



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: April 19, 2012 **REPORT NO. PC-12-036**

ATTENTION: Planning Commission, Agenda of April 26, 2012

SUBJECT: APPEAL OF VIA RIALTO STORM DRAIN REPAIR
PROJECT NUMBER 222828
PROCESS THREE

REFERENCE: City Council Hearing, January 31, 2012, Item No. 334
<http://dockets.sandiego.gov/sirepub/pubmtgframe.aspx?meetid=1306&doctype=Agenda> and Hearing Officer, Report No. HO-11-086 dated February 15, 2012 (Attachment 4)

**OWNER/
APPLICANT:** City of San Diego, Engineering and Capital Projects

SUMMARY

Issue(s): Should the Planning Commission deny an appeal and uphold the Hearing Officer's decision to approve a Coastal Development Permit and a Site Development Permit for previous emergency work to repair a failed storm drain and slope located approximately 60 feet down slope from 7435 Caminito Rialto?

Staff Recommendation: DENY the appeal and UPHOLD the Hearing Officer decision to APPROVE Coastal Development Permit No. 79264 and Site Development Permit No. 79265.

Community Planning Group Recommendation: On September 1, 2011, the La Jolla Community Planning Association voted 14:0:0 to approve the project without conditions (HO 11-086, Attachment 4).

Environmental Review: The initial project was statutorily exempt pursuant to the State of California Environmental Quality Act (CEQA) Guidelines Section 15269(b): Emergency Projects. Upon submittal and review of the after-the-fact permit application, the City of San Diego conducted an Initial Study which determined that the project would not result in significant environmental impacts and determined the work to be

categorically exempt from CEQA, meeting the criteria set forth in Section 15601(b)(3), 15301 (Existing Facilities) and 15302 (Replacement/Reconstruction), on November 29, 2011. An appeal of the CEQA categorical exemption determination was made and the City Council denied the CEQA appeal on January 31, 2012.

Fiscal Impact Statement: All costs related to the construction of this project and the processing of the permits is being paid for by City Of San Diego, Engineering Capital Projects WBS No. B-0047.02.06.

Code Enforcement Impact: None.

Housing Impact Statement: This project does not propose any residential development therefore there is no net gain or loss of residential units.

BACKGROUND

The Via Rialto Storm Drain is located in a canyon approximately 60 feet down slope from a single family home at 7435 Caminito Rialto (Attachment 1). The site is in the La Jolla Shores Planned District and is zoned SF (Single Family). It is also located within the Coastal Overlay Zone (Non-Appealable Area 2) and the La Jolla Community Plan Area (Attachment 2).

As a result of past heavy rains, a portion of the existing storm drain was washed out. This has resulted in the on-going erosion of the adjacent steep slope. In order to prevent further erosion and the undermining of the steep slope directly below the single family home at 7435 Caminito Rialto, the City Engineer declared the situation an emergency. On January 11, 2010, the City Engineer requested permission to perform emergency repair work to the failed storm water drain and eroded steep slope. On January 15, 2010, Development Services staff issued a Determination of Emergency Environmental Exemption and Emergency Coastal Development No. 673200 (HO 11-086, Attachment 4). The emergency work was completed in May, 2010. An after-the-fact Coastal Development Permit was required as a condition of the Emergency Coastal Development Permit.

While the site is not located within or adjacent to the Multi-Habitat Planning Area (MHPA) of the City's Multiple Species Conservation Program (MSCP), it does support environmentally sensitive lands in the form of steep slopes. The project is therefore subject to the Environmentally Sensitive Lands (ESL), Section 143.0141 of Land Development Code and requires a Site Development Permit. The project is also subject to a Coastal Development Permit because it is located within the Coastal Overlay Zone, Non-Appealable Area 2 (Attachment 6).

The initial project was statutorily exempt pursuant to the State of California Environmental Quality Act (CEQA) Guidelines Section 15269(b): Emergency Projects. Upon submittal and review of the after-the-fact permit applications, the City of San Diego conducted an Initial Study which determined that the project and the addition of a revegetation plan would not result in significant environmental impacts and determined the work to be categorically exempt from CEQA meeting the criteria set forth in Section 15601(b)(3), 15301 (Existing Facilities) and 15302

(Replacement/Reconstruction), on November 29, 2011 (Attachment 7). On December 5, 2011, an appeal of the CEQA categorical exemption determination was filed by CREED- 21, Briggs Law (Attachment 10). On January 31, 2012, the City Council denied the CEQA appeal and upheld the CEQA categorical exemption.

On February 15, 2012, the Hearing Officer of the City of San Diego approved Coastal Development Permit No. 79264 and Site Development Permit No. 79265 for the emergency work that had been completed and the pending revegetation of the slope (HO 11-086, Attachment 4). On February 24, 2012, the Hearing Officer's decision to approve the project was appealed to the Planning Commission by CREED- 21, Briggs Law Corporation.

DISCUSSION

The scope of the subject appeal hearing only includes the Hearing Officer's decision to approve the "after-the-fact" Coastal Development Permit and Site Development Permit for work that had been completed and the pending revegetation of the slope. The emergency work restored the storm water drain which included installation of a new 5-foot by 5-foot manhole/cleanout at the failure location, removal and replacement of 55 feet of damaged CMP storm water drain with high density polyethylene (HDPE) storm pipe, lining of the existing storm drain from the street to the inlet to the new manhole/cleanout, and installation of a headwall with an energy dissipate at the outlet.

Revegetation of the slope was not included in the original emergency permit and has not been completed. A revegetation plan is included as part of the after-the-fact Coastal Development Permit and Site Development Permit (Attachment 6 & 9).

Project Appeal:

On February 24, 2012, the Hearing Officer's decision to approve the project's development permits was appealed to the Planning Commission by CREED- 21, Briggs Law Corporation on the basis that "The Hearing Officer erred in approving the project without review under the California Environmental Quality Act. The project does not qualify for an exemption" (Attachment 11).

Staff's response- The City of San Diego conducted an Initial Study which determined that the project would not result in significant environmental impacts and determined the work to be categorically exempt from CEQA meeting the criteria set forth in Section 15601(b)(3), 15301 (Existing Facilities) and 15302 (Replacement/Reconstruction), on November 29, 2011. An appeal of the CEQA categorical exemption determination was made and the City Council denied the CEQA appeal and upheld the CEQA exemption on January 31, 2012. The appellant did not submit any new information regarding the project's development permit appeal other than environmental concerns which have already been addressed by the previous appeal to the City Council.

Since the Hearing Officer's decision was based solely on the project issues related to the after the fact Coastal Development Permit, Site Development Permit and revegetation of the slope, staff believes the appeal issues provided are unrelated to the Hearing Officers decision to approve the development permits.

CONCLUSION:

Staff has reviewed the construction plans required to repair the storm water drain and the proposed revegetation plans to revegetate the eroded slope. The work is consistent with the La Jolla Community Plan, the La Jolla Shores Planned District and the Land Development Code for regulations related to environmentally sensitive lands. Therefore, staff recommends the Planning Commission deny the appeal and uphold the Hearing Officer's approval of the development permits required for the project.

ALTERNATIVES:

1. **Deny the appeal and uphold the Hearing Officer decision to Approve Coastal Development Permit No. 79264 and Site Development Permit No. 79265, with modifications.**
2. **Deny Coastal Development Permit No. 79264 and Site Development Permit No. 79265, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Helene Deisher
Project Manager
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Hearing Officer Report No. HO-11-086
5. Draft Permit Resolution with Findings

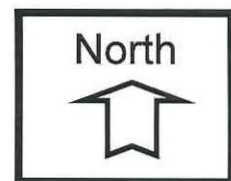
6. Draft Permit with Conditions
7. Environmental Exemption
8. Project Site Plan(s)
9. Project Plans (Include as appropriate/relevant.)
10. Environmental Appeal to Council
11. Project Appeal of Hearing Officer Decision

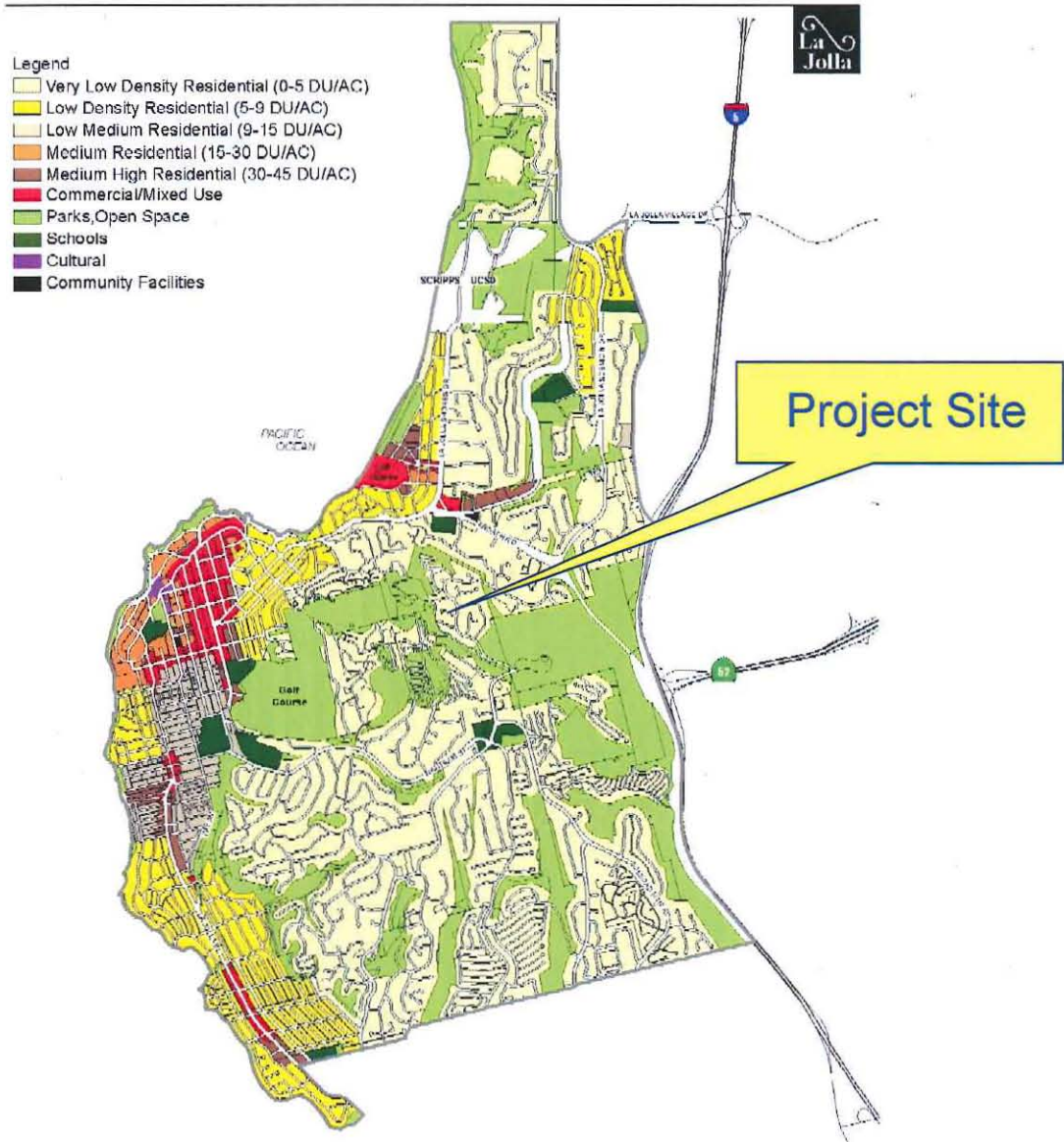


Project Site

Aerial Photo

VIA RIALTO STORM DRAIN REPAIR
7465 Caminito Rialto
PROJECT NO. 222828





Community Land Use Map

 **La Jolla Community Plan**
City of San Diego · Planning Department

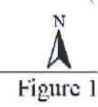


Figure 1



Land Use Map

VIA RIALTO STORM DRAIN REPAIR
7435 Caminito Rialto
PROJECT NO. 222828





Project Location

VIA RIALTO STORM DRAIN REPAIR

7465 Caminito Rialto

PROJECT NO. 222828





THE CITY OF SAN DIEGO

HO-11-086
ATTACHMENT 4

REPORT TO THE HEARING OFFICER

HEARING DATE: February 15, 2012 REPORT NO. HO-11-086

ATTENTION: Hearing Officer

SUBJECT: VIA RIALTO STORM DRAIN REPAIR
PTS PROJECT NUMBER 222828

LOCATION: Approximately 60 feet down slope from 7435 Caminito Rialto

APPLICANT: City of San Diego, Engineering and Capital Projects Department

SUMMARY

Requested Actions - Should the Hearing Officer approve a Coastal Development Permit and Site Development Permit for previous emergency work to repair a failed storm water drain and slope located approximately 60 feet down slope from 7435 Caminito Rialto?

Staff Recommendations - APPROVE Coastal Development Permit No. 79264 and Site Development Permit No. 79265.

Community Planning Group Recommendation - On September 1, 2011, the La Jolla Community Planning Association voted 14:0:0 to approve the project with no conditions. (Attachment 7).

Environmental Review - The initial project was statutorily exempt pursuant to Emergency California Quality Act (CEQA) Guidelines Section 15269(b) Emergency Projects. Upon submittal and review of the after-the-fact permits, the City of San Diego conducted an Initial Study which determined that the project would not result in significant environmental impacts and determined the work to be categorically exempt from CEQA meeting the criteria set forth in Section 1561(b)(3), 15301 (Existing Facilities) and 15302 (Replacement/Reconstruction), on November 29, 2011. An appeal of the CEQA categorical exemption determination was made and the City Council denied the CEQA appeal on January 31, 2012. The scope of the subject hearing only includes the project, and not the environmental determination.

Revegetation of the slope was not included in the original emergency permit and has not been completed. A revegetation plan is included as part of the after-the-fact Coastal Development Permit and Site Development Permit (Attachment 6). On November 29, 2011, the City of San Diego conducted an Initial Study which determined that the project, including the revegetation, would not result in significant environmental impact and meets the criteria set forth in California Environmental Quality Act (CEQA) Sections 1561(b)(3), 15301 (Existing Facilities) and 15302 (Replacement/Reconstruction) and determined the work to be categorically exempt. An appeal of the CEQA categorical exemption determination was made and the City Council denied the CEQA appeal on January 31, 2012.

