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## **MITIGATED NEGATIVE DECLARATION**

October 25, 2024

Project Name: Riverford Road Roundabouts Project

Project Number: 1023987

### **This Document is Considered Draft Until it is Adopted by the Appropriate County of San Diego Decision-Making Body**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form; and
- b. Attached technical studies for: air quality; aquatic resources; biological resources; community assessment; cultural resources; greenhouse gas emissions; hazardous materials; historic resources; vehicle miles traveled; and visual resources.

#### **1. California Environmental Quality Act (CEQA) Mitigated Negative Declaration Findings:**

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration), that there is no substantial evidence that the project will have a significant effect on the environment.

#### **2. Required mitigation measures:**

Refer to the CEQA Initial Study for rationale for requiring the following mitigation measures:

#### **A. BIOLOGICAL RESOURCES**

##### **M-BIO-1: Restoration of Sensitive Vegetation**

Direct permanent impacts to 1.54 acres of CSS (1.47 acres of non-BRCA and 0.07 acre of BRCA) shall be mitigated at a ratio of 1.5:1 for BRCA and 1:1 for non-BRCA. This equates

to a mitigation total of 1.58 acres (0.11 acres of BRCA and 1.47 acre of non-BRCA) of CSS. Temporary direct impacts to 0.12 acres of disturbed non-BRCA CSS shall be mitigated at a 1:1 ratio, which equates to 0.12 acre of CSS. Temporary impacts would be restored on-site with habitat of equal or greater value. Permanent impacts shall be mitigated in the form of either enhancement, restoration, and/or creation of habitat on- or off-site, or a deduction of credits from a pre-approved mitigation area or a mitigation bank.

**M-BIO-2: Restoration of Sensitive Vegetation and Aquatic Resources**

Direct permanent impacts to 0.04 acre of disturbed non-BRCA southern cottonwood-willow riparian forest shall be mitigated at a ratio of 1:1, which equates to a mitigation total of 0.04 acre of southern cottonwood-willow riparian forest. Temporary direct impacts to 0.04 acre of disturbed non-BRCA southern cottonwood-willow riparian forest shall be mitigated at a 1:1 ratio, which equates to 0.04 of southern cottonwood-willow riparian forest. Permanent impacts shall be mitigated in the form of either enhancement, restoration, and/or creation of habitat on- or off-site, or a deduction of credits from a pre-approved mitigation area or a mitigation bank.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements / avoidance and minimization measures were either proposed by the project or are a result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the Environmental Initial Study. While the following are not mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

**A. BIOLOGICAL RESOURCES**

California Coastal Gnatcatcher

**AMM-1.** According to the adopted MSCP, no clearing of occupied habitat may occur between March 1 – August 15. Although there is no occupied habitat within the PIA, as an avoidance measure all vegetation clearing/grubbing shall take place between August 16 – February 28, outside the CAGN nesting season. Outside of the breeding season, no biological monitoring shall be required. If vegetation removal occurs during the breeding season, pre-construction surveys and biological monitoring shall be required as noted below. If construction pauses for longer than seven days during the Migratory Bird Treaty Act (MBTA) nesting bird period, a repeat of the bird nesting survey shall occur before construction can restart.

**AMM-2.** Prior to construction during the bird breeding season, a qualified biologist shall perform a minimum of three focused pre-construction surveys, on separate days, in and adjacent to suitable habitat for the species to determine the presence of CAGN within the PIA. Surveys shall begin a maximum of seven days prior to performing construction within 300 feet of suitable habitat during the breeding season, and one survey shall be conducted the day immediately prior to the initiation of construction within 300 feet of suitable habitat during the breeding season. If suitable habitat is not removed during the initial construction clearing/grading, additional surveys shall be conducted immediately prior to each habitat

removal within 300 feet of suitable habitat. If pre-construction surveys are negative for CAGN within the PIA, no additional measures for this species shall be required and vegetation clearing/grading can proceed.

**AMM-3.** Any nighttime construction lighting (e.g., staging areas, equipment storage sites, active work areas) shall be selectively placed and directed toward the construction site. Lighting shall be limited to the lowest illumination necessary to allow for safe completion of work and directed away from, shielded, or pointed downward and away from the adjacent habitat of the river corridor (for least Bell's vireo habitat) and adjacent CSS (for CAGN habitat).

**AMM-4.** Permanent roadway lighting shall be installed to help illuminate both roundabouts for drivers' and pedestrians' safety. Roadway lighting facilities shall be consistent with the County's and Caltrans' illumination standards and design requirements.

