



San Diego County Archaeological Society, Inc.

Environmental Review Committee

31 July 2005

Response to Comments

To: Mr. Jeffrey Szymanski  
Development Services Department  
City of San Diego  
1222 First Avenue, Mail Station 501  
San Diego, California 92101

Subject: Draft Mitigated Negative Declaration  
Sewer Group Job 665  
Project No. 25783


Dear Mr. Szymanski:

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

Based on the information contained in the DMND and initial study for the project, we agree with the impact analysis and mitigation measures as proposed.

Thank you for affording us this opportunity to comment on this project.

Sincerely,

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

cc: SDCAS President  
File

1. Comment Noted

City of San Diego  
Development Services Department  
LAND DEVELOPMENT REVIEW DIVISION  
1222 First Avenue, Mail Station 501  
San Diego, CA 92101  
(619) 446-6460

INITIAL STUDY  
Project No. 25783  
SCH No. Pending

**SUBJECT:** Sewer Group Job 665 SITE DEVELOPMENT PERMIT to allow for the rehabilitation and replacement of 6" and 8" sewer mains in the Old Town and Uptown communities. Rehabilitation of 8,546 linear feet of sewer mains would occur in; Trias Canyon, Presidio Park/ Palm Canyon (Palm Canyon), and Heritage Canyon with trenchless technology (slip-lining). The project would consist of the insertion of a synthetic lining into existing sewer mains via existing manholes. Replacement of 920 linear feet of sewer mains would occur within street and developed areas of Old Town and Heritage Park and would be completed by open trenching. Other related work would entail the connection of laterals to rehabilitated mains, manhole rehabilitation and several spot repairs in canyon areas. Spot repairs would be accessed by foot paths and along channel bottoms with no vegetation. All work done on the spot repairs would be accomplished with hand tools. The location of the project is within the Old San Diego and Uptown Community Plan areas. Applicant: City of San Diego Engineering & Capital Projects Department

I. PURPOSE AND MAIN FEATURES:

The proposed Site Development Permit would allow for the rehabilitation of 8,546 linear feet of 6 and 8 inch sewer mains in Trias, Presidio, and Heritage Canyons. The rehabilitation would consist of the insertion of a pipe lining into the existing sewer mains via existing man holes. This rehabilitation methodology employees trenchless technology and therefore is unobtrusive and requires no excavation. Open trenching would be conducted in the existing public right of way and would affect portions of the following streets: Harney Street, Hortensia Street, Arista Court, Arista Drive, Presidio Drive and an alley between Hortensia Street and Trias Street (Figure 1). Typical trench depths would be three feet wide and the depths would range from 2.5 feet to 13 feet.

The project proposal would allow for the clearing of 3-foot paths in the canyons to allow access to point repairs and manholes. Any areas supporting sensitive habitat impacted by project activities and access paths would be revegetated with a native seed mix as outlined in, *Biological Resource Report for the Proposed Sewer Rehabilitation Project, City Wastewater Group 665* prepared by Tierra Environmental Services (May 2005). The revegetation of the access areas would not count towards mitigation as these areas may be impacted by future activity.

Mitigation for impacts to the Waters of the US/natural bottom and wetland habitats would be met through a combination of on and off site mitigation. The on-site component to the wetland/US Waters mitigation is outlined in the above biological report. The off-site component to the wetland/US Waters mitigation would take place in the San Diego River Wetland Creation Site. The San Diego River Wetland Creation Project is a programmatic mitigation area designed to provide compensatory wetland mitigation for City projects largely associated with canyon sewer access programs. A description of this mitigation project can be found in the *Conceptual Mitigation Plan for the Canyon Sewer Projects within the City of San Diego Water Shed, City of San Diego Metropolitan Wastewater Department, Camino Del Rio South Site* prepared by Merkel and Associates (April 2004).

It is anticipated that work hours would occur during the daytime, Monday through Friday. The contractor would comply with the requirements described in the *Standard Specifications for Public Works Construction*, and California department of Transportation *Manual of Traffic Controls for Construction and Maintenance Work Zones*. A traffic control plan would be prepared and implemented in accordance with the *City of San Diego Standard Drawings Manual of Traffic Control for Construction and Maintenance Work Zones*.

## II. ENVIRONMENTAL SETTING:

The proposed project would take place in the Old San Diego and Uptown Community Plan areas. The sewer rehabilitation component would be located in Trias, Heritage, and Presidio Canyons and would be accomplished through trenchless technology. The installation component of the project would affect parts of the following streets: Harney Street, Hortensia Street, Arista Court, Arista Drive, Presidio Drive and an alley between Hortensia Street and Trias Street.

The project area is located south of Interstate 8 and east of Interstate 5 (Figure 2). The open trenching component is largely located on a flat mesa top that makes up a major portion of the Uptown Community Planning area. A segment of open trenching would take place in the Old Town San Diego Community plan area on Harney Street, which is located at the base of the steep slopes separating the two communities. The sewer pipe rehabilitation would take place in Trias Heritage and Presidio Canyons. These canyons, which are within the City's Multiple Species Conservation (MSCP) area, break up the level mesa of Mission Hills and drain into the San Diego River Watershed.

Single and multi-family development surrounds the majority of the project located in the public right of way (paved streets). The segment of open trenching located in Old San Diego is surrounded by both residential and commercial uses. Palm Canyon is located south of Taylor Street and below Presidio Park, site of the San Diego Royal Presidio. Heritage Park Canyon begins at the edge of Heritage Park, home of several restored historical buildings, and is surrounded by residential development.