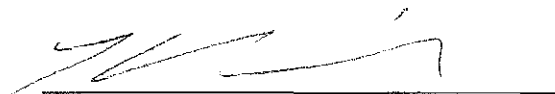
CONCLUSION

Staff has reviewed the construction plans and the subsequent work required to repair the storm water drain and to revegetate the eroded slope. The work is consistent with the La Jolla Community Plan, the La Jolla Shores Planned District and the Land Development Code for regulations related to environmentally sensitive lands. Therefore, staff has provided draft findings which support the Coastal Development Permit and Site Development Permit and recommends approval of the "after-the-facts" permits.

ALTERNATIVES:

1. Approve Coastal Development Permit No. 79264 and Site Development Permit No. 79265 with modifications.
2. Deny Coastal Development Permit No. 79264 and Site Development Permit No. 79265 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Helene Deisher
Development Project Manager

Attachments:

1. Environmental Emergency Exemption
2. Aerial Photograph
3. City Engineer Emergency Memo
4. Draft Permit Resolution with Findings
5. Draft Permit with Conditions
6. Project Plans
7. Community Planning Group Recommendation
8. Emergency Coastal Development Permit



THE CITY OF SAN DIEGO
M E M O R A N D U M

Date: January 11, 2010

To: Kelly Broughton, Development Services Department Director

From: Afshin Oskoui, City Engineer

Subject: Environmental Exemption Request – Via Rialto Storm Drain Pipe Failure, WBS No. B-00609.02.06, PTS No. 133188

The project site located south and west of Caminito Rialto has experienced storm drain failure resulting in significant erosion along the adjacent steep slopes (Photographs B, C & D). The project is located in the Coastal Zone, Non-Appealable Area 2 (Attachment 3), in the La Jolla Community Planning Area, City Council District 1. Single-family residences sit approximately 60 feet above the failed drain pipe. The combination of the very steep slope (approximately 1:1) and the resulting erosion caused by the failed pipe are continuously undermining the hillside below the homes (Photographs C & D). If the erosion is allowed to continue unabated, it would present an imminent threat to public safety.

An environmental assessment was conducted in 2007 (PTS No. 133188). In support of the environmental review, a Biological Resources Report (Attachment 2) dated April 25, 2008, was prepared by BRG Consulting for the project. The report anticipated the use of mechanized equipment to repair the failed system (Photograph A & Aerial Photograph). Upon further research and consultations with the geotechnical consultant, engineering design consultant, and general contractor, it was determined that the use of mechanized equipment would not be feasible, given the site conditions.

Elimination of mechanized equipment substantially reduced the required work area. All work can now occur within the existing drainage easement. The reduced work area (Photograph B) would have less impact on sensitive vegetation. Since the project impact is not expected to exceed the City's significance threshold for impacts to upland vegetation (0.10 acre), we do not anticipate an update to the Biological Resources Report to be necessary at this time.

We hereby request an Emergency Exemption from the California Environmental Quality Act, pursuant to Section 15269 to reconstruct the failed storm drain in compliance with current City design standards to repair/prevent future failures. The work would include the replacement of

Page 3
Kelly Broughton, Development Services Department Director
January 11, 2010

Attachments:

1. Project Plans
2. Biological Resources Report
3. Coastal Zone Location Map
4. Photographs
 - A. Originally proposed access path
 - B. Newly proposed access path
 - C. Slope erosion, 2006 & 2009 comparison
 - D. Close up of storm drain & eroded slope
 - E. Aerial photograph

cc: Patti Boekamp, Director, Engineering and Capital Projects Department
Glenn Spitzer, Deputy City Attorney, City Attorney's Office
Marnell Gibson, Deputy Director, Right of Way Design Division
Cecilia Gallardo, Assistant Deputy Director, Development Services Department
Patricia Grabski, Development Project Manager, Development Services Department
Myra Herrmann, Senior Planner, Development Services Department
Kerry Santoro, Environmental and Permitting Support Section Manager
Juan Baligad, Senior Planner, Environmental and Permitting Support Section
Jamal Batta, Senior Civil Engineer, Right of Way Design Division
Jeff Soriano, Project Manager, Right of Way Design Division

HEARING OFFICER RESOLUTION NO. XXX
COASTAL DEVELOPMENT PERMIT NO. 79264
SITE DEVELOPMENT PERMIT NO. 79265
VIA RIALTO STORM DRAIN REPAIR - PROJECT NO. 222828

WHEREAS, the CITY OF SAN DIEGO, Owner and the CITY OF SAN DIEGO ENGINEERING AND CAPITAL PROJECTS DEPARTMENT, Permittee filed an application with the City of San Diego for emergency replacement of a storm drain and slope revegetation (as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 79264 and Site Development Permit No. 79265) on portions of a 0.065 acre site;

WHEREAS, the project site is located down slope of a single family residence at 7435 Caminito Rialto in the SF (Single Family) Zone of the La Jolla Shores Planned District within the La Jolla Community Plan Area, Coastal Overlay Zone (Non-Appealable Area 2) and the Coastal Height Limitation Overlay Zone;

WHEREAS, the project site is legally described as Lot 32, Block 16, Swann's Addition of Map 482;

WHEREAS, on February 15, 2012, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 79264 and Site Development Permit No. 79265 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on January 15, 2010, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15269 Emergency Projects;

WHEREAS, on November 29, 2011, City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination considering a revegetation plan determined the work to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 1561(b)(3), 15301 (Existing Facilities) and 15302 (Replacement/Reconstruction). An appeal of the CEQA categorical exemption determination was made on December 5, 2011, by CREED-21 and the City Council denied the CEQA appeal on January 31, 2012;

NOW THEREFORE, BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated February 15, 2012.

FINDINGS:

Coastal Development Permit - Section 126.0708

A. 1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program Land Use Plan.

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

The project is for emergency work which has been completed and to revegetate the eroded slope. The existing CMP storm water drain conveying storm water runoff from the inlet along Caminito Rialto and into the canyon below 7435 Caminito Rialto failed resulting in erosion of the canyon slope. Due to the potential for slope failure and an imminent threat to the public health and safety of the single family residence above, the City of San Diego issued an Emergency Coastal Development Permit and an environmentally exemption pursuant to California Environmental Quality Act (CEQA) State Guidelines, Section 15269 (Emergency Projects) to repair the failed storm water drain. The project included construction of a new cleanout near the top of the slope and a new concrete headwall and concrete blocks at the base of the canyon to dissipate the flow of the storm water runoff. The emergency work conducted protected the public from the imminent failure of the storm water drain, as such; the project facilitated the protection of the public health, safety and welfare.

3. the proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

The emergency repair work occurred within the urban canyon down slope of 7435 Caminito Rialto. The project complies with the applicable regulations of the Land Development Code (LDC) in effect for the site. No mitigation is required and no deviations to the LDC are requested.

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 project is located on a steep slope in an unnamed canyon west of Caminito Rialto, near Via Rialto. Steep slope are environmentally sensitive lands. The existing CMP storm drain conveying storm water runoff from the inlet along Caminito Rialto and into the canyon below 7435 Caminito Rialto failed resulting in erosion of the canyon slope. Due to the potential for slope failure and an imminent threat to the public health and safety of the residence 60 feet above the failed storm drain, the City of San Diego issued an Emergency Coastal Development Permit and an environmental exemption pursuant to California Environmental Quality Act (CEQA) State Guidelines, Section 15269 (Emergency Projects) to repair the failed storm drain. The location of the storm water drain is a preexisting condition and the emergency work was necessary to restore the storm drain and to stabilize the slope.

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 revegetation and erosion control plans to stabilize the slope, as well, as the emergency work performed repairing and replacing the failed portions of the storm water drain and slope resulted in minimal disturbance and alteration of the natural landforms, and will not result in undue risks from geological and erosional forces or flood hazards. The newly constructed storm drain and associated improvements are not potential fire hazards.

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: B-00609.07.01

COASTAL DEVELOPMENT PERMIT NO. 79264
SITE DEVELOPMENT PERMIT NO. 79265
VIA RIALTO STORM DRAIN REPAIR PROJECT NO. 222828
HEARING OFFICER

This Coastal Development Permit No. 79264 and Site Development Permit No. 79265 is granted by the Hearing Officer of the City of San Diego, Owner and to the City of San Diego Engineering and Capital Projects Department, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0710 and 143.0110. The site is located at 7435 Caminito Rialto in the SF (Single Family) Zone of the La Jolla Shores Planned District within the La Jolla Community Plan Area, Coastal Overlay Zone (Non-Appealable Area 2), and the Coastal Height Limitation Overlay Zone. The project site is legally described as Lot 32, Block 16, Swann's Addition of Map 482.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for an existing storm water drain that was part of an emergency repair and replacement and revegetation of an eroded slope. The project is located approximately 60 feet down slope from 7435 Caminito Rialto in the described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 30, 2011, on file in the Development Services Department.

The project includes:

- a. An existing concrete headwall to dissipate water flow;
- b. Revegetation of slope;
- c. Landscaping (planting and landscape related improvements);

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" 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.

9. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, 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.

LANDSCAPE REQUIREMENTS:

10. Prior to approval of 100% completion of construction documents by the Permittee Department, construction documents shall be submitted to the Development Services Department for processing of final review and approval. Construction Documents shall be prepared in accordance with the Land Development Code - Landscape Standards to include the revegetation and hydroseeding of all disturbed land and shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.

11. The Permittee Department shall be responsible for the establishment and maintenance of all landscape improvements shown on the approved plans, consistent with the Landscape Standards and Exhibit "A," Revegetation Plan, dated November 30, 2011.

12. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed

WORK TO BE DONE
THE WORK SHOWN ON THESE PLANS IS TO BE DONE IN ACCORDANCE WITH THE CITY OF SAN JOSE SPECIFICATIONS FOR STORM DRAIN IMPROVEMENTS AND THE CITY ENGINEERING DEPARTMENT STANDARD SPECIFICATIONS FOR STORM DRAIN IMPROVEMENTS.

IMPROVEMENTS **STD. DWG.** **LEGEND**

- CONCRETE: NICN
- STEEL: STAINLESS
- PIPE: D-4, D-10, 12, 18, 24, 30, 36, 42, 48, 54, 60, 66, 72, 78, 84, 90, 96, 102, 108, 114, 120, 126, 132, 138, 144, 150, 156, 162, 168, 174, 180, 186, 192, 198, 204, 210, 216, 222, 228, 234, 240, 246, 252, 258, 264, 270, 276, 282, 288, 294, 300
- TYPE: 4:1 CLAY TILE

CONSTRUCTION NOTES

NOTE: REFER TO STANDARD SPECIFICATIONS FOR STORM DRAIN IMPROVEMENTS, STANDARD SPECIFICATIONS FOR STORM DRAIN IMPROVEMENTS, AND THE CITY ENGINEERING DEPARTMENT STANDARD SPECIFICATIONS FOR STORM DRAIN IMPROVEMENTS FOR DETAILS.

1. UNLESS OTHERWISE INDICATED BY PLANS, CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES IN THE PROJECT AREA.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES IN THE PROJECT AREA.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES IN THE PROJECT AREA.

SPECIFICATION NO. 4766
CITY CONTRACT, CIP NO. 13-008.0
PLANS FOR THE CONSTRUCTION OF
VIA RIAL TO
STORM DRAIN IMPROVEMENTS

CITY OF SAN JOSE ENGINEERING DEPARTMENT

DATE: 10/24/14

PROJECT: VIA RIAL TO STORM DRAIN IMPROVEMENTS

SCALE: AS SHOWN

CITY OF SAN JOSE ENGINEERING DEPARTMENT

CIP NO. 13-008.0

DATE	10/24/14
DESIGNED BY	...
CHECKED BY	...
APPROVED BY	...

UTILITY NOTE
THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND STRUCTURES IN THE PROJECT AREA BEFORE COMMENCING CONSTRUCTION.

TRAFFIC CONTROL NOTE
THE CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL DURING CONSTRUCTION OF THESE IMPROVEMENTS TO MAINTAIN THE SAFETY OF THE PUBLIC AND THE WORKERS.

ENVIRONMENTAL RESTRICTION NOTES
1. THE PROJECT SHALL BE CONDUCTED IN ACCORDANCE WITH THE ENVIRONMENTAL RESTRICTIONS IN THESE PLANS.

ABBREVIATIONS

AC: ASPHALT CONCRETE
 CC: CURB
 CS: CAST-IN-PLACE CONCRETE
 CT: COMPOSITE METAL PIPE
 DT: DAY FLOW THICKNESS
 FA: FLOW ALTERNATE
 FL: FLOW LINE
 GM: GROUND MOUNTED
 H: HORIZONTAL
 J: JOINT
 M: METERS
 N: NORTH
 R: REINFORCED CONCRETE PIPE
 S: SEWER
 ST: STORM DRAIN
 T: TRENCH
 U: UTILITY
 W: WATER

GENERAL NOTES

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN METERS.

2. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES IN THE PROJECT AREA.

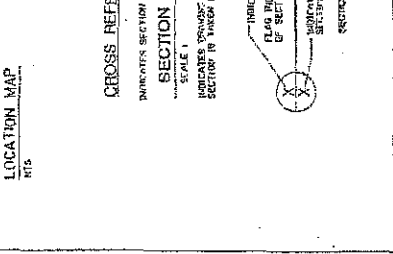
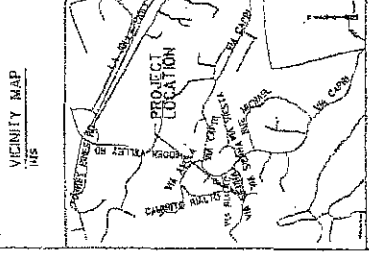
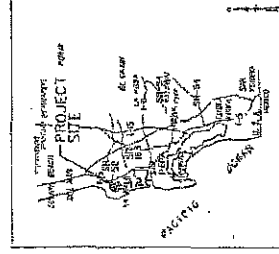
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES IN THE PROJECT AREA.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES IN THE PROJECT AREA.

