



THE CITY OF SAN DIEGO

MITIGATED NEGATIVE DECLARATION

Project No. 584820
SCH 2018101028

SUBJECT: 1834 Spindrift Residence-SITE DEVELOPMENT PERMIT (SDP) and COASTAL DEVELOPMENT PERMIT for the demolition of an existing dwelling unit and the construction of a new 6,374 square foot, two-story dwelling unit over a basement. Also included in the proposal is a 453 square-foot guest quarters located above an open cabana and a new pool at 1834 Spindrift Drive. There is an existing gazebo and stairs downslope from the residence that will not be modified as part of the project. The 0.57-acre site is located at 1834 Spindrift Drive in the La Jolla Shores Planned District-Single Family (LJSPD-SF) Zone, Coastal (Appealable), Coastal Height Limitation, First Public Roadway, Sensitive Coastal, FEMA Floodway & Floodplains, Alquist-Priolo Earthquake Fault, Parking (Beach and Coastal), Residential Tandem, Transit Area, and Transit Priority Area Overlay Zones as well as within the La Jolla Community Plan area.

LEGAL DESCRIPTION: Lot 40, LA JOLLA VISTA, IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1762, FIELD IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, AUGUST 1, 1923. **Applicant:** Scott Frantz, Island Architects

UPDATE: November 30, 2018: Revisions to this document have been made when compared to the Draft Mitigated Negative Declaration (DMND) dated October 10, 2018. Clarifying information was added to the MMRP along with corrections to the project description within the Initial Study Checklist. All revisions will be shown in strike out underline format. In accordance with the California Environmental Quality Act, Section 15073.5 (c)(4), the addition of new information that clarifies, amplifies, or makes insignificant modification does not require recirculation as there are no new impacts and no new mitigation identified. An environmental document need only be recirculated when there is identification of new significant environmental impact or the addition of a new mitigation measure required to avoid a significant environmental impact. The information that was added to the environmental document does not affect the environmental analysis or conclusions of the MND.

I. PROJECT DESCRIPTION:

See attached Initial Study.

II. ENVIRONMENTAL SETTING:

See attached Initial Study.

III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas(s): **Cultural Resources (Archaeology), Cultural Resources (Paleontology), and Tribal Cultural Resources.** Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

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/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 Archaeologist, Native American Monitor, and Qualified Paleontologist

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) #516011 and /or Environmental Document # 516011, 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.

None required

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 Preconstruction Meeting |
| Cultural Resources (Archaeology) | Monitoring Report(s) | Archaeological/Historic Site Observation |
| Cultural Resources (Paleontology) | Monitoring Report(s) | Paleontological Site Observation |
| Bond Release | Request for Bond Release Letter | Final MMRP Inspections Prior to Bond Release Letter |

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

ARCHAEOLOGICAL and TRIBAL CULTURAL RESOURCES MITIGATION

HISTORICAL RESOURCES ARCHAEOLOGICAL DATA RECOVERY PROGRAM

This project requires implementation of an Archaeological Data Recovery Program (ADRP) to mitigate impacts to archaeological site SDI-39 prior to the issuance of ANY construction permits or the start of ANY construction if no permits are required. The ADRP with Native American participation consists of

a Statistical Sample and shall be implemented as described below after consultation with DSD ED in accordance with the Cultural Resources Report *A Cultural Resources Study for 1834 Spindrift Drive* (Brian Smith and Associates, June 2018). The ADRP will take place in two (2) phases. The initial 15.00 percent sample phase will take place following the demolition and removal of all hardscape. The subsequent recovery and screening of 100 percent of the remaining cultural soil will take place as the construction excavations proceed.

Preservation Plan for the project site includes capping of all areas not impacted by grading and the ADRP. A protective easement shall be required over the lot to prevent future development-related intrusion into the archaeological site.

This project requires implementation of an ADRP to mitigate impacts to archaeological Site SDI-39. Data recovery will be performed following demolition of the existing structure and will be part of the demolition permit process. Data recovery work should be completed prior to the issuance of ANY construction permits, or the start of ANY construction if no permits are required, unless the consulting archaeologist and the Mitigation Monitoring Coordination (MMC) section of the City of San Diego Development Services Department (DSD) determine that construction permits may be issued because data recovery excavations are dependent upon grading work. The ADRP with Native American participation consists of the initial 15.00 percent sample phase that will take place following the demolition and removal of all hardscape. The subsequent recovery and screening phase of 100 percent of the remaining cultural soil will take place as the construction excavations proceed.

The 100.00 percent archaeological excavation of all intact cultural deposits and 100.00 percent controlled and monitored mechanical excavation of disturbed cultural deposits is required. All soils from both the archaeological excavations and the controlled mechanical excavations will be hydroscreened through fine-mesh screen to recover all cultural materials and any human remains. The ADRP shall be completed as outlined in this document. The elements of

the MMRP are provided below:

- a. The area of development that must include archaeological monitoring and potentially data recovery (if intact deposits are encountered) is approximately 3,322 square feet.
- b. For the demolition permit and the process of removing the existing residence and hardscape, the archaeologist and Native American representative shall attend a preconstruction meeting with the applicant's representatives, the City's MMC, and the contractors. The protocols to be followed during demolition shall include archaeological and Native American monitoring whenever soil is disturbed.
- c. For the mitigation program, the governing protocol will be that all intact cultural deposits to be affected by grading, drilling, or excavation will be hand-excavated by archaeologists and then hydro-screened to provide the greatest opportunity to identify and recover human remains. All grading excavations within the disturbed midden deposits shall be closely monitored by an archaeologist and a Native American monitor to watch for cultural materials and possible human remains. All cultural soil, whether disturbed or intact, will be hydro-screened for maximum recovery of cultural materials and human remains.
- d. All field operations will include the participation of Kumeyaay Native American representatives as monitors. Because human remains have already been identified, this monitor may also be

the Most Likely Descendent (MLD), or the MLD may be on-site independent of the Native American monitor.

- e. A laboratory program will be completed for all recovered cultural materials. All items in the collection will be subjected to standard laboratory procedures of cleaning, cataloging, data entry, and artifact analysis of: lithics; ceramics; faunal materials (marine and terrestrial species, including fish and sea mammals); seasonality; shell; lithic reduction; residue; radiocarbon dating; obsidian hydration and sourcing; shell beads; fishing equipment; and trade materials. Based upon the substantial quantity of all varieties of artifacts and ecofacts from excavations in and around 1834 Spindrift Drive, the projection can be made that the laboratory analysis will likely be exhaustive.
- f. Curation of all materials recovered during the ADRP, with the exception of human remains and any associated burial goods, shall be prepared in compliance with local, state, and federal standards and shall be permanently curated at an approved facility that meets the City's standards.
- g. ADRP provisions for the discovery of human remains shall be invoked in accordance with the California PRC and the Health and Safety Code. In the event that human remains are encountered during the ADRP, soil shall only be exported from the project site after it has been cleared by the MLD and the project archaeologist. Any potential human remains recovered during the ADRP will be directly repatriated to the MLD or MLD Representative at the location of the discovery.
- h. Disturbance of SDI-39 within the property cannot exceed the 25.00 percent encroachment level. No grading or excavations outside of the designated limits of construction will be permitted.
- i. Archaeological and Native American monitoring shall be conducted for all excavations and earthwork after completion of the ADRP and acceptance of a draft progress report for the program.
- j. Upon completion of the ADRP and prior to issuance of grading permits, the qualified archaeologist and Native American monitor shall attend a second preconstruction meeting to make comments and/or suggestions concerning the proposed grading process.

HISTORICAL RESOURCES ARCHAEOLOGICAL AND NATIVE AMERICAN MONITORING

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 pre-construction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.
- 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 archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

I. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (0.25-mile radius) has been completed. Verification includes but is not limited to, a copy of a confirmation letter from South Coastal Information Center, 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.
3. The PI may submit a detailed letter to MMC requesting a reduction to the 0.25-mile radius.

B. PI Shall Attend Pre-Construction Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Pre-Construction Meeting that shall include the PI; Native American consultant/monitor (where Native American resources may be impacted); Construction Manager (CM) and/or Grading Contractor; Resident Engineer (RE); Building Inspector (BI), if appropriate; and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Pre-Construction Meeting to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Pre-Construction Meeting, the Applicant shall schedule a focused Pre-Construction 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
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME 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 that indicate site conditions such as depth of excavation and/or site graded to bedrock, which may reduce or increase the potential for resources to be present.

II. During Construction

A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil-disturbing and grading/excavation/trenching activities that could result in impacts to archaeological resources as identified on the AME. **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 AME.**
2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Sections III.B-C and IV.A-D shall commence.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVr). The CSVrs 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 Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources 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.
4. No soil shall be exported off site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered, shall evaluate the significance of the resource. If human remains are involved, the PI and Native American consultant/monitor shall follow protocol in this section.
 - 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.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) that has been reviewed by the Native American consultant/monitor, 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. **Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**
 - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

III. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off site until a determination can be made regarding the provenance of the human remains, and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98), and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. The Archaeological Monitor shall notify the RE or BI, as appropriate, the MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate Discovery Site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains are determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination to begin the consultation process in accordance with

CEQA Section 15064.5(e), the California Public Resources, and Health and Safety Codes.

4. The MLD will have 48 hours to make recommendations to the property owner or representative for the treatment or disposition with proper dignity of the human remains and associated grave goods.
 5. Disposition of Native American human remains will be determined between the MLD and the PI and if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; or
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN
 - c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC
 - (2) Record an open space or conservation easement on the site
 - (3) Record a document with the County
 - d. Upon the discovery of multiple Native American human remains during a ground-disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5(c).
- D. If Human Remains are **NOT** Native American
1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract, the following will occur:
1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the pre-construction 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 8 a.m. of the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III, During Construction, and IV, Discovery of

Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III, During Construction, and IV, Discovery of Human Remains, shall be followed.

d. The PI shall immediately contact MMC, or by 8 a.m. of 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 and/or weekend 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 previously 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 Historical Resources Guidelines (Appendix C/D) that describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center 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 Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.

