall coordinate with the MLD for additional consultation.</li> <li>5. Disposition of Native American Human Remains shall be determined between the MLD and the PI, if:                         <ol style="list-style-type: none"> <li>(a) The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24 hours after</li> </ol> </li> </ol>			

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	<p>being notified by the Commission; OR;</p> <p>(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.</p> <p>D. If Human Remains are not Native American</p> <ol style="list-style-type: none"> <li>1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.</li> <li>2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).</li> <li>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 CCDC, the applicant/landowner and the Museum of Man.</li> </ol> <p>V. Night Work</p> <p>A. If night work is included in the contract</p> <ol style="list-style-type: none"> <li>1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.</li> <li>2. The following procedures shall be followed.                     <ol style="list-style-type: none"> <li>(a) No Discoveries In the event that no discoveries were encountered during night work, the PI shall record the information on the CSV and submit to CCDC via fax by 9am the following morning, if possible.</li> <li>(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.</li> <li>(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. The PI shall immediately contact CCDC, 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.</li> </ol> </li> </ol> <p>B. If night work becomes necessary during the course of construction</p>			

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	<ol style="list-style-type: none"> <li>1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.</li> <li>2. The RE, or BI, as appropriate, shall notify CCDC immediately.</li> </ol> <p>C. All other procedures described above shall apply, as appropriate.</p> <p><b>VI. Post Construction</b></p> <p>A. Submittal of Draft Monitoring Report</p> <ol style="list-style-type: none"> <li>1. 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 CCDC for review and approval within 90 days following the completion of monitoring.                             <ol style="list-style-type: none"> <li>(a) For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.</li> <li>(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.</li> </ol> </li> <li>2. CCDC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.</li> <li>3. The PI shall submit revised Draft Monitoring Report to CCDC for approval.</li> <li>4. CCDC shall provide written verification to the PI of the approved report.</li> <li>5. CCDC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.</li> </ol> <p>B. Handling of Artifacts and Submittal of Collections Management Plan, if applicable</p>			

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	<ol style="list-style-type: none"> <li>1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.</li> <li>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.</li> <li>3. The PI shall submit a Collections Management Plan to CCDC for review and approval for any project which results in a substantial collection of historical artifacts.</li> </ol> <p>C. Curation of artifacts: Accession Agreement and Acceptance Verification</p> <ol style="list-style-type: none"> <li>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 CCDC and the Native American representative, as applicable.</li> <li>2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and CCDC.</li> </ol> <p>D. Final Monitoring Report(s)</p> <ol style="list-style-type: none"> <li>1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to CCDC (even if negative), within 90 days after notification from CCDC that the draft report has been approved.</li> <li>2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from CCDC which includes the Acceptance Verification from the curation institution.</li> </ol>			
<b>PALEONTOLOGICAL RESOURCES (PAL)</b>				
<p><b>Impact PAL-A.1:</b> Excavation in geologic formations with a moderate to high potential for paleontological resources could have an significant impact on these resources, if present. (Direct and Cumulative)</p>	<p><i>Mitigation Measure PAL-A.1-1:</i> In the event the Secondary Study indicates the potential for significant paleontological resources, the following measures shall be implemented as determined appropriate by CCDC.</p> <p><b>I. Prior to Permit Issuance</b></p> <p>A. Construction Plan Check</p> <ol style="list-style-type: none"> <li>1. Prior to Notice to Proceed (NTP) for any construction permits,</li> </ol>	<p>Prior to Demolition, Grading or Building Permit (Design)</p> <p>Prior to Certificate of Occupancy (Implementation)</p>	<p>Developer</p>	<p>CCDC/City</p>



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	<p>including but not limited to, the first Grading Permit, Demolition Permits and Building Permits, but prior to the first preconstruction meeting, whichever is applicable, Centre City Development Corporation (CCDC) shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.</p> <p>B. Letters of Qualification have been submitted to CCDC</p> <ol style="list-style-type: none"> <li>1. The applicant shall submit a letter of verification to CCDC 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.</li> <li>2. CCDC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.</li> <li>3. Prior to the start of work, the applicant shall obtain approval from CCDC for any personnel changes associated with the monitoring program.</li> </ol> <p><b>II. Prior to Start of Construction</b></p> <p>A. Verification of Records Search</p> <ol style="list-style-type: none"> <li>1. The PI shall provide verification to CCDC 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.</li> <li>2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.</li> </ol> <p>B. PI Shall Attend Precon Meetings</p> <ol style="list-style-type: none"> <li>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 CCDC. 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</li> </ol>			

