



THE CITY OF SAN DIEGO

ADDENDUM TO A MITIGATED NEGATIVE DECLARATION

Project No. 531066
Addendum to MND No. 154476
SCH No. N/A

SUBJECT: LA JOLLA CANYON AMENDMENT: A SITE DEVELOPMENT PERMIT and NEIGHBORHOOD DEVELOPMENT PERMIT to amend Site Development Permit number 548029 and construct 48 multi-dwelling units within a five-story structure totaling approximately 63,580-square-feet; a two-story parking garage totaling approximately 73,940-square-feet; and an 8,730-square-foot amenity space to provide a fitness center and club facilities. The project is also utilizing tandem parking spaces in the parking garage. The project site is currently developed with 157 multi-dwelling units that would remain. Various site improvements would also be constructed that include associated hardscape and landscape. The project would conform to the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program by providing affordable housing. A deviation from applicable regulations for building height is also being requested. The 4.70 acre project site is located at 9515 Genesee Avenue. The project site is designated Medium-High Density Residential (30 – 45 dwelling units per acre) per the University Community Plan Area and is zoned RM-3-7 (Residential – Multiple Unit, permits a maximum density of 1 dwelling unit for each 1,000 square feet of lot area). Additionally, the project site is within the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station (MCAS) Miramar), the Airport Influence Area, Review Area 2 (MCAS Miramar), the Federal Aviation Administration Part 77 Noticing Area (MCAS Miramar), the Community Plan Implementation Overlay Zone (CPIOZ) Type A, and the Parking Impact Overlay Zone. (LEGAL DESCRIPTION: Lot 1 of Eastgate Village, according to Map No. 9971.) Applicant: John Leppert, Leppert Engineering Corp.

I. PROJECT DESCRIPTION

The applicant is requesting a SITE DEVELOPMENT PERMIT and NEIGHBORHOOD DEVELOPMENT PERMIT to amend Site Development Permit number 548029 and construct 48 multi-dwelling units within a five-story structure totaling approximately 63,580-square-feet; a two-story parking garage totaling approximately 73,940-square-feet; and an 8,730-square-foot amenity space to provide a fitness center and club facilities. The project is also utilizing tandem parking spaces in the parking garage. The project site is currently developed with 157 multi-dwelling units that would remain. Various site improvements would also be constructed that include associated hardscape and landscape. The project would conform to the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program by providing affordable housing.

The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego Landscape ordinance and standards. Drainage would be directed into appropriate storm drain systems designated to carry surface runoff, which has been reviewed and accepted by City Engineering staff. Ingress to the project site would be via Genesee Avenue and Eastgate Mall. All parking would be provided on-site. Temporary parking would be provided off-site during construction until the final occupancy permit is issued for the project.

Grading operations for the project would entail 74 cubic yards of cut and a maximum depth of cut of 0.9 feet. 37 cubic yards of fill and a maximum depth of fill of 0.9 feet is also proposed. 37 cubic yards of export is also required. Additionally, 5,250 cubic yards of cut with a maximum cut depth of nine feet, and 5,250 cubic yards of export is proposed for the parking garage.

The Land Development Code (LDC), Section 143.0920 allows Affordable/In-fill housing and Sustainable Building projects to request deviations from applicable development regulations pursuant to a Site Development Permit decided in accordance with Process Four, provided that the findings in Section 126.0504(a) and the supplemental findings in Section 126.0504(m) are made. Deviations requested by the project include:

1. Building Height – A deviation from San Diego Municipal Code (SDMC) Section 131.0431, Table 131-04G to allow the building height to exceed the 40 foot height requirement by 23 feet six inches for the elevator overrun; by 15 feet for the easterly half of the building; and by 21 feet for the westerly half of the building.

II. ENVIRONMENTAL SETTING

The 4.697 acre project site is located at 9515 Genesee Avenue. The project site is designated Medium-High Density Residential (30 - 45 dwelling units per acre) per the University Community Plan Area and is zoned RM-3-7 (Residential – Multiple Unit, permits a maximum density of 1 dwelling unit for each 1,000 square feet of lot area). Additionally, the project site is within the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station (MCAS) Miramar), the Airport Influence Area, Review Area 2 (MCAS Miramar), the Federal Aviation Administration Part 77 Noticing Area (MCAS Miramar), the Community Plan Implementation Overlay Zone (CPIOZ) Type A, and the Parking Impact Overlay Zone.