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study checklist.

IV. DISCUSSION:

The following issues were considered during the environmental review of this project and determined to be potentially significant: **Land Use, Biological Resources, Paleontological Resources, and Historical Resources (Archaeology)**

#### BIOLOGICAL RESOURCES

A biological survey report was prepared by Tierra Environmental Services (May 2005) to assess the impacts of the project on sensitive biological resources. Biological field surveys conducted included vegetation mapping, a sensitive plant species assessment, and a general wildlife survey. The biological survey report is available for review at the offices of the Land Development Review Division and is summarized below:

The biology report concluded that the project would result in impacts to several plant communities both inside and outside of the boundaries of the MHPA. The proposed project would directly impact 0.03 acres of southern maritime chaparral (Tier I), 0.06 acres of coastal sage scrub (Tier II), and 0.01 acres of non-native grassland (Tier IIIB) all of which are within the MHPA. Impacts to Tier I habitat within the MHPA will be mitigated at a 2:1 ratio, impacts to Tier II habitat within the MHPA will be mitigated at a 1:1 ratio and impacts to Tier IIIB habitat within the MHPA will be mitigated at a 1:1 ratio. The project would also impact sensitive habitat located outside of the MHPA. 0.03 acres of southern maritime chaparral (Tier I) would be mitigated at a 1:1 ratio, 0.02 acres of coastal sage scrub (Tier II) would be mitigated at a 1:1 ratio and the .01 acres of non-native grassland (Tier IIIB) would be mitigated at a 0.5:1 ratio. The total impact to upland habitats, after accounting for the appropriate mitigation ratios mentioned above, would total 0.185 acres. Impacts resulting from the project will be satisfied off-site, through a contribution of \$4,625 (\$25,000 x 0.185 acre) to the City's Habitat Acquisition Fund.

It is anticipated that project activities would result in impacts to a total of 0.1785 acres of Wetland Habitat. This would include, 0.0135 acres of Waters of the U.S./natural bottom channel and 0.165 acres of disturbed riparian scrub. The project shall mitigate for impacts to .0135 acres of Waters of the U.S./natural bottom channel at a 2:1 ratio through the restoration/enhancement of .027 acres of wetland habitat within the San Diego River Wetland Creation Site. In addition, the project shall also mitigate for impacts to .23 acres of Riparian scrub habitat at a 2:1 ratio through a combination of 0.10 acres on-site restoration/creation and 0.165 acres of creation of wetland habitat within the San Diego River Wetland Creation Project (Merkel 2004). No plants or wildlife listed as rare, threatened, or endangered by the U.S. Fish and Wildlife Service (USFWS) or the California Department of Fish and Game (CDFG) were detected in the project area.

The project site does not support biological resources whose preservation is vital to regional preserve planning. Compliance with the Biological Resource Mitigation as outlined in Section V. of the Mitigated Negative Declaration would reduce potentially significant indirect impacts to below a level of significance.

### **Paleontological Resources**

The geologic formations which underlie the project areas consist of the Lindavista and Bay Point Formations. With respect to paleontological fossil resource potential, Lindavista Formation is assigned a moderate sensitivity within the project area and the Bay Point formation is assigned a high sensitivity. Based on the sensitivity of the affected formations and the proposed excavation depths, the project could result in significant impacts to paleontological resources. To reduce this impact to below a level of significance, excavation within previously undisturbed formations at a depth of 10 or more feet would be monitored by a qualified paleontologist or paleontological monitor. Any significant paleontological resources encountered would be recovered and curated. These requirements are outlined in Section V. Mitigation, Monitoring and Reporting Program, of the Mitigated Negative Declaration.

### **Land Use (MULTIPLE SPECIES CONSERVATION PROGRAM)**

Portions of the proposed rehabilitation component of the project, within Palm, Trias, and Heritage Canyons, are within the Multi-Habitat Planning Area (MHPA) of the City of San Diego Multiple Species Conservation Plan (MSCP) Subarea. The Subarea Plan states that temporary access paths must not disturb existing habitat unless determine to be unavoidable. In addition the Subarea Plan also states that proposed utility lines (e.g. sewer, water, etc.) should be designed to avoid or minimize intrusion in the MHPA unless no other routing is feasible. It has been determined that the redirection of flow out of the canyons would not be feasible since the sewer alignment is all ready existing and the method of rehabilitation would cause minimal impacts to sensitive habitat. To the extent possible, access routes and rehabilitation activities shall be restricted to the least sensitive areas thereby avoiding sensitive habitats and jurisdicional areas on the project site. In compliance with the Subarea Plan, temporary habitat disturbance, that has been deemed unavoidable, will be restored or mitigated for after the project has been completed. Although the project would result in impacts to biological resources within the MHPA, the MSCP Subarea plan anticipates improvements to existing and future infastructure within urban canyons.

### **Historical Resources (Archaeology)**

The purpose and intent of the Historical Resources Regulations of the Land Development Code (Chapter 14, Division 3, Article 2) is to protect, preserve and, where damaged, restore the historical resources of San Diego. The regulations apply to all proposed development within the City of San Diego when historical resources are present on the premises. CEQA requires that before approving discretionary projects the Lead Agency

must identify and examine the significant adverse environmental effects which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment (Sections 15064.5(b) and 21084). A substantial adverse change is defined as demolition, destruction, relocation, or alteration activities which would impair historical significance (Sections 15064.5(b)(1) and 5020.1). Any historical resource listed in or eligible to be listed in the California Register of Historical Resources, including archaeological resources, is considered to be historically or culturally significant.