**AMM-5.** Prior to initiation of construction activities, orange construction fencing, or equivalent high-visibility construction fencing, shall be installed along the limits of construction disturbance adjacent to sensitive biological resource areas. All construction (including access/staging areas) shall be restricted to developed areas or previously defined/approved work areas. Equipment staging, storage, and maintenance shall be located outside the active river channel, riparian, and CSS vegetation. Temporary fencing shall be removed at the completion of construction.

**AMM-6.** A qualified biologist shall monitor construction activities as needed to oversee avoidance of sensitive biological resources, with full-time monitoring during initial vegetation removal, grubbing, and grading. Monitoring biologist shall be familiar with the special status species known to be present or with potential to occur on project site that could occur within the vegetation communities proposed for removal. Should a special status species be encountered, biological monitor shall request that the Resident Engineer stop work in the area. Biological monitor shall determine the next steps required (e.g., implement avoidance measures, contact Caltrans, the County, or wildlife resource agencies), and shall work with the RE to identify areas where work can proceed while measures are determined.

**AMM-7.** An employee education program shall be developed and implemented by a qualified biologist prior to construction. Each construction employee (including temporary, contractors, and subcontractors) shall receive a training/awareness program prior to working on the proposed project. Employees shall be advised of listed species in the project's vicinity and the potential penalties for taking of such species. At a minimum, the program shall include: occurrence of the listed and sensitive species in the area (including photographs), their general ecology, sensitivity of the species to human activities, legal protection afforded these species, penalties for violations of federal and State laws, reporting requirements, and project-specific mitigation and avoidance & minimization measures designed to reduce impacts to these species. Employee education program shall also cover project permit requirements, if applicable, and communication protocol with the public agency constructing the project and with wildlife resource agencies, if applicable.

**AMM-8.** The following general construction BMPs shall be employed to minimize impacts to sensitive biological resources from construction activities:

- Erosion and sediment control measures (e.g., straw wattles, gravel bags, silt fencing) shall be in place and in functional condition throughout all phases of the project where sediment run-on or run-off from exposed slopes threatens to enter the river or aquatic habitats. Jute for straw wattles must be made of natural material.
- Monitoring biologist shall check the project site immediately prior to and periodically during construction, to identify presence of invasive weeds and recommend measures to avoid their inadvertent spread resulting from construction activities. Measures may include inspection and cleaning of construction equipment and use of eradication strategies. Special care shall be taken during transport, use, and disposal of soils containing invasive weed seeds, and all weedy vegetation removed during construction shall be properly stored and disposed of to prevent spread into areas outside of the construction area.
- All heavy equipment shall be washed and cleaned of debris, sediment, and foreign matter prior to entering the project area to minimize the spread of invasive weeds.
- All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall be restricted to designated areas located outside of marked (e.g., flagged/staked) wetlands or waters. Spill prevention materials or equipment, such as drip pans and spill kits, shall be maintained on-site to contain any spill or inadvertent release of materials that may cause pollution or nuisance if such materials reach Waters of the United States (WOTUS)/Waters of the State (WOTS).
- All steep trenches, holes, and excavations during construction shall be covered at night with backfill, plywood, metal plates, or other means, and the edges covered with soils and plastic sheeting such that small wildlife cannot access them.
- Soil piles shall be covered at night to prevent wildlife from burrowing in. The edges of the sheeting shall be weighed down by sandbags. These areas may also be fenced to prevent wildlife from gaining access.
- Exposed trenches, holes, and excavations shall be inspected daily (i.e., at the end of the workday, before sealing the exposed area) either by the Resident Engineer, construction inspector, superintendent or project foreman to check for wildlife entrapment. Excavated areas shall provide an earthen ramp to allow for a wildlife escape route.
- All waste, including pet waste, shall be removed from the project area. All food-related trash shall be enclosed in sealed wildlife-proof containers and removed from the site daily. All construction related debris, excess materials, and building materials shall be removed regularly from the project site for disposal at an authorized landfill or other disposal site, in compliance with federal, state, and local laws and regulations.
- Project personnel shall be prohibited from bringing domestic pets to construction sites to ensure pets do not disturb or depredate wildlife in adjacent native habitats.

Least Bell's Vireo

**AMM-9.** According to the adopted MSCP, no clearing of occupied habitat may occur between March 15 – September 15. Although there is no occupied habitat within the PIA, as an avoidance measure all vegetation clearing/grubbing shall occur between September 16 – March 14, outside the LBV nesting season. Outside of the breeding season, no biological monitoring shall be required. If vegetation removal occurs during the breeding season, pre-construction surveys and biological monitoring shall be required. If construction pauses for longer than seven days during the MBTA nesting bird period, a repeat of the bird nesting survey shall occur before construction can restart.