The project site is located at the northeast corner of the intersection of Genesee Avenue and Eastgate Mall. The project site is currently developed with 157 multi-dwelling units within six two-story structures totaling approximately 116,526-square-feet, and associated site improvements (i.e., impervious surfaces and landscaping). The project site is bounded by Genesee Avenue to the west, Fez Street to the north, multi-dwelling residential to the west, and Eastgate Mall to the south. Additionally, the project site is situated in a developed area currently serviced by existing public services and utilities.

III. PROJECT BACKGROUND

The project site lies within the boundaries of the original La Jolla Canyon project, which was previously analyzed under Mitigated Negative Declaration (MND) No. 154476, and certified and adopted by the Planning Commission on July 16, 2009 via Resolution No. 4528-PC-3. A Site Development Permit and Vesting Tentative Map to construct 48 multi-dwelling units within two four-story structures totaling approximately 64,128-square-feet with an approximately 75,942-square-foot two-level subterranean garage was originally permitted in the La Jolla Canyon project.

The La Jolla Canyon project grading included approximately 27,501 cubic yards of cut with grade cut depths of approximately 23.3 feet. The project's landscaping was reviewed by City Landscape staff and determined to be in accordance with the City's Landscape Standards. Drainage would be directed into an appropriate storm drain system designated to carry surface runoff, which was reviewed and accepted by City staff. The project was required to provide 288 vehicle parking spaces on-site within a two-level subterranean garage.

A Site Development Permit was processed as part of the original La Jolla Canyon project to allow a deviation to building height. The RM-3-7 zone limits the height of buildings to a maximum of 40 feet. Therefore, a height deviation would allow the structure to observe a height of 44 feet at the north elevation and 42.8 feet at the south elevation.

The La Jolla Canyon project identified significant impacts to parking and paleontological resources. A mitigation, monitoring, and reporting program was prepared to identify mitigation measures to reduce environmental impacts to below a level of significance.

The current project, La Jolla Canyon Amendment, does not result in new impacts that would require new mitigation; therefore, an Addendum to MND No. 154476 has been prepared.

IV. ENVIRONMENTAL DETERMINATION

The City previously prepared and certified the La Jolla Canyon Mitigated Negative Declaration (No. 154476 / SCH No. N/A). Based on all available information in light of the entire record, the analysis in this Addendum, and pursuant to Section 15162 of the State CEQA Guidelines, the City has determined the following:

- There are no substantial changes proposed in the project which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous

environmental document was certified as complete or was adopted, shows any of the following:

- a. The project will have one or more significant effects not discussed in the previous environmental document;
- b. Significant effects previously examined will be substantially more severe than shown in the previous environmental document;
- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the State CEQA Guidelines apply. There are no substantial changes to the project, no changes in circumstances have occurred, and no new information of substantial importance has manifested, which result in new significant or substantially increased adverse impacts as a result of the project. Therefore, this Addendum has been prepared in accordance with Section 15164 of the CEQA State Guidelines. Public review of this Addendum is not required per CEQA.

V. IMPACT ANALYSIS

The subsequent impact analysis is to demonstrate that environmental impacts associated with the project are consistent with the previously certified MND. The following includes the project-specific environmental review pursuant to the CEQA. The analysis in this document evaluates the adequacy of the MND relative to the project.

Parking

La Jolla Canyon

Parking impacts of the original La Jolla Canyon project (MND No. 154476) were determined to be potentially significant. Specifically, it was determined that the project would be required to provide 288 parking spaces. There are currently 198 surface parking spaces on site serving the existing 157 apartment units. The original project proposed to construct 48 additional residential condominium units (12 one-bedroom and 36 two-bedroom) which required a minimum of 90 additional parking spaces. Construction of the project would require removal of existing surface parking, resulting in a temporary loss and/or displacement of approximately 155 parking spaces. The applicant was required to provide adequate off-site parking to serve the existing parking needs of the residences.

The MND concluded that implementation of mitigation measures to minimize short-term parking impacts would be required.

Project

The project would be required to provide 198 parking spaces for the 157 existing apartment units and 70 parking spaces for the 48 additional residential condominium units (18 one-bedroom, 25 two-bedroom, and 5 affordable) for a total of 268 parking spaces. However, construction of the project would require removal of existing surface parking, resulting in a temporary loss and/or displacement of approximately 155 parking spaces. The applicant would be required to provide adequate off-site parking to serve the existing parking needs of the residences.

The previously certified MND identified mitigation measures for parking impacts. The current project would be required to adhere to the mitigation measures identified in the original certified environmental document.

Therefore, a Mitigation, Monitoring, and Reporting Program (MMRP) as detailed in Section VI of the Addendum would be implemented. With implementation of the MMRP, impacts to parking would be reduced to below a level of significance.

