Inn at Sunset Cliffs Mitigated Negative Declaration

Errata

Project No. 231328

SCH No. 2014081073

January 23, 2019

For clarification and correction, strikeout/underline has been used to identify changes in the Mitigated Negative Declaration (MND) when compared to the Final MND.

These changes include a reference to an archaeological and Native American monitor within the MND and several corrections to the Response to Comments. These corrections are shown on the attached pages in e strikeout/underline (strikeout/underline) format. These corrections do not result in any new physical effects.

1. authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

Post Plan Check (After permit issuance/Prior to start of construction)

2. 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 biologist
    - ~~Qualified archaeologist and Native American 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, applicant is also required to call RE and MMC at 858-627-3360.

3. MMRP COMPLIANCE. This Project, Project Tracking System (PTS) Number 658785 and/or Environmental Document Number 658785, 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.

4. 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: ***None required*.**
5. 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 DSD 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.

6. 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:

COMMENTS	RESPONSES
	the Inn and associated events at the Inn are not part of this project as they exist and are allowed by-right uses. Removing the existing seawall and lower deck totals approximately 2,800 square feet. The surfacing associated with the replacement seawall totals approximately 2,120 square feet. ~~The area available for by-right uses thus is decreasing by 680 square feet.~~ There is no established "baseline" of allowed by-right uses and events. Uses and events associated with the Inn are not part of this project as they exist and are allowed by-right uses. ~~To meet the new wall on the landward side, the existing deck will be extended approximately 12 feet for an increase in square footage of approximately 2,120 square feet.~~ Protection of the proposed wall from landward hydrostatic pressure from wave overtopping and stormwater is provided by the extension of the existing upper deck to meet the landward side of the secant pile wall. The existing use is not proposed to be changed or altered by this project.

COMMENTS	RESPONSES
C-25	**C-25**: The ~~new deck area~~ erosion control device will help to direct surface runoff to the public stormwater conveyance system in Point Loma Avenue and away from the bluff. The previously proposed drainage systems were associated with the lower deck being removed by this project and are not now proposed. The existing swimming pool is not part of this project. Still, a new seawall built to current engineering and construction standards would be preferred over the existing, failing wall in the unlikely event of leaks or cracks in the pool.

Hydrology/Water Quality

The March 17, 2017 addressed the requirement for drainage. The previous requirement for Drainage has been removed, with no clear analysis of why and no explanation provided for the decision. Since this decision, an additional collaps occurred in 2019. This statement is prior to the second emergency permit.

(From Cycle 2)

47 SDMC Section 143.0143(d) states, All drainage from the improvements on the premises shall be directed way from any coastal bluff and either into an existing or newly improved public storm drain system or onto a street developed with a gutter system or public right-of-way designated to carry surface drainage run-off. All drainage from any unimproved area shall be appropriately collected and discharged in order to reduce, control, or mitigate erosion of the coastal bluff.

(New Issue)

48 Prior to the issuance of any construction permits, the Owner/Permittee shall construct a private brow ditch on the upper deck adjacent to the existing stucco wall, and an outlet pipe that extends and discharges at the face of curb on Point Loma Avenue, to the satisfaction of the City Engineer

(New Issue)

49 Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the sidewalk underdrain in the Point Loma Avenue Right-of-Way. (New Issue)

45 With the understanding that the sea wall and deck are to be utilized solely as a coastal protective device, Engineering Review has determined that the storm water drainage of the device does not need to be diverted from the deck of the device to the public street as outlined in Municipal Code section 143.0143(d), because the purpose of the devise is to reduce, control, or mitigate erosion of the coastal bluff which is the primary reason for diversion of the drainage from improved portions of the premises. (Continued below) (New Issue)

46 This determination may be re-evaluated if the structure is modified to include uses other than reducing, controlling, and mitigating erosion of the coastal bluff. (New Issue)

The condition of the swimming pool in terms of leaks or cracks is undefined in the geotechnical report and represents a potential drainage issue which needs to be addressed.

C-52

OBJECTIONS TO THE GEOTECHNICAL REPORT THE INN AT SUNSET CLIFFS, SAN DIEGO, CALIFORNIA
PROJECT NO. 2317-01, DECEMBER 24, 2020

This constitutes comments as the report is referenced in the Draft MND, not a complete review of the *Geotechnical Report*. Although the *Geotechnical Report* is included, no direct references occur in the Draft MND except to the document as a whole in "Environmental Factors potentially affected."

