



THE CITY OF SAN DIEGO

MEMORANDUM

Date: April 5, 2016

To: Helene Deisher, Development Project Manager II, Development Services Department

From: Catherine Rom, Senior Planner, Transportation & Storm Water Department

Subject: Nestor Creek Emergency Maintenance (Map 134) – Subsequent Site Development Permit and Coastal Development Permit Application

Reference: PTS No. 468373 – Nestor Creek Emergency Permit (Map 134)
Approval No. 1638969 – Emergency Authorization - ESL

The Transportation & Storm Water Department (T&SWD) sent written notification of emergency storm water channel maintenance to the City of San Diego's Development Services Department (DSD) and Planning Department (Planning) on January 21, 2016, with approval of an Emergency Permit received January 22, 2016. T&SWD is required to submit for a subsequent Site Development Permit (SDP) and Coastal Development Permit (CDP) within 60 days for permanent impacts associated to the emergency maintenance completed within Nestor Creek pursuant to the modified Substantial Conformance Review Procedures as described in Chapter 7 of the Master Storm Water System Maintenance Program (MMP); the City of San Diego's Land Development Code (LDC) §143.0126 Emergency Authorization to Impact Environmentally Sensitive Lands; and LDC §126.0718 Procedures for Emergency Coastal Development Permits.

Location

The emergency maintenance area is part of MMP Map 134 located in Nestor Creek Channel between Palm Avenue and Cedar Street, west of Thermal Avenue. The channel segment is in the Otay Watershed, within the City of San Diego's *appealable area* of the Coastal Overlay Zone, City Council District 8, and the Otay Mesa-Nestor Community Plan.

Emergency Maintenance Description

Emergency maintenance activities took place on February 5 and 6, 2016. The emergency maintenance extended 65 linear feet, and was composed of an earthen bottom with rip rap banks, and was performed with an excavator that scooped up sediment, trash and debris. A pump was placed at the upper end of the maintenance work to divert water around the

maintenance area during excavation activities. The excavator dumped the material into trucks which transported it for legal disposal.

Environmentally Sensitive Land (ESL) Impact

Based on a Biology Memo included in Appendix B of the Substantial Conformance Review (SCR) Checklist (Attachment 4), maintenance activities impacted 0.02 acre of disturbed freshwater marsh within the channel.

California Environmental Quality Act (CEQA)

The emergency maintenance work was issued an NOE on January 22, 2016; the NOE is included in Appendix A of the SCR Checklist (Attachment 4).

Master Maintenance Program Documentation

As the maintenance occurred within a channel included in the City's Master Storm Water System Master Plan (MMP), this application includes a SCR Checklist (Attachment 4). A Biology Memo is included as Appendix B of the SCR Checklist to document pre- and post-maintenance impacts. However, as an emergency maintenance project, sufficient time was not available to prepare the formal individual assessments identified in the SCR process.

Should you have any comments or questions, please contact me at 619-527-7471 or crom@sandiego.gov.

Thank you for your time and cooperation in this matter.

Sincerely,



Catherine Rom
Senior Planner

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- Attachments:
1. General Application (DS 3032)
 2. Storm Water Requirements Checklist (DS 560)
 3. Supplemental Discretionary Project Application (DS-3035)
 4. Substantial Conformation Review Checklist
 5. Public Notice Package

cc: Gene Matter, Deputy Director, Transportation & Storm Water Dept.
Christine Rothman, Development Project Manager III, Transportation & Storm Water
Travis Whitney, Associate Planner, Transportation & Storm Water Dept.
Angela Nazareno, Development Project Manager III, Development Services Dept.