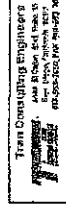
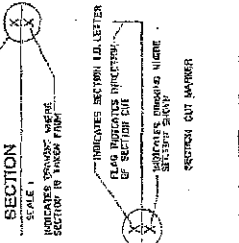
GRADING TOLERANCE
TOTAL AMOUNT OF STORM TO BE GRADED: AREA 0.00 SQ. M. OR TOTAL DRAIN AREA

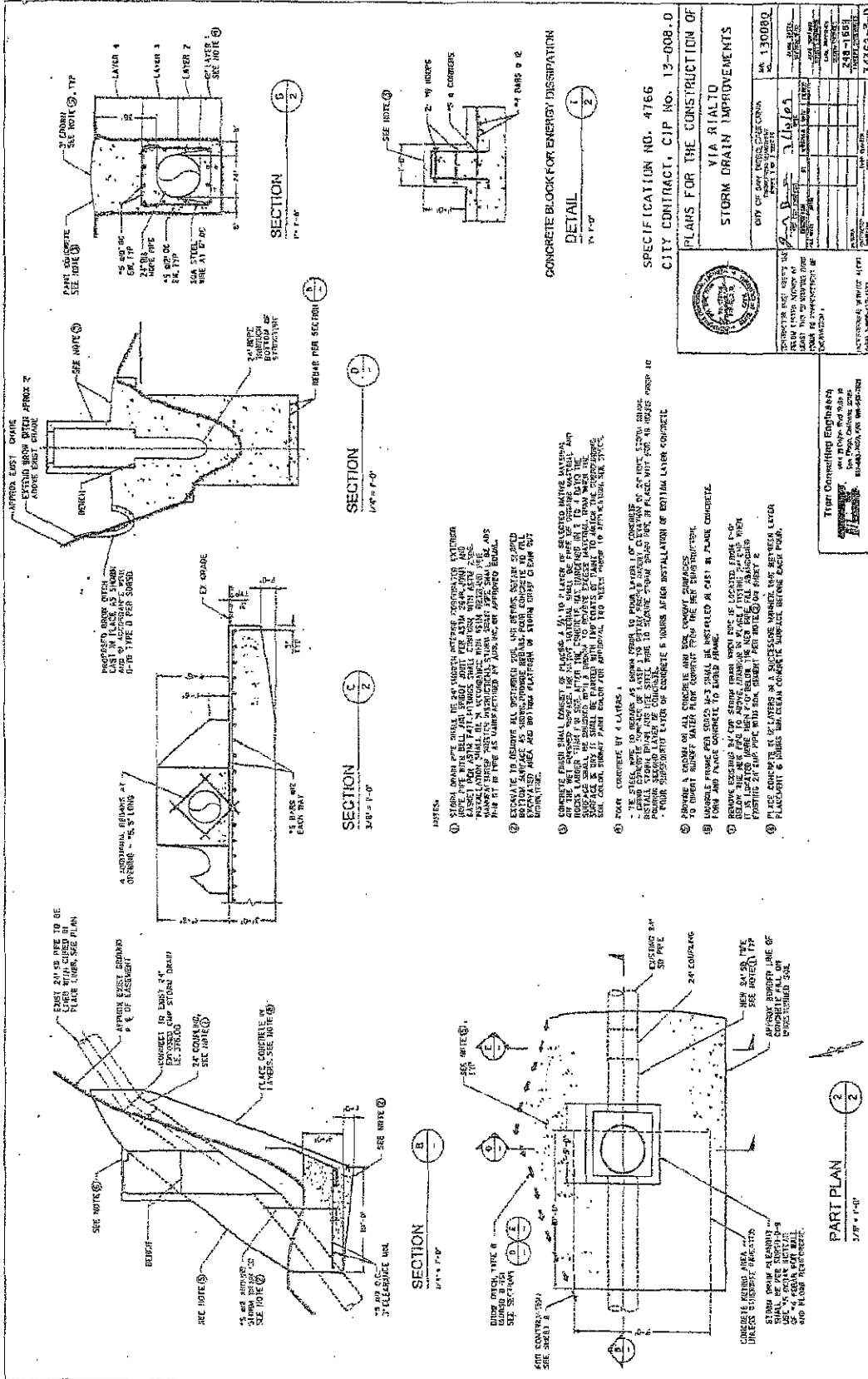
CROSS REFERENCING

INDICATES SECTION ID NUMBER
SECTION ID NUMBER
INDICATES WHERE SECTION TO WHICH REFERRED



CITY OF SAN JOSE ENGINEERING DEPARTMENT
CIP NO. 13-008.0







LA JOLLA COMMUNITY PLANNING ASSOCIATION

P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900

<http://www.LaJollaCPA.org> Email: Info@LaJollaCPA.org

Regular Meeting – 01 September 2011

Attention: Patricia Grabski, PM, City of San Diego

Project: Via Rialto Storm Drain
7435 Via Rialto and West of 7435 Cto.
Rialto
PN: 222828

Motion: Motion to approve the Via Rialto
Emergency storm drain re-vegetation plan
presented to the La Jolla Community
Planning Association. **Vote: 14-0-1**

01 Sept 2011

Submitted by: Tony Crisafi, President
La Jolla CPA

Date

NOTICE OF EXEMPTION

(Check one or both)

TO: RECORDER/COUNTY CLERK
P.O. BOX 1750, MS A-33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

PROJECT NO.: 222828

PROJECT TITLE: Via Rialto Storm drain Repair

PROJECT LOCATION-SPECIFIC: The Via Rialto Storm Drain is located in a canyon approximately 60 feet down slope from a single family home at 7435 Caminito Rialto. The site is in the La Jolla Shores Planned District and is zoned SF (Single Family). It is also located within the Coastal Overlay Zone (Non-Appealable Area 2) and the La Jolla Community Plan Area.

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Coastal Development Permit and Site Development Permit for previous emergency work to repair a failed storm water drain. As a result of past heavy rains a portion of the existing storm drain was washed out and on January 11, 2010, the City Engineer requested to perform emergency repair work to the failed storm water drain and eroded steep slope. On January 15, 2010, Development Services staff issued a Determination of Emergency Environmental Exemption and Emergency Coastal Development No. 673200. The emergency work was completed in May, 2010. The emergency work restored the storm water drain which included installation of a new 5-foot by 5-foot manhole/cleanout at the failure location, removal and replacement of 55 feet of damaged CMP storm water drain with high density polyethylene (HDPE) storm pipe, lining of the existing storm drain from the street to the inlet to the new manhole/cleanout, and installation of a headwall with an energy dissipater at the outlet. Revegetation of the slope has not been completed; however, a Revegetation Plan is included as part of the Coastal Development and Site Development Permits. The current project includes the emergency repair work that has already been completed plus the proposed revegetation plan.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: City of San Diego, Engineering and Capital Projects Department. Contact Kerry Santoro, 600 B St, Ste 800 San Diego CA, 92101 619-533-5406.

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 21080(b)(1); 15268);
- DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
- EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
- CATEGORICAL EXEMPTIONS: 15302 (REPLACEMENT OR RECONSTRUCTION) AND 15301 (EXISTING FACILITIES)
- STATUTORY EXEMPTION:
- OTHER: 15061(b)(3) (GENERAL RULE)

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an Initial Study which determined that the project would not result in significant environmental impacts and meets the criteria set forth in CEQA Sections 15301, 15302, and 15061(b)(3) (General Rule). The only physical change associated with the project is the implementation of the revegetation plan. Since the revegetation would not result in a significant effect on the environment the project would be exempt from CEQA in accordance with Section 15061(b)(3). Furthermore, since the project replaced an existing storm drain with a new storm pipe without increasing capacity and would return the surrounding vegetation to preexisting conditions the project is exempt from CEQA Sections 15301 and 15302. These CEQA sections allow for the replacement of damaged public facilities with new facilities serving the same purpose without increasing capacity. Therefore, the Via Rialto Storm Drain project is exempt from CEQA and the exceptions listed in CEQA Section 15300.2 would not apply.

PLANNING COMMISSION RESOLUTION NO. XXX
COASTAL DEVELOPMENT PERMIT NO. 79264
SITE DEVELOPMENT PERMIT NO. 79265
VIA RIALTO STORM DRAIN REPAIR - PROJECT NO. 222828
Draft

WHEREAS, the CITY OF SAN DIEGO, Owner and the CITY OF SAN DIEGO ENGINEERING AND CAPITAL PROJECTS DEPARTMENT, Permittee filed an application with the City of San Diego for emergency replacement of a storm drain and slope revegetation (as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 79264 and Site Development Permit No. 79265) on portions of a 0.065 acre site;

WHEREAS, the project site is located down slope of a single family residence at 7435 Caminito Rialto in the SF (Single Family) Zone of the La Jolla Shores Planned District within the La Jolla Community Plan Area, Coastal Overlay Zone (Non-Appealable Area 2) and the Coastal Height Limitation Overlay Zone;

WHEREAS, the project site is legally described as Lot 32, Block 16, Swann's Addition of Map 482;

WHEREAS, on January 15, 2010, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15269 Emergency Projects;

WHEREAS, on November 29, 2011, City of San Diego, as Lead Agency, through the Development Services Department, considered the after-the-fact Coastal Development and Site Development Permit applications and made and issued an Environmental Determination considering a revegetation plan and determined the work to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15601(b)(3), 15301 (Existing Facilities) and 15302 (Replacement/Reconstruction); and

WHEREAS, an appeal of the CEQA categorical exemption determination was made on December 5, 2011, by CREED-21 and the City Council denied the CEQA appeal on January 31, 2012;

WHEREAS, on February 15, 2012, the Hearing Officer of the City of San Diego considered and approved Coastal Development Permit No. 79264 and Site Development Permit No. 79265 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on February 24, 2012, the Hearing Officer's decision to approve the project was appealed to the Planning Commission by CREED-21, Briggs Law Corporation;

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

That the Planning Commission denies the appeal of the project and upholds the Hearing Officer's decision by adopting the following written Findings:

Coastal Development Permit - Section 126.0708

A. 1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program Land Use Plan.

The emergency repairs and replacement of a failed storm water drain and slope revegetation down slope from a single family residence at 7435 Caminito Rialto has not resulted in the obstruction of views to scenic resources from public viewing areas, as identified in the La Jolla Community Plan and Local Coastal Program Land Use Plan (LCP) (February, 2004). Neither has the development encroached upon any existing physical access way that is legally used by the general public or any other public access way as identified in the LCP.

2. The proposed coastal development will not adversely affect environmentally sensitive lands.

The project is located on a steep slope in an unnamed canyon west of Caminito Rialto, near Via Rialto. Steep slope are environmentally sensitive lands. The existing corrugated metal pipe (CMP) storm water drain conveying storm water runoff from the inlet along Caminito Rialto and into the canyon below 7435 Caminito Rialto failed resulting in erosion of the canyon slope. Due to the potential for slope failure and an imminent threat to the public health and safety of the residence 60 feet above the failed storm drain, the City of San Diego issued an Emergency Coastal Development Permit and an environmental exemption pursuant to California Environmental Quality Act (CEQA) State Guidelines, Section 15269 (Emergency Projects) to repair the failed storm drain. The project included construction of a new cleanout near the top of the slope and a new concrete headwall and concrete blocks at the base of the canyon to dissipate the flow of the storm water runoff. The overall siting and design of the emergency work and revegetation of the eroded slope does not adversely affect environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The La Jolla Community Plan and Local Coastal Program Land Use Plan (February, 2004) land use designation for the development is low medium residential. Storm water systems are essential public services that are allowed in the land use designation for the site, therefore the development is in conformance with the certified Local Coastal Program in affect for the site.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The proposed development is approximately 0.67 miles east of the Pacific Ocean; none of the development is located between the nearest public road, the sea or the shoreline of any body of water within the Coastal Overlay Zone.

Site Development Permit - Section 126.0504

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

The La Jolla Community Plan and Local Coastal Program Land Use Plan (February, 2004) land use designation for the development is low medium residential. Storm water systems are essential public services that are allowed in the land use designation for the site. The project, therefore, does not adversely affect the applicable land use plan in effect for the site.

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

The project is for emergency work which has been completed and to revegetate the eroded slope. The existing CMP storm water drain conveying storm water runoff from the inlet along Caminito Rialto and into the canyon below 7435 Caminito Rialto failed resulting in erosion of the canyon slope. Due to the potential for slope failure and an imminent threat to the public health and safety of the single family residence above, the City of San Diego issued an Emergency Coastal Development Permit and an environmentally exemption pursuant to California Environmental Quality Act (CEQA) State Guidelines, Section 15269 (Emergency Projects) to repair the failed storm water drain. The project included construction of a new cleanout near the top of the slope and a new concrete headwall and concrete blocks at the base of the canyon to dissipate the flow of the storm water runoff. The emergency work conducted protected the public from the imminent failure of the storm water drain, as such; the project facilitated the protection of the public health, safety and welfare.

3. the proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

The emergency repair work occurred within the urban canyon down slope of 7435 Caminito Rialto. The project complies with the applicable regulations of the Land Development Code (LDC) in effect for the site. No mitigation is required and no deviations to the LDC are requested.

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 project is located on a steep slope in an unnamed canyon west of Caminito Rialto, near Via Rialto. Steep slope are environmentally sensitive lands. The existing CMP storm drain conveying storm water runoff from the inlet along Caminito Rialto and into the canyon below 7435 Caminito Rialto failed resulting in erosion of the canyon slope. Due to the potential for slope failure and an imminent threat to the public health and safety of the residence 60 feet above the failed storm drain, the City of San Diego issued an Emergency Coastal Development Permit and an environmental exemption pursuant to

California Environmental Quality Act (CEQA) State Guidelines, Section 15269 (Emergency Projects) to repair the failed storm drain. The location of the storm water drain is a preexisting condition and the emergency work was necessary to restore the storm drain and to stabilize the slope.

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 revegetation and erosion control plans to stabilize the slope, as well, as the emergency work performed repairing and replacing the failed portions of the storm water drain and slope resulted in minimal disturbance and alteration of the natural landforms, and will not result in undue risks from geological and erosional forces or flood hazards. The newly constructed storm drain and associated improvements are not potential fire hazards.

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

The emergency work has been completed and the siting and design resulted in no impacts on any adjacent environmentally sensitive lands by including revegetation and erosion control plans to stabilize the slope.

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

The project is not located within or adjacent to the Multi-Habitat Planning Area (MHPA) of the City's Multiple Species Conservation Program (MSCP). The emergency work was consistent with the MSCP by implementing Best Management Practices (BMPs) to control erosion. As part of this permit approval the site work will also include re vegetation.

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

The development is approximately 0.67 miles from any beach or the shoreline. The project includes both revegetation and erosion plans to address any potential erosional impacts. Therefore, the development does 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.