All sewer rehabilitation within Trias, Palm, and Heritage Canyons would be accomplished through trenchless technology and would not require excavation. Open trenching would be employed to install the sewer alignment within the developed streets of Mission Hills and Old Town. In addition, a portion of the proposed project alignment within Palm Canyon is also located within the mapped boundaries of the San Diego Royal Presidio (CA-SDI-38), a National Historic Landmark. The San Diego Presidio is the site of the first Spanish outpost in Alta California. This tiny fort set the standard for subsequent colonization throughout California. The Presidio commemorates two important events: the founding of the first permanent European settlement of the Pacific Coast of what is now the United States and the establishment of the first mission in California in 1769. Five years later, the mission was relocated to its present site in Mission Valley, and the outpost was granted the status of a Royal Presidio. The population of the Royal Presidio was made up of a diverse array of civilians and military personnel, sheltering more than five hundred inhabitants. The Royal Presidio continued to serve as both an administrative and judicial center and as a military outpost for the region, until falling into a sharp decline in 1830. In 1835, the Presidio was abandoned. No other site in California has preserved so well the details of daily living during this period, as the remains from the Presidio. Amid the ruins of more than two hundred rooms can be found hundreds of thousands of artifacts that were left behind by the people who lived in San Diego in the nearly forgotten era. Today, the ruins of the adobe citadel and town are protected as part of Presidio Park. It remains one of the most important, and best preserved, Spanish colonial sites in the western United States (EDAW, Inc., 1999).

The San Diego Presidio's historical, archaeological, architectural and cultural value has earned it historic designation at the local, state and national level. However, little is known about the use of Palm Canyon by the Presidio soldiers and the Native American village inhabitants of Cosoy, which was located in an area just below Presidio Hill. The canyon may have been exploited by the inhabitants of Cosoy for its diverse vegetation and animal resources. The project site was surveyed by qualified City staff in March 2005 in order to visually inspect the alignment for any surface component of the San Diego Presidio archaeological site. However, since the existing pipeline is below grade and previously disturbed, staff was unable to identify any evidence of the Presidio occupation within the proposed Area of Potential Effect (APE). Because this portion of the project does not require open trenching, it was determined that monitoring, rather than testing would be an appropriate cautionary mitigation measure to reduce potential direct

and indirect impacts during brush clearing for the proposed access path. Should historical resources be encountered during any phase of construction activities, work would be stopped and the qualified archaeologist would be required to implement an Archaeological Data Recovery Program (ADRP) in consultation with NPS and EAS staff. Therefore, implementation of the archaeological monitoring program identified in Section V of the Mitigated Negative Declaration, would reduce potential historical resource impacts to below a level of significance.

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

The following issues were considered during the environmental review of this project and determined **not** to be significant: **LAND USE AND WATER QUALITY.**

### **Land Use**

#### *City Council Policies 400-13 & 400-14*

City Council Policy 400-13 requires the implementation of timely and effective restoration procedures when impacts occur resulting from the abandonment and redirection of flow to remove sewer alignments out of the City of San Diego's Canyon systems. City Council Policy No. 400-14 addresses the placement of sewer lines in canyons and other environmentally sensitive lands. The purpose of the policy is to establish a feasibility and planning framework for the redirection of sewage away from canyons and other environmentally sensitive lands by considering the quantitative and qualitative costs and benefits of the alternatives.

In accordance with Council Policy 400-13 upon completion all grading and drainage will be promptly returned to preexisting conditions. Revegetation will be performed in all the project work areas and temporary access paths. Success criteria established in the Biological Resources Report would be used to determine if the goals of the revegetation program have been achieved. In addition, canyon access would be minimized as no permanent access roads are proposed or planned for the project alignments. Furthermore, all work would be performed in a way that minimizes impacts to sensitive resources. A qualified biologist will conduct construction monitoring during all phases of the project,

and would be responsible for ensuring compliance with adopted mitigation measures and permit conditions.

Although the planning and design of Sewer Group Job 665 took place before Council Policies 400-13 and 400-14 were adopted, the option of redirecting the relative sewer segments out of the canyon was considered and evaluated. Due to the large volume of sewage being carried by the sewer alignments in the canyons, the entire system would need to be reconfigured in order to completely redirect flow out of these areas. Further, due to the geographic location and the steep and narrow characteristics of these small canyons, several sewer pump stations, numerous lateral pumps and over 2,000 lineal feet of force main would have to be installed. Although no formal cost-benefit analysis has been prepared, it is expected that the costs for redirection would greatly exceed the 35 percent inflation factor provided in Council Policy 400-14. In conclusion, the proposed project has been designed to comply with Council Policies 400-13 and 400-14.

#### WATER QUALITY

Water quality is affected by sedimentation caused by erosion, runoff carrying contaminants, and direct discharge of pollutants (point-source pollution). As land is developed, impervious surfaces send an increased volume of runoff containing oils, heavy metals, pesticides, fertilizers and other contaminants (non-point source pollution) into the stormwater drain system.

According to the City of San Diego's Storm Water Applicability Checklist, the proposed project is subject to the preparation of a Water Pollution Control Plan (WPCP), a Storm Water Pollution Prevention Plan (SWPPP) and associated State Water Resources Control Board Resolution No. 2001-155, Modification of Water Quality Order 99-08-DWQ State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity (General Permit) to include Small Construction Activity.