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	<p>Contractor.</p> <ul style="list-style-type: none"> <li>a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with CCDC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.</li> </ul> <p>2. Identify Areas to be Monitored</p> <ul style="list-style-type: none"> <li>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 CCDC identifying the areas to be monitored including the delineation of grading/excavation limits. 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).</li> </ul> <p>3. When Monitoring Will Occur</p> <ul style="list-style-type: none"> <li>a. Prior to the start of any work, the PI shall also submit a construction schedule to CCDC through the RE indicating when and where monitoring will occur.</li> <li>b. The PI may submit a detailed letter to CCDC 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 depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.</li> </ul> <p><b>III. During Construction</b></p> <p>A. Monitor Shall be Present During Grading/Excavation/Trenching</p> <ul style="list-style-type: none"> <li>1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and CCDC of changes to any construction activities.</li> <li>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 CCDC.</li> </ul>			

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	<p>3. The PI may submit a detailed letter to CCDC 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.</p> <p>B. Discovery Notification Process</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.</li> <li>3. The PI shall immediately notify CCDC by phone of the discovery, and shall also submit written documentation to CCDC within 24 hours by fax or email with photos of the resource in context, if possible.</li> </ol> <p>C. Determination of Significance</p> <ol style="list-style-type: none"> <li>1. The PI shall evaluate the significance of the resource.               <ol style="list-style-type: none"> <li>a. The PI shall immediately notify CCDC by phone to discuss significance determination and shall also submit a letter to CCDC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.</li> <li>b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from CCDC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.</li> <li>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 CCDC unless a significant resource is encountered.</li> <li>d. The PI shall submit a letter to CCDC 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.</li> </ol> </li> </ol>			

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	<p><b>IV. Night Work</b></p> <p>A. If night work is included in the contract</p> <ol style="list-style-type: none"> <li>1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.</li> <li>2. The following procedures shall be followed.                             <ol style="list-style-type: none"> <li>a. No Discoveries                                     <ol style="list-style-type: none"> <li>(1) In the event that no discoveries were encountered during night work, The PI shall record the information on the CSV and submit to CCDC via fax by 9am the following morning, if possible.</li> </ol> </li> <li>b. Discoveries                                     <ol style="list-style-type: none"> <li>(1) All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.</li> </ol> </li> <li>c. Potentially Significant Discoveries                                     <ol style="list-style-type: none"> <li>(1) If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.</li> </ol> </li> <li>d. The PI shall immediately contact CCDC, 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.</li> </ol> </li> </ol> <p>B. If night work becomes necessary during the course of construction</p> <ol style="list-style-type: none"> <li>1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.</li> <li>2. The RE, or BI, as appropriate, shall notify CCDC immediately.</li> </ol> <p>C. All other procedures described above shall apply, as appropriate.</p> <p><b>VI. Post Construction</b></p> <p>A. Submittal of Draft Monitoring Report</p> <ol style="list-style-type: none"> <li>1. 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 Paleontological Monitoring Program (with appropriate graphics) to CCDC for review and approval within 90 days following the completion of monitoring,                             <ol style="list-style-type: none"> <li>a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.</li> <li>b. Recording Sites with the San Diego Natural History</li> </ol> </li> </ol>			

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	<p>Museum</p> <ol style="list-style-type: none"> <li>(1) 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.</li> <li>2. CCDC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.</li> <li>3. The PI shall submit revised Draft Monitoring Report to CCDC for approval.</li> <li>4. CCDC shall provide written verification to the PI of the approved report.</li> <li>5. CCDC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.</li> </ol> <p>B. Handling of Fossil Remains</p> <ol style="list-style-type: none"> <li>1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.</li> <li>2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate</li> </ol> <p>C. Curation of fossil remains: Deed of Gift and Acceptance Verification</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and CCDC.</li> </ol> <p>D. Final Monitoring Report(s)</p> <ol style="list-style-type: none"> <li>1. The PI shall submit two copies of the Final Monitoring Report to CCDC (even if negative), within 90 days after notification from CCDC that the draft report has been approved.</li> <li>2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from CCDC which includes the Acceptance Verification from the curation institution.</li> </ol>			

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