No mitigation is required for the project.

ATTACHMENT 5

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer of the City of San Diego for Coastal Development Permit No. 79264 and Site Development Permit No. 79265 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 79264 and Site Development Permit No. 79265, a copy of which is attached hereto and made a part hereof.

Helene Deisher
Development Project Manager
Development Services

Adopted on: April 26, 2012

WBS No. B-00609.07.01

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: B-00609.07.01

COASTAL DEVELOPMENT PERMIT NO. 79264
SITE DEVELOPMENT PERMIT NO. 79265
VIA RIALTO STORM DRAIN REPAIR PROJECT NO. 222828
PLANNING COMMISSION
Draft

This Coastal Development Permit No. 79264 and Site Development Permit No. 79265 is granted by the Planning Commission of the City of San Diego, Owner and to the City of San Diego Engineering and Capital Projects Department, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0710 and 126.0503. The site is located at 7435 Caminito Rialto in the SF (Single Family) Zone of the La Jolla Shores Planned District within the La Jolla Community Plan Area, Coastal Overlay Zone (Non-Appealable Area 2), and the Coastal Height Limitation Overlay Zone. The project site is legally described as Lot 32, Block 16, Swann's Addition of Map 482.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for an existing storm water drain that was part of an emergency repair and replacement and revegetation of an eroded slope. The project is located approximately 60 feet down slope from 7435 Caminito Rialto in the described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 26, 2012, on file in the Development Services Department.

The project includes:

- a. An existing concrete headwall to dissipate water flow;
- b. Revegetation of slope;
- c. Landscaping (planting and landscape related improvements);

d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA 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 determined-necessary 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" 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.

LANDSCAPE REQUIREMENTS:

9. Prior to approval of 100% completion of construction documents by the Permittee Department, construction documents shall be submitted to the Development Services Department for processing of final review and approval. Construction Documents shall be prepared in accordance with the Land Development Code - Landscape Standards to include the revegetation and hydroseeding of all disturbed land and shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.

10. The Permittee Department shall be responsible for the establishment and maintenance of all landscape improvements shown on the approved plans, consistent with the Landscape Standards and Exhibit "A," Revegetation Plan, dated April 26, 2012.

11. 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, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department Mitigation Monitoring Coordination staff within 30 days of the damage.

12. The Permittee Department shall be responsible for the installation and maintenance of all landscape improvements consistent with the Land Development Code: Landscape Regulations and the Land Development Manual: Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course, wet land or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self propagate by air born seeds or trailing as noted in Section 1.3 of the Landscape Standards.

13. Construction documents for grading shall include the following note: "Installation of landscaping associated with these construction documents shall require a minimum short-term establishment period of 120 days for all native/naturalized slope restoration and a minimum long-term establishment/maintenance period of 25 months". Final approval of the required

landscaping shall be to the satisfaction of the Mitigation Monitoring Coordination Section of the Development Services Department.

14. The Permittee Department shall be responsible for eradicating from the project area all prohibited plant species as listed in the Land Development Manual Landscape Standards and identified on "Exhibit A".

INFORMATION ONLY:

- 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.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on April 26, 2012 by Resolution Number PC-XXX).

Permit Type/PTS Approval No.: CDP No. 79264/SDP No. 79265
Date of Approval: April 26, 2012

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Helene Deisher
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.

City of San Diego
Engineering and Capital Projects Dept
Owner/Permittee

By _____
Jeff Soriano
Associate Civil Engineer

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

NOTICE OF EXEMPTION

(Check one or both)

TO: RECORDER/COUNTY CLERK
 P.O. BOX 1750, MS A-33
 1600 PACIFIC HWY, ROOM 260
 SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
 DEVELOPMENT SERVICES DEPARTMENT
 1222 FIRST AVENUE, MS 501
 SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH
 1400 TENTH STREET, ROOM 121
 SACRAMENTO, CA 95814

PROJECT NO.: 222828

PROJECT TITLE: Via Rialto Storm drain Repair

PROJECT LOCATION-SPECIFIC: The Via Rialto Storm Drain is located in a canyon approximately 60 feet down slope from a single family home at 7435 Caminito Rialto. The site is in the La Jolla Shores Planned District and is zoned SF (Single Family). It is also located within the Coastal Overlay Zone (Non-Appealable Area 2) and the La Jolla Community Plan Area.

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Coastal Development Permit and Site Development Permit for previous emergency work to repair a failed storm water drain. As a result of past heavy rains a portion of the existing storm drain was washed out and on January 11, 2010, the City Engineer requested to perform emergency repair work to the failed storm water drain and eroded steep slope. On January 15, 2010, Development Services staff issued a Determination of Emergency Environmental Exemption and Emergency Coastal Development No. 673200. The emergency work was completed in May, 2010. The emergency work restored the storm water drain which included installation of a new 5-foot by 5-foot manhole/cleanout at the failure location, removal and replacement of 55 feet of damaged CMP storm water drain with high density polyethylene (HDPE) storm pipe, lining of the existing storm drain from the street to the inlet to the new manhole/cleanout, and installation of a headwall with an energy dissipater at the outlet. Revegetation of the slope has not been completed; however, a Revegetation Plan is included as part of the Coastal Development and Site Development Permits. The current project includes the emergency repair work that has already been completed plus the proposed revegetation plan.

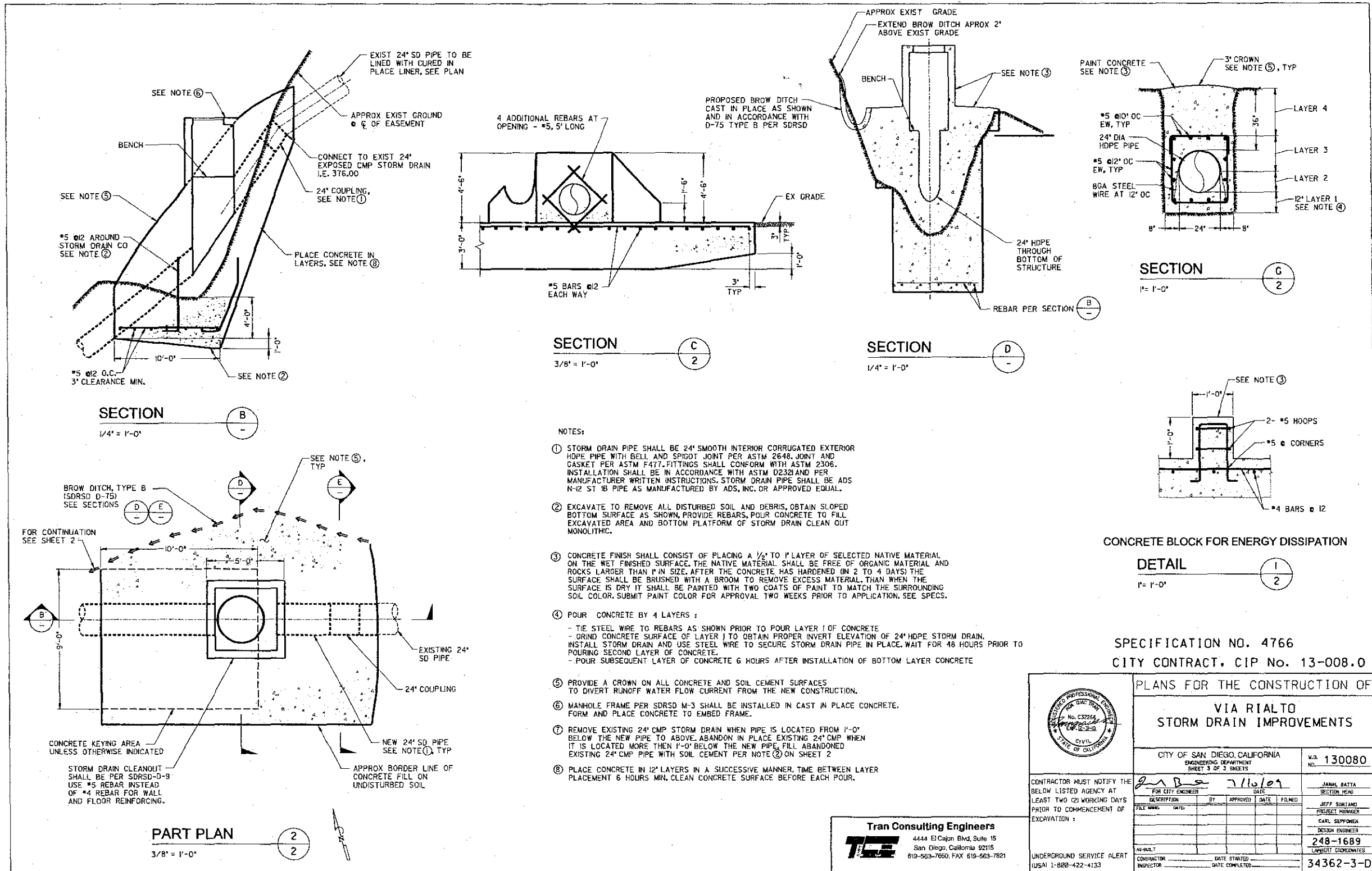
NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: City of San Diego, Engineering and Capital Projects Department. Contact Kerry Santoro, 600 B St, Ste 800 San Diego CA, 92101 619-533-5406.

EXEMPT STATUS: (CHECK ONE)