The purpose of the SWPPP is to identify potential pollutant sources that may affect the quality of discharges associated with construction activity; to identify non-storm water discharges, and to design the use and placement of Best Management Practices (BMPs) to effectively prohibit the entry of pollutant from the construction site into the storm drain system during construction. Erosion and sediment source control BMPs must be considered for both active and inactive (previously disturbed) construction areas. BMPs for wind erosion and dust control are also included. The SWPPP would likely require modification as the project progresses as conditions warrant. Compliance with the City of San Diego's Storm Water Standards would preclude water quality impacts direct and cumulatively considerable; therefore, no mitigation is required.

#### V. RECOMMENDATION:

On the basis of this initial evaluation:



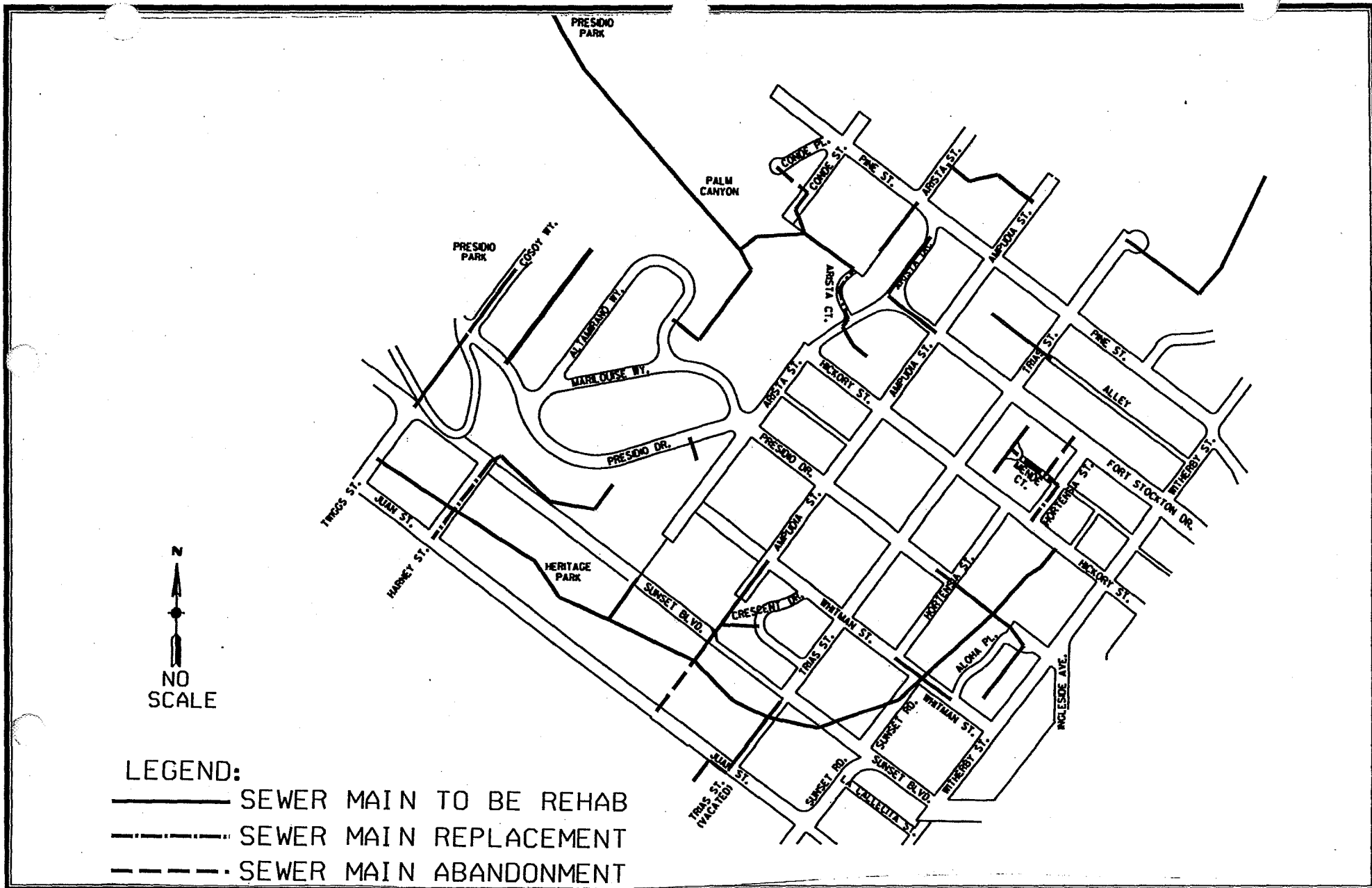
The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.

