

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	January 6, 2011	REPORT NO. PC-11-001
ATTENTION:	Planning Commission, Agenda of Janu	ary 13, 2011
SUBJECT:	SEWER GROUP 698 - PROJECT NO PROCESS 4	D. 173230
OWNER/ APPLICANT:	City of San Diego Engineering and Capital Project Depar	tment

SUMMARY

Issue: Should the Planning Commisison approve a Site Development Permit to replace 11,035 linear feet (LF) of existing vitrified sewer pipe with polyvinyl chloride sewer pipe, install 7,316 LF of sewer pipe in new trenches and associated improvements? The project alignment is bounded on the north by the intersection of 33rd Street and Market Street, on the south by South 33rd Street and National Avenue, on the west by the intersection of South 31st Street and Martin Avenue and on the east by the intersection of Durant Street and Interstate-15 within the Southeastern San Diego Community Plan area.

Staff Recommendations:

- 1. **CERTIFY** Mitigated Negative Declaration No. 173230 and **ADOPT** the Mitigation, Monitoring and Reporting Program; and
- 2. APPROVE Site Development Permit No. 671189.

<u>Community Planning Group Recommendation</u>: On September 14, 2009, The Southeastern San Diego Planning Group voted 9:0:0 to approve the project as proposed with no conditions (Attachment 7).

Environmental Review: Mitigated Negative Declaration No. 173230 was prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and when implemented would reduce, to a level of insignificance, any potential impacts identified in the environmental review process.



BACKGROUND

The proposed project would replace and install new sewer infrastructure within the Southeastern San Diego Community Plan area. The upgrade of the sewer lines is intended to improve the currently outdated sewer system in order to keep up with current demand. The project is located within the developed public right of way of Logan Avenue, Gregory Street, 33rd Street, Martin Avenue, Bancroft Street, Payne Street, Greely Avenue, 32nd Street, Island Street, J Street, Oceanview Boulevard, Durant Street, Steel Street, Gillette Street, and various alleys and easements. A small portion of the alignment is also located on a vacant lot on South 33rd Street (Attachment 2). The community plan land use designations for the project alignment include single and multi-family residential, commercial and industrial. The project is within the MF-1500, MF-3000, CSR-2/R-1500, CSR-2 and I-1 zones of the Southeastern San Diego Planned District.

The project is located within an urbanized area and is surrounded by a mix of uses including single and multi family, commercial and industrial development. The project is not located in or directly adjacent to the City's Multi-Habitat Planning Area (MHPA).

The project alignment contains Environmentally Sensitive Lands (ESL) in the form of wetlands and historical/archaeological resources. A Site Development Permit is required because the vacant lot on the southeast corner of South 33rd Street and National Avenue, adjacent to Chollas Creek, is within 100 feet of a wetland and has been identified as a potentially important historical/archaeological site.

DISCUSSION

The project proposes to replace 11,035 LF of existing 6-, 8-, 16- and 20-inch vitrified sewer pipe with 8-, 12-, 15-, and 18-inch polyvinyl chloride sewer pipe, and to install 7,316 LF of sewer pipe in new trenches. The project also includes construction of diversion manhole structures, sewer lateral reconnections, installation of curb ramps and application of street slurry seal.

The majority of the proposed sewer line would occur within developed streets and alleys; however, a segment would occur on a vacant lot at the southeastern corner of South 33rd Street and National Avenue. This portion of the project would connect a new sewer main on National Avenue to an existing manhole within the vacant lot. The connection is approximately 150 lineal feet and would transverse ruderal habitat. The vacant lot is devoid of wetland habitat but the footprint is within 100 feet of Chollas Creek. The connection to the sewer line occurs on top of the slope and would act as a topographic barrier serving to protect the function and values of the wetland area below. All work would occur within the vacant lot and would not extend past the existing manhole and therefore would not encroach into the wetland area. The revegetation plan for this area consists of hydroseed and container stock native vegetation and is consistent with the Chollas Creek Enhancement Program.

The project is located in an area known to contain significant historical/archaeological resources and will require a Data Recovery Plan and both archaeological and paleontological monitoring to reduce any potential impacts to below a level of CEQA significance.

Conclusion:

The project meets all applicable regulations and policy documents, and staff finds the project consistent with the recommended land use and development standards in effect for the project site pursuant to the Land Development Code, the adopted Southeastern San Diego Community Plan and the General Plan. Staff believes the Findings (Attachment 4) can be made and recommends the Planning Commission approve the project as proposed.