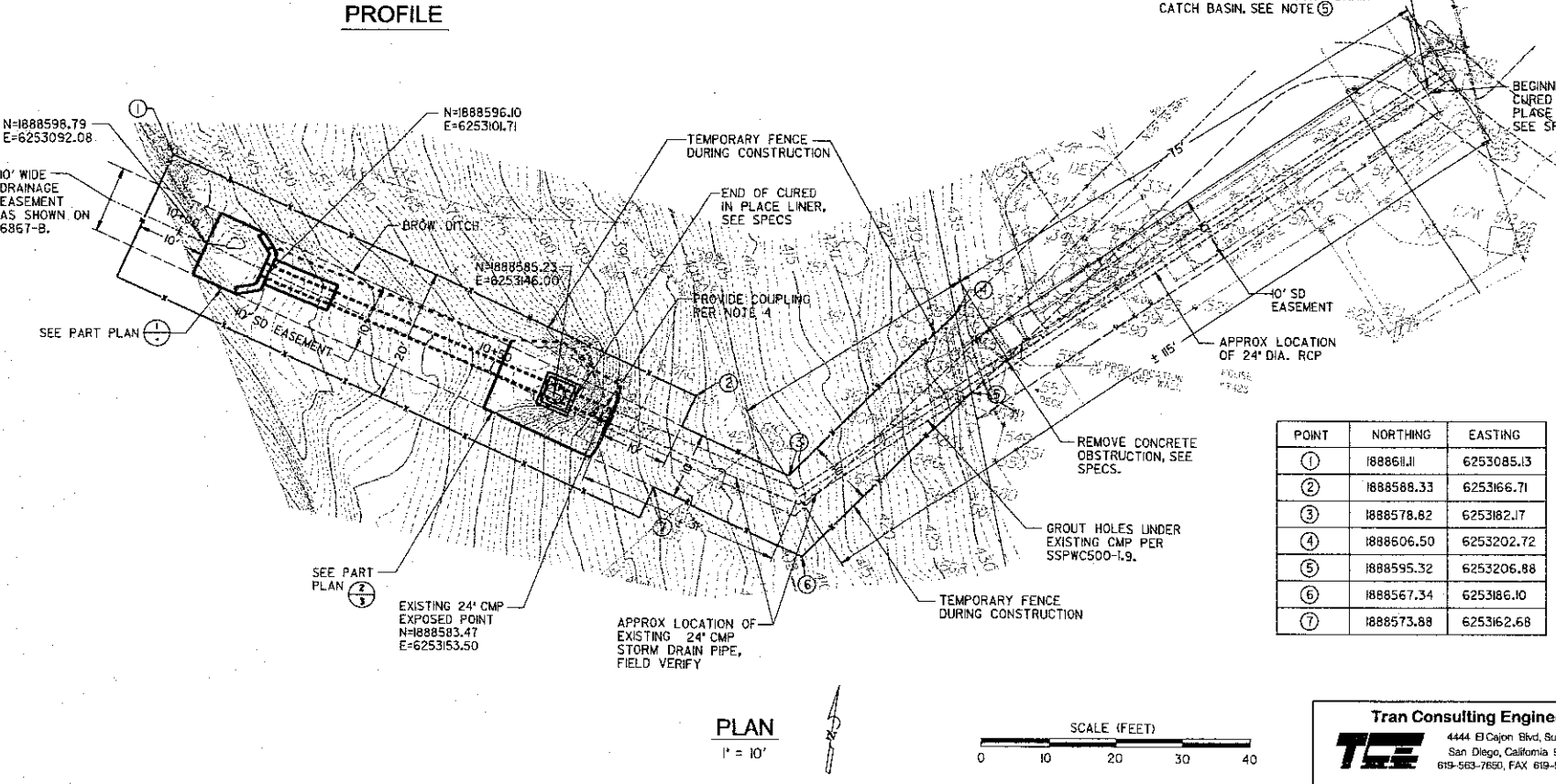
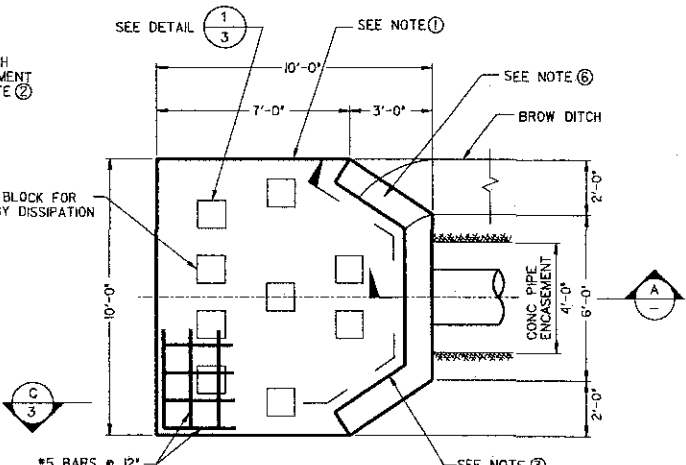
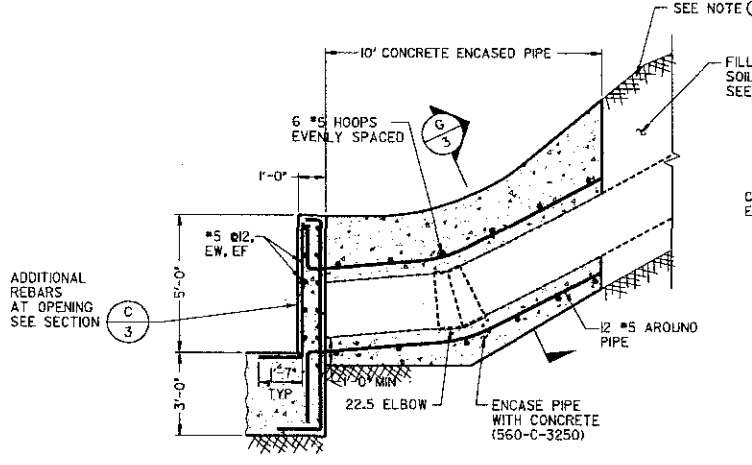
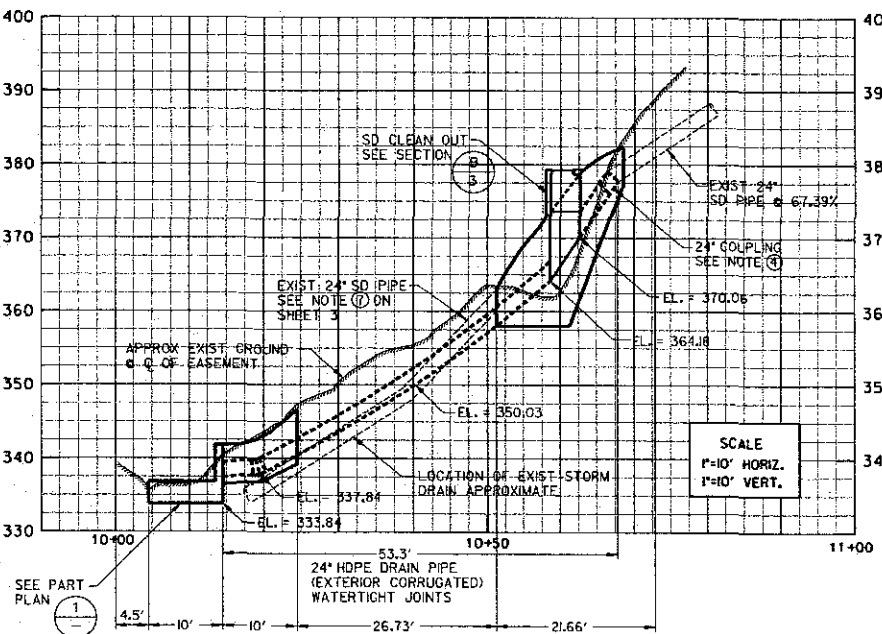
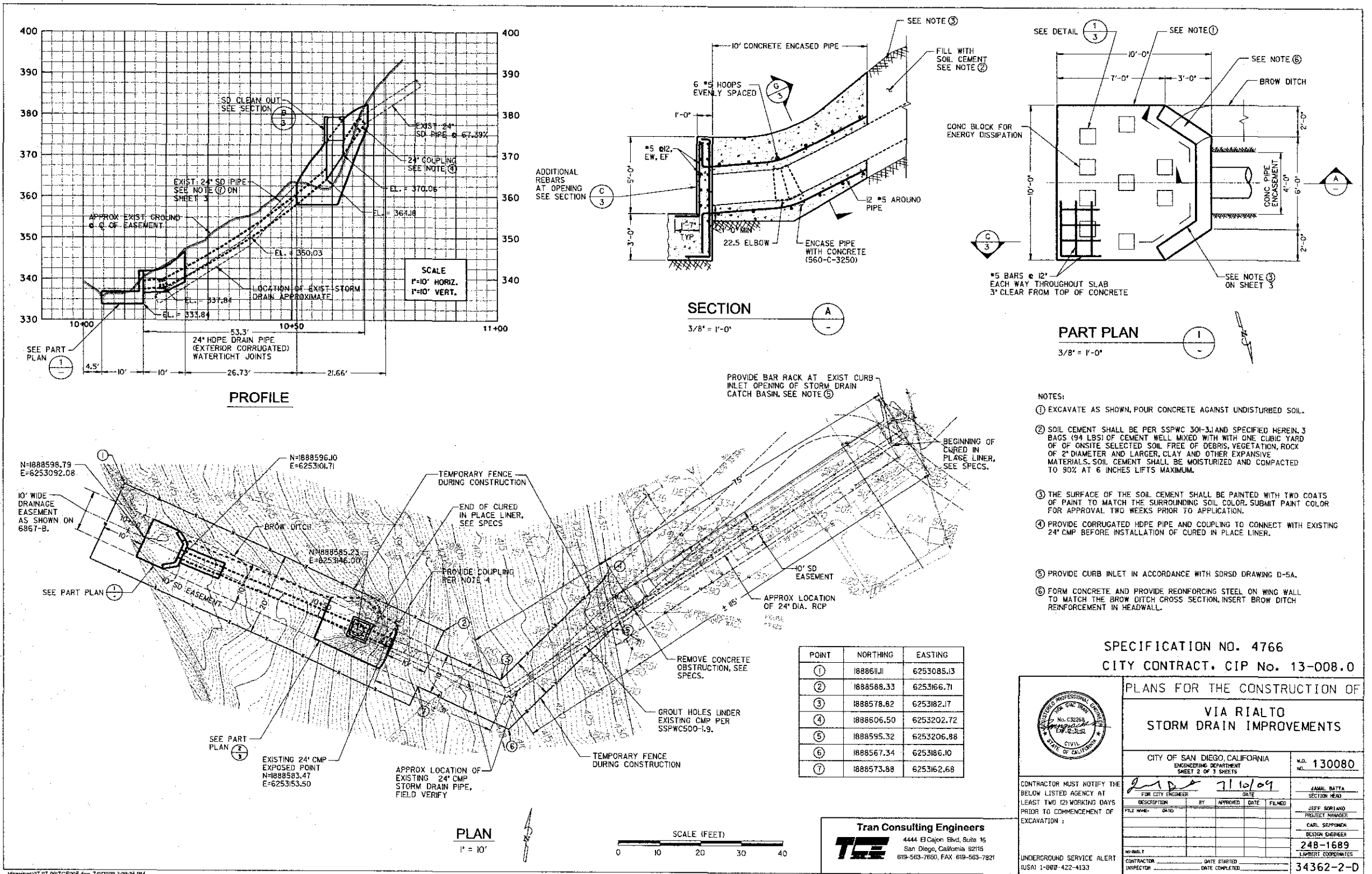
- MINISTERIAL (SEC. 21080(b)(1); 15268);
- DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
- EMERGENCY PROJECT (SEC. 21080(b)(4); 15269(b)(c))
- CATEGORICAL EXEMPTIONS: 15302 (REPLACEMENT OR RECONSTRUCTION) AND 15301 (EXISTING FACILITIES)
- STATUTORY EXEMPTION:
- OTHER: 15061(b)(3) (GENERAL RULE)

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an Initial Study which determined that the project would not result in significant environmental impacts and meets the criteria set forth in CEQA Sections 15301, 15302, and 15061(b)(3) (General Rule). The only physical change associated with the project is the implementation of the revegetation plan. Since the revegetation would not result in a significant effect on the environment the project would be exempt from CEQA in accordance with Section 15061(b)(3). Furthermore, since the project replaced an existing storm drain with a new storm pipe without increasing capacity and would return the surrounding vegetation to preexisting conditions the project is exempt from CEQA Sections 15301 and 15302. These CEQA sections allow for the replacement of damaged public facilities with new facilities serving the same purpose without increasing capacity. Therefore, the Via Rialto Storm Drain project is exempt from CEQA and the exceptions listed in CEQA Section 15300.2 would not apply.



Tran Consulting Engineers
4444 El Cajon Blvd, Suite 15
San Diego, California 92115
619-563-7650, FAX 619-563-7821

	PLANS FOR THE CONSTRUCTION OF VIA RIALTO STORM DRAIN IMPROVEMENTS		W.D. NO. 130080
	CITY OF SAN DIEGO, CALIFORNIA ENGINEERING DEPARTMENT SHEET 3 OF 3 SHEETS		CONTRACTOR MUST NOTIFY THE BELOW LISTED AGENCY AT LEAST TWO (2) WORKING DAYS PRIOR TO COMMENCEMENT OF EXCAVATION : UNDERGROUND SERVICE ALERT (USA) 1-800-422-4133
FOR CITY ENGINEER DATE: 7/16/09	BY: [Signature] DATE: [] FILE NO.: []	APPROVED DATE: [] FILED: []	JAMAL BAITA SECTION HEAD JEFF SORJANO PROJECT MANAGER CARL SEPPOREN DESIGN ENGINEER 248-1689 LAMBERT COORDINATES
CONTRACTOR INSPECTOR	DATE STARTED: [] DATE COMPLETED: []	34362-3-D	



POINT	NORTHING	EASTING
①	1888611.1	6253085.13
②	1888588.33	6253166.71
③	1888578.82	6253182.17
④	1888606.50	6253202.72
⑤	1888595.32	6253206.88
⑥	1888567.34	6253186.10
⑦	1888573.88	6253162.68

- NOTES:
- EXCAVATE AS SHOWN, POUR CONCRETE AGAINST UNDISTURBED SOIL.
 - SOIL CEMENT SHALL BE PER SSPWC 301-3J AND SPECIFIED HEREIN. 3 BAGS (94 LBS) OF CEMENT WELL MIXED WITH WITH ONE CUBIC YARD OF ONSITE SELECTED SOIL FREE OF DEBRIS, VEGETATION, ROCK OF 2" DIAMETER AND LARGER, CLAY AND OTHER EXPANSIVE MATERIALS. SOIL CEMENT SHALL BE MOISTURIZED AND COMPACTED TO 90% AT 6 INCHES LIFTS MAXIMUM.
 - THE SURFACE OF THE SOIL CEMENT SHALL BE PAINTED WITH TWO COATS OF PAINT TO MATCH THE SURROUNDING SOIL COLOR. SUBMIT PAINT COLOR FOR APPROVAL TWO WEEKS PRIOR TO APPLICATION.
 - PROVIDE CORRUGATED HDPE PIPE AND COUPLING TO CONNECT WITH EXISTING 24" CMP BEFORE INSTALLATION OF CURED IN PLACE LINER.
 - PROVIDE CURB INLET IN ACCORDANCE WITH SORSO DRAWING D-5A.
 - FORM CONCRETE AND PROVIDE REINFORCING STEEL ON WING WALL TO MATCH THE BROW DITCH CROSS SECTION. INSERT BROW DITCH REINFORCEMENT IN HEADWALL.

SPECIFICATION NO. 4766
CITY CONTRACT, CIP No. 13-008.0

PLANS FOR THE CONSTRUCTION OF
**VIA RIALTO
STORM DRAIN IMPROVEMENTS**

CITY OF SAN DIEGO, CALIFORNIA
ENGINEERING DEPARTMENT
SHEET 2 OF 3 SHEETS

NO. 130080

CONTRACTOR MUST NOTIFY THE BELOW LISTED AGENCY AT LEAST TWO (2) WORKING DAYS PRIOR TO COMMENCEMENT OF EXCAVATION:

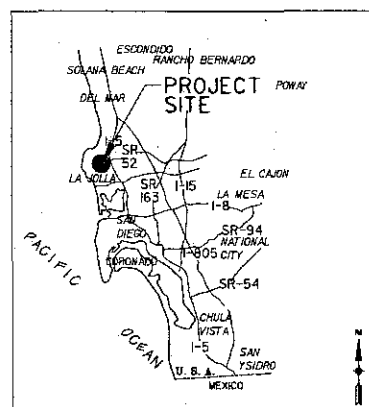
FOR CITY ENGINEER	BY	APPROVED DATE	FILED
DESCRIPTION			
FILE NAME	DATE		

CONTRACTOR: **Tran Consulting Engineers**
DATE STARTED: **7/10/09**
INSPECTOR: **JAMAL Bhatta**
DATE COMPLETED: **7/10/09**

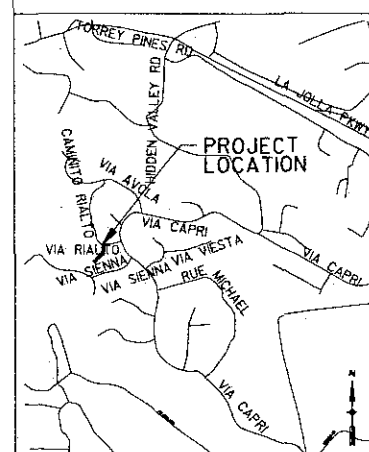
4444 El Cajon Blvd, Suite 16
San Diego, California 92115
619-563-7650, FAX 619-563-7821

JAMAL Bhatta
SECTION HEAD
JEFF SORIANO
PROJECT MANAGER
CARL SEPPIEN
DESIGN ENGINEER
248-1689
LABRIT COORDINATOR

34362-2-D



VICINITY MAP
NTS



LOCATION MAP
NTS

REFERENCES SURVEY & DRAWINGS

CITY DWG I2998-6-D, 5432-D, 5433-D.

BASIS OF BEARING /COORDINATES:

THE BASIS OF BEARINGS FOR THIS PROJECT WAS DERIVED FROM A PREVIOUS STATIC GPS SURVEY, USING ROS 14492 NAD 83 FEET, ZONE 6 (EPOCH 91.35) UTILIZING RTK/GPS FIELD PROCEDURES WITH THE BASE STATION LOCATED RANDOMLY AND CONSTRAINING TO GPS 135 & OPS 136 I.E. S76°11'08"E.