The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

PROJECT ANALYST: Jeffrey Szymanski

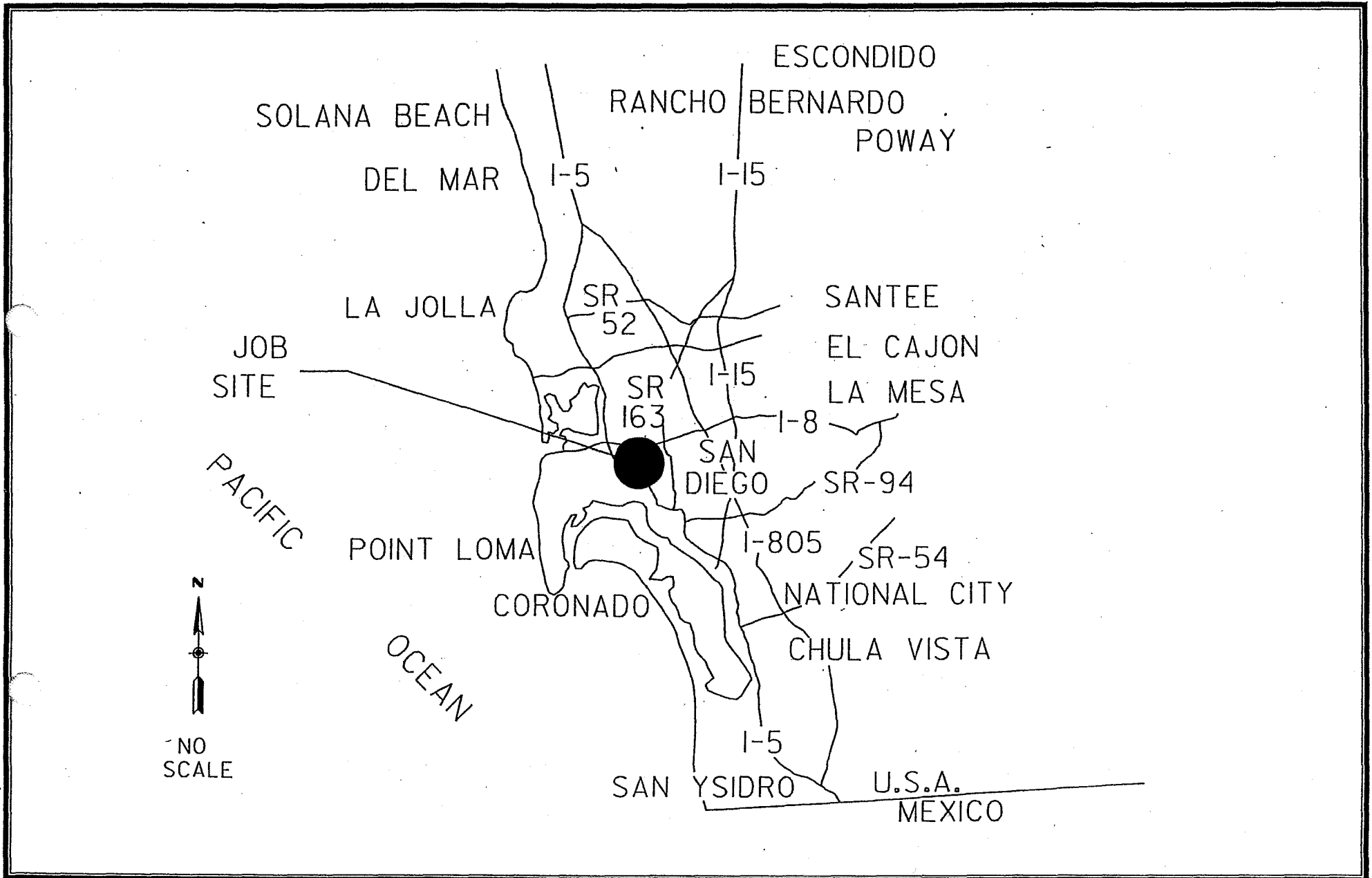
Attachments: Site Plan- Sewer Group Job 665 (Figure 1)  
Location Map-Sewer Job 665 (Figure 2)  
Initial Study Checklist



# Site Plan

Environmental Analysis Section - Project No. 25783  
 CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure  
 1



## Location Map

Environmental Analysis Section - Project No. 25783  
 CITY OF SAN DIEGO · DEVELOPMENT SERVICE

Figure  
 2

### Initial Study Checklist

Date: 6/20/05  
Project No.: 25783  
Name of Project: Sewer Group Job #665

### III. ENVIRONMENTAL ANALYSIS:

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

### (INSERT DISCUSSION AND INDICATE YES, MAYBE OR NO FOR EACH ITEM)

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
I. AESTHETICS / NEIGHBORHOOD CHARACTER – Will the proposal result in:			
A. The obstruction of any vista or scenic view from a public viewing area? <u>No structures are proposed; therefore, no obstruction would result.</u>	—	—	<u>X</u>
B. The creation of a negative aesthetic site or project? <u>The proposed project improvements take place below surface; the MMRP will insure that impacts to vegetation above ground would be mitigated.</u>	—	—	<u>X</u>
C. Project bulk, scale, materials, or style which would be incompatible with surrounding development? <u>The proposed sewer project is compatible with the surrounding development.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
D. Substantial alteration to the existing character of the area? <u>The proposed project would restore the surrounding area to its original form.</u>	—	—	<u>X</u>
E. The loss of any distinctive or landmark tree(s), or a stand of mature trees? <u>The project would not require removal of any mature trees.</u>	—	—	<u>X</u>
F. Substantial change in topography or ground surface relief features? <u>No substantial change would result as the canyons will be restored to previous natural topography.</u>	—	—	<u>X</u>
G. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent? <u>No such modifications are proposed</u>	—	—	<u>X</u>
H. Substantial light or glare? <u>No structures are proposed; therefore, no such impact would result.</u>	—	—	<u>X</u>
I. Substantial shading of other properties? <u>No structures are proposed; therefore, no such impact would result.</u>	—	—	<u>X</u>
 II. AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES – Would the proposal result in:			
A. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state? <u>No major mineral resources are present on-site.</u>	—	—	<u>X</u>



	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
or temperature, or any change in climate, either locally or regionally? <u>See III-B.</u>	—	—	<u>X</u>