ALTERNATIVES:

- 1. Approve Site Development Permit No. 671189, with modifications.
- 2. Deny Site Development Permit No. 671189, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake Program Manager Development Services Department

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Patricia Grabski Development Project Manager Development Services Department

KGB/PXG

Attachments:

- I. Aerial Photograph
- 2. Project Location Map
- 3. Draft Permit Resolution with Findings
- 4. Draft Permit with Conditions
- 5. Draft Environmental Resolution
- 6. Project Plans
- 7. Community Planning Group Recommendation

ATTACHMENT 1





Location Map Sewer Group 698/Project No. 173230 City of San Diego – Development Services Department FIGURE

No. 1

PLANNING COMMISSION RESOLUTION NO. SITE DEVELOPMENT PERMIT NO. 671189 SEWER GROUP 698 PROJECT NO. 173230 [MMRP]

WHEREAS, THE CITY OF SAN DIEGO, ENGINEERING AND CAPITAL PROJECTS DEPARTMENT, Owner/Permittee, filed an application with the City of San Diego for a Site Development Permit to replace 11,035 linear feet (LF) of existing 6-, 8-, 16- and 20-inch vitrified sewer pipe with 8-, 12-, 15-, and 18-inch polyvinyl chloride (PVC) sewer pipe and to install of 7,316 LF of sewer pipe in new trenches. The project also includes construction of diversion manhole structures, sewer lateral reconnections, installation of curb ramps, application of street slurry seal and traffic control measures, (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 671189);

WHEREAS, the project alignment is located within the public right of way of Webster Street, Logan Avenue, Gregory Street, 33^{td} Street, Martin Avenue, Bancroft Street, Payne Street, Greely Avenue, 32nd Street, Island Street, J Street, Oceanview Boulevard, Durant Street, Steel Street, Gillette Street, Valle Avenue and Martin Avenue, and on a vacant lot on the southeast corner of South 33rd Street and National Avenue, adjacent to Chollas Creek, in the Southeastern San Diego Community Plan area;

WHEREAS, the linear project site is described as beginning at 165 feet south of the intersection of 33rd Street and Market Street as the northerly most point, ending south at 33rd Street and National Avenue as the southerly most point of the project boundary and beginning at 85 feet east of the intersection of South 31st Street and in the alley between Valle Avenue and Martin Avenue as the westerly most point, ending at the intersection of Durant Street and Interstate-15;

WHEREAS, on January 13, 2011, the Planning Commission of the City of San Diego considered Site Development Permit No. 671189 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated January 13, 2011.

FINDINGS:

Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan;

The proposed linear development is replacement of 11,035 LF of existing 6-, 8-, 16- and 20-inch vitrified sewer pipe with 8-, 12-, 15-, and 18-inch PVC sewer pipe and installation of 7,316 LF of sewer pipe in new trenches. The project also includes construction of diversion manhole structures, sewer lateral reconnections, installation of curb ramps, application of street slurry seal and traffic control measures. The purpose of the development is to improve the currently outdated sewer system in order to keep up with current demand. The Southeastern San Diego Community Plan designates portions of the proposed development single and multi-family residential, commercial

and industrial. The Community Plan states, "Because of the age of some developed portions of the community sewer maintenance and replacement is needed". The community plan also states, "The Water Utilities Department should continue the routine maintenance and replacement of water and sewer facilities within the community." Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare; and

The proposed development will replace and relocate portion of the City's existing sewer pipe lines within the Southeastern San Diego Community Plan area in order to benefit the community. The objective is to replace and upgrade the existing concrete and vitrified clay pipes ranging in sizes 6-, 8-, 16-, and 20- inches in diameter with a larger PVC material ranging in sizes 8-, 12-, 15- and 18-inches in diameter. This would increase pipe strength, allow better flow and decrease the chances of back-ups or breaks. The project also plans to abandon several sewer mains and manholes no longer necessary and in difficult to access areas, such as easements located behind residential properties. Those residential properties will be replumbed for a new sewer lateral connecting to the proposed sewer pipe lines that will be re-located within the City's right-of-way for easier access and maintenance purposes. In addition to repairing and improving the sewer system, the project limits. Following replacement of the sewer pipe lines, the streets will be improved by repairing existing cracks and street surface damages. As such, the overall scope of the proposed development will promote the public health, welfare, and safety when constructed.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed linear development is located within the MF-1500, MF-3000, CSR-2/R-1500, CSR-2 and the I-1 zones of the Southeastern San Diego Planned District. Public utilities, including sewer pipe lines and related ancillary improvements are permitted uses within these zones. The project as proposed complies with the City's Green Book, Landscape Manual, Historical Resources Guidelines, the California Environmental Quality Act Guidelines, and other applicable regulations of the LDC in effect for the site. Therefore, the proposed development will comply with the applicable regulations of the LDC in effect for the proposed development.

B. Supplemental Findings--Environmentally Sensitive Lands

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands;

The majority of the proposed sewer line would occur within developed streets and alleys; however, a segment would occur on a vacant lot at the southeastern corner of South 33rd Street and National Avenue. This portion of the project would connect a new sewer main on National Avenue to an existing manhole within the vacant lot. The connection is approximately 150 lineal feet and would transverse ruderal habitat. The vacant lot is devoid of wetland habitat but the footprint is within 100 feet of Chollas Creek. The connection to the sewer line occurs on the top of the slope and would act as a topographic barrier serving to protect the function and values of the wetland area below. All work would occur within the vacant lot and would not extend past the existing manhole and therefore would not encroach into the wetland area. The revegetation plan for this area consists of hydroseed and container stock native vegetation and is consistent with the Chollas Creek Enhancement Program.

The project is also located in an area known to contain significant historical/archaeological resources and will require a Data Recovery Plan and both archaeological and paleontological monitoring mitigation to reduce any potential impacts to below a level of CEQA significance. Therefore, the current design meets the sewer system conveyance requirements while proposing the least impacts to environmentally sensitive lands (ESL).