BENCH:

NWBP VIA CAPRI AND VIA RIALTO ELEV. 425.018 MSL, BASED ON NGVD 29 FEET AS SHOWN IN THE CITY OF SAN DIEGO BENCH BOOK

GENERAL NOTES

UNLESS OTHERWISE NOTED AS PREVIOUSLY POTHOLED, ALL ELEVATIONS SHOWN ON THE PROFILE FOR EXISTING UTILITIES ARE BASED ON A SEARCH OF AVAILABLE RECORDS INFORMATION ONLY AND ARE SOLELY FOR THE CONTRACTOR'S CONVENIENCE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO POTHOLE ALL EXISTING UTILITIES (EITHER SHOWN ON THE PLANS OR MARKED ON THE FIELD) IN ACCORDANCE WITH THE SPECIFICATIONS REFERENCE SPECIFICATIONS SECTION 5-1)

GRADING TABULATION

TOTAL AMOUNT OF SITE TO BE GRADED : AREA 500 SF, % OF TOTAL SITE : N/A
 AMOUNT OF CUT : 60 CUBIC YARD
 MAXIMUM DEPTH OF CUT : 6 FEET
 MAXIMUM DEPTH OF FILL (WITH CONCRETE) : 14 FEET
 MAXIMUM HEIGHT OF FILL SLOPE(S) : N/A
 MAXIMUM HEIGHT OF CUT SLOPE(S) : 31 FEET
 AMOUNT OF IMPORT SOIL : 0 ± CUBIC YARDS
 RETAINING / CRIB WALLS : NONE

UTILITY NOTE

THE CONTRACTOR SHALL NOTIFY THE FOLLOWING AGENCY AT LEAST TWO (2) WORKING DAYS PRIOR TO COMMENCEMENT OF EXCAVATION: UNDERGROUND SERVICE ALERT (USA) 1-800-422-4133

TRAFFIC CONTROL NOTE

THE CONTRACTOR SHALL, PER SECTION 7-10.1.1 OF THE CONTRACT SPECIAL PROVISIONS, PREPARE TRAFFIC CONTROL SHOP DRAWINGS AND SUBMIT THEM TO THE RESIDENT ENGINEER. THE SHOP DRAWINGS WILL BE SENT TO THE ENGINEERING TRAFFIC CONTROL SECTION FOR REVIEW AND APPROVAL. THE CONTRACTOR SHALL ALLOW A MINIMUM OF TWENTY (20) WORKING DAYS FOR REVIEW OF THE SHOP DRAWINGS. UPON APPROVAL OF THE TRAFFIC CONTROL PLAN, THE ENGINEERING TRAFFIC CONTROL SECTION WILL ISSUE A TRAFFIC CONTROL PLAN (TCP) PERMIT. WORK SHALL NOT BEGIN IN THE PUBLIC RIGHT OF WAY WITHOUT THE TCP PERMIT.

ENVIRONMENTAL RESTRICTION NOTES

1. THE PROJECT "LIMITS OF CONSTRUCTION" SHALL BE FENCED AS SHOWN ON THE PLANS. NO WORK SHALL BE PERFORMED OUTSIDE OF THESE LIMITS.

ABBREVIATIONS

AC	ASPHALT CONCRETE
APPROX	APPROXIMATELY
BC	BEGINNING OF CURVE
BMP	BEST MANAGEMENT PRACTICES
CONC	CONCRETE
CMP	CORRUGATED METAL PIPE
DFT	DRY FILM THICKNESS
DIA	DIAMETER
C	CENTER LINE
D/W	DRIVEWAY
EC	END OF CURVE
EL	ELEVATION
EW	EACH WAY
HDPE	HIGH DENSITY POLYETHYLENE
HORIZ	HORIZONTAL
IE	INVERT ELEVATION
MIN	MINIMUM
OC	ON CENTER
PT	POINT
RCP	REINFORCED CONCRETE PIPE
R.O.W.	RIGHT OF WAY
REINF	REINFORCEMENT
RSD	SAN DIEGO REGIONAL STANDARD DRAWINGS
SD	STORM DRAIN
SSPWC	STANDARD SPECIFICATIONS FOR PUBLIC WORK CONSTRUCTION
SWR	SEWER MAIN
UNK	UNKNOWN
VERT	VERTICAL
N/A	NOT APPLICABLE

WORK TO BE DONE

THE IMPROVEMENTS CONSIST OF THE FOLLOWING WORK TO BE DONE ACCORDING TO THESE PLANS AND STANDARD SPECIFICATIONS AND STANDARD DRAWINGS OF THE CITY OF SAN DIEGO.

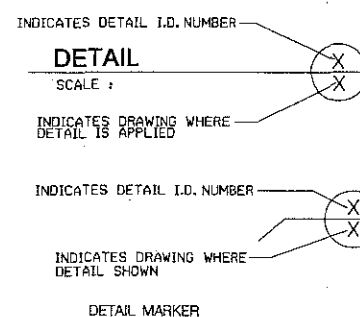
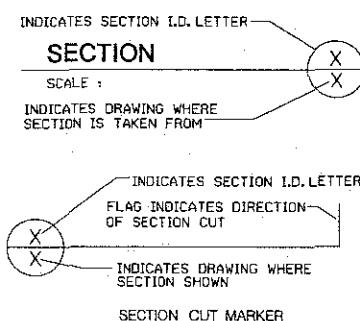
IMPROVEMENTS	STD. DWG.	LEGEND
DRAINAGE DITCH	D-75	⇒ ⇒ ⇒
STORM DRAIN	SEE PLANS
TYPE A-6 CLEANOUT	D-9, D-11, M3, SDG107	⊞

NOTE : FOR LEGEND SYMBOLS SEE SAN DIEGO REGIONAL STANDARD DRAWINGS

CONSTRUCTION NOTES

- UNLESS OTHERWISE INDICATED ON PLANS, CAST IN PLACE CONCRETE SHALL BE 560-C-3250.
- CONTRACTOR SHALL CCTV INSPECT THE ENTIRE EXISTING STORM DRAIN PIPE. SUBMIT VIDEO TO THE CITY FOR REVIEW PRIOR TO PERFORM THE CONSTRUCTION

CROSS REFERENCING

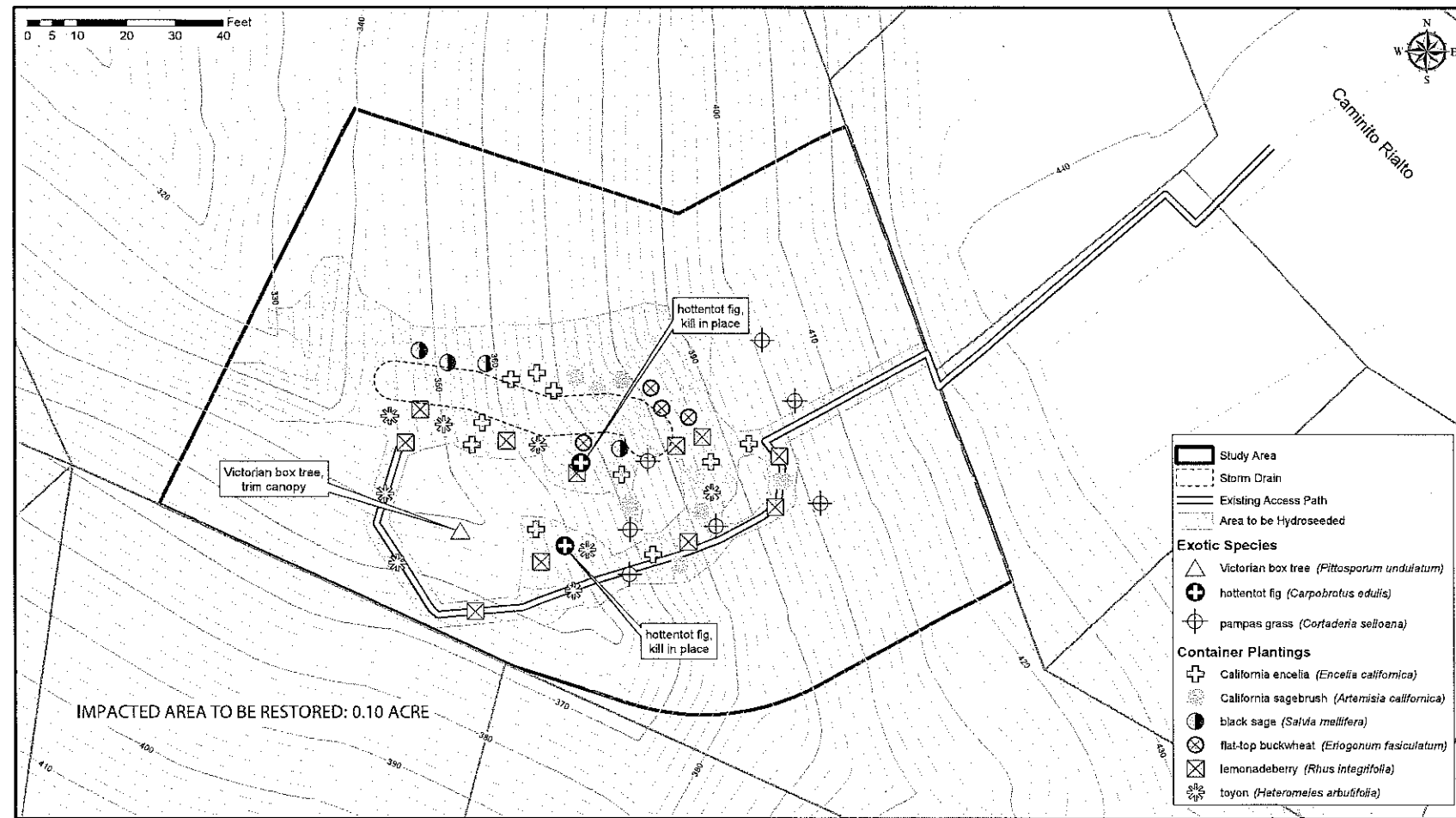


SPECIFICATION NO. 4766
CITY CONTRACT, CIP No. 13-008.0

	PLANS FOR THE CONSTRUCTION OF	
	VIA RIALTO STORM DRAIN IMPROVEMENTS	
CITY OF SAN DIEGO, CALIFORNIA ENGINEERING DEPARTMENT SHEET 1 OF 3 SHEETS	W.D. NO. 130080	
CONTRACTOR MUST NOTIFY THE BELOW LISTED AGENCY AT LEAST TWO (2) WORKING DAYS PRIOR TO COMMENCEMENT OF EXCAVATION :	FOR CITY ENGINEER DESCRIPTION BY APPROVED DATE FILMED FILE NO. (DATE)	JAMAL BATTA SECTION HEAD JEFF SORIANO PROJECT MANAGER CARL SEPPONEN DESIGN ENGINEER 248-1689 LAMBERT COORDINATES
AS BUILT CONTRACTOR DATE STARTED INSPECTOR DATE COMPLETED		34362-1-D

Tran Consulting Engineers

 4444 El Cajon Blvd, Suite 15
 San Diego, California 92115
 619-563-7650, FAX 619-563-7821



- GENERAL REVEGETATION NOTES:**
1. REVEGETATION OF THE PROJECT AREA SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE CITY OF SAN DIEGO LANDSCAPE STANDARDS.
 2. REVEGETATION OF THE SITE IS TO BE PERFORMED WITH A COMBINATION OF A LIMITED QUANTITY OF NATIVE CONTAINER PLANTINGS AND AN APPLICATION OF A NATIVE SEED MIX HYDROSEED SLURRY.
 3. THESE PLANS ARE TO BE USED AS A GENERAL GUIDE WITH THE FINAL PLANT LAYOUT TO BE DETERMINED ON-SITE BY THE PROJECT BIOLOGIST.
 4. SEED MIX AND/OR CONTAINER STOCK USED FOR EROSION CONTROL AND ON SLOPES SHALL ACHIEVE 50 PERCENT OR AS APPROVED BY THE PROJECT BIOLOGIST AND CITY REPRESENTATIVE BASED ON SITE CONDITIONS IF LESSER % COVERAGE) SOIL COVERAGE WITHIN 25 MONTHS OF BEING INSTALLED AFTER THE 120 DAY PLANT ESTABLISHMENT PERIOD (PEP). AT THE END OF YEAR 1, PLANT COVERAGE SHALL MEET 25 PERCENT COVERAGE, AS VERIFIED BY THE PROJECT BIOLOGIST (TABLE 1).
 5. INVASIVE PLANT SPECIES INCLUDING BUT NOT LIMITED TO THOSE LISTED IN THE CITY'S LANDSCAPE STANDARDS ARE PROHIBITED; AND NATIVE PLANT SPECIES SHALL BE USED IN NATURALIZED AREAS.
 6. REVEGETATION AND EROSION CONTROL TIMING - ALL REQUIRED REVEGETATION AND EROSION CONTROL SHALL BE COMPLETED WITHIN 30 DAYS OF THE COMPLETION OF GRADING OR DISTURBANCE TO AVOID POTENTIAL IMPACTS TO NESTING BIRD SPECIES AND TO TAKE ADVANTAGE OF COOLER SEASONAL TEMPERATURES AND INCREASED PRECIPITATION.
 7. CONTRACTOR SHALL REPAIR AND/OR REPLACE ALL ABOVE GROUND EROSION CONTROL BMPs DAMAGED DURING THE 120 PEP AND 25 MONTH MAINTENANCE AND MONITORING PERIOD. ANY ABOVE GRADE EROSION CONTROL MEASURES SUCH AS BUT NOT LIMITED TO SILT FENCING, GRAVEL BAGS AND/OR FIBER ROLLS SHALL BE REMOVED BY THE CONTRACTOR AND AS DIRECTED BY THE PROJECT BIOLOGIST FOLLOWING ACCEPTANCE OF THE 25 MONTH MAINTENANCE AND MONITORING PERIOD BY CITY REPRESENTATIVE AND PROJECT BIOLOGIST.
 8. CONTRACTOR SHALL REMOVE ALL TRASH AND/OR DEBRIS FROM THE REVEGETATION SITE PRIOR TO AND FOLLOWING THE REVEGETATION INSTALLATION, AND UNTIL THE END OF THE 25 MONTH MAINTENANCE AND MONITORING PERIOD.