IV. BIOLOGY – Would the proposal result in:

A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals? <u>See Initial Study Discussion. Mitigation is required</u>	—	<u>X</u>	—
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B. A substantial change in the diversity of any species of animals or plants? <u>See Initial Study discussion.</u>	—	<u>X</u>	—
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C. Introduction of invasive species of plants into the area? <u>The project would not introduce invasive plants into the area.</u>	—	—	<u>X</u>
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D. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors? <u>Canyons where pipeline work is proposed do not function as wildlife corridor no interference is anticipated.</u> <u>See Initial Study discussion.</u>	—	—	<u>X</u>
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E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral? <u>Biological impacts to sensitive habitat would result from project implementation, mitigation is required.</u> <u>See Initial Study discussion.</u>	—	<u>X</u>	—
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F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption			
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	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
or other means? <u>See Initial Study discussion.</u>	—	—	<u>X</u>
G. Conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan? <u>The Project would impact habitat within the MHPA. See Initial Study discussion.</u>	—	<u>X</u>	—
V. ENERGY – Would the proposal:			
A. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)? <u>The project would not require the excessive use of fuel or energy.</u>	—	—	<u>X</u>
B. Result in the use of excessive amounts of power? <u>See V-A.</u>	—	—	<u>X</u>
VI. GEOLOGY/SOILS – Would the proposal:			
A. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? <u>The project would not expose people to hazardous geologic conditions.</u>	—	—	<u>X</u>
B. Result in a substantial increase in wind or water erosion of soils, either on or off the site? <u>Construction BMPs would be implemented before, during and after construction.</u>	—	—	<u>X</u>
C. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <u>The project is located on a favorable geologic structure.</u>	—	—	<u>X</u>



	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
VII. HISTORICAL RESOURCES – Would the proposal result in:			
A. Alteration of or the destruction of a prehistoric or historic archaeological site? <u>A portion of the alignment in Palm Canyon is within the mapped Presidio Archaeological site. Although substantial grading is not proposed, monitoring is required. Monitoring will also be required for all areas within Old Town, and Trias and Heritage Canyons.</u>	—	<u>X</u>	—
B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site? <u>See VII A. and initial study discussion.</u>	—	<u>X</u>	—
C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? <u>No impacts to the cobble lined channed within Palm Canyon. However, monitoring will be required.</u>	—	—	<u>X</u>
D. Any impact to existing religious or sacred uses within the potential impact area? <u>No existing religious or sacred areas exist on-site.</u>	—	—	<u>X</u>
E. The disturbance of any human remains, including those interred outside of formal cemeteries? <u>Please see VII-A.</u>	—	<u>X</u>	—
VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS: Would the proposal:			
A. Create any known health hazard (excluding mental health)? <u>There is no proposal for the storage of any hazardous materials on-site.</u>	—	—	<u>X</u>
B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
materials? <u>Please see VIII-A above.</u>	—	—	<u>X</u>
C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)? <u>Please see VIII-A above.</u>	—	—	<u>X</u>
D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? <u>The project would not impair the implementation of any emergency response plans.</u>	—	—	<u>X</u>
E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment? <u>According to the County of San Diego Department of Environmental Health Hazardous Materials Listing web-site no recorded hazardous materials sites exist along the proposed project alignment.</u>	—	—	<u>X</u>
F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? <u>No such hazards would result.</u>	—	—	<u>X</u>
 IX. HYDROLOGY/WATER QUALITY – Would the proposal result in:			
A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants. <u>Compliance with the City of San Diego Storm Water Standards is required and Best Management Practices would be</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
<u>incorporated into the project specifications.</u> <u>Therefore no mitigation would be required.</u>			
B. An increase in impervious surfaces and associated increased runoff? <u>The project would not create impervious surfaces.</u>	—	—	<u>X</u>
C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes? <u>No substantial alterations to drainage patterns would result from the project.</u>	—	—	<u>X</u>
D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(d) list)? <u>No such discharge would result from the project.</u>	—	—	<u>X</u>
E. A potentially significant adverse impact on ground water quality? <u>No adverse impacts to ground water quality would result because of the project.</u>	—	—	<u>X</u>
F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? <u>Please see IX- E above.</u>	—	—	<u>X</u>
X. LAND USE – Would the proposal result in:			
A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project? <u>The project is consistent with the adopted community plans land use designation.</u>	—	—	<u>X</u>
B. A conflict with the goals, objectives and recommendations of the community plan in which it is located? <u>See X-A</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an environmental effect for the area? <u>Although the project would result in impacts to biological resources within the MHPA, the MSCP Subarea plan anticipated improvements to existing and future infrastructure within urban canyons. See Initial Study Discussion.</u>	—	—	<u>X</u>
D. Physically divide an established community? <u>The project will not physically divide an established community.</u>	—	—	<u>X</u>
E. Land uses which are not compatible with aircraft accident potential as defined by an adopted airport Comprehensive Land Use Plan? <u>The project is compatible with the Airport Comprehensive Land Use Plan.</u>	—	—	<u>X</u>
XI. NOISE – Would the proposal result in:			
A. A significant increase in the existing ambient noise levels? <u>No significant noise increases would result because of the project.</u>	—	—	<u>X</u>
B. Exposure of people to noise levels which exceed the City's adopted noise ordinance? <u>People would not be exposed to noise levels which exceed the City's adopted noise ordinance.</u>	—	—	<u>X</u>
C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan? <u>Please see IX-A above.</u>	—	—	<u>X</u>
XII. PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
resource or site or unique geologic feature?	—	<u>X</u>	—
<u>Trenching activities would exceed established thresholds requiring the need for paleontological monitoring.</u>			
<u>Please see Initial Study Discussion.</u>			