2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 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.
 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV(5), Discovery of Human Remains.
- D. Final Monitoring Report(s)
 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy 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 and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

PALEONTOLOGICAL MONITORING PROGRAM

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 (CSV). The CSV'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 CSV 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.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

STATE OF CALIFORNIA

State Clearinghouse (46)

California Coastal Commission (47)

CITY OF SAN DIEGO

Development Project Manager: Glenn Gargas

Councilmember Barbra Bry, Councilmember District 1

EAS – Jeff Szymanski

LDR Planning – Joseph Stanco

LDR Engineering – Tamara Adams

Water and Sewer – Mahmood Keshavarzi

MMC – Sam Johnson

LDR-Landscaping – Frank Hunt

LDR Geology - Patrick Thomas

Facilities Financing (93B)

Water Review (86A)

Central Library MS 17 (81a)

La Jolla/Riford Branch Library (81L)

OTHER ORGANIZATIONS AND INTERESTED PARTIES

Historical Resources Board (87)

La Jolla Village News (271)

La Jolla Town Council (273)

La Jolla Historical Society (274)

La Jolla Community Planning Association (275)

Carmen Lucas (206)

South Coastal Information Center (210)

San Diego Archaeological Center (212)

San Diego Natural History Museum (213)

Save Our Heritage Organization (214)

Ron Christman (215)

Clint Linton (215B)

Frank Brown, Inter-Tribal Cultural Resources Council (216)

Campo Band of Mission Indians (217)

San Diego County Archaeological Society, Inc. (218)

Native American Heritage Commission (222)

Kumeyaay Cultural Heritage Preservation (223)

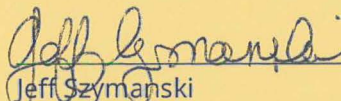
Kumeyaay Cultural Repatriation Committee (225)

Native American Distribution – Public Notice Map Only (225A-S)

VII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the accuracy or completeness of the draft environmental document. No response is necessary and the letters are incorporated herein.
- (x) Comments addressing the accuracy or completeness of the draft environmental document were received during the public input period. The letters and responses are incorporated herein.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program and any Initial Study material are available in the office of the Entitlements Division for review, or for purchase at the cost of reproduction.



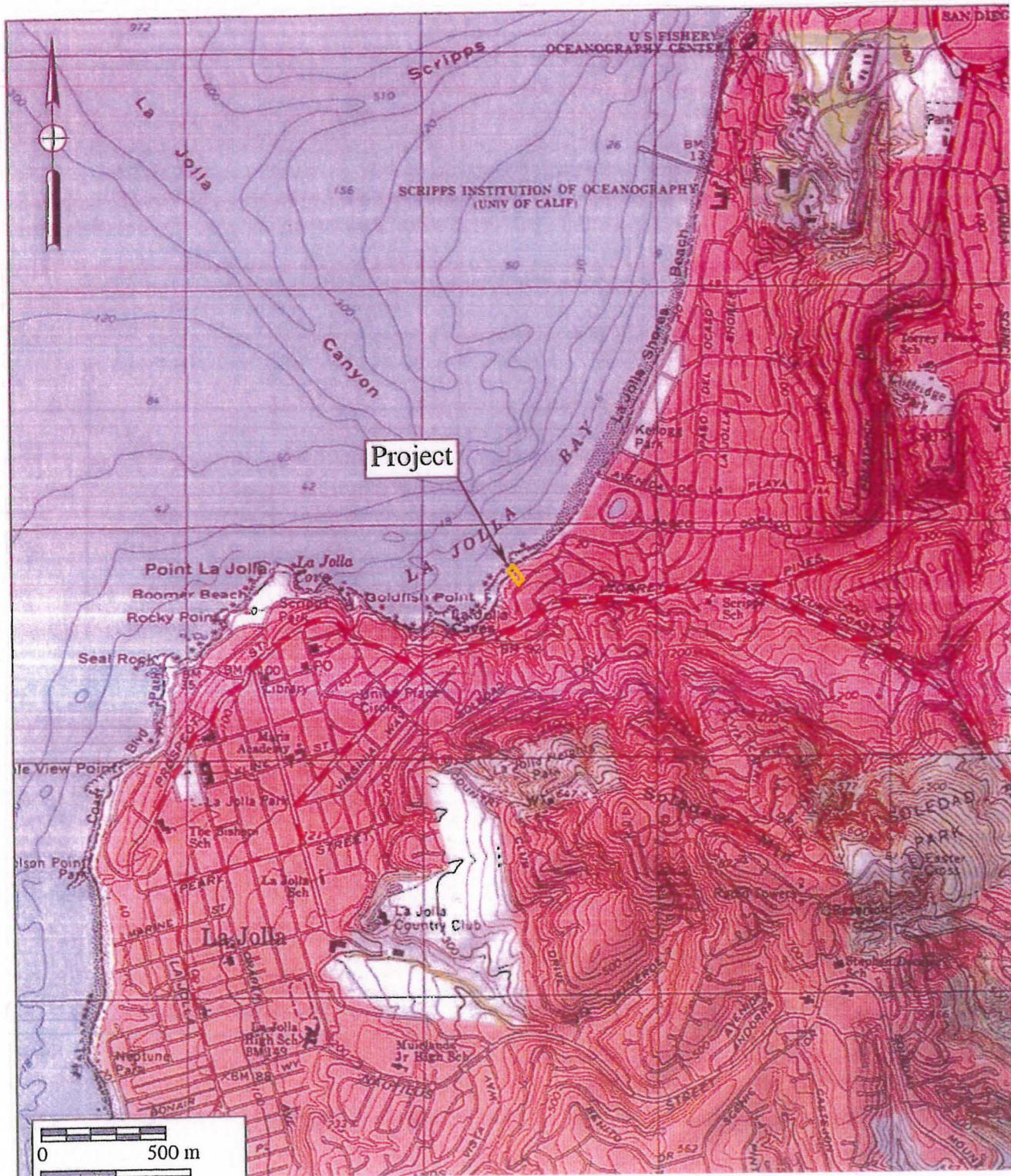
Jeff Szymanski
Senior Planner
Development Services Department

October 10, 2018
Date of Draft Report

November 30, 2018
Date of Final Report

Analyst: Jeff Szymanski

Attachments: Initial Study Checklist
Figure 1 – Location Map
Figure 2 – Site Plan



Location Map

1834 Spindrift Residence/Project No. 584820

City of San Diego – Development Services Department

FIGURE

No. 1



FIGURE
No. 2





EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

Response to Comments

November 9, 2018

Jeffrey Szymanski
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101

Subject: 1834 Spindrift Residence
SCH#: 2018101028

Dear Jeffrey Szymanski:

- ① The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on November 8, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely

Scott Morgan
Director, State Clearinghouse

CALIFORNIA STATE CLEARINGHOUSE (11/9/2018)

1. The letter from the State Clearinghouse acknowledges that the project has complied with the State's review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Document Details Report
State Clearinghouse Data Base

SCH# 2018101028
Project Title 1834 Spindrift Residence
Lead Agency San Diego, City of

Type MND Mitigated Negative Declaration
Description Site development permit and coastal development permit for the demolition of an existing dwelling unit and the construction of a new 6,374 sf, two-story dwelling unit over a basement. Also included in the proposal is a 453 sf guest quarters located above an open cabana and a new pool at 1834 Spindrift Dr. There is an existing gazebo and stairs downslope from the residence that will not be modified as part of the project.

Lead Agency Contact

Name Jeffrey Szymanski
Agency City of San Diego
Phone (619) 446-5324 **Fax**
email
Address 1222 First Avenue, MS-501
City San Diego **State** CA **Zip** 92101

Project Location

County San Diego
City La Jolla
Region
Lat / Long 32.872112° N / 117.248112° W
Cross Streets Spindrift Dr and Viking Way
Parcel No. 352-13-0030
Township 15S **Range** 4W **Section** **Base**

Proximity to:

Highways I-5
Airports
Railways The Coaster
Waterways Pacific Ocean
Schools Torrey Pines ES
Land Use res/natural park

Project Issues Archaeologic-Historic

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 11; Regional Water Quality Control Board, Region 9; State Water Resources Control Board, Division of Water Quality; Native American Heritage Commission; Office of Emergency Services, California; Public Utilities Commission; State Lands Commission; San Diego River Conservancy

Date Received 10/10/2018 **Start of Review** 10/10/2018 **End of Review** 11/08/2018

Note: Blanks in data fields result from insufficient information provided by lead agency.

COMMENTS ON DRAFT MITIGATED
NEGATIVE DECLARATION for
1834 SPINDRIFT DRIVE
LA JOLLA SHORES, CALIFORNIA

18 October 2018

Jeffrey Szymanski Environmental Planner
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, California 92101

Dear Mr. Szymanski

② By way of background I am a San Diego Indian (Kwaaymii Laguna) who has done Native American Monitoring near the project site (SDI-39/W-1) for 20 years, and am very familiar with the burial resource mains at this site having encountered cremated and buried ancestor remains and grave goods at this site.

Senate Bill - 1828 - 5097.91 (3)

The Native American Tribe identifies the adverse impacts and recommends mitigation measures, if any, that would mitigate the adverse impact.

Merriam-Webster's Collegiate Dictionary

MITIGATE = to cause to become less harsh or
Hostile - to make less severe or painful - Alleviated -
EXTENUATE

CARMEN LUCAS, Kwaaymii Laguna (10/18/2018)

2. This comment is an introduction and does not directly address the adequacy of the Mitigated Negative Declaration (MND).