As two prior *Geotechnical Reports* were accepted by the City of San Diego, only to have the site fail before further action, the optimistic approach presented has not been borne out by history.

The *Geology and Soils Checklist* is based in some cases on the *Geotechnical Report*. All potential issues are marked "NO IMPACT" except for "Strong seismic ground shaking." No objections are raised to "Earthquake and seismic ground failure" (a.i), (a.2), (a.3) and (a.4). These adverse effects do not directly reference ocean storm, runoff, and high tide potential adverse effects, including the risk of loss, injury, or death. Detailed objections were provided with the individual items.

The Geology and Soils checklist only references *The Geotechnical Report* for items 1.iii, c, and d. It is also referenced for one item in Land use and Planning, Item b. The other responses contain no justification.

The following objections relate to the Draft MND:

1. The proposed site plan is dated 4-12-2021, after the date of all Draft MND-provided site plans. The Site Plan contained in the report does not match the current site plan.

2. The expansion of usable upper-deck space is inadequately addressed. This plan more than doubles the space in the northern (A, A') area.

3. The Report issued December 24, 2020 does not address issues observed since that date. The area sea-ward of the bluff edge is U-shape. The report does not address the current potential failure of the North and South segments due to failures, cracking of the deck, and visible undercutting. (Attachment C).

4. Facts concerning issues defined in the 2018 EIR such as Hydrology are not addressed.

5. There is no discussion or hint of demolition. Plans that concurred with the *Initial Study Checklist* would be required and welcomed.

The proposed project site plan substantially conformed with the site plan contained in the draft MND, with no effect on the conclusions provided in the draft MND.

The proposed project removes the lower concrete deck and all man-made improvements, creating approximately 2,800 square feet of tidal habitat. The construction of the non-permeable surface results in approximately 2,120 square feet of surface area of the erosion control device. ~~additional usable upper bluff deck space~~. As discussed previously, structures should be set back a minimum of 30 feet from the top of the seawall to prevent damage from overtopping waves. Moreover, the proposed alignment and the additional usable upper deck space — over already disturbed soils — were negotiated with Coastal Commission staff as a reasonable compromise in exchange for eliminating the aging existing seawall and lower deck and returning this private property to its natural tidal habitat.

As described previously, the proposed secant pile wall eliminates the concerns stated in Attachment C. In addition, the four sea caves referenced in the first photograph of Attachment C-1 are eliminated.

required … to protect existing structures … in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply." (Emphasis added.)

The project is consistent with LCP Recommendation 7.3.4 because the project's geotechnical report demonstrates that the wall is the only feasible means to protect the existing principal structures of the hotel. The wall will be colored and textured to provide a natural appearance and thus is soft and natural and blends into the surrounding shoreline. The location and configuration of the wall are necessary to (1) tie into the existing headwall to the north of the property; (2) roughly follow the contours of the bluff and existing improvements; (3) keep the wall a sufficient distance from the existing structures, so that wave overtopping does not damage the existing structures. A "more curvilinear wall alignment," as proposed by consultant engineer Kevin Wohlmut, would not necessarily appear any more natural, though that would seem to be a subjective judgment. A "more sinusoidal design" would make only an aesthetic difference and would not serve any environmental or geological purpose.

Moreover, according to Mr. Crampton (the project's geotechnical consultant, TerraCosta Consulting Group, Inc.), the suggested indentation through the center of the property would result in wave focusing and increase erosion and habitat destruction within the low-relief tidal habitat. The proposed roughly linear alignment coincides with the toe of the existing, visible bluff. It minimizes any wave energy focusing within the newly created low tidal habitat seaward of the new proposed seawall.

~~The walking surface does not rely on the shoreline protective device; instead, the shoreline protective device relies on the walking surface, which is an integral part of the shoreline protective device.~~ The impermeable concrete ~~walking~~ surface improves drainage away from the seawall. It reduces the potential for water infiltration from wave overtopping or other sources from saturating the seawall backfill and increasing potentially adverse hydrostatic wall pressures.