XIII. POPULATION AND HOUSING – Would the proposal:

A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	—	—	<u>X</u>
<u>The proposed project would rehabilitate existing and install new sewer mains and would not induce substantial population growth.</u>			

B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	—	—	<u>X</u>
<u>Please see XIII-A above.</u>			

C. Alter the planned location, distribution, density or growth rate of the population of an area?	—	—	<u>X</u>
<u>Please see XIII-A above.</u>			

XIV. PUBLIC SERVICES – Would the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

A. Fire protection?	—	—	<u>X</u>
<u>The proposed project would rehabilitate existing and install new sewer mains therefore; no additional fire protection would be required.</u>			

B. Police protection?	—	—	<u>X</u>
<u>No additional Police protection is required See XIV-A.</u>			

C. Schools?	—	—	<u>X</u>
<u>No change to existing schools would occur. See XIV-A</u>			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
D. Parks or other recreational facilities? <u>Park and recreational facilities are adequate.</u>	—	—	<u>X</u>
E. Maintenance of public facilities, including roads? <u>All public facilities would be returned to their original conditions.</u>	—	—	<u>X</u>
F. Other governmental services? <u>Government services are adequate.</u>	—	—	<u>X</u>

XV. RECREATIONAL RESOURCES – Would the proposal result in:

A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <u>The project does not include recreational facilities or require the construction or expansion of recreational facilities.</u>	—	—	<u>X</u>
B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? <u>The project does not require the construction or expansion of recreational facilities.</u>	—	—	<u>X</u>

XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:

A. Traffic generation in excess of specific/community plan allocation? <u>The proposed project would not generate additional traffic; therefore, no such generation would result.</u>	—	—	<u>X</u>
B. An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system? <u>Please see XVI-A above.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
C. An increased demand for off-site parking? <u>The project would not increase the need for off-site parking.</u>	—	—	<u>X</u>
D. Effects on existing parking? <u>Existing parking could be temporarily impacted as construction progresses. A traffic control and parking plan would be required.</u>	—	—	<u>X</u>
E. Substantial impact upon existing or planned transportation systems? <u>The project will not substantially impact existing or planned transportation systems.</u>	—	—	<u>X</u>
F. Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas? <u>No such alteration would result.</u>	—	—	<u>X</u>
G. Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)? <u>The project would not increase traffic hazards for motor vehicles, bicyclists or pedestrians. A traffic control and parking plan would be required.</u>	—	—	<u>X</u>
H. A conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)? <u>The project would not conflict with alternative transportation models.</u>	—	—	<u>X</u>
XVII. UTILITIES – Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:			
A. Natural gas? <u>All existing utilities would be identified by Undergrounding Services (USA) prior to the start of any construction. It is</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
<u>not anticipated that any utilities would be impacted.</u>			
B. Communications systems? <u>See XVII-A.</u>	—	—	<u>X</u>
C. Water? <u>See XVII-A.</u>	—	—	<u>X</u>
D. Sewer? <u>Sewer mains are being improved.</u>	—	—	<u>X</u>
E. Storm water drainage? <u>See XVII-A.</u>	—	—	<u>X</u>
F. Solid waste disposal? <u>See XVII-A.</u>	—	—	<u>X</u>

XVIII. WATER CONSERVATION – Would the proposal result in:

A. Use of excessive amounts of water? <u>The project will not require the excessive use of water.</u>	—	—	<u>X</u>
B. Landscaping which is predominantly non-drought resistant vegetation? <u>Applicant department would be required to return trench areas within canyons to preexisting conditions and revegetate impacted native areas pursuant to City Standards.</u>	—	—	<u>X</u>

XIX. MANDATORY FINDINGS OF SIGNIFICANCE:

A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	—	<u>X</u>	—
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Yes    Maybe    No

Implementation of mitigation measures would reduce all impacts to a below level of significance. See Initial Study Discussion.

- B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.)

—            —            X

The proposed project would not result in an impact to long-term environmental goals. See Initial Study Discussion.

- C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

—            X            —

No cumulative impacts identified.

- D. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?

—            —            X

The project does not have environmental effects which would cause adverse indirect or direct impacts on human health.

## INITIAL STUDY CHECKLIST

### REFERENCES

#### I. Aesthetics / Neighborhood Character

City of San Diego Progress Guide and General Plan.

Community Plan.

Local Coastal Plan.

#### II. Agricultural Resources / Natural Resources / Mineral Resources

City of San Diego Progress Guide and General Plan.

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

California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.

Division of Mines and Geology, Special Report 153 - Significant Resources Maps.

Site Specific Report: \_\_\_\_\_.

#### III. Air

California Clean Air Act Guidelines (Indirect Source Control Programs) 1990.

Regional Air Quality Strategies (RAQS) - APCD.

Site Specific Report: \_\_\_\_\_.

#### IV. Biology

City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997

City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.