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards;

The improvements proposed for this project would only require excavation to trench lines for pipe line installation and pits where manholes will be installed where necessary. Following excavation the land will be returned to its previous condition, including pavement over areas that are currently paved, and grading for areas that are empty lots, parkways, etc. In addition, the sewer system will be designed to meet the seismic requirements for underground sewer pipelines to limit geologic risk along the entire alignment. A portion along Chollas Creek is located within the flood hazard area, however, the because of the undergrounding of the project, no effects would occur in this category, or from fire hazard.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands;

The proposed development is an underground project that has been designed to minimize all impacts to ESL while providing adequate public sewer service. The siting of the proposed development occurs largely within the City right-of-way which has been considered in coordination with sensitive environmental resources that exist in the area. This will ensure that such impacts are reduced to a minimum during and following construction, only to connect the system to the larger sewer main along Chollas Creek, and to provide service in neighboring streets where none exist, or are being re-aligned for access purposes for a better overall conveyance system design.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan;

The proposed development is not located within the City's Multi Habitat Planning Area (MHPA) and is identified as disturbed habitat within the Chollas Creek segment.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply; and

The proposed development is not located in close proximity to any beach or the shoreline. The proposed development includes both revegetation and erosion plans to address any potential erosional impacts. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

The mitigation developed for the proposed development is for archaeological resources, and the extent of the mitigation is reasonably related to the impacts created by the proposed development. Preliminary testing was done to determine the extent to which subsurface mitigation would be required. The result of the testing identified a limited segment where data collection would occur for archaeological purposes and other segments where monitoring would occur. As a result, the mitigation is directly related to the proposed development, its requirements, the need to construct the development, while at the same time alleviating any negative impacts that may occur as a result of the proposed development because the appropriately developed mitigation will satisfy all such requirements.

F. Supplemental Finding--Important Archaeological Sites and Traditional Cultural Properties

1. The site is physically suitable for the design and siting of the proposed development, the development will result in minimum disturbance to historical resources, and measures to fully mitigate for any disturbance have been provided by the applicant; and

The majority of the proposed development is within the City's right-of-way and is the preferred location for sewer and other City conveyance systems. As such, the proposed location of the pipe line is suitable and the design, along with the testing in support of the historical resource preservation, has been done to ensure the minimum disturbance in order to construct the project. As compared to the entire ethnographic bubble that currently provides the general configuration of the important archaeological site, this project would constitute only a fraction of a percent as compared to the maximum of 40 percent encroachment, comprised of 25 percent plus 15 percent for essential public services allowed by the regulations. In addition, the testing done during the design phase for such resources, resulted in proper mitigation to ensure that the more sensitive areas of the project alignment are protected through data collection along a very limited segment of the alignment, and monitoring along most of the remaining segments of the project, to ensure compliance with the City's Historical Resources regulations.

2. All feasible measures to protect and preserve the special character or the special historical, architectural, archaeological, or cultural value of the resource has been provided by the applicant.

It is unknown where such resources exist under ground in this area, as the enthographic study area provided for assessment is general. However, the preliminary testing conducted in coordination with City's Development Services Department staff and the project consultant narrowed and identifies the necessary steps that would limit impacts to any such resources should they exist along the entire project alignment. A small segment would require data collection to ensure that areas where there is a high potential of discovery, would consider the sensitivity of the resources. In addition, monitoring would occur along most of the remaining portion of the alignment to ensure that historical resources that may exist below ground will not be destroyed, but rather protected and preserved. This project takes every protective measure that is feasible to ensure such protections for such resources.

ATTACHMENT 3

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission Site Development Permit No. 671189 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 671189, a copy of which is attached hereto and made a part hereof.

Patricia Grabski Development Project Manager Development Services

Adopted on: January 13, 2011

WBS NO. B-00451.02.06

RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE INTERNAL ORDER NUMBER: WBS B-00451.02.06

SITE DEVELOPMENT PERMIT NO. 671189 SEWER GROUP 698 PROJECT NO. 173230 (MMRP) PLANNING COMMISSION

This Site Development Permit No. 671189 is granted by the Planning Commission of the City of San Diego Engineering and Capital Projects Department, Owner/ Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0500. The project site is bounded on the north by the intersection of 33rd Street and Market Street, on the south by South 33rd Street and National Avenue, on the west by the intersection of South 31st Street and Martin Avenue and on the east by the intersection of Durant Street and Interstate-15 in the Southeastern Planned District (SESD PD) in the Southeastern San Diego Community Plan area. The project site is zoned SESD PD-MF-1500; SESD PD-MR-3000; SESD PD-CSR-2/R-1500 and SESD PD-I-1. The project site is legally described as: Beginning at 165 feet south of the intersection of 33rd Street and Market Street as the northerly most point, ending at South 33rd Street and National Avenue as the southerly most point of the project boundary. Beginning at 85 feet east of the intersection of South 31st Street and in the alley between Valle Avenue and Martin Avenue as the westerly most point, ending at the interstate-15.