**AMM-10.** Prior to construction during the bird breeding season, a qualified biologist shall perform a minimum of three focused pre construction surveys, on separate days, in and adjacent to suitable habitat for the species, to determine the presence of LBV within the PIA. Surveys shall begin a maximum of seven days prior to performing construction within 300 feet of suitable habitat during the breeding season, and one survey shall be conducted the day immediately prior to the initiation of construction within 300 feet of suitable habitat during the breeding season. If the suitable habitat is not removed during the initial construction clearing/grading, additional surveys shall be conducted immediately prior to each habitat removal within 300 feet of suitable habitat. If pre-construction surveys are negative for LBV within the PIA, no additional measures for this species shall be required and vegetation clearing/grading can proceed.

**AMM-11.** To ensure noise levels during construction are in compliance with the USFWS' guidance of 65 A-weighted decibels (dBA) and do not affect LBV use areas, all rock removal activities at the northern and southern roundabouts that may involve the use of a hydraulic splitter, pneumatic hammer, or any other noise-producing rock removal equipment or methods shall not occur simultaneously with any other general construction activities north of the defined Environmentally Sensitive Area line, as identified the Natural Environment Report for Riverford Road and State Route 67 (Figure 6; September 2024) for all stages of construction.

Other Special Status / Migratory Birds

**AMM-12.** All vegetation clearing/grubbing shall take place between September 16 – January 14, outside of the combined avian nesting season. If vegetation removal needs to occur during the breeding season, pre-construction surveys and monitoring shall be required. If construction pauses for longer than seven days during the Migratory Bird Treaty Act (MBTA) nesting bird period, a repeat of the bird nesting survey shall occur before construction can restart.

**AMM-13.** During the bird breeding season, a qualified biologist shall perform focused pre construction surveys in and adjacent to suitable habitat for the species to determine the presence of active nests within the PIA. Survey shall be conducted a maximum of seven days prior to performing construction within 300 feet of suitable habitat during the breeding

season. If the suitable habitat is not removed during the initial clearing/grading construction effort, additional surveys shall be conducted immediately prior to each habitat removal during project construction within 300 feet of suitable habitat. If pre-construction surveys are negative for active nests within the PIA, no additional measures shall be required.

### Bats

**AMM-14.** A biologist with expertise and experience with bats shall be retained as a designated bat biologist. The designated bat biologist shall have at least 3 years of experience in conducting bat habitat assessments, day roosting surveys, and acoustic monitoring, and have adequate experience identifying local bat species (visual and acoustic identification), type of habitat, and differences in roosting behavior and types (i.e., day, night, maternity). In order to avoid direct impacts to any potentially tree-roosting bats, the designated bat biologist shall survey any trees with potential to support this species that are proposed for trimming or removal immediately prior to the activities; if bats are present, biologist shall be present during all vegetation removal and tree trimming at the occupied habitat and examine the branches for nonvolant (nonflying) juvenile bats prior to disposal.

**AMM-15.** During construction, the removal of trees or their branches shall be avoided to the maximum extent practicable within or adjacent to occupied bat habitat, if found. If tree removal or trimming is necessary for project construction, this activity shall be performed outside the bat maternity season (May through August 31) to avoid impact to flightless young. If any trees are occupied by tree-roosting bats, additional avoidance/mitigation measures shall be implemented as recommended by the biological monitor. Any injured or potentially injured bats shall be transported by the designated bat biologist to a CDFW-licensed bat rehabilitator within 24 hours. With the implementation of these measures, the project is expected to avoid significant direct impacts to the western red bat and western yellow bat, if present.

### Crotch's Bumble Bee

**AMM-16.** Prior to vegetation clearing for construction, a Crotch's bumble bee habitat assessment shall be conducted by a qualified biologist during the spring when nectar plants are at peak bloom, in accordance with the most current survey guidance developed by CDFW (2023). Prior to the habitat assessment, the baseline data and recent aerial photographs shall be reviewed to identify locations with the highest potential to support Crotch's bumble bee. During the habitat assessment, the survey area shall be traversed, and potential nectar sources mapped based on the location and abundance of blooming plants. In accordance with CDFW's survey guidance, habitat quality shall be characterized and classified based on criteria which includes but is not limited to: the presence and abundance of nectar plants and physical characteristics of the habitat (slope and vegetation density), out-of-season nectar sources, nesting resources (e.g., abandoned burrows), quality of overwintering habitat and other factors. Criteria used to categorize low, moderate, and high nectar abundance within the survey area shall include the presence of potential nesting resources (e.g., small mammal burrows, flowering plants, and openings within scrub and grassland habitats).