- City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.
- Community Plan - Resource Element.
- California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.
- California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.
- City of San Diego Land Development Code Biology Guidelines.
- Site Specific Report: Biological Resources Report for the Proposed Sewer Pipe Rehabilitation Project, City Wastewater Group 665

**V. Energy**

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**VI. Geology/Soils**

- City of San Diego Seismic Safety Study.
- U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.
- Site Specific Report:

**VII. Historical Resources**

- City of San Diego Historical Resources Guidelines.
- City of San Diego Archaeology Library.
- Historical Resources Board List.
- Community Historical Survey:
- Site Specific Report: : \_\_\_\_\_

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

- San Diego County Hazardous Materials Environmental Assessment Listing, 1996.
- San Diego County Hazardous Materials Management Division
- FAA Determination
- State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized 1995.
- Airport Comprehensive Land Use Plan.
- Site Specific Report: \_\_\_\_\_.

**IX. Hydrology/Water Quality**

- Flood Insurance Rate Map (FIRM).
- Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map.
- Clean Water Act Section 303(b) list, dated May 19, 1999, [http://www.swrcb.ca.gov/tmdl/303d\\_lists.html](http://www.swrcb.ca.gov/tmdl/303d_lists.html).

**X. Land Use**

- City of San Diego Progress Guide and General Plan.
- Community Plan.
- Airport Comprehensive Land Use Plan
- City of San Diego Zoning Maps
- FAA Determination

**XI. Noise**

- Community Plan
- Site Specific Report: \_\_\_\_\_.

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

**WHEN RECORDED MAIL TO**  
**PERMIT INTAKE**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 173731

**SITE DEVELOPMENT PERMIT NO. 69897**  
**SEWER GROUP 665 – PROJECT NO. 25783**  
MMRP  
PLANNING COMMISSION

This Site Development Permit No. 69897, dated October 20, 2005, is granted by the Planning Commission of the City of San Diego to THE CITY OF SAN DIEGO ENGINEERING AND CAPITAL PROJECTS DEPARTMENT/WASTEWATER FACILITIES DIVISION, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0502. The site is located in portions of the public rights-of-ways and general utility easements within the Uptown and Old Town communities in the RS-1-1 and OR-1-1 Zones as shown on the approved development plans (Attachment 5).

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to replace or rehabilitate sections of six, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated October 20, 2005, on file in the Development Services Department.

The project or facility shall include:

- a. Replacement of 920 linear feet of existing six-inch and eight-inch sewer mains within the public rights-of-ways on Harney Street, Hortensia Street, Arista Drive, Arista Court, Presidio Drive and the alley between Hortensia Street and Trias Street;
- b. Repair and Rehabilitation of 8,546 linear feet of existing six-inch and eight-inch sewer mains within Trias Canyon, Presidio Park/Palm Canyon and Heritage Canyon;
- c. Revegetation of access paths pursuant to the *Conceptual Mitigation Plan For the Canyon Sewer Projects within the San Diego River Watershed, City of San Diego Metropolitan Wastewater Department*(April 2004), report prepared by Merkel and

Associates, Inc. and in the *Wetland Mitigation and Revegetation Plan* (Appendix D) within the *Biological Resources for the Proposed Sewer Pipe Rehabilitation Project* (May 2005) report, prepared by Tierra Environmental Services; and

- d. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

**STANDARD REQUIREMENTS:**

1. Construction must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the 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 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. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and 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 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. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site

improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," dated October 20, 2005, on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

10. In the event that 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" condition(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.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

11. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.

12. As conditions of Site Development Permit No. 69897, the mitigation measures specified in the MMRP, and outlined in the Mitigated Negative Declaration, LDR NO. 25783, shall be noted on the construction plans and specifications under the heading:  
ENVIRONMENTAL/MITIGATION REQUIREMENTS.

13. The Permittee/City Department shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the Mitigated Negative Declaration LDR No. 25783, satisfactory to the City Manager and the City Engineer. All MMRP requirements shall be shown on the construction plans and specifications. Prior to the issuance of Notice to Proceed with construction, all conditions of the MMRP shall be adhered to to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

- Biological Resources

- Historical Resources (Archeology)
- Paleontological Resources
- Land Use (Multiple Species Conservation Program)

14. A Job Order number open to the Land Development Review Division of the Development Services Department shall be required to cover the Land Development Review Division's cost associated with the implementation of the MMRP.

**WASTEWATER REQUIREMENTS:**

15. 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

**PARK AND OPEN SPACE REQUIREMENTS:**

16. A right of entry permit is required from Developed Regional Park Section of the Park and Recreation Department for work in Presidio Park. Please contact Dan Daneri (619) 235-1115 to obtain the permit.

17. A right of entry permit is required from Open Space Division of the Park and Recreation Department for work in City fee-owned open space. Please contact Byron Wishnek (619) 235-5259 to obtain the permit.

**INFORMATION ONLY:**

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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 October 20, 2005, pursuant to Planning Commission Resolution No. (DRAFT).



**ALL-PURPOSE CERTIFICATE**

Type/PTS Approval Number of Document \_\_\_\_\_  
Date of Approval \_\_\_\_\_

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

\_\_\_\_\_  
**DPM Name, Development Project Manager**

On \_\_\_\_\_ before me, NAME OF NOTARY~, (Notary Public), personally appeared **DPM Name, Development Project Manager** of the Development Services Department of the City of San Diego, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature \_\_\_\_\_  
Name of Notary~

**ALL-PURPOSE CERTIFICATE**

OWNER(S)/PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED OWNER(S)/PERMITTEE(S), BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF OWNER(S)/PERMITTEE(S) THEREUNDER.

Signed \_\_\_\_\_ Signed \_\_\_\_\_  
Typed Name Typed Name

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_ (Name of Notary Public) personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_