Subject to the terms and conditions set forth in this Permit, permission is granted to the City of San Diego Engineering and the Capital Projects Department, Owner/Permittee to replace and realign approximately 18,351 linear feet of sewer mains described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January 13, 2011, on file in the Development Services Department.

The project shall include:

- a. Replacement of 11,035 linear feet (LF) of existing 6, 8, 16 and 20-inch vitrified sewer pipe with 8, 12, 15, and 18-inch polyvinyl chloride (PVC) sewer pipe;
- b. Installation of 7,316 LF of sewer pipe in new trenches;

- c. Construction of diversion manhole structures and sewer lateral reconnections;
- d. Installation of curb ramps;
- e. Application of street AC overlay and slurry seal;
- f. Implementation of traffic control measures during construction;
- g. Landscaping (planting, irrigation and landscape related improvements); and
- h. Public and private accessory improvements determined by the Development Services Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies

including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. Construction plans shall be in substantial conformity to Exhibit "A". Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

8. All of the conditions contained in this Permit have been considered and were determinednecessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, 9. officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

10. This Permit may be developed in phases.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 173230, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in the Mitigated Negative Declaration No. 173230, to the satisfaction of the Development Services Department and the City Engineer. Prior to the issuance of the "Notice to Proceed" with construction, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Historical Resources (Archeology) and Paleontological Resources.

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the on-going permanent Best Management Practices (BMPs) maintenance.

15. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

LANDSCAPE REQUIREMENTS:

16. Prior to issuance of any grading permits the Owner/Permittee shall submit landscape construction documents for the re-vegetation and hydro-seeding of all disturbed land in accordance with the Land Development Manual, Landscape Standards, the "Re-vegetation Plan for the Sewer and Water Group Job 698 Project," to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit including the Environmental MMRP conditions and Exhibit "A."

17. Prior to issuance of public right-of-way permits the Owner/Permittee shall submit complete. landscape construction documents demonstrating the right-of-way improvements to the Development Services Department for approval.

18. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction the Owner/Permittee is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to the performance of a Final Landscape Inspection.

19. Prior to the performance of a Final Inspection, it shall be the responsibility of the Owner/Permittee to install all required landscape including proposed re-vegetation for all areas where the sewer mains shall be replaced.

WASTEWATER REQUIREMENTS:

20. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide.

21. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

APPROVED by the Planning Commission of the City of San Diego on January 13, 2011 and [Approved Resolution Number].

Permit Type/PTS Approval No. 671189 Date of Approval: January 13, 2011

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Patricia Grabski Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

[NAME OF COMPANY]

Owner/Permittee

By

NAME TITLE

[NAME OF COMPANY] Owner/Permittee

By_

NAME TITLE

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

RESOLUTION NUMBER R-

ADOPTED ON January 13, 2011

WHEREAS, on January 13, 2011, City of San Diego, Engineering and Capital Projects, Rightof-Way Design submitted an application to the Development Services Department for a Site Development Permit (SDP)

WHEREAS, the permit was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on January 13, 2011; and

WHEREAS, the Planning Commission of the City of San Diego considered the issues discussed in Mitigated Negative Declaration No.173230 NOW THEREFORE.

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 173230 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 Administration Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission; directing staff to file a Notice of Determination.

BE IT FURTHER RESOLVED that the Planning Commission finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code, Section 21081.6, the Planning Commission 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 reference.

Bv:

Patricia Grabski. Development Project Manager

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Site Development Permit

PROJECT NO. 173230

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (Project No.173230) shall be made conditions of the Site Development Permit as may be further described below.

A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

- 1. Prior to the issuance Bid Opening/Bid Award or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements have been incorporated.
- 2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."
- 3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

http://www.sandiego.gov/development-services/industry/standtemp.shtml

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)

1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT. The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

Archaeologist, Native American Monitor, and Paleontologist.

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**
- 2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) 200104, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED, MMC and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc

Note:

Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

- 3. OTHER AGENCY REQUIREMENTS: Evidence that any other agency requirements or permits have been obtained or are in process shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency. *Not Applicable for this project.*
- 4. MONITORING EXHIBITS: All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the LIMIT OF WORK, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.
- 5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and

requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

<u>Issue Area</u>	Document submittal	Associated Inspection/Approvals/Note
General	Consultant Qualification Letters meeting	Prior to Pre-construction
General	Consultant Const. Monitoring	Prior to or at the Pre-Construction meeting
Archaeology	Archaeological Reports	Archaeological observation
Paleontology	Paleontology Reports	Paleontology observation
Final MMRP		Final MMRP Inspection

Historical Resources (Archaeological Data Recovery Program)