**AMM-17.** If species or nectar sources are observed/mapped during the habitat assessment prior to vegetation clearing for construction, a focused survey shall be conducted by a qualified biologist during the Crotch's bumble bee flight season (April through August) prior to any vegetation clearing or grading based on the location of nectar sources mapped during the habitat assessment. The survey would be repeated during each subsequent flight season, should additional vegetation removal be required following the initial clearing prior to construction commencement. The survey shall be conducted in accordance with the current CDFW guidelines in effect at the time of the survey, which currently requires three surveys conducted between April and August, spaced at least two weeks apart. Surveys will also be conducted in accordance with CDFW guidelines' requirements regarding surveys frequency (e.g., repeat the survey during each subsequent flight season, should additional vegetation removal be required following the initial clearing prior to construction commencement). Per the guidance, any non-lethal capture and handling of bees shall require a Memorandum of Understanding (MOU) 2081(a) from CDFW. If non-capture methods are employed for Crotch's bumble bee detections, such as taking photographs for an identification voucher, these shall be verified by a taxonomic expert.

**AMM-18.** If Crotch's bumble bee is not detected, no further action shall be required. A report of the negative survey shall be submitted to the County and CDFW. If any Crotch's bumble bees are detected outside of the flight season referenced in AMM-16, a qualified biologist shall notify CDFW and the County and shall attempt to identify any nest locations. CDFW shall be consulted to determine if project activities would result in impacts to Crotch's bumble bee, in which case an Incidental Take Permit (ITP) may be required. If an ITP is required, it shall be obtained prior to construction (i.e., project activities). ITP conditions shall be fulfilled prior to initiating project activities. Take of any endangered, threatened, candidate species as a result of project construction is prohibited, except as authorized by State law under the California Endangered Species Act.

#### Robinson's Peppergrass

**AMM-19.** A focused rare plant survey shall be conducted in the spring prior to the start of construction to confirm presence and extent of on-site populations of any special status plant species.

**AMM-20.** If observed within the PIA, prior to initiation of construction activities, a qualified biologist shall flag or fence special status plant species that occur within the temporary impact areas, as confirmed during the focused rare plant survey. Special status plant species shall be avoided to the maximum extent feasible within the temporary impact areas.

**AMM-21.** Any special status plant species that cannot be avoided within temporary impact areas shall be salvaged for transplant or included in the seed or plant palette for revegetation. If project timing allows, seed should be collected from individuals within the PIA prior to the start of construction.

**AMM-22.** If species are found onsite during the pre-construction focused plant surveys and would be impacted by the project, then mitigation shall be required and could be

accomplished through inclusion of this species in on-site restoration of the temporarily impacted CSS areas. All available Robinson's peppergrass seed from within the temporary impact areas of the PIA shall be collected prior to project impact, to be used on-site as part of the restoration plant palette. Additional seed from within the project vicinity shall be collected, if needed, and shall be no more than 5 percent of the total available seed.

## **B. CULTURAL RESOURCES**

**AMM-23.** A specific location within the construction staging area shall be designated for potential inadvertent cultural discoveries.

**AMM-24.** A County-provided qualified archaeologist and a Kumeyaay Native American monitor shall be present during the project-related vegetation clearing and grubbing and initial ground-disturbing activities. If inadvertent discoveries of historical resources, tribal cultural resources, or archaeological resources are made, the County, project archaeologist, and Kumeyaay Native American monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to assess the significance of the resources and confer regarding the appropriate treatment (i.e., preservation, avoidance, and/or mitigation for the resources). The project archaeologist shall consult with the Kumeyaay Native American monitor in assessing the potential significance of the tribal cultural resource. Work may proceed in other parts of the project that does not disturb the area of concern or disrupt the investigation while historical or unique resource mitigation takes place. As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a CEQA Lead Agency shall make provisions for historical or unique archaeological resources inadvertently discovered during construction. Cultural resources may be repatriated to an appropriate, traditionally and culturally affiliated Native American tribe. If the traditionally and culturally affiliated tribe does not accept the materials for repatriation, then those tribal cultural resources shall be subject to curation in accordance with the County's curation policy.