COMMENTS ON DRAFT MITIGATED
NEGATIVE DECLARATION for
1834 SPINDRIFT DRIVE
LA JOLLA SHORES, CALIFORNIA

18 October 2018

Jeffrey Szymanski Environmental Planner
City of San Diego Development Services Center
1222 First Avenue, MS 501
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By way of background I am a San Diego Indian (Kwaaymii Laguna) who has done Native American Monitoring near the project site (SDI-39 / W-1) for 20 years, and am very familiar with the burial resource mains at this site having encountered cremated and buried ancestor remains and grave goods at this site.

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③

When was the house at 1834 Spindrift Drive built?

If it was 1923 or in the time frame that makes it a Historic House, has an effort to relocate the house to another area been explored rather than just demolish it?; Relocate houses if they are designated historic; has S. D. City Historic Sites Staff said the house is not historic?

The house still presents an elegance and sense of place that is very appealing. It seems that this house should have been presented to the San Diego Historic Board for potential designation. If the house were designated, it may help support the preservation of the archaeological and burial site.

CEQA Avoidance of sensitive historic/prehistory is supposed to be the first choice/consideration requirement.

SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

The Draft Mitigated Negative Declaration (DMND) dated October 10, 2018 states:

Recommended Finding: ... based on an initial Study and project revisions/conditions which now mitigate potentially significant environmental impacts in the following area(s): Cultural Resources (Archaeology), Cultural Resources (Paleontology), and Tribal Cultural Resources. ...

... This project requires implementation of an Archaeological Data Recovery Program (ADRP) to mitigate impacts to archaeological site SDI-39 (W-1) prior to the issuance of ANY construction permits or the start of ANY construction if no permits are required. The ADRP with Native American participation consists of a Statistical Sample and

CARMEN LUCAS, Kwaaymii Laguna (10/18/2018) continued

3. The residence was built in 1923 and was evaluated for potential historical significance by Scott Moomjian and Brian Smith (March 29, 2017). The City of San Diego Plan Historic staff reviewed and approved the report and concurred with the findings that the building not significant. That determination is valid for five years (May 19, 2022).

In accordance with the City's Historical Resources Guidelines the project planning for the new residence was designed to the extent possible to avoid impacts to intact archaeological deposits. The majority of the new construction outside of the existing footprint was focused on the east side of the parcel where the existing courtyard and pool were previously constructed. The survey and testing indicated that the area of the existing pool and courtyard had the least evidence of archaeological deposits on the property, and thus represent the least likely location to encounter human burials or intact cultural deposits. Expansion of the residence to the west, or towards the ocean, was minimized due to the archaeological information that deeper intact cultural deposits would be encountered. To minimize impacts on the west side of the new residence, soil disturbance will be limited by the use of caissons and stem wall construction to support the structure and the patio deck. The current plan has resulted in the most ideal means to facilitate the use of the parcel while minimizing new impacts to undisturbed portions of any cultural deposits outside of the existing structure footprint.

shall be implemented as described below after consultation with DSD ED in accordance with the Cultural Resources Report: A Cultural Resources Study for 1834 Spindrift Drive (Brian Smith and Associates, June 2018).

④ What constitutes and what is a Statistical Sample?

The Draft Mitigated Negative Declaration states:

⑤ The Preservation Plan for the project site includes capping of all areas not impacted by grading and the ADRP. A protective easement shall be required over the lot to prevent future development-related intrusion into the archaeological site.

Is this a joke or an insult to injury?

The DMND also states:

... This project requires implementation of an ADRP to mitigate impacts to archaeological Site SDI-39 (W-1). Data recovery will be performed following demolition of the existing structure and will be part of the demolition permit process. ... unless the consulting archaeologist and the Mitigation Monitoring Coordination (MMC) section of the City of San Diego Development Services Department (DSD) determine that construction permits may be issued because data recovery excavations are dependent upon grading work. The ADRP with Native American participation consists of a 100.00 percent archaeological excavation of all intact cultural deposits and 100.00 percent controlled and monitored mechanical excavation of disturbed cultural deposits. All soils from both the archaeological excavations and the controlled mechanical excavations will be Hydro screened through fine-mesh screen to recover all cultural materials and any human remains.

CARMEN LUCAS, Kwaaymii Laguna (10/18/2018) continued

4. A statistical sample is an archaeological measure that approaches a sampling universe (i.e., the archaeological deposit at 1834 Spindrift Drive) with the intention to create a pattern of archaeological excavations that will achieve a characterization of all potential elements within the sampling universe with a 95.00 percent confidence level. Essentially, by employing a randomly-selected sample of 15.00 percent of the sampling universe, the science of statistics predicts that all facets of the composition of the universe can be expected to be manifested in the 15.00 percent sample. Therefore, following demolition of the structure and hardscape, but prior to construction, the archaeologists will implement a 15.00 percent random sample to characterize the cultural deposit and achieve a sufficient recovery to mitigate impacts to the deposit. However, in the case of this site, various additional measures have been incorporated into the mitigation program to ensure that all cultural soil can be screened and that all cultural material recovered, including all human remains and associated artifacts, can be either cataloged, relocated on site, or repatriated to Kumeyaay representatives.

5. The City of San Diego Municipal Code Section §143.0253 (a) (1) allows for an encroachment of up to a maximum of 25.00 percent into a significant archaeological site by a land owner. In the case of 1834 Spindrift Drive, the owner/applicant will be held to the City's 25.00 percent limitation. Through the both the Municipal Code section and the HRB designation process, the remainder of the parcel will be protected from future development beyond the encroachment.

QUESTIONS and COMMENTS:

- ⑥ (1). How does the above (100.00 percent Hydroscreend program) square with the "a Statistical Sample" as described above?

That pendants, beads, bone, Matates have been uncovered already in the limited investigations and that burials have been found close by make it likely more burials will be uncovered.

- ⑦ (2) Is an ADRP really appropriate for a burial ground that is different from a utilitarian archaeological site?

- ⑧ (3) Have we become complacent about Human Remains? Shouldn't all efforts be made to avoid them and leave them in place in a burial site like this one?

- ⑨ (4). Why not use the dogs trained to locate prehistory Human Remains? Based on what the dogs' alert say, is there a pattern to the placement of Human Remains; can a redesign and avoidance happen?

- ⑩ (5) The DMND states: The Preservation Plan for the project site includes capping of all areas not impacted by grading and the ADRP.

This does not seem possible; as it appears that the entire grounds are "Midden/Shell Midden soils. Additionally, I am inclined to believe that the soils under this historic house are also "midden".

If the house was built in 1923, or during the time frame that makes it Historic; grounds were not disturbed during construction at that period of time as they are now.

If I understand the planned new development, it will come close to impacting most of the yard space.

- ⑪ (6) Am I to understand that the ADRP will take place in two 2) phases? The DMND states:

CARMEN LUCAS, Kwaaymii Laguna (10/18/2018) continued

6. The statistical sample that will precede the construction work is intended to address the research questions presented in the Archaeological Data Recovery Program (ADRP). The 15.00 percent sample process is targeted to complete the characterization of the archaeological deposit prior to construction. Following the 15.00 percent sample, not only will the impacts be mitigated, but the pattern of deposition across the property will be understood. The archaeological excavations of all intact deposits during construction grading and the screening of all cultural soil that was previously disturbed is not necessarily targeted to address research questions, although all data will be employed for that purpose. Rather, the construction phase recovery and processing of cultural soil is intended to ensure that any intact human burials can be identified and carefully removed, and any human bone fragments or burial grounds present in the disturbed midden matrix can be recovered, cataloged, and repatriated to the Kumeyaay representatives. The archaeological excavation of intact deposits encountered during construction grading will not necessarily conform to standard one-meter square excavation units as the rationale is to carefully excavate in order to treat any burials or features appropriately. Essentially, the distinction between the 15.00 percent sample program and the subsequent screening of all cultural soil is an archaeological investigation followed by a salvage process focused on the recovery, removal, and repatriation of human remains. Additional language will be added to the MND to clarify the differences between the two.

7. Site SDI-39 represents a significant prehistoric Native American village occupied for over 6,000 years. The ADRP is focused upon the pursuit of addressing research questions that seek to understand the complexities of the occupation of this site by Archaic and Late Prehistoric inhabitants which is a CEQA requirement. The MMRP contains contingencies for the discovery of human remains that are consistent with CEQA and the California Public Resources code.

8. Planning for the new residence was guided by the information generated from the archaeological survey and testing of SDI-39 within the property. To the extent possible, the majority of the new construction outside of the existing footprint was focused on the east side of the parcel where the existing courtyard and pool were previously constructed. The survey and testing indicated that the area of the existing pool and courtyard had the least evidence of archaeological deposits on the property, and thus represent the least likely location to encounter human burials or intact cultural deposits. Expansion of the residence to the west, or towards the ocean, was minimized due to the archaeological information that deeper intact cultural deposits would be encountered. To minimize impacts on the west side of the new residence, soil disturbance will be limited by the use of caissons and stem wall construction to support the structure and the patio deck. The current plan has resulted in the most ideal means to facilitate the use of the parcel while minimizing new impacts to undisturbed portions of any cultural deposits outside of the existing structure footprint.

Preservation in place of human remains and associated features is always preferred. However, the use of this property is constrained by cliff setback, view corridor, and encroachment limitations set

QUESTIONS and COMMENTS:

- ⑥ (1). How does the above (100.00 percent Hydroscreen program) square with the "a Statistical Sample" as described above?

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If I understand the planned new development, it will come close to impacting most of the yard space.