This project requires implementation of an Archaeological Data Recovery Program (ADRP) to mitigate impacts to archaeological site (CA-SDI-17,203) prior to the issuance of ANY construction permits or the start of ANY construction if no permits are required. The ADRP with Native American participation consists of a statistical sample and shall be implemented as described below after consultation with DSD ED in accordance with the Cultural Resources Report prepared by (RECON Environmental, November 24, 2009)

a. (Phase 1: 8 1x1 meter test units; for a proposed sample size of 10% of the total impacts to the site. A second phase of date recovery, if necessary, will be determined following Phase 1 results;

b. Laboratory Analysis in the form of specialized studies shall be conducted in accordance with the ADRP;

c. Curation of all materials recovered during the ADRP with the exception of human remains and any associated burial goods, shall be prepared in compliance with local, state and federal standards and be permanently curated at an approved facility that meets City standards;

d. ADRP provision for the discovery of human remains shall be invoked in accordance with the California Public Resources Code, the Health and Safety Code. In the event human remains are encountered during the ADRP, soil shall only be exported from the project site after it has been cleared by the Most Likely Descendant (MLD) and the Project Archaeologist;

e. Archaeological and Native American Monitoring shall be conducted during the remaining grading activities after completion of the ADRP and acceptance of a draft progress report for the program. The detailed Mitigation Monitoring and Reporting Program is identified in below.

f. Upon completion of the ADRP the qualified archaeologist and Native American Monitor shall attend a second preconstruction meeting to make comments and/or suggestions concerning the proposed grading process.

Historical Resources (Archaeological Monitoring Program)

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 applicable construction documents through the plan check process.
- 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.
 - 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 meet the qualifications established in the HRG.
 - 3. Prior to the start of work, the applicant must obtain written 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 Coastal Information Center, or, if the search was inhouse, 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 ¼ 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, Native American consultant/monitor (where Native American resources may be impacted), 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) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC 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
 - 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 all soil disturbing 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 MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
 - 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
 - 3. The PI may submit a detailed letter to MMC 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 <u>that</u> may reduce or increase the potential for resources to be present.
 - 4. The archaeological and Native American consultant/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.
- B. Discovery Notification Process
 - 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging,

trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or Bl, 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.
- 4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.
- C. Determination of Significance
 - 1. The PI and Native American consultant/monitor, where Native American resources are discovered 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. Note: If a unique archaeological site is also an historical resource as defined in CEQA Section 15064.5, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
 - (1). Note: For pipeline trenching and other linear projects in the public Right-of-Way, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - c. If the 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 and other linear projects in the public Rightof-Way, 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 and other linear projects in the public Rightof-Way, 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 and other Linear Projects in the Public Right-of-Way The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities or for other linear project types within the Public Right-of-Way 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 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 no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), 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) of the Development Services Department to assist with the discovery notification process.
 - 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 CEQA Section 15064.5(e), the California Public Resources 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.
- 5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, 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, THEN
 - 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 burial 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 San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego 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 pro

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains 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. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe as a result of delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
 - 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.
- 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 curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
- 2. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV Discovery of Human Remains, Subsection C.
- 3. 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.
- 4. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
- 5. 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
 - 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 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. Monitoring shall begin at depths below 10 feet from existing grade or as determined by the PI in consultation with MMC. The determination shall be based on site specific records search data which supports monitoring at depths less than ten feet.
 - 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 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.
- 5. Approval of PME and Construction Schedule

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 that could result in impacts to formations with high and/or moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.
 - 2. The PI may submit a detailed letter 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.
 - 3. 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.
- **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.
 - (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 cannot 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.
 - d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. Night and/or Weeekend 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.
 - 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.
 - -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.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

SEWER GROUP 698 LIMITS OF WORK

AT LEAST THREE (3) WORKING DAYS PRIOR TO EXCAVATION, THE CONTRACTOR SHALL REQUEST A MARKOUT OF UNDERGROUND UTILITIES BY CALLING THE BELOW LISTED REGORAL MOTFICATION CENTER FOR AN INQURY IDENTIFICATION NUMBER: UNDERGROUND SERVICE ALERT (LLS.A) I-BOO-422-4133