Visual Effects and Neighborhood Character

La Jolla Canyon

The original La Jolla Canyon project (MND No. 154476) determined that the design of the multi-dwelling residential structures would be compatible with the architectural style of the existing structures on site and of the local setting. Further, a deviation was requested to allow the building height to exceed the height limit of 40 feet under the RM-3-7 zone. Specifically, the height deviation would allow the structure to observe a height of 44 feet at the north elevation and 42.8 feet at the south elevation. The project would comply with City height, setback, size and grading standards with deviations. Therefore, the MND concluded that there would be no impacts to Aesthetics/Neighborhood Character.

Project

The project site is currently developed with 157 multi-dwelling units that would remain. The construction of an additional 48 multi-dwelling units is compatible with the surrounding development, and permitted by the community plan and zoning designation.

The project is requesting a deviation from applicable regulations for height to allow the building height to exceed the 40 foot height limit by 23 feet six inches for the elevator overrun; by 15 feet for the easterly half of the building; and by 21 feet for the westerly half of the building. The requested deviation would allow for the project to accommodate the widening of Genesee Avenue by the San Diego Association of Governments (SANDAG) as part of the Mid-Coast Trolley Project. The Mid-Coast Trolley project requires the acquisition of private property to widen Genesee Avenue.

The original project was designed to accommodate the required 15 foot front yard setback requirement. This setback was reduced to 12 feet to increase the seven foot distance between the Right-of-Way and the existing curb to ten feet at the request of SANDAG as part of the Mid-Coast Trolley project. With the widening of Genesee Avenue, only two to three feet of setback would

remain. Without the 12-foot setback requirement, the building design length would have been reduced in order to satisfy the standard setback requirements. This would have resulted in a corresponding loss of dwelling units, including affordable housing units. In addition, due to the elevation of Genesee Avenue, access into the parking structure would be further compromised. The originally approved ramp was approved with a steep 18 percent slope gradient. The ramp would get both longer and possibly steeper and would result in a loss of required parking spaces.

The Mid-Coast Trolley project requires the acquisition of private property to widen Genesee Avenue, so the property line fronting Genesee Avenue would change. As a means of addressing the potential loss of units and parking, the current project has been redesigned with a smaller building footprint to respect the standard 15 foot setback requirement from the new property line location. The current project has also been redesigned to go up instead of down into a subterranean parking structure. The redesigned structure would reduce the length of time that the existing tenants would be disrupted with the temporary loss of on-site parking during construction. Parking at, or above, grade can be constructed much quicker than subterranean parking. Additionally, more of the existing mature 70 foot tall pine trees along Eastgate Mall would not be lost with the current project's redesigned structure. Excavation of the subterranean parking structure proposed under the original project was going to result in a loss of several trees situated closest to the setback line. The redesign of the building has also created the opportunity to provide approximately 8,730 square feet of amenity space, which was not included in the original approval, but will be available for both the existing and the proposed tenants.

The project site is located in the Central Subarea as identified by the Urban Design Element of the University Community Plan (UCP). The Central Subarea is the most urban of the four subareas in the community and is a diverse, mixed-use area of relatively intense development. Within a ½-mile radius of the project site there are a large number of existing buildings which are taller than what is being proposed by the project. The proposed height is not out of character with other buildings in the vicinity of the project as demonstrated by the Contextual Height Analysis. The height and proximity of the Mid-Coast Trolley Project to the project would also dramatically alter the vertical scale of the University Community. The project proposes preservation and retention of the existing trees located in the street setback along Eastgate Mall. These mature trees are taller than the proposed project and would provide effective screening along the southern elevation. Therefore, the proposed development would not impact surrounding development or create any impacts to Aesthetics/Neighborhood Character.

Additionally, a Shadow Study was conducted to assess the shadow effect of the project on adjacent areas. The focus of the analysis was determining the effects of shadows cast at different times of the year by the project on off-site land uses. The results are summarized as follows:

Summer Solstice (June 21): As shadows are the shortest on this day, the impact would be the most minimal of any day of the year. No structure would be permanently shaded during the summer solstice.

Spring and Fall Equinox (March 21 and September 21): During the spring and fall equinox, shadow lengths are mid-way between summer and winter solstice. The spring and fall equinox have shadows of equal length during all times of the day. At 5:00 p.m., the shadows would be the longest and extend easterly. The structures would shade adjacent residential development and landscaped

areas. Shadows would remain confined to the project site. No structure would be permanently shaded during the spring and fall equinox.

Winter Solstice (December 21): The sun is at its lowest angel during winter solstice; therefore, the shadows are the longest, and potential shadow impacts are the greatest. The project would cast the longest shadows in a northeasterly direction at 3:00 p.m., shading adjacent residential development and landscaped areas. The shading impacts of the project would occur for a short period of time throughout the day due to the sun's motion in the sky. No structure would be permanently shaded during the winter solstice.