- ⑪ (6) Am I to understand that the ADRP will take place in two (2) phases? The DMND states:

CARMEN LUCAS, Kwaaymii Laguna (10/18/2018) continued

forth in the Municipal Code and the project is afforded a 25 percent encroachment as explained in response number 5

The ADRP does contain a protocol that will be implemented if an intact burial is encountered during the construction phase of the project. Any discovery of intact human remains will require that those remains be relocated in accordance with the Public Resources Code and the City's Land-Use Code.

9. The City of San Diego's Municipal Code, Historical Resources Guidelines and the California Public Resources Code do not require the use of cadaver dogs. However, the use of the dogs to search for remains was contemplated but because all the soil within the construction zone will be screened and all remains will be recovered it was deemed unnecessary. Given the 100.00 percent recovery requirement, the use of cadaver dogs would not yield any additional recovery. The question of whether or not the project could be redesigned if cadaver dogs could identify a pattern of possible human remains prior to any construction is understood. However, the limitations on the area where the new residence could be placed, and the reality of construction engineering will preclude any deviations from the approved structure footprint as discussed in response numbers 3 and 8.

10. The goal of the ADRP is to mitigate direct impacts to the cultural deposit from construction and to minimize indirect impacts from the subsequent use of the property post-construction. Therefore, any cultural deposits that remain following construction will be capped or protected with a no build easement as described in the ADRP. However, the method employed may vary within the property due to slopes, patio areas, and existing permanent landscaping. Much of the yard on the ocean side of the residence will not be excavated where that area corresponds to the mandated 40-foot bluff edge setback.

11. The ADRP will take place in two (2) phases. The initial 15.00 percent sample phase will take place following the demolition and removal of all hardscape. The subsequent recovery and screening of all remaining cultural soil will take place as the construction excavations proceed. In addition, please see response numbers 3 and 8.

Data recovery work should be completed prior to the issuance of ANY construction permits or the start of ANY construction if no permits are required, unless the consulting archaeologist and the (MMC) section of the City of San Diego Development determine that construction permits may be issued because data recovery excavations are dependent upon grading work. The ADRP with Native American participation consists of a 100.00 percent archaeological excavation of all intact cultural deposits and 100.00 percent controlled and monitored mechanical excavation of disturbed cultural deposits. All soils from both the archaeological excavations and the controlled mechanical excavations will be hydroscreend...

The use of heavy equipment to include grading machines is of concern as it is an art to use such equipment in the excavation of pre history/archaeological sites. The weight of mechanical equipment and the fragile cleft side at 1834 Spindrift could cause unrecoverable damage to any of the prehistory deposit located there to include Human Remains.

- ⑫ (7) Where will all the hydroscreeing (Water screening) take place and what is the planed disposition for the 100.00 percent processed (hydroscreened/waterscreened) soils?
- ⑬ (8) Why not reuse the existing footprint as the only alternative to be studied as that would provide for reasonable use of the property pursuant of code without having to encroach into the site/burial?
- ⑭ (9). Is there a Native American monitor from each San Diego Indian Reservation included in the monitoring program work team?
- ⑮ (10). A Native American Monitor should be employed and participate in the Laboratory program related to the ADRP of 1834 Spindrift Drive.

CARMEN LUCAS, Kwaaymii Laguna (10/18/2018) continued

12. The arrangements for conducting the wetscreening have not been completed at this time. In consultation with Kumeyaay representatives, the location and processing of the soil will be arranged to ensure the recovered soil and artifacts are treated with the highest respect and integrity and in accordance with the Conditions of Approval (COA) and Mitigation Monitoring and Reporting Program (MMRP).

13. As described in response number 5 the Municipal Code provides the limitations and restrictions for the use of private property that may contain a significant cultural site. That use is limited to a 25.00 percent encroachment into the significant site (outside of the existing residence footprint) and the applicant is complying with that section.

14. A Native American monitor approved by the Kumeyaay Cultural Repatriation Committee (KCRC) will represent the Kumeyaay Nation and serve as the on-site monitor to assure compliance and sensitive and respectful treatment of all resources.

15. A Kumeyaay representative will be included in the initial sorting process to assist in the identification of any human remains that may be encountered.

- (16) (11). Where is the Permanent Curation Facility located that is an approved facility that meets the City's Standards? What are those Standards?
- (17) (12). If curation takes place at one of many (San Diego) Indian Reservations, is that facility up to Federal Standards? Should the artifacts go to one of the Reservations for curation how does a legitimate Scientist gain access to such facilities for studies?

(18) (13) The DMND also states:

... Based upon the substantial quantity of all varieties of artifacts and ecofacts from excavations in and around 1834 Spindrift Drive, the projection can be made that the laboratory analysis will likely be exhaustive.

Seems that this ADRP project is going to be an extreme cost to the Land owner who wants to demolish a possible Historic house and desecrate prehistory land use evidence, to include Prehistory Human Remains.

- (19) (14) Has a Trust Fund or Escrow account been established to cover the land owner's obligation to cover all expenses that will be required to comply with the ADRP to include the final written report? What is the educated guess as to total cost of such an ADRP?

A time line should be required for the completion of a written report, and copies of the final report should be provided to each San Diego Indian Reservation for inclusion into each reservation Library. Final payment for the ADRP should not be permitted until all requirements of the ADRP are satisfied, and documented.

GENERAL OVERALL COMMENT

CARMEN LUCAS, Kwaaymii Laguna (10/18/2018) continued

16. Artifacts recovered from the project will be proposed for submittal to the San Diego Archaeological Center (SDAC) for curation. Any artifacts that are requested to be repatriated to the Kumeyaay Most Likely Descendent (MLD) will be separated from the collection and delivered directly to the MLD.

17. Please see response number 16.

18. The cost of the project and mitigation is not a CEQA related issue and the comment does not address the adequacy of the CEQA document. The costs are the responsibility of the landowner. An escrow account is not being required; however, the City ensures that all mitigation measured are completed to their satisfaction by withholding the Notice of Completion for the new residence until all measures are fully satisfied.

19. The establishment of a Trust Fund or Escrow account is not a CEQA related issue and has not been identified as a mitigation measure. A timeline for the project will not be required because all reports and curation must be completed before the property can be released for occupancy. Please see This is adequate to ensure the report is completed in a timely manner. Copies of the final report will be made available to interested tribal groups.

It seems to me after the numerous years that the City of San Diego has created MITIGATED NEGATIVE DECLARATIONS in this well known 20 acre prehistory landscape known as SDI-39 (W-1) to accommodate development; the City (or an applicant as part of the cumulative effects mitigation) should be obligated to produce an interesting over all document (synthesis) that talks about all of the Data Recovery Programs that have occurred in this SDI-39 (W-1) archeological 20 + acres. The City should produce a professional Book that tells the story of the Indian Peoples who lived 9,000 years or more ago on the land that is now known as SDI-39 (W-1). Such a book should be provided to each San Diego Indian Reservation for their Library.

Additionally, the City should be obligated to bring all the artifacts within this site (the entire SDI-39 W-1) that have been curated from the numerous ADRP's over the years since 1929, to the present; and collaborate with the La Jolla Historical Society to present an information/history/education exhibit for the residents of La Jolla and the residents of La Jolla Shores. The story should include that the Indians of San Diego are still here, alive and well. The story should be designed to be a museum quality story of the people that the artifacts were created by. The Indian community should be encouraged to present their views especially if contrary to those who dug up and desecrated the ancestors and who wrote the reports. What has been learned from all the years of ADRP's; and why the continued desecration of a time that once was; ask the question why is it necessary? It seems to this Indian that the City has seen fit as well as eager and desires to continually, systematically erase the prehistory in these 20 + acres now known as SDI-39 (W-1) as well as all similar sites through out San Diego County to accommodate modern development, and to what end?

20. The City and the landowner understand and respect the position of Carmen Lucas regarding the modern development of the La Jolla neighborhood that was once occupied prehistorically by Native Americans. The City is required to address potential impacts to cultural resources associated with development projects as part of the California Environmental Quality Act (CEQA) and discretionary permit process. The project will comply with all applicable provisions of the Municipal Code as well as the Public Resources Code. Not all of concerns raised can be addressed on an individual project level. However, the overall position of the Native American community regarding Site SDI-39 is appreciated, understood, and respected. The comments raised in this letter will be further explored in a forthcoming City of San Diego Archaeological Sub Committee meeting.

The normal excuse for not embracing such a recommendation is "No funding" I would respond that for the past 90 or more years, the City of San Diego and all the Cultural Resources Management Companies have made Millions of dollars off the Skeletal Remains of the San Diego Indian Ancestors, it is time for the City and the CRM Companies to pony up.

I respectfully request written response to my comments.


CARMEN LUCAS
Kwaaymii, Laguna Band of Indians
Laguna Mountain, California

Copy to:

Native American Heritage Commission

Mira Herman, City Archaeologist

Suzanne Segur, Historic Resource Board Staff

Courtney Ann Coyle, HRBATCR Sub-committee chair

P.O. Box 175
Pine Valley CALIF.
91962



San Diego County Archaeological Society, Inc.

Environmental Review Committee

7 November 2018

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

Subject: Draft Mitigated Negative Declaration
1834 Spindrift Residence
Project No. 584820

Dear Mr. Szymanski:

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

Based on the information contained in the DMND and its cultural resources appendix, prepared by Brian F. Smith & Associates, we have the following comments:

- 21 Section 8.1.1.f, on page 8.0-3, requires that "Curation of all materials recovered during the ADRP, with the exception of human remains and any associated burial goods, shall be prepared in compliance with local, state, and federal standards and shall be permanently curated at an approved facility that meets the City's standards."

The curation mitigation measures, on page 8.0-10, and the DMND itself, offer somewhat different, more conditional wording, suggesting the possibility that curation of all non-burial-related material may not occur.