CONTRACTOR'S RESPONSIBILITIES

2

- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO LOCATE AND RECONNECT ALL SEWER LATERALS, LOCATIONS AS SHOWN ON THE PLANS ARE APPROXIMATE ONLY, LATERAL RECORDS ARE AVAILABLE TO THE CONTRACTOR AT THE WATER OPERATINENT, 2797 CAMINITO CHOLLAS, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO LOCATE THE IMPROVEMENTS THAT WILL BE ATTECTED BY LATERAL REPLACEMENTS, ALL IMPROVEMENTS DISTURBED BY CONTRACTOR SHALL BE REPLACED IN KIND TO ORGINAL CONDITION OR BETTER.
- 2. THE LOCATION OF EXISTING BUILDINGS AS SHOWN ON THE PLAN ARE APPROXIMATE.
- STORM DRAIN INLETS ARE TO REMAIN FUNCTIONAL/OPERATIONAL AT ALL TIMES DURING CONSTRUCTION
- 4. UNLESS OTHERWISE NOTED AS PREVIOUSLY POTHOLED (PH), ALL ELEVATIONS SHOWN ON THE PROFILE FOR EXISTING UTILITIES ARE BASED ON A SEARCH OF THE AVAILABLE RECORD INFORMATION ONLY AND ARE SOLELY FOR THE CONTINACTOR'S CONVENIENCE. THE CITY IN NO WAY GUARANTEES OR WARRANTS THAT IT HAS REVIEWED ALL AVAILABLE DATA. IT IS THE CONTRACTOR'S RESPONSIBILITY TO POTHOLE ALL EXISTING UTILITIES (BITHER SHOWN ON THE PLANS OR MARKED IN HE FIELD IN ACCORDANCE WITH THE SPECIFICATIONS (SECTION 5-0)
- CONTRACTOR SHALL NOTIFY THE RESIDENT ENGINEER INVEDIATELY IF A ONE FOOT VERTICAL SEPARATION (FROM QUISIDE PIPE WALL TO OUTSIDE PIPE WALL) BETWEEN SEWER AND WATER MAINS CANNOT BE MAINTAINED.
- 6. CONTRACTOR SHALL NOTIFY THE RESIDENT ENGINEER INMEDIATELY IF A FOUR FOOT HORIZONTAL SEPARATION (FROM OUTSIDE PIPE WALL) TO OUTSIDE PIPE WALL) BETWEEN SEWER AND WATER MAINS CANNOT BE MAINTAINED.
- 7. CONTRACTOR SHALL NOTIFY THE RESIZENT ENGINEER INMEDIATELY IF A 6-INCH VERTICAL SEPARATION (FROM OUTSIDE PIPE WALL TO OUTSIDE PIPE WALL) BETWEEN UTILITIES OTHER THAN SEVER AND WATER MAINS CANNOT BE MAINTAINED.
- 8. EXISTING UTILITY CROSSING ARE NOT REPRESENTATIVE OF ACTUAL LENGTH OF CONFLICT AREA (SEE PLAN VEW)
- CONTRACTOR SHALL COORDINATE AND NOTIFY SAN DIEGO TRANSIT A MINIMUM (5) FIVE DAYS PRIOR TO AFFECTING BUS STOPS.

ABBREMATIONS

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AC	ASBESTOS CEMENT	ELEC	ELECTRIC	PROP	PROPOSED
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ASSY	ASSEMBLY	F	FLANGE	s	SURVEY LINE
BK	BACK	G¥	GATE VALVE	50 50	STUE OUT
BTWN	BETWEEN	HOPE	HIGH-DENSITY	S/0	SOUTH OF
CATV	CABLE TV		POLYETHYLENE	SWR	SEWER
CI	CAST IRON PIPE	HP	HIGH PRESSURE	TEL	TELEPHONE
Ģ	CENTER LINE	E	INVERT ELEVATION	UNK	UNKNOWN
COND	CONDURT	LT	LEFT	VC	VITRIFIED CLAY PIPE
CONT	CONTINUED	MJ.j	MECHANICAL JOINT	WM.	WATER METER
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0B	DIRECT BURIED		DUCT	W/0	WEST OF
		N/0	NORTH OF		

EXISTING STRUCTURES

KEY MAP

TEEL ST

E E E E E E RANT ST

CITY OF SAN DIEGO

MEBSTER ST

LEGEND:

SHEET NO.

PUBLIC WORKS PROJECT

PROPOSED SEVER MAIN

REHAB SEWER MAIN

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WATCHLINE

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EX WATER MAIN & VALVES	— • —
EX WATER METER	— — — — — -
EX FIRE HYDRANT	Φ-
EX SEWER MAIN & MANHOLES	<u> </u>
EX DRAINS	
EX PAVEMENT (PROFILE)	11111
EX GROUND LINE (PROFILE)	
EX TRAFFIC SIGNAL	0¢T5
EX STREET LIGHT	🕂 SL
GAS MAIN	
ELEC. COND., TEL. COND., CATV	E T C -
RAILROAD, TROLLEY TRACKS	