Therefore, no significant shading impacts would result from the project.

Based on the foregoing analysis, there is no evidence that the project requires a substantial change to the original MND. The project would not create any new significant impact, nor would a substantial increase in the severity of impacts from that described in the MND result.

Paleontological Resources

La Jolla Canyon

The La Jolla Canyon MND determined that the project is underlain by the Stadium and Linda Vista Formations according to the "Geology of the San Diego Metropolitan Area, California, La Mesa, 7½ Minute Quadrangle" (Kennedy and Peterson, 1975). The Stadium and Linda Vista Formations are assigned a high paleontological resource sensitivity rating. Impacts would be considered significant if more than 1,000 cubic yards of soil cut at a maximum depth of 10 feet (less than 10 feet if the site has been graded) or more would occur into formations with a high sensitivity rating. Construction of the project would require approximately 27,501 cubic yards of soil cut with grade cut depths of approximately 23.3 feet. Consequently, it was determined that the project could result in a significant impact to paleontological resources, and mitigation would be required.

The MND included paleontological monitoring measures to reduce the impact to below a level of significance.

Project

Per the Geologic Map of the San Diego 30' x 60' Quadrangle (Kennedy & Tan, 2008), the project site is underlain by Lindavista Formation, which has a moderate sensitivity rating for paleontological resources. Paleontological monitoring during grading activities may be required if it is determined that the project's earth movement quantity exceeds the Paleontological threshold (if greater than 2,000 cubic yards and ten feet deep for formations with a moderate sensitivity rating). Monitoring may also be required for shallow grading (less than ten feet) when a site has been previously graded and/or unweathered formations are present at the surface.

Per the submitted plans (Grading and Drainage Plan, Sheet C1.1), grading would entail 74 cubic yards of cut with a maximum cut depth of 0.9 feet. The project would also require 5,250 cubic yards of cut for the proposed parking garage with a maximum cut depth of nine feet. The current project

would be required to adhere to the mitigation measures identified in the original certified environmental document.

Therefore, a MMRP as detailed in Section VI of the Addendum would be implemented. With implementation of the MMRP, impacts to paleontological resources would be reduced to below a level of significance.

VI. MITIGATION, MONITORING AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE PROJECT

The project shall be required to comply with applicable mitigation measures outlined within the MMRP of the previously certified MND (No. 154476 / SCH No. N/A) and the project-specific subsequent technical studies. The following MMRP identifies measures that specifically apply to this project.

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

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

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

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

5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

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

1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT. The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and

City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

Qualified Paleontological Monitor

Note:

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) No. 531066 and /or Environmental Document No. 513066, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

Note:

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

3. OTHER AGENCY REQUIREMENTS: Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

Not Applicable

4. MONITORING EXHIBITS

All consultants are required to submit , to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE:

Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. OTHER SUBMITTALS AND INSPECTIONS:

The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Paleontology	Paleontology Reports	Paleontology Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

PARKING

Prior to the issuance of any construction permits, the applicant shall provide a shared parking agreement with the Costa Verde Hotel, LLC, for a minimum of 155 parking spaces. Said agreement shall be in force until the final occupancy permit is issued for the project. The applicant shall provide a shuttle service from the La Jolla Canyon project site to the Costa Verde Hotel site on a 7/24/365 basis.

PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
3. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.
 - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

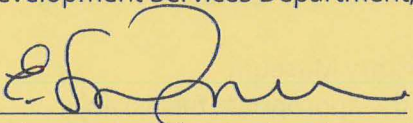
- B. Handling of Fossil Remains
 - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 - 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
 - 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

VII. IMPACT SIGNIFICANCE

The MND identified that all impacts would be mitigated to below a level of significance through mitigation. This Addendum also identifies that all significant project impacts would be mitigated to below a level of significance, consistent with the previously certified MND. The proposed project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified MND.

VIII. CERTIFICATION

Copies of the addendum, the final MND, the Mitigation Monitoring and Reporting Program, and associated project-specific technical appendices, if any, may be reviewed in the office of the Development Services Department, or purchased for the cost of reproduction.


E. Shearer-Nguyen, Senior Planner
Development Services Department

August 21, 2017
Date of Final Report

Analyst: L. Sebastian

Attachments:

Figure 1: Vicinity Map

Figure 2: Site Plan

Mitigated Negative Declaration No. No. 154476 / SCH No. N/A



Project Location Map

La Jolla Canyon Amendment - 9515 Genesee Avenue
PROJECT NO. 531066

Figure
No. 1