- 22 If any items are deemed by the project archaeological principal investigator (PI) to be unusual and/or of particular interest and it turns out that they will not be curated, the PI should make 3D scans of those items. Those scans should then be printed, to confirm the adequacy and quality of the scans and the scan files and the proof prints should be curated, along with all the usual documentation that would normally be curated.

Other than this curation-related issue, we concur with the efforts made on this portion of SDI-39 for the current project.


SAN DIEGO COUNTY ARCHAEOLOGICAL SOCIETY (11/7/2018)

21. To clarify, all cultural artifacts recovered from the project will be either curated at the San Diego Archaeological Center (SDAC) or will be repatriated to the MLD/Kumeyaay representative. No artifacts will be discarded as part of this mitigation program.

22. Please see response number 21. All artifacts will either be curated at the SDAC or will be repatriated to the MLD. Therefore, there will be no need for additional documentation other than the documentation within the archaeological reports.

SDCAS appreciates the opportunity to participate in the public review of this project's environmental documents.

Sincerely,


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

cc: Brian F. Smith & Associates
SDCAS President
File

VIEJAS

TRIBAL GOVERNMENT

P.O. Box 908
Alpine, CA 91903
#1 Viejas Grade Road
Alpine, CA 91901

Phone: 6194453810
Fax: 6194455337
viejas.com

October 22, 2018

Jeffrey Szymanski
Environmental Planner
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101

RE: 1834 Spindrift Residence

Dear Mr. Szymanski,

In reviewing the above referenced project the Viejas Band of Kumeyaay Indians ("Viejas") would like to comment at this time.

- 23 The project area may contain many sacred sites to the Kumeyaay people. We request that these sacred sites be avoided with adequate buffer zones.

Additionally, Viejas is requesting, as appropriate, the following:

- All NEPA/CEQA/NAGPRA laws be followed
- Immediately contact Viejas on any changes or inadvertent discoveries.

Thank you for your collaboration and support in preserving our Tribal cultural resources. I look forward to hearing from you. Please call me at 619-659-2312 or Ernest Pingleton at 619-659-2314, or email, rteran@viejas-nsn.gov or epingleton@viejas-nsn.gov, for scheduling. Thank you.

Sincerely,



Ray Teran, Resource Management
VIEJAS BAND OF KUMEYAAY INDIANS

VIEJAS TRIBAL GOVERNMENT (10/22/18)

23. The City acknowledges the concerns of the Viejas Band regarding avoidance of sacred sites and the appropriate application of existing regulations. All CEQA, Public Resources Code, and appropriate City regulations have been applied to the environmental review process, the drafting of mitigation measures, and the site development permit conditions. A Kumeyaay representative will be included in the ADRP and in all phases of the archaeological evaluation.

RINCON BAND OF LUISEÑO INDIANS

Cultural Resources Department

1 W. Tribal Road · Valley Center, California 92082 ·
(760) 297-2330 Fax: (760) 297-2339



October 18, 2018

Jeffery Szymanski
City of San Diego
Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101

Re: 1834 Spindrift Residence-Project No. 584820

Dear Mr. Szymanski:

This letter is written on behalf of the Rincon Band of Luiseño Indians. Thank you for inviting us to submit comments on the above mention project. Rincon is submitting these comments concerning your projects potential impact on Luiseño cultural resources.

24 The Rincon Band has concerns for the impacts to historic and cultural resources and the finding of items of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you, your identified location is not within the Luiseño Aboriginal Territory. We recommend that you locate a tribe within the project area to receive direction on how to handle any inadvertent findings according to their customs and traditions.

If you would like information on tribes within your project area, please contact the Native American Heritage Commission and they will assist with a referral.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Destiny Colocho, RPA
Tribal Historic Preservation Officer
Rincon Cultural Resources Department

RINCON BAND OF LUISEÑO INDIANS (10/18/18)

24. The City acknowledges the comment on behalf of the Rincon Band. A Kumeyaay representative has been previously engaged for all archaeological investigations of the Native American site within the subject property, and a Kumeyaay representative will serve as the on-site monitor during grading and monitoring activities.

Bo Mazzetti
Tribal Chairman

Tishmall Turner
Vice Chairwoman

Steve Stallings
Council Member

Laurie E. Gonzalez
Council Member

Alfonso Kolb
Council Member

INITIAL STUDY CHECKLIST

1. Project title/Project number: 1834 Spindrift Residence / 584820
2. Lead agency name and address: City of San Diego, 1222 First Avenue, MS-501, San Diego, California 92101
3. Contact person and phone number: Jeffrey Szymanski / (619) 446-5324
4. Project location: 1834 Spindrift Drive, La Jolla, CA 92037
5. Project Applicant/Sponsor's name and address: Scott Frantz, Island Architects, 7626 Herschel Avenue La Jolla, CA 92037
6. General/Community Plan designation: Residential/La Jolla Community Plan
7. Zoning: La Jolla Shores Planned District Single Dwelling Unit (LJSPD-SF) Zone
8. Description of project (Describe the whole action involved, including but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation.):

1834 Spindrift Residence-SITE DEVELOPMENT PERMIT (SDP) and COASTAL DEVELOPMENT PERMIT for the demolition of an existing 3,589 square-foot dwelling unit and the construction of a new 6,374 square foot, two-story dwelling unit over a basement. Also included in the proposal is a 453 square-foot guest quarters located above an open cabana and a new pool at 1834 Spindrift Drive. There is an existing gazebo and stairs downslope from the residence that will not be modified as part of the project. The 0.57-acre site is located at 1834 Spindrift Drive in the La Jolla Shores Planned District-Single Family (LJSPD-SF) Zone, Coastal (Appealable), Coastal Height Limitation, First Public Roadway, Sensitive Coastal, FEMA Floodway & Floodplains, Alquist-Priolo Earthquake Fault, Parking (Beach and Coastal), Residential Tandem, Transit Area, and Transit Priority Area Overlay Zones as well as within the La Jolla Community Plan area.

As proposed the two-story residence over basement would include off-white stucco and a beige stone finish on the exterior elevations. Roofing material would consist of a buff sand stone blend, mission or clay tiles and bronze cladding around the windows. The highest point of the roof including equipment, or any pipe or vent will not exceed 30 feet above grade. A landscape plan was developed and has been reviewed by Landscape Review staff who determined that it conforms to the landscape plan requirements of §1510.0304(h) of the City of San Diego's Municipal Code. Other improvements include a new recessed landscape planter for stormwater treatment, new cleanouts and drain inlets and grates.

The property is relatively flat east of the bluff edge and the maximum proposed site retaining wall would be 42 inches high. There are no proposed retaining walls within the public right of way and the only retaining wall that would be visible from the public right of way is south of the cabana and drops the finish grade of 3 inches from existing grade.

9. Surrounding land uses and setting:

The project is located at 8247 Paseo del Ocaso (APN 346-232-0600), in the Single Family (SF) Zone of the La Jolla Shores Planned District, within the La Jolla Community Plan area. The project site is within the following Overlay Zones: Coastal Overlay Zone (Non-Appealable Area), Coastal Height Limit OZ, La Jolla Shores Archaeological Study Area, Parking Impact OZ (Beach Impact Area), Residential Tandem Parking OZ, Transit Priority Area.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

None required.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

In accordance with the requirements of Assembly Bill (AB) 52, the City of San Diego sent notifications to two Native American Tribes traditionally and culturally affiliated with the project area. Both the Lipay Nation of Santa Ysabel and the Jamul Indian Village responded within the 30-day period requesting consultation and additional information. Consultation began in May 2018 and concluded on July 13, 2018. Please see Section XVII of the Initial Study for more detail.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise | <input type="checkbox"/> Utilities/Service System |
| | | <input checked="" type="checkbox"/> Mandatory Findings Significance |

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial evaluation:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses”, as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration. *Section 15063(c)(3)(D)*. In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated”, describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-------|--------------------------------|--|------------------------------|-----------|
|-------|--------------------------------|--|------------------------------|-----------|

I. AESTHETICS – Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project is located on an existing developed site within an urbanized residential area; however, the Pacific Ocean lies just to the west of the property. The project would replace an existing dwelling unit with a new dwelling unit. Construction of the residence would affect the visual environment during excavation, grading, and demolition. Although views may be altered, construction would be short term and temporary. Temporary visual impacts would include views of large construction equipment, storage areas, and potential signage. All construction equipment would vacate the project site upon completion of the project, thus making any visual obstructions temporary.

Per the City of San Diego CEQA Significance Thresholds (Thresholds) projects that would block public views from designated open space areas, roads, or parks or to significant visual landmarks or scenic vistas may result in a significant impact. The proposed residence is adjacent to a view corridor; however, it is not identified as a viewshed on the identified public vantage points map of the La Jolla Community Plan (LJCP). Additionally, since the project is maintaining all height and setbacks requirements and is providing a view corridor on the south side and the north side of the property vantage points would not be significantly altered. Therefore, since the project is located in an existing residential development, maintains required setbacks and is consistent with all applicable zoning regulations impacts to scenic vistas would be less than significant.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

There are no designated scenic resources such as trees, rock outcroppings or historic buildings within a state scenic highway within the project's boundaries. No impact would result due to implementation of the project.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

According to the City's Thresholds projects that severely contrast with the surrounding neighborhood character may result in a significant impact. To meet this threshold one or more of the following conditions must apply: the project would have to exceed the allowable height or bulk regulations and the height and bulk of the existing patterns of development in the vicinity of the project by a substantial margin; have an architectural style or use building materials in stark contrast to adjacent development where the adjacent development follows a single or common architectural theme (e.g., Gaslamp Quarter, Old Town); result in the physical loss, isolation or degradation of a community identification symbol or landmark (e.g., a stand of trees, coastal bluff, historic landmark) which is identified in the General Plan, applicable community plan or local coastal program; be located in a highly visible area (e.g., on a canyon edge, hilltop or adjacent to an interstate highway) and would strongly contrast with the surrounding development or natural topography through excessive height, bulk signage or architectural projections; and/or the project would have a

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-------|--------------------------------|--|------------------------------|-----------|
|-------|--------------------------------|--|------------------------------|-----------|

cumulative effect by opening up a new area for development or changing the overall character of the area. None of the above conditions apply to the project.