		CONSTRUCTION CHANGE / ADDENMUM		#ARNING
CHANGE	DATE	AFFECTED OR ADDED SHEET NUMBERS	APPROVAL NO.	
				IF THIS BAR DOES NOT MEASURE I''
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			LIMITS OF WORK				
SHEET	DISCIPLINE			PI	PE	(Chi271)	1
NO.	CODE	STREET	LINITS		NATERIAL	LENGTH (FT)	
	G•I	COVER SHEET					1
2	C-I	LOGAN AVENUE	32ND STREET TO 33RD STREET	6	SEWER	783.00	
3	C-2	LOGAN AVENUE	S. 33RD STREET TO S GREGORY STREET	6	SEWER	558.00	
4	C-3	S GREGORY STREET	LOGAN AVENUE TO MARTIN AVENUE	8	SEWER	474.00	
5	C-4	33RD STREET	NATIONAL AVENUE TO LOGAN AVENUE	18	SEWER	544.00 522.00	
67	C-5 C-6	LOGAN AVENUE Gregory street	33RD STREET TO S. GREGORY STREET S. GREGORY STREET TO MARTIN AVENUE	18	SEWER	765.00	
Ë	C-7	WARTIN AVENUE	LA BON WAY TO S. GREGORY STREET	15 8/18	SEWER	465.00 / 239.00	Į
g	Č-8	BANCROFT/PAYNE ST	SOUTH OF GREELY AV. / SOUTH OF GREELY AV.	8/12	SEWER	330.00 / 466.00	
10	C-9	GREELY AVE/32ND ST	BANCROFT ST33RD ST./LOGAN AVEGREELY AVE.	12	SEWER	54L00	
1	C-10	33RD STREET	33RD STREET TO MARTIN AVENUE	8/12/15		300.00 / 10.00 / 349.00	
12	C-11	33RD STREET	MARTIN AVENUE TO OCEAN VIEW BOULEVARD	8/12	SEWER	50.00 / 635.00	
13 14	C-12 C-13	33RD STREET 33RD STREET	OCEAN VIEW BOULEVARD, TO SOUTH OF WEBSTER ST NORTH OF OCEANVIEW BL. TO DURANT STREFT	10 12/10	SEWER	606,00 206.00 / 747.00	<u>D</u>
15	C-14	33RD STREET	DURANT STREET TO ALLEY BLK IN BLK 8	8/10	SEWER	449.00/415.00	G
16	C-15	33RD STREET	ALLEY BLK I & BLK & TO NC LARENS LANE	8	SEWER	833.00	0
7	C-16	33RD ST. & ALLEY, BLK 3	NC LARENS LANE TO ALLEY BLK 2 & BLK 3	8/10	SEWER	683.00 / 35.00	c c
8	C-17	ALLEY BLK5 & BLK 4	BANCROFT ST TO 34TH ST	8	SEWER	737.00	
~	C-17	BLK 4	BANCROFT ST TO 34TH ST	6	SEWER	130.00 REHAR	Ē
19	C-18 C-18	OCEAN VIEW BL/32ND ST ALLEY	32ND ST. TO BANCROFT ST./BLK T TO BL 344 33RD ST. TO EAST OF DURANT ST.	8	SEWER	712,00	Ī
20	C-19	EASEMENT	WEST OF 33RD ST	8	SEWER	686.00	
	C-19	DURANT STREET	33RD ST TO EAST OF GREGORY ST	•	JENCK	666.00	
21	C-20	STEEL STREET	WEST & EAST OF 33RD ST.	8	SEWER	585.00	
22	C-21	GILLETTE STREET	EAST & WEST OF 33RD ST.	8	SEWER	622.00	
23 24	C-22 C-23	ALLEY SLK 2 & BLK 7 ALLEY SLK 18 BLK 8	EAST & WEST OF 33RD ST. WEST & EAST OF 33RD ST.	8	SEWER	616.00 583.00	
25	C-24	ALLEY BLK 133	EAST OF BEND ST	8	SEWER	382.00	
26	C-25	32ND ST. / ALLEY BLK 132	ALLEY BLK 133 TO BLK 132/32ND ST TO EAST OF ALLEY		SEWER	623.00	
27	C-26	EASEMENT BLK 337/BLK 338	BIST STREET TO BEND STREET	12	SEWER	824.00	
28	C-27	EASEMENT BLK 339/32ND ST	EAST OF 31ST ST. & ALLEY/NORTH OF CREELY AV.	8/12	SEWER	392.00 / 54.00	
29	C-28	33RD STREET	NATIONAL AVENUE TO LOGAN AVENUE	8	SEWER	401.00	1
30-31	1		STREET RESURFACING	TOTAL	SERER	18,351.00	J
32-33			CURB RAMP LOCATION				
34-36			REPLUMB DE TAILS SHEET	4			
37-38			SEWER MAIN & MANHOLE ABANDONEMENT				<u>۱</u> ۴
39-40			REVEGETATION PLAN				COLAND BEACH
41-42			HORIZONTAL ALIGNMENT COORDINATE REPORT				$\setminus \square$
TE	11-16		TRAFFIC PLANS				\ \
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FIELD DATA

BENCHNARK: NWBP ISLAND ST. & 33RD ST. ELEY.=41.42 FIELD NOTES: RAMETTA, 192-1728, W.O.NO.175341, 030802 DATUM: WEAN SEA LEVEL STREETS REQUIRING 9" TRENCH CAP: OCEAN VIEW BLVD.

DISCIPLINE CODE

GENERAL

CIVIL C

DEMOLITION

MECHANICAL ELECTRICAL

INSTRUMENTATION

TEMPORARY BUP CONSTRUCTION SITE STOPPU I AS-BUILT INF	ATER PROPITY: HOH WEDLIN LOW	5PEC. NO.			EGO, CA 42 SHEE		NIA	TATER N/A T.B.S. <u>B-00451</u> T.B.S. <u>B-00451</u>
MATERIALS	MANUFACTURER		FOR CITY ONGINEER			DATE		JERICHO CALLARDO
PIPE SDR 35 (SEWER)	-		ÓĽSCRIPTION	BY	APPROVED	DATE	FLUEC	YOUSIF BENYAMIN
SEWER MANHOLES	-	J	ORIGINAL	Y8/A4				FROJECT ENGINEER
REHABILITATE SEWER MANHOLES	-							SEE C-SHEETS
REHABILITATE SEWER MAIN	-				ļ			OCS27 COORDINATE
		_		-				SEE C-SHEETS
<u> </u>		_	CONTRACTOR		ATE STARTE ATE CONPLE			32171-01-D

ATTACHMENT 6



ATTACHMENT 7

SOUTHEASTERN SAN DIEGO PLANNING GROUP (SSDPG)

Meeting Location: Neighborhood House, 841 S. 41st Street, San Diego, CA 92113

MINUTES September 14, 2009 6:00 p.m. – 7:55 p.m.