**AMM-25.** Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation of tribal cultural resources and archaeological resources. Work could continue in other parts of the project site while historical or unique archaeological resource mitigation takes place. The project archaeologist, in consultation with the County staff archaeologist, and in consultation with the Kumeyaay Native American monitor, where appropriate, shall determine the significance of the discovered resources. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the archaeologist, in consultation with the Kumeyaay Native American monitor, and approved by the County staff archaeologist, then carried out using professional archaeological methods.

**AMM-26.** Inadvertent Archaeological Find. If during ground disturbance activities, unique cultural resources are discovered, the following procedures shall be followed:



- i. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the County, project archaeologist, and appropriate Native American representative to discuss the significance of the find.
- ii. At the meeting, the significance of the discoveries shall be discussed and after consultation with the County, appropriate Native American representative, and the project archaeologist, a decision shall be made as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
- iii. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and shall be monitored by additional cultural monitors if needed.
- iv. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements which would be entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or reburial-burial on the project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.
- v. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III Data Recovery Plan shall be prepared by the project archaeologist, in consultation with the Tribe, and shall be submitted to the County for their review and approval prior to implementation of said plan.
- vi. Consistent with California Public Resources Code, Section 21083.2(b), and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for cultural resources.

**AMM-27. Cultural Resources Disposition.** The following procedures, in order of preference, shall be employed with the tribes and carried out for final disposition of the inadvertent discoveries of Native American cultural resources:

- i. Preservation in place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.
- ii. Reburial of the resources on the project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV Report. The Phase IV Report shall be filed with the County under a confidential cover and not subject to Public Records Request.
- iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a San Diego County curation facility or Tribal curation

facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided to the County. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV Monitoring Report.

The following procedure shall be employed for the disposition of historic period cultural materials:

- i. Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

**AMM-28.** Human Remains Avoidance and Minimization Efforts. A qualified archaeologist and a Kumeyaay Native American monitor shall be provided during the initial project-related ground-disturbing activities. If human remains are encountered, consistent with California Health and Safety Code, Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin of the remains. Consistent with California Public Resources Code, Section 5097.98(b), human remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made.

**AMM-29.** If the County Coroner determines the remains to be Native American, the NAHC shall be contacted within 24 hours. The NAHC shall immediately identify the most likely descendant(s) (MLD) and notify them of the discovery. The MLD shall make recommendations within forty-eight (48) hours after being allowed access to the site and engage in consultations with the landowner concerning the treatment of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further construction activity until consultation with the MLD regarding their recommendations as required by California Public Resources Code, Section 5097.98, has been conducted. Public Resources Code, Section 5097.98; CEQA Guidelines, Section 15064.5; and California Health and Safety Code, Section 7050.5, shall be followed.

### **c. GEOLOGICAL RESOURCES**

**AMM-30.** A monitoring program implemented by the excavation/grading contractor shall be required. Specifically, a Standard Monitor (any one person who is on the project site during all the original cutting of undisturbed substratum) shall be present during initial cutting, grading, or excavation of the substratum and given the responsibility of watching for fossils.

In accordance with the Grading Ordinance, if a fossil or fossil assemblage of greater than twelve inches in any dimension is encountered during excavation, all excavation operations in the area where the fossil or fossil assemblage was found shall be suspended immediately, the DPW Resident Engineer and Environmental Services Unit shall be notified, and a Qualified Paleontologist shall be retained to inspect the find to determine if it is significant. A Qualified Paleontologist is a person who has:

- A Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.);
- Demonstrated knowledge of southern California paleontology and geology; and
- Documented experience in professional paleontological procedures and techniques.

**AMM-31.** If the Qualified Paleontologist determines that the fossil or fossil assemblage is significant; a mitigation program involving salvage, cleaning, and curation of the fossil(s) and documentation shall be implemented. If no fossils or fossil assemblages of greater than 12 inches in any dimension are encountered during excavation, a “No Fossils Found” letter shall be submitted to the County Planning & Development Services identifying who conducted the monitoring and that no fossils were found. If one or more fossils or fossil assemblages are found, the Qualified Paleontologist shall prepare a report documenting the mitigation program, including field and laboratory methodology, location and the geologic and stratigraphic setting, list(s) of collected fossils and their paleontological significance, descriptions of any analyses, conclusions, and references cited.

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and the above California Environmental Quality Act findings made:

On \_\_\_\_\_

By \_\_\_\_\_  
Jeff Kashak, Environmental Planning Manager  
DPW Environmental Services Unit