The site is currently developed with a ~~one~~ two story dwelling unit. The project would demolish the existing dwelling unit and construct a new two story dwelling unit. While the reconstructed dwelling unit would be a two story structure, it would be constructed to comply with all height and bulk regulations and is consistent with General Design guidelines as outlined in the LJCP. The project site is located in a developed neighborhood and existing homes in the neighborhood do not have a unifying architectural theme such as the historic architecture of Old Town. Existing development is a mixture of one and two-story homes and there is no predominance of architectural style. Therefore, the constructed dwelling unit would not be substantially different in architecture when compared to surrounding development. The project would not result in the physical loss, isolation or degradation of a community identification symbol or landmark which is identified in the General Plan, applicable community plan or local coastal program. The demolition of an existing dwelling unit and construction of a replacement dwelling unit would not open up a new area for development or change the overall character of the area.

Since none of the above conditions apply, the project would not substantially degrade the existing visual character or the quality of the site and its surroundings. No impact would result due to implementation of the project.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would not be predominately constructed with light reflective material and all lighting would be required to be shaded and adjusted to fall on the project's site as required in the City's municipal code. In addition, the project would not be located adjacent to a light-sensitive property and therefore the single dwelling unit would not create a substantial light or glare impact. The project would also be subject to the City's Outdoor Lighting Regulations per Municipal Code Section 142.0740. Therefore, the project would not create a new source of substantial light or glare that would adversely affect day of nighttime views in the area. No impact would result due to implementation of the project.

- II. AGRICULTURAL AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project::

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-------|--------------------------------|--|------------------------------|-----------|
|-------|--------------------------------|--|------------------------------|-----------|

The project site is classified as Urban and Built-Up land by the Farmland Mapping and Monitoring Program (FMMP). Similarly, the land surrounding the project site is not in agricultural production and is not classified as farmland by the FMMP. Therefore, the proposed project would not convert farmland to non-agricultural uses. No impact would result due to implementation of the project.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project location is not currently zoned for agricultural use. The project is not under a Williamson Act Contract nor are there any other surrounding properties under a Williamson Act Contract. No impact would result due to implementation of the proposed project.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No land within the LJCP is designated as forest land or timberland. Therefore, the project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland. No impact would result due to implementation of the project.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is located within a largely developed and urbanized area of the City and is not designated as forest land. Therefore, the project would result in the loss of forest land or conversion of forest land to non-forest use. No impact would result due to implementation of the project.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No existing agricultural uses are located in the proximity of the project area that could be affected. Therefore, the project would not convert farmland to non-agricultural uses or forestland to non-forest use. No impact would result due to implementation of the project.

III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make the following determinations – Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-------|--------------------------------|--|------------------------------|-----------|
|-------|--------------------------------|--|------------------------------|-----------|

The San Diego Air Pollution Control District (SDAPCD) and San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the San Diego Air Basin (SDAB). The County Regional Air Quality Strategy (RAQS) was initially adopted in 1991, and is updated on a triennial basis (most recently in 2009). The RAQS outlines the SDAPCD's plans and control measures designed to attain the state air quality standards for ozone (O3). The RAQS relies on information from the California Air Resources Board (CARB) and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in San Diego County and the cities in the county, to project future emissions and then determine the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by San Diego County and the cities in the county as part of the development of their general plans.

The RAQS relies on SANDAG growth projections based on population, vehicle trends, and land use plans developed by the cities and by the county as part of the development of their general plans. As such, projects that propose development that is consistent with the growth anticipated by local plans would be consistent with the RAQS. However, if a project proposes development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the RAQS and may contribute to a potentially significant cumulative impact on air quality.

The project would replace an existing single dwelling unit with a new dwelling unit within a developed neighborhood of similar residential uses. The project is consistent with the General Plan, community plan, and the underlying zoning for residential development. Therefore, the project would be consistent at a sub-regional level with the underlying growth forecasts in the RAQS, and would not obstruct implementation of the RAQS. No impact would result due to implementation of the project.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

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Short-term Emissions (Construction)

Project construction activities would potentially generate combustion emissions from on-site heavy duty construction vehicles and motor vehicles transporting the construction crew and necessary construction materials. Exhaust emissions generated by construction activities would generally result from the use of typical construction equipment that may include excavation equipment, forklift, skip loader, and/or dump truck. Variables that factor into the total construction emissions potentially generated include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on or off-site. It is anticipated that construction equipment would be used on-site for four to eight hours a day; however, construction would be short-term and impacts to neighboring uses would be minimal and temporary.

Fugitive dust emissions are generally associated with land clearing and grading operations. Due to the nature and location of the project, construction activities are expected to create minimal fugitive dust, as a result of the disturbance associated with grading. The project would ~~remodel~~ demolish an

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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existing single-family residence and would construct a new one with an attached garage. Construction operations would include standard measures as required by the City of San Diego grading permit to reduce potential air quality impacts to less than significant. Therefore, impacts associated with fugitive dust are considered less than significant, and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. Impacts related to short term emissions would be less than significant.

Long-term Emissions (Operational)

Long-term air emission impacts are those associated with stationary sources and mobile sources related to any change caused by a project. The project would produce minimal stationary source emissions. Once construction of the project is complete, long-term air emissions would potentially result from such sources as fireplaces, heating, ventilation, and cooling (HVAC) systems, and other motorized equipment typically associated with residential uses. The project is compatible with the surrounding development and is permitted by the community plan and zone designation. Based on the residential land use, project emissions over the long-term are not anticipated to violate any air quality standard or contribute substantially to an existing or projected air quality violation. Impacts would be less than significant.

Overall, the project is not expected to generate substantial emissions that would violate any air quality standard or contribute to an existing or projected air quality violation; therefore, impacts would be less than significant.

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| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

As described above in response III (b), construction operations may temporarily increase the emissions of dust and other pollutants. However, construction emissions would be temporary and short-term in duration. Implementation of Best Management Practices (BMP's) would reduce potential impacts related to construction activities to a less than significant level. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards. Impacts would be less than significant.

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| d) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Short-term (Construction)

Odors would be generated from vehicles and/or equipment exhaust emissions during construction of the project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and architectural coatings. Such odors are temporary and generally occur at magnitudes that would not affect a substantial number of people. Therefore, impacts would be less than significant.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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Long-term (Operational)

Typical long-term operational characteristics of the project are not associated with the creation of such odors nor anticipated to generate odors affecting a substantial number of people. The project would ~~remodel~~ demolish an existing residence and construct a new one. Residential dwelling units, in the long-term operation, are not typically associated with the creation of such odors nor are they anticipated to generate odors affecting a substantial number or people. Therefore, project operations would result in less than significant impacts.

IV. BIOLOGICAL RESOURCES – Would the project:

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| a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project site is currently developed with a single dwelling unit and surrounded by single-family dwelling units. Onsite landscaping is non-native and the project site does not contain any sensitive biological resources nor does it contain any candidate, sensitive or special status species. No impact would result due to implementation of the project.

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| b) Have a substantial adverse effect on any riparian habitat or other community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project site has been previously developed within a residential setting. No such habitats exist on or near the site. Refer also to Response to IV (a), above. The project site does not contain any riparian habitat or identified community, as the site currently supports non-native landscaping. No impact would result due to implementation of the project.

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| c) Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project site is fully developed, in an urban setting. Additionally, as shown in the LJCP and Local Coastal Land Use Plan (LCLUP), there are no federally protected wetlands on site. Therefore, construction activities would not cause an impact to wetlands as defined by Section 404 of the Clean Water Act. There would be no impacts to federally protected wetlands. No impact would result due to implementation of the project.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The project site is fully developed, in a highly urbanized setting. The project site is not located within a wildlife corridor, or within a migratory passageway for any native resident or migratory fish or wildlife species. No impact would result due to implementation of the project.

| | | | | |
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| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The proposed project would be consistent with all relevant goals and policies of the City's General Plan and of the LJCP and LCLUP regarding the preservation and protection of biological resources. Although the proposed project is not within the City's Multi-Habitat Planning Area (MHPA), the project would be consistent with all relevant goals and policies regarding the preservation and protection of biological resources, as outlined in the City's Multiple Species Conservation Program (MSCP). Additionally, project implementation would be consistent with all biological resources policies in the LJCP and LCLUP. No impact would result due to implementation of the project.

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| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Although the proposed project is not within the City's MHPA, the project would be consistent with all relevant goals and policies regarding the preservation and protection of biological resources, as outlined in the City's MSCP. In addition, implementation of the project would be consistent with all biological resources policies outlined in the LJCP and LCLUP. No impact would result due to implementation of the project.

V. CULTURAL RESOURCES – Would the project:

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| a) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

The purpose and intent of the Historical Resources Regulations of the Land Development Code (Chapter 14, Division 3, and Article 2) is to protect, preserve and, where damaged, restore the historical resources of San Diego. The regulations apply to all proposed development within the City of San Diego when historical resources are present on the premises. Before approving discretionary projects, CEQA requires the Lead Agency to identify and examine the significant adverse environmental effects which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource may have a significant effect on the environment (sections 15064.5(b) and 21084.1). A substantial adverse change is defined as demolition, destruction, relocation, or alteration activities, which would impair historical significance (sections 15064.5(b)(1)). Any historical resource listed in, or eligible to be listed in the California

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Register of Historical Resources, including archaeological resources, is considered to be historically or culturally significant.

Archaeological Resources

Many areas of San Diego County, including mesas and the coastline, are known for intense and diverse prehistoric occupation and important archaeological resources. The region has been inhabited by various cultural groups spanning 10,000 years or more. The project site is located on the City of San Diego's Historical Resources Sensitivity map. Furthermore, the project site is located within an area of La Jolla Shores that requires special considerations due to the area's archaeological sensitivity with respect to the Spindrift archaeological site.

Due to the project's location within the Spindrift Archaeological site an archaeological evaluation was conducted (Brain Smith and Associates, June 1, 2018). The evaluation included an archaeological survey and test excavations to determine if sensitive archaeological resources are present below surface. The test excavations were positive meaning that various artifacts were discovered in the test excavations. Based upon the location of the positive test excavations it was determined that construction activities would impact both disturbed and intact portions of the archaeological site. All the excavations were positive for archaeological resources.

To the extent possible the project was re-designed to avoid the most sensitive portions of the archaeological site; however, because of the constraints of the project site all direct impacts could not be avoided. Essentially, the entire property east of the top of the bluff edge to the west side of Spindrift Drive contains disturbed and intact elements of the archaeological site. The project was designed to place construction where mainly disturbed deposits were identified and to limit impacts to the intact portions of the site. This effort resulted in much of the proposed construction being placed in the front courtyard. This area of the project site was previously disturbed and only traces of the archaeological site were found there. Where impacts to the intact portions of the site couldn't be avoided the project will use stem walls or caissons and grade beams to span across the sensitive area to preserve as much of the site as possible.

Although some impacts may be minimized through construction design some impacts are unavoidable. These direct impacts will be mitigated through the implementation of a Mitigation Monitoring and Reporting Program (MMRP) as described in Section V of the MND. The MMRP will include the requirements for archaeological and Native American monitoring as well as an Archaeological Data Recovery Program (ADRP). The ADRP with Native American participation consists of a 100 percent archaeological excavation of intact portions of the site and 100 percent controlled and monitored mechanical excavation of disturbed portions of the site. The combination of the ADRP and Archaeological and Native American monitoring will reduce impacts to below a level of significance.

Built Environment

The City of San Diego reviews projects requiring the demolition of structures 45 years or older for historic significance in compliance with the California Environmental Quality Act (CEQA). CEQA Section 21084.1 states that "A project that may cause a substantial adverse change in the significance of an historical resource is a project that may cause a significant effect on the environment." Historic

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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property (built environment) surveys are required for properties which are 45 years of age or older and which have integrity of setting, location, design, materials, workmanship, feeling, and association.

In order to determine if the existing structure on site could be historically significant the applicant submitted a Historic Resource Technical Report (Brian F. Smith and Associates, Inc., March 29, 2017). The report concluded that that the buildings were not historically significant. City of San Diego Plan Historic Staff concurred with the report's conclusion that the building is not eligible for designation under any Historic Resources Board (HRB) Criteria. No further review by Plan-Historic staff was required. Based upon the review of the technical report by Plan Historic staff it was determined that impacts to the historical built environment would not occur.

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| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Please refer to response V.a. Mitigation is required.

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| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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The project area is underlain by the geologic Linda Vista and Cabrillo formations which have a moderate and high sensitivity rating for Paleontological resources. In accordance with the City of San Diego CEQA Significance Determination Thresholds if a project were to excavate over 1,000 cubic yards of soil to a depth of 10 feet or more in an area with a high sensitivity rating the project would result in a significant impact on these paleontological resources.

The submitted plans indicate that construction would require 1,456 cubic yards of excavation to a depth of over 11 feet. Therefore, the proposed project could have a significant impact on paleontological resources. However, the inclusion of the paleontological monitoring during excavation, as listed in the MMRP, would reduce impacts to these resources to below a level of significance.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Disturb and human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Although human remains were not identified in the archaeological testing of the property, the project is located within an archaeological site known to contain human remains. Therefore, there is the potential that human remains could be encountered.

Section IV of the MMRP contains provisions for the discovery of human remains. If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken. Based upon the required mitigation measure impacts would be less than significant. Additionally, the ADRP also contains measures that would provide for the proper treatment of human remains if encountered.

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VI. GEOLOGY AND SOILS – Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- | | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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A preliminary geotechnical evaluation was prepared for the project (Geosoils, Inc. November 2017). According to the report there are no active faults located at the project site. Therefore, risks from rupture of a known earthquake fault would not be significant.

- ii) Strong seismic ground shaking?
- | | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Ground shaking active fault zones in the area could affect the site in the event of an earthquake. However, as mentioned above, there are no known faults on the project site and impacts would not be significant.

- iii) Seismic-related ground failure, including liquefaction?
- | | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. The geotechnical report indicates that the location and geotechnical conditions at the site are not conducive to any of these phenomena. No impact would result due to implementation of the project.

- iv) Landslides?
- | | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The report indicates that the site is located within an area that is susceptible to landsliding. This susceptibility is likely predicated on the site's exposure of wave action on the coastal bluff. Laboratory tests were performed on representative sample from borings to analyze the degree of structural weakness of the bluffs. The report found that while by nature all coastal bluffs are surficially unstable that the recommended development setback from the coast bluff edge is appropriate for the site.

- b) Result in substantial soil erosion or the loss of topsoil?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project includes a landscape plan that has been reviewed and approved by City staff. Implementation of the approved plan would preclude the erosion of any topsoil. In addition, standard construction BMPs would be in place to ensure that the project would not result in a substantial amount of topsoil erosion. No impact would result due to implementation of the project.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Please see Vail, proper engineering design and utilization of standard construction practices would be verified at the construction permitting stage and would ensure that impacts in this category would not occur. No impact would result due to implementation of the project.

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| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project is located on Corralitos Loamy Sand which is not expansive. No impact would result due to implementation of the project.

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| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project does not propose the use of septic tanks. As a result, septic tanks or alternative wastewater systems would not be used. Therefore, no impact with regard to the capability of soils to adequately support the use of septic tanks or alternative wastewater disposal systems would result. No impact would result due to implementation of the project.

VII. GREENHOUSE GAS EMISSIONS – Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

On July 12, 2016, the City of San Diego adopted the Climate Action Plan (CAP) Consistency Checklist, which requires all projects subject to discretionary review to demonstrate consistency with the Climate Action Plan. For project-level environmental documents, significance of greenhouse gas emissions is determined through the CAP Consistency Checklist.

The City's CAP outlines the actions that the City will undertake to achieve its proportional share of State greenhouse gas (GHG) emission reductions. A CAP Consistency Checklist (Checklist) is part of the CAP and contains measures that are required to be implemented on a project-by-project basis to ensure that the specified emission targets identified in the CAP are achieved. Projects that are consistent with the CAP as determined through the use of this Checklist may rely on the CAP for the cumulative impacts of GHG emissions.

The project is consistent with the existing General Plan and Community Plan land use and zoning designations. Furthermore, based upon review and evaluation of the completed CAP Consistency Check the project is consistent with the applicable strategies and actions of the CAP. Therefore, the project is consistent with the assumptions for relevant CAP strategies toward achieving the

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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identified GHG reduction targets, and impacts from greenhouse gas emissions are considered less than significant. No mitigation is required.

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| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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The project would not conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases. The project is consistent with the existing General Plan and Community Plan land use and zoning designations. Further based upon review and evaluation of the completed CAP Consistency Checklist for the project, the project is consistent with the applicable strategies and actions of the CAP. Therefore, the project is consistent with the assumptions for relevant CAP strategies toward achieving the identified GHG reduction targets. Impacts are considered less than significant. No mitigation is required.

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The proposed project is residential in nature and does not propose the use or transport of any hazardous materials beyond those used for everyday household purposes. Therefore, no such impacts would occur.

Construction of the project may require the use of hazardous materials (fuels, lubricants, solvents, etc.), which would require proper storage, handling, use and disposal; however, the project would not routinely transport, use or dispose of hazardous materials. Therefore, the project would not create a significant hazard to the public or environment. No impact would result due to implementation of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Please see VIIIa. No impact would result due to implementation of the project.

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| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Please see VIIIa. No impact would result due to implementation of the project.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Staff assessed Geotracker and Envirostor databases, and reviewed the Cortese list.

Geotracker is a database and geographic information system (GIS) that provides online access to environmental data. It tracks regulatory data about leaking underground fuel tanks (LUFT), Department of Defense (DoD), Spills-Leaks-Investigations-Cleanups (SLIC), and Landfill sites.

Envirostor is an online database search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose or transfer (TSDTF) hazardous waste.

The Cortese List is a Hazardous Waste and Substance Sites (Cortese) List, which is a planning resource used by the State, local agencies, and developers to comply with the California Environmental Quality Act (CEQA) requirements in providing information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California Environmental Protection Agency to develop, at least annually, an updated Cortese List. The Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List.

Based on the searches conducted, no contaminated sites are on or adjacent to the project site. Furthermore, the project site was not identified on the DTSC Cortese List. Therefore, the project would not create a significant hazard to the public or the environment. No impact would result due to implementation of the project.

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| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is not located within the boundaries of an existing airport land use plan or an airport land use plan pending adoption. The project is not located within the flight path of any airport and would not introduce any new features that would create a flight hazard. No impact would result due to implementation of the project.

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| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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This project is located in a developed neighborhood with no private airstrip located in the immediate vicinity. No impact would result due to implementation of the project.

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| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project would not impair the implementation of, or physically interfere with, an adopted emergency response plan or evacuation plan. No roadway improvements are proposed that would interfere with circulation or access, and all construction would take place on-site. No impacts would occur, and no mitigation measures are required. No impact would result due to implementation of the project.