- SITE PREPARATION:**
1. NON-NATIVE HERBACEOUS, SHRUB, AND TREE SPECIES CURRENTLY OCCUPYING AREAS OF THE PROJECT AREA THAT WERE PREVIOUSLY DISTURBED, SHALL BE REMOVED OR TREATED WITH HERBICIDE. SEVERAL NON-NATIVE SPECIES MAY NEED TO BE TREATED IN PLACE RATHER THAN REMOVED, DUE TO THE REMOTE LOCATIONS AND DIFFICULT ACCESS TO REACH CERTAIN NON-NATIVE INDIVIDUALS.
 2. NON-NATIVE SPECIES WITH LARGE CANOPY STRUCTURES THAT OVERHANG POTENTIAL RESTORATION AREAS MAY BE TRIMMED OR PRUNED TO PROVIDE INCREASED LIGHT AND LIMIT SEED-DROPT INTO NEARBY AREAS. ALL TRIMMING OF NON-NATIVE CANOPY TREES SHALL BE PERFORMED IN THE PRESENCE OF THE PROJECT BIOLOGIST TO ENSURE THAT THERE ARE NO IMPACTS TO NESTING BIRDS IF TRIMMING IS PERFORMED BETWEEN THE MONTHS OF FEBRUARY AND SEPTEMBER.
 3. ALL NON-NATIVE SPECIES TO BE TREATED, REMOVED, TRIMMED, OR PRUNED WILL BE FLAGGED IN ADVANCE BY THE PROJECT BIOLOGIST. THE APPLICANT'S LANDSCAPE CONTRACTOR SHALL COORDINATE WITH THE PROJECT BIOLOGIST REGARDING IDENTIFICATION OF EXOTIC WEED SPECIES TO BE REMOVED/TREATED.
 4. CURRENTLY SEVERAL STRAW WATTLES OCCUR ON-SITE IN SEVERAL OF THE MID TO LOWER ELEVATION AREAS. IF THE STRAW WATTLES ARE IN A SERVICEABLE CONDITION AT THE TIME OF RESTORATION IMPLEMENTATION, THEY SHOULD REMAIN IN PLACE. IF THEY ARE DEGRADED HOWEVER, THEY SHOULD BE REPLACED PRIOR TO PLANTING AND HYDROSEEDING THE AREA, AND SHALL REMAIN UNTIL VEGETATION HAS BEEN ESTABLISHED. NO ADDITIONAL EROSION CONTROL MEASURES ARE ANTICIPATED AT THIS TIME.

- IRRIGATION:**
1. THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT HAS PREVIOUSLY AGREED THAT A TEMPORARY IRRIGATION SYSTEM WILL NOT BE REQUIRED FOR THE VIA RIALTO REVEGETATION PROJECT DUE TO THE LACK OF A SUITABLE POINT OF CONNECTION, STEEP SLOPES, AND SEVERE EROSION POTENTIAL OF THE SITE.
 2. EACH CONTAINER PLANTING SHOULD BE INSTALLED WITH TWO DRINKER 90-DAY TIME RELEASE GEL-PAC DELIVERY SYSTEMS TO PROVIDE WATER DURING PLANT ESTABLISHMENT. INSTALLATION INSTRUCTIONS FOR DRINKER GEL-PACS ARE PROVIDED IN THE FOLLOWING CONTAINER PLANT PROCEDURES SECTION.
 3. DRINKER GEL-PACS MUST BE INSPECTED MONTHLY BY THE MAINTENANCE CONTRACTOR. GEL-PACS MUST BE RE-LOADED APPROXIMATELY EVERY OTHER MONTH FOR THE FIRST YEAR OF PLANT ESTABLISHMENT BETWEEN THE MONTHS OF APRIL THROUGH NOVEMBER, OR AS DIRECTED BY THE PROJECT BIOLOGIST.
 4. ADDITIONALLY AN APPLICATION OF WEED-FREE MULCH SHOULD BE APPLIED TO EACH PLANTING BASIN TO HELP DECREASE SOIL TEMPERATURES AND RETAIN MOISTURE.

- SEED MIXES:**
1. THE SEED MIX IN TABLES IDENTIFIED SHALL BE APPLIED IN ALL NON HARDSCAPED AREAS DISTURBED BY THE PROJECT. THE SEED SHALL BE INSTALLED VIA HYDROSEED METHODS, UNLESS OTHERWISE DIRECTED BY THE PROJECT BIOLOGIST.
 2. ALL SEEDS SHALL MEET THE MINIMUM % PURE LIVE SEED AS NOTED IN TABLES. IF MINIMUM % PURE LIVE SEED COUNT CANNOT BE MET CONTRACTOR TO COORDINATE AND OBTAIN WRITTEN APPROVAL FROM THE PROJECT BIOLOGIST FOR ALTERNATIVE COMPLIANCE.
 3. ALL SEEDS SHALL ORIGINATE FROM WITHIN A 25 MILE RADIUS OF THE PROJECT SITE OR CONTRACTOR TO PROVIDE EVIDENCE THAT THE SEED IS NOT AVAILABLE AND NOTIFY THE CITY REPRESENTATIVE AND THE PROJECT BIOLOGIST FOR ALTERNATIVE COMPLIANCE.

- HYDROSEEDING PROCEDURES:**
1. AREAS TO BE HYDROSEEDED SHALL INCLUDE ACCESS PATHS, THE EARTHEN STAIRWAY, CUT SLOPES, AND ALL OTHER AREAS DEVOID OF VEGETATION WITHIN THE LIMITS OF THE PROJECT. AN AREA APPROXIMATELY 0.10-ACRE IN SIZE HAS BEEN IDENTIFIED FOR HYDROSEEDING.
 2. HYDROSEEDING SHALL BE PERFORMED AFTER ALL CONTAINER PLANTINGS HAVE BEEN INSTALLED IN ORDER TO LIMIT DISTURBANCE OF THE INTACT HYDROSEED MATRIX.
 3. SEEDING SHALL OCCUR ONLY AFTER THE PROJECT BIOLOGIST HAS OBSERVED AND APPROVED THAT THE SITE HAS BEEN PROPERLY PREPARED.
 4. COFFERED STAFF SHALL BE APPLIED AT THE MINIMUM RATE OF 3,500 POUNDS PER ACRE OR AS DIRECTED BY THE PROJECT BIOLOGIST.
 5. HYDROPOST COMPOST SHALL BE APPLIED AT THE MINIMUM RATE OF 2,000 POUNDS PER ACRE, OR AS DIRECTED BY THE PROJECT BIOLOGIST.
 6. HUMATE TRI-C ORGANIC SOIL CONDITIONER SHALL BE APPLIED AT THE MINIMUM RATE OF 500 POUNDS PER ACRE, OR AS DIRECTED BY THE PROJECT BIOLOGIST.
 7. SOILBUSTER PELLETIZED CALCIUM SULFATE GYPSUM ALTERNATIVE SHALL BE APPLIED AT THE MINIMUM RATE OF 1,200 POUNDS PER ACRE, OR AS DIRECTED BY THE PROJECT BIOLOGIST.
 8. EQUIPMENT USED FOR THE APPLICATION OF SLURRY SHALL HAVE A BUILT-IN AGITATION SYSTEM TO SUSPEND AND HOMOGENEOUSLY MIX THE SLURRY. THE SLURRY MIX SHALL BE DYED GREEN. THE EQUIPMENT MUST HAVE A PUMP CAPABLE OF APPLYING SLURRY UNIFORMLY.
 9. HYDROSEED SHALL BE APPLIED BETWEEN OCTOBER 1 AND FEBRUARY 15 DURING RAINY SEASON.

- CONTAINER PLANT PROCEDURES:**
1. IN ADDITION TO HYDROSEED BY THE TABLES, CONTRACTOR SHALL SUPPLY AND PLANT UP TO 50 (1) GALLON CONTAINER PLANTS PER ACRES OF NATIVE PLANTS AS SHOWN IN TYPICAL #1 AT THE RECOMMENDATION AND UNDER THE DIRECTION OF THE PROJECT BIOLOGIST. PROJECT BIOLOGIST SHALL CONSIDER THE 120 PEP 25 MONTH MAINTENANCE AND MONITORING PERIOD, SUCCESS CRITERIA, IN THE EVENT THAT ADDITIONAL CONTAINER PLANTS ARE RECOMMENDED BY THE BIOLOGIST FOR INSTALLATION.
 2. CONTAINER PLANTS SHALL BE PROCURED FROM A NURSERY QUALIFIED TO PROPAGATE AND CARE FOR PLANT SPECIES. SOURCE FOR ANY NATIVE CONTAINER PLANT MATERIALS SHALL ORIGINATE WITHIN 25 MILES FROM THE COAST WITHIN SAN DIEGO COUNTY TO THE EXTENT PRACTICAL, OR AS DETERMINED BY THE PROJECT BIOLOGIST.
 3. CONTAINER PLANT MATERIAL MUST BE DELIVERED TO THE PROJECT SITE AT THE APPROPRIATE TIME AND IN A HEALTHY AND VIGOROUS CONDITION. THE PROJECT BIOLOGIST WILL REJECT PLANT MATERIAL DELIVERED PRIOR TO ITS PLANTING DATE. SPECIMENS SHOWING EVIDENCE OF DISEASE, MISHANDLING, DEFECTS OR DAMAGE OVER OR UNDERWATERING, OR OTHER DEFICIENCY AT THE TIME OF DELIVERY WILL BE REJECTED.
 4. CONTAINER PLANTS WILL BE PLACED FOR PLANTING BY THE PROJECT BIOLOGIST IN THE REVEGETATION AREAS. THE SUGGESTED CONTAINER PLANT INSTALLATION PROCEDURE SHALL BE AS DIRECTED BY THE PROJECT BIOLOGIST.
 5. EACH PLANTING HOLE WILL BE EXCAVATED TO A WIDTH THAT IS TWICE THE SIZE OF THE CONTAINER. THE DEPTH OF EACH HOLE SHALL BE EQUAL TO THE DEPTH OF THE ROOTBALL. APPROXIMATELY ONE GALLON OF WEED-FREE TOPSOIL SHOULD BE DEPOSITED INTO THE PIT, FOLLOWED BY TWO DRINKER DELIVERY TUBES, AND CONTAINER PLANTING. THE PLANT SHALL THEN BE POSITIONED SO THAT THE SURFACE OF THE ROOTBALL IS AT GROUND LEVEL.
 6. THE HOLE SHALL BE BACKFILLED WITH AN EQUAL COMBINATION OF NATIVE SOIL AND WEED-FREE TOPSOIL, AND AN EARTHEN WATERING BASIN SHALL BE CREATED IN A TWO FOOT DIAMETER AROUND EACH ROOTBALL. THE PLANT SHALL THEN BE WATERED IN BY HAND IMMEDIATELY AFTER PLANTING.
 7. TWO DRINKER 90-DAY GEL-PACS SHOULD IMMEDIATELY BE INSTALLED INTO THE DELIVERY TUBE AND CAPPED TO PREVENT DISTURBANCE BY ANIMALS IN THE CANYON.

- MAINTENANCE REQUIREMENTS:**
1. REVEGETATION AREA SHALL BE MAINTAINED FOR A PERIOD OF NOT LESS THAN 25 MONTHS (TABLE 2). ALL REVEGETATED AREAS SHALL BE MAINTAINED BY THE PERMITTEE UNTIL FINAL APPROVAL BY THE CITY. THE MAINTENANCE PERIOD BEGINS ON THE FIRST DAY FOLLOWING ACCEPTANCE (AT END OF 120 DAY PEP) AND MAY BE EXTENDED AT THE DETERMINATION OF THE CITY REPRESENTATIVE.
 2. PRIOR TO FINAL APPROVAL, THE CITY REPRESENTATIVE MAY REQUIRE CORRECTIVE ACTION INCLUDING BUT NOT LIMITED TO REPLANTING AND THE REPAIR OF ANY SOIL EROSION OR SLOPE SLIPPAGE IN CONSULTATION WITH THE PROJECT BIOLOGIST.
 3. THE 120 PEP FOLLOWS HYDROSEED APPLICATION, THE PEP AND START OF 25 MONTHS MAINTENANCE AS WELL AS ACCEPTANCE FOLLOWING THE MAINTENANCE PERIOD IS DETERMINED BY CITY REPRESENTATIVE IN CONSULTATION WITH PROJECT BIOLOGIST.
 4. ALL PLANTS WILL BE GUARANTEED THROUGHOUT A 120-DAY PEP, WHERE MICRO-HABITAT CONDITIONS ARE MORE FAVORABLE FOR GROWTH OF A DIFFERENT NATIVE SPECIES OF SIMILAR CHARACTER, PLANT SUBSTITUTIONS, AS DIRECTED BY THE PROJECT BIOLOGIST, MAY BE MADE FROM THE LIST OF PLANTS ORIGINALLY SELECTED FOR ON-SITE PLANTING.
 5. WEEDING AND/OR HERBICIDE APPLICATION SHALL BE DONE REGULARLY BY THE CONTRACTOR. WEEDING SHALL BE DONE AT A MINIMUM OF BIWEEKLY UNTIL THE END OF THE

NOTES COMMON TO PLANTING AREAS

- * CONTAINER PLANT TAGS SHALL BE SUBMITTED TO THE PROJECT BIOLOGIST PRIOR TO INSTALLATION OF CONTAINER STOCK.
- ** CONTAINER PLANTS SHALL BE PLACED WITHIN REVEGETATION CORRIDOR AT THE LOCATIONS RECOMMENDED AND UNDER THE DIRECTION OF THE PROJECT BIOLOGIST.
- *** SEED TAGS SHALL BE SUBMITTED TO THE PROJECT BIOLOGIST PRIOR TO APPLICATION OF SEED.
- **** THE SEED MIX IS COMPRISED OF NATIVE PLANT SPECIES. ANY POTENTIAL SUBSTITUTIONS MUST BE APPROVED BY THE PROJECT BIOLOGIST PRIOR TO APPLICATION OF SEED.
- ***** % PLS IS THE MINIMUM PERCENT PURE LIVE SEED PER POUND OF SEED. THE PERCENTAGE IS CALCULATED BY MULTIPLYING THE PERCENT SEED PURITY BY PERCENT SEED GERMINATION, WHICH SHALL BE THE METHOD USED BY THE PROJECT BIOLOGIST TO DETERMINE SEED QUALITY, UNLESS THE BIOLOGIST SPECIFICALLY REQUEST THE %PLS METHOD TO BE USED.