[NOTE: Meetings must end promptly by 7:55 p.m.]

This Planning Committee covers the area south of the Dr. Martin Luther King, Jr. Freeway (Highway 94), east of Interstate 5, north of the border of National City, and west of Interstate 805. It includes the communities of Sherman Heights, Logan Heights, Grant Hill, Memorial, Stockton, Mount Hope, Mountain View, Southcrest, and Shelltown.

1. CALL TO ORDER, ROLL CALL, AND INTRODUCTIONS

In attendance:

Steve Veach (Chair), representing Sherman Heights Reynaldo Pisaño (Vice Chair), representing Mount Hope James Justus (Treasurer), representing the Business Community Louise Torio (Secretary), representing Sherman Heights Robert Leif, representing the Business Community Vincent Noto, representing the Business Community Paul Sweeney, representing the Business Community Joshua Von Wolkfolk, representing Mount Hope Reggie Womack, representing Stockton

Board Members Not At Meeting: Liliana Garcia-Rivera, Ben Rivera, Ivette Vela.

City of San Diego Planning Department Staff: Karen Bucey

Chair Steve Veach introduced himself, welcomed Board members and guests to the meeting, and explained the purpose of this planning group, which serves in an advisory capacity to the City of San Diego in regard to land use issues in this area.

2. APPROVAL OF TODAY'S AGENDA (ADDITIONS OR OMISSIONS)

Motion by Pisaño, seconded by Leif, to approve agenda. MSC: 9-0-0

3. PUBLIC COMMENTS (two minutes per public speaker, on non-agenda items only)

James Justus said how upset he was as the City's August 7, 2009, letter to owners of historic homes under Mills Act contracts to pay \$492 per contact to the City by August 28 or the Mills Act contract would be canceled. Justus believes that this fee to pay for five annual exterior inspections of each historic house under contract is unjust and will be a detriment to the City. Historic homeowners have done so much to make their communities better, especially in our Southeastern area; this new few will harm the program. Torio agreed that these additional costs will lower the demand for Mills Act contracts and will make it unaffordable to many lower income residents of historic homes in our local neighborhoods. Also, the "strong arm" letter to historic homeowners was not warranted and tacky, and the short timing to pay for the fee was especially hard on people like Justus and Torio, who have restored and maintain several historic properties under Mills Act contracts.

ATTACHMENT 7

4. STAFF REPORTS

- 1) Mayor's Office
- 2) Council District 4
- 3) Council District 8
- 4) Congresswoman Susan Davis' Office
- 5) Congressman Bob Filner's Office

- 6) SEDC
- 7) CCDC
- 8) Planning Department
- 9) Other

District 4, Bruce Williams: The City Council has been discussing the winter homeless shelter possible locations. The State is balancing the State budget by taking funds from cities. As of this meeting, the City is looking at a possible \$60 million budget gap for the next fiscal year, but this could climb much higher. Councilmember Young took a 13% reduction in salary, and his staff took a 6% reduction. The "Hire a Youth" Program may have helped in crime reduction. The Webster Second Annual "Praise Fest" of gospel music is planned. The Airport Authority will been outreach to contractors in our region for the building of the new airport terminal.

SEDC. Genevieve Fong: The State has taken fund from Redevelopment areas too, creating more local pain, so staff may not be able to attend evening meetings in the future. The SEDC Entrepreneur Academy will begin again soon. All are encouraged all to take the SEDC redevelopment bus tour on September 26.

Planning Department, Karen Bucey: No report.

- 5. CONSENT ITEMS: None
- 6. ACTION ITEMS:
 - Sewer Group 698 Repair and Replacement of Sewer Pipe in several locations in Α. Southeastern San Diego. Chris Gascon, P.E., the project manager for this project, presented (619-533-7418, cgascon@sandiego.gov). Sewer Main Replacement Group Job 698 will improve and repair the existing sewer system along 33rd Street and other areas in Stockton and Memorial. They are almost at 100% design. The work is planned to begin in March 2011. Construction will take about 14 months. The sewer system pipe material will be replaced with an approved/larger-sized material that would increase pipe strength, improve sewer flow, and decrease the chances of sewer main back-ups or breaks. The project will abandon several sewer mains and manholes. Several portions of these sewer mains located in areas with are difficult to access, such as easements located behind residential properties. The project proposes to abandon such mains and relocate the sewage flow back into sewer mains within the City of San Diego's right of way. Those residential properties are going to be replumbed (re-route the sewer lateral) to the proposed sewer mains located on City right-of-way. This project is part of the EPA mandate to replace all clay pipes, the project if funded.

Von Wolkfolk requested project signage in English and Spanish so area residents and business owners know whom to contact.

Pisaño said that some of the alleys where work will be done are unpaved, and he would want to see these alleys paved and improved. Since the Streets Division has no funds, it will be important for sewer improvement project like this to provide hardscape after pipe replacement. Chris Gascon said that the streets will be resurfaced, and the flow of traffic will be kept moving.

Bucey said that if the pipes are going to be abandoned in place, with some pipes running under properties, if utilities are running under there, then the easements cannot be abandoned yet.