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| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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This project is located in a developed neighborhood with no wildlands located adjacent to the site or within the adjacent neighborhood. Therefore, it would not be possible to cause wildland fires directly. No impact would result due to implementation of the project.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The applicant has submitted a Water Quality Study that Identified pollutants from the project area and identified how Best Management Practices (BMPs) would be incorporated into the project that would ensure compliance with water quality regulations. Compliance with the City of San Diego's Storm Water Standards would ensure that water quality impacts would not occur, and mitigation is not required.

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| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project would be connected to the public water supply. It would not rely directly on groundwater in the area and would not significantly deplete any resources. No impact would result due to implementation of the project.

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| c) Substantially alter the existing drainage pattern of the site or area, including | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?

Proper landscaping would prevent substantial erosion onsite. No stream or river is located on or adjacent to the site, all runoff would be routed to the existing storm drain system, and would therefore not substantially alter existing drainage patterns. No impact would result due to implementation of the project.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

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Please see IX.c., no flooding would occur. No impact would result due to implementation of the project.

- e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

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Based on City of San Diego review, the proposed residence would be adequately served by existing municipal storm water drainage facilities, therefore no impacts would occur. Potential release of sediment or other pollutants into surface water drainages downstream from the site will be precluded by implementation of BMPs required by City of San Diego regulations, in compliance with San Diego Regional Water Quality Control Board requirements to implement the federal Clean Water Act. Therefore, no significant surface water quality impacts are expected to result from the proposed activity. Proper irrigation and landscaping would ensure that runoff would be controlled and unpolluted. No impact would result due to implementation of the project.

- f) Otherwise substantially degrade water quality?

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See IX. e) No impact would result due to implementation of the project.

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

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The project does not propose construction of any new housing in the 100 year flood hazard area and impacts in this category would not occur. No impact would result due to implementation of the project.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The project does not propose construction of any features that would impede or redirect flows. No impact would result due to implementation of the project.

X. LAND USE AND PLANNING – Would the project:

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project is consistent with the General Plan's and LJCP land use designation. The project site is located within a developed residential neighborhood and surrounded by similar residential development. Demolition of a single dwelling unit and construction of a replacement dwelling unit would not affect adjacent properties and is consistent with surrounding land uses. Therefore, the project would not physically divide an established community. No impact would result due to implementation of the project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

See response X(a) above. The proposed project will require a Site Development Permit (SDP) for development in the La Jolla Shores Planned District, per Section 1510.0201(d). The proposed project will require a Coastal Development Permit (CDP), for development within the Coastal Overlay Zone, per Section 126.0707. The project is compatible with the area designated for residential development by the General Plan and Community Plan, and is consistent with the existing underlying zone and surrounding land uses. Construction of the project would occur within an urbanized neighborhood with similar development. Furthermore, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan community plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

As described in Section V of the Initial Study, the project site is located within an archaeological site. The archaeological report discussed in Section V concluded that the property is eligible for listing under HRB Criterion A, but not eligible for the National Register or the California Register. The report estimated that excavations for the new residence will encroach into 3,322 square feet of the site outside of the existing building footprint. Based upon the report the location within the area of potential affect (APE) is calculated as 13,984 square feet from the bluff edge on the west to Spindrift Drive on the east. The new construction's encroachment into 3,322 square feet of the 13,984 square foot area of the site within the APE represents an encroachment of 23.75 percent. Although the archaeological resource is significant the 23.7 percent is within the allowable encroachment as identified in San Diego Municipal Code Section 143.0253.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

As previously discussed in Section IV, the proposed project is not within the MHPA and is consistent with all relevant goals and policies regarding the preservation and protection of biological resources, as outlined in the City's MSCP. The proposed project does not have the potential to conflict with any habitat conservation plans. In addition, implementation of the project would be consistent with all biological resources policies outlined in the General Plan, LJCP and LCLUP. Implementation of the proposed project would not conflict with any applicable plans, and no impact would occur.

XI. MINERAL RESOURCES – Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

This project site is located in a developed neighborhood not suitable for mineral extraction and is not identified in the General Plan as a mineral resource locality. Therefore, the project would not result in the loss of availability of a known mineral resource. No impact would result due to implementation of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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See XI a. No impact would result due to implementation of the project.

XII. NOISE – Would the project result in:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Construction related noise would result, but would be temporary and is strictly regulated under San Diego Municipal Code Section 59.5.0404, "Noise Abatement and Control" which places limits on the hours of construction operations and standard decibels which cannot be exceeded. Therefore, people would not be exposed to noise levels in excess of those covered by existing noise regulations. No impact would result due to implementation of the project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Generation of, excessive ground borne vibration or ground borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No excessive noise is anticipated as a result of the demolition and new construction. Therefore no ground vibration would result. No impact would result due to implementation of the project.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

See XII the project once complete would not result in any permanent noise increase. No impact would result due to implementation of the project.

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| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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As stated above there would be a temporary increase in noise during demolition of the existing structure and with new construction of the proposed project; however, work would only be allowed between the hours of 7 am and 7 pm in compliance with the City of San Diego's noise ordinance for construction activities. After construction is completed, no substantial increase in noise levels would result from this dwelling unit. No impact would result due to implementation of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is not located within an airport land use plan or within any noise contours of such a plan. Therefore, residents of the new building would not be exposed to excessive noise levels from a public airport. No impact would result due to implementation of the project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is not located within the vicinity of a private airstrip; therefore, people residing or working in the area of the project would not be exposed to excessive airport noise. No impact would result due to implementation of the project.

XIII. POPULATION AND HOUSING – Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project would demolish an existing dwelling unit and construct a replacement dwelling unit; therefore, the project would not result in an increase in units of residential housing. No impact would result due to implementation of the project.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No displacement would occur as a result of this project. The project would demolish an existing dwelling unit and construct a replacement dwelling unit; therefore, the project would not result in an increase in units of residential housing. No impact would result due to implementation of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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See XIII. No impact would result due to implementation of the project.

XIV. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

| | | | | |
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| i) Fire protection | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

The City of San Diego Fire-Rescue Department (SDFD) encompasses all fire, emergency medical, lifeguard and emergency management services. SDFD serves 331 square miles, including the project site, and serves a population of 1,337,000. SDFD has 801 uniformed fire personnel and 48 fire stations available to service the project site.

The project is replacement of an existing dwelling with another one and would not require the alteration of any fire protection facilities and would not require any new or altered fire protection services. No impact would result due to implementation of the project.

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|-----------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| ii) Police protection | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The City of San Diego Police Department (SDPD) would serve the proposed project. The project site is located within the SDPD's Northern Division, which serves a population of 225,234 people and encompasses 41.3 square miles. The project is the replacement of an existing dwelling unit with another one and would not require the alteration of any fire protection facilities and would not require any new or altered police protection services. No impact would occur.

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|--------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iii) Schools | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would not physically alter any schools. Additionally, the project would not include construction of future housing or induce growth that could increase demand for schools in the area. No impact would result due to implementation of the project.

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|-----------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iv) Parks | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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The project would not induce growth that would require substantial alteration to an existing park or the construction of a new park does not have a population-based park requirement. No impact would result due to implementation of the project.

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| v) Other public facilities | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The scope of the project would not substantially increase the demand for electricity, gas, or other public facilities. No impact would result due to implementation of the project.

XV. RECREATION

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

This project is the replacement of an existing dwelling unit with a new dwelling unit. It would not require any expansion of existing recreational facilities. There would be no increase in the use of existing facilities in the area including parks or other recreational areas. No impact would result due to implementation of the project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project does not include the construction of recreational facilities nor does it require the construction or expansion of recreational facilities. No impact would result due to implementation of the project.

XVI. TRANSPORTATION/TRAFFIC – Would the project?

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Since the proposed project is a replacement of a single dwelling unit with a new dwelling unit, traffic patterns would not substantially change. The replacement dwelling unit would not change road patterns or congestion. In addition the project would not require the redesign of streets, traffic signals, stop signs, striping or any other changes to the existing roadways or existing public

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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transportation routes or types are necessary. No impact would result due to implementation of the project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

See XVI a. No impact would result due to implementation of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is located in a residential community outside of airport land use plan areas. The project is consistent with height and bulk regulations and is not at the scale which would result in a change in air traffic patterns. No impact would result due to implementation of the project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

See XVI a. No impact would result due to implementation of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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See XVI a. No impact would result due to implementation of the project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would not alter the existing conditions of the project site or adjacent facilities with regard to alternative transportation. Construction of the project would not result in design measures or circulation features that would conflict with existing policies, plan, or programs supporting alternative transportation. No impact would result due to implementation of the project.

XVII. TRIBAL CULTURAL RESOURCES – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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As discussed in Section X of the Initial Study the site is eligible for listing under HRB Criterion A, but is not eligible for the National Register or the California Register as defined in Public Resources Code section 5020.1 (k). In addition, please see section V(a) above. No impact would result due to implementation of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

In accordance with the requirements of Assembly Bill (AB) 52, The City of San Diego sent notification to two Native American Tribes traditionally and culturally affiliated with the project area. Both the Lipay Nation of Santa Ysabel and the Jamul Indian Village requested consultation within the 30-days. Consultation began in May 2018 and concluded on July 13, 2018. As described in Section V of the Initial Study the project would impact a sensitive archaeological resource. Both Tribal representatives reviewed and provided comments on the technical documents in regard to the archaeological site. The Tribal Representatives provided specific language that was added to the ADRP that stated that if any human remains were found during the data recovery program that they would be immediately repatriated to the Native American monitors. With the inclusion of the suggested language to the ADRP the AB 52 consultation concluded on July 13, 2018. With the input of the Native American representatives along with the ADRP and Archaeological and Native American monitoring it was determined that an impact to