CONTAINER PLANT MATERIALS

Species	Container Name	Unit Size	Quantity
Artemisia californica	California sagebrush	1-gallon	7
Encelia californica	California encelia	1-gallon	10
Eriogonum fasciculatum	flat-top buckwheat	1-gallon	4
Heteromeles arbutifolia	toyon	1-gallon	8
Rhus integrifolia	lemonadeberry	1-gallon	11
Salvia mellifera	black sage	1-gallon	4
Total:			44

HYDROSEED SLURRY COMPONENTS

Product	Lbs./Acre
CocoFlex ET - FGM Extended Term Flexible Growth Medium	3,500
Hydropost Compost	2,000
HumateTri-C Organic Soil Conditioner	500
SoilBuster Pelletized Calcium Sulfate Gypsum Alternative	1,200

HYDROSEED SEED PALETTE

Species	Common Name	Density Lbs./Acre	Minimum % PLS*	Lbs. PLS/Acre	Total Lbs. PLS for 0.10 Acre
Artemisia californica	California sagebrush	6	7.5	0.45	0.05
Bromus carinatus "Cucamonga"	Cucamonga bromes	5	76	3.80	0.38
Eriogonum fasciculatum	flat-top buckwheat	12	6.5	0.78	0.08
Eschscholzia californica	California poppy	1	73.5	0.74	0.07
Leymus trichoides	beardless wild rye grass	3	72	2.16	0.22
Lotus scoparius var. scoparius	coastal desweeed	4	54	2.16	0.22
Lupinus succulentus	arroyo lupine	6	83.3	5.00	0.50
Salvia mellifera	black sage	4	35	1.40	0.14
Trifolium tridentatum	tomcatclover	4	80.75	3.23	0.32
Valpula microstachys	small fescue	4	66.3	2.66	0.27
Total:		49 Lbs./Acre		22.37 Lbs./Acre	2.24 Lbs./Acre

* PURE LIVE SEED

TABLE 1: SUCCESS CRITERIA*

PARAMETER	PERCENT VEGETATION COVER		PLANT SURVIVAL	
	HYDROSEED		CONTAINER PLANTS**	
PERFORMANCE STANDARD - IMPACT AREA	YEAR 1: 25 MONTHS:	25 PERCENT 50 PERCENT	YEAR 1: 25 MONTHS:	100 PERCENT 80 PERCENT

* SEE GENERAL REVEGETATION NOTE #4 IF LOWER PERCENT APPROVED BY PROJECT BIOLOGIST.
** CONTAINER PLANTS NOT MEETING PLANT SURVIVAL SUCCESS CRITERIA, AS VERIFIED AND RECOMMENDED BY THE PROJECT BIOLOGIST, SHALL BE REPLACED AND MAINTAINED AT CONTRACTOR'S EXPENSE UNTIL THE SUCCESS CRITERIA HAS BEEN MET.

TABLE 2: SUMMARY AND SCHEDULE FOR MAINTENANCE, MONITORING, AND REPORTING FOR PROJECT

PERIOD	ACTIVITY FOR PROJECT BIOLOGIST/CONTRACTOR	BIOLOGIST SITE VISIT FREQUENCY	SUBMITTALS/ CHECKLIST	REPORTING FREQUENCY
REVEGETATION INSTALLATION	PROJECT BIOLOGIST WILL BE RESPONSIBLE FOR MONITORING/ LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR INSTALLATION AND MAINTENANCE.	AS NEEDED OR AT LEAST ONCE EVERY TWO WEEKS.	SITE OBSERVATION REPORTS (S.O.R.) PREPARED BY THE BIOLOGIST (BASED ON THE REVEGETATION PLAN CRITERIA)	AT SUCCESSFUL INSTALLATION (AS DETERMINED BY THE PROJECT BIOLOGIST)
120 DAY PEP	PROJECT BIOLOGIST WILL BE RESPONSIBLE FOR MONITORING/ LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR MAINTENANCE.	MONTHS 1 & 2, BIWEEKLY, MONTHS 3 & 4 - AT LEAST ONCE A MONTH	S.O.R.'S PREPARED BY THE BIOLOGIST (BASED ON THE REVEGETATION PLAN CRITERIA)	AT THE END OF PEP**
25-MONTH LONG TERM MAINTENANCE & MONITORING	PROJECT BIOLOGIST WILL BE RESPONSIBLE FOR MONITORING/ LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR MAINTENANCE.	EVERY 3 MONTHS	S.O.R.'S PREPARED BY THE BIOLOGIST (BASED ON THE REVEGETATION PLAN CRITERIA)	EVERY 3 MONTHS YEAR 1*** 25 MONTHS***

NOTE: IF 25 MONTH SUCCESS CRITERIA ARE NOT MET, THE M&M PROGRAM WILL BE EXTENDED AS REQUIRED, QUARTERLY MAINTENANCE AND MONITORING WITH YEARLY REPORTING SHALL CONTINUE AS NEEDED.
** PEP, 1 YEAR AND 25 MONTH FINAL REPORT(S) REQUIRED TO INCLUDE ABOVE INFORMATION.

 City of San Diego Development Services 1222 First Ave. 3rd Floor San Diego, CA 92101 (619) 446-5210 <small>THE CITY OF SAN DIEGO</small>	<h2 style="margin:0;">Development Permit/ Environmental Determination Appeal Application</h2>	FORM <h1 style="margin:0;">DS-3031</h1> MAY 2010
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See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:
 Process Two Decision - Appeal to Planning Commission
 Process Three Decision - Appeal to Planning Commission
 Process Four Decision - Appeal to City Council
 Environmental Determination - Appeal to City Council
 Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 119.0103)

Name: CREED-21 c/o Briggs Law Corporation
 E-mail Address: Mekaela@briggslawcorp.com
 Address: 99 East "C" Street, Suite 111 Upland City: CA State: Zip Code: 91786 Telephone: (909) 949-7115

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.
 City of San Diego

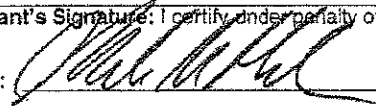
4. Project Information
 Permit/Environmental Determination & Permit/Document No.: 222828 (Via Rialto Storm Drain Repair)
 Date of Decision/Determination: 11/29/11
 City Project Manager: Patricia Grabski

Decision (describe the permit/approval decision):
 Determination that approval of the Via Rialto Storm Drain Repair coastal development permit and site development permit is exempt from CEQA review.

5. Grounds for Appeal (Please check all that apply)
 Factual Error (Process Three and Four decisions only)
 Conflict with other matters (Process Three and Four decisions only)
 Findings Not Supported (Process Three and Four decisions only)
 New Information (Process Three and Four decisions only)
 City-wide Significance (Process Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)
 The approval does not qualify for the exemptions stated. Additionally and alternatively, the CEQA exemptions do not apply because the project has the potential to have significant environmental impacts.

A \$100 appeal fee is being paid under protest. The San Diego Municipal Code does not authorize an appeal fee.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.
 Signature:  Date: December 5, 2011

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

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 SAN DIEGO
 DEC 5 2011

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
 Upon request, this information is available in alternative formats for persons with disabilities.

ENVU APPEAL



THE CITY OF SAN DIEGO

Date of Notice: 11/29/2011

**NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION
DEVELOPMENT SERVICES DEPARTMENT**

WBS # B-00609.07.01

PROJECT NAME/NUMBER: Via Rialto Storm drain Repair/ 222828

COMMUNITY PLAN AREA: Via Rialto Storm Drain Repair

COUNCIL DISTRICT: 1

LOCATION: The Via Rialto Storm Drain is located in a canyon approximately 60 feet down slope from a single family home at 7435 Caminito Rialto. The site is in the La Jolla Shores Planned District and is zoned SF (Single Family). It is also located within the Coastal Overlay Zone (Non-Appealable Area 2) and the La Jolla Community Plan Area.

PROJECT DESCRIPTION: Coastal Development Permit and Site Development Permit for previous emergency work to repair a failed storm water drain. As a result of past heavy rains a portion of the existing storm drain was washed out and on January 11, 2010, the City Engineer requested to perform emergency repair work to the failed storm water drain and eroded steep slope. On January 15, 2010, Development Services staff issued a Determination of Emergency Environmental Exemption and Emergency Coastal Development No. 673200. The emergency work was completed in May, 2010. The emergency work restored the storm water drain which included installation of a new 5-foot by 5-foot manhole/cleanout at the failure location, removal and replacement of 55 feet of damaged CMP storm water drain with high density polyethylene (HDPE) storm pipe, lining of the existing storm drain from the street to the inlet to the new manhole/cleanout, and installation of a headwall with an energy dissipater at the outlet. Revegetation of the slope has not been completed; however, a Revegetation Plan is included as part of the Coastal Development and Site Development Permits. The current project includes the emergency repair work that has already been completed plus the proposed revegetation plan.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego City Council

ENVIRONMENTAL DETERMINATION: Exempt from CEQA pursuant to sections 15301, 15302, and 15061(b)(3) (General Rule).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: Environmental Analysis Section, City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an Initial Study which determined that the project would not result in significant environmental impacts and meets the criteria set forth in CEQA Sections 15301, 15302, and 15061(b)(3)

(General Rule). The only physical change associated with the project is the implementation of the revegetation plan. Since the revegetation would not result in a significant effect on the environment the project would be exempt from CEQA in accordance with Section 15061(b)(3). Furthermore, since the project replaced an existing storm drain with a new storm pipe without increasing capacity and would return the surrounding vegetation to preexisting conditions the project is exempt from CEQA Sections 15301 and 15302. These CEQA sections allow for the replacement of damaged public facilities with new facilities serving the same purpose without increasing capacity. Therefore, the Via Rialto Storm Drain project is exempt from CEQA and the exceptions listed in CEQA Section 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER: Patricia Grabski
MAILING ADDRESS: 1222 First Avenue, MS 501 San Diego, CA
92101
PHONE NUMBER: (619) 446-5277

On 11/29/2011 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice OR 15 business days from the date of the environmental determination, whichever occurs earlier. Applications to appeal CEQA determinations made by the Planning Commission from a Process Two or Three Appeal under SDMC section 112.0506 must be filed in the Office of the City Clerk within 10 business days from the date of the Planning Commission's decision. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.



City of San Diego
Development Services
1222 First Ave. 3rd Floor
San Diego, CA 92101
(619) 446-5210

Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031
MAY 2010

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- Process Two Decision - Appeal to Planning Commission
- Process Three Decision - Appeal to Planning Commission
- Process Four Decision - Appeal to City Council
- Environmental Determination - Appeal to City Council
- Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)

Name: CREED-21 c/o Briggs Law Corporation E-mail Address: Mekaela@briggslawcorp.com
 Address: 99 East "C" Street, Suite 111 Upland CA 91786 Telephone: (909) 949-7115

3. Appellant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

City of San Diego

4. Project information

Permit/Environmental Determination & Permit/Document No.:	Date of Decision/Determination:	City Project Manager:
222828 (Via Rialto Storm Drain Repair)	February 15, 2012	Patricia Grabski

Decision (describe the permit/approval decision):
The hearing officer approved the Coastal Development Permit and Site Development Permit under a CEQA exemption.

5. Grounds for Appeal (Please check all that apply)

- Factual Error (Process Three and Four decisions only)
- Conflict with other matters (Process Three and Four decisions only)
- Findings Not Supported (Process Three and Four decisions only)
- New Information (Process Three and Four decisions only)
- City-wide Significance (Process Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

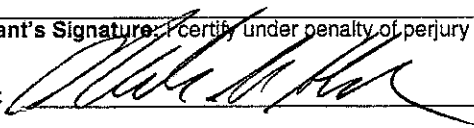
The hearing officer erred in approving the project without review under the California Environmental Quality Act. The project does not qualify for an exemption.

RECEIVED
CITY CLERK'S OFFICE
SAN DIEGO, CALIF.
FEB 24 AM 10:26

*Appellant is an interested person as defined in San Diego Municipal Code Section 113.0103. Appellant faxed and e-mailed a written objection to the Hearing Officer prior to the hearing on the above-referenced item.

*Appeal fee is being paid under protest. The San Diego Municipal Code does not authorize an appeal fee.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature:  Date: February 24, 2012

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

1384411



CITY OF SAN DIEGO
CALIFORNIA
OFFICIAL RECEIPT

DEPARTMENT/DIVISION NAME <i>Legislative Services</i>	DATE <i>2-24-12</i>
---	------------------------

AMOUNT: *One hundred 00/100* DOLLARS CENTS \$ *100.00*

RECEIVED FROM: *Briggs Law Corp/CREED* ADDRESS: *619 497-0021*
814 Morena Blvd Ste 107, SD 92107

PTS# 222828 / Via Realto Storm Drain Repair

AC-1218 (REV. 1-86)

CHECK *10027* CASH

RECEIVED BY: *Kinda Juin*

FOR ABOVE NAMED DEPARTMENT

FUND	DEPARTMENT	ORGANIZATION	ACCOUNT	JOB ORDER	FACILITY	AMOUNT	DISTRIBUTION:
<i>41300</i>			<i>77120</i>				WHITE - CUSTOMER PINK - TREASURER YELLOW - RETAIN GREEN - AUDITOR

BRIGGS LAW CORPORATION (San Diego Operations)
 814 Morena Boulevard, Suite 107
 San Diego, CA 92107

DATE *2/24/12*

PAY TO THE ORDER OF *City Treasurer* \$ *100.00*

One hundred and 00/100 DOLLARS

U.S. Bank

MEMO *1007.32*

Check Invalid After 180 Days

[Signature]

⑆12223582⑆ 153497624053⑈ 10027

*Received 2/24/12
[Signature]*

BRIGGS LAW CORPORATION

*San Diego Office:
814 Morena Blvd., Suite 107
San Diego, CA 92110*

*Telephone: 619-497-0021
Facsimile: 619-515-6410*

Please respond to: Inland Empire Office

*Inland Empire Office:
99 East "C" Street, Suite 111
Upland, CA 91786*

*Telephone: 909-949-7115
Facsimile: 909-949-7121*

BLC File(s): 1007.32

29 November 2011

Hearing Officer
Council Chambers
City Administration Building, 12th Floor
202 C Street
San Diego, CA 92101

Via Facsimile to (619) 321-3200
Via E-mail to hearingofficer@sandiego.gov

Re: Coastal Development Permit and Site Development Permit for Project Number 222828 (Via Rialto Storm Drain Repair)

Dear Hearing Officer:

I am writing on behalf of CREED-21 to convey my client's opposition to the above-referenced matter because approval of the proposal would violate the California Environmental Quality Act ("CEQA"). The proposal violates CEQA because the proposal is a discretionary project under CEQA and no environmental review has been done. For this reason, and for any and all other reasons that may have been or may be offered in opposition to the project, I respectfully urge you to deny the project and all associated entitlements.

If for any reason your consideration of this item is not completed on the date and time noticed, please provide me with written notice of the new date and time for their consideration. I would like to receive a Notice of Final Action.

Thank you for our attention to this matter.

Sincerely,

BRIGGS LAW CORPORATION



Mekaela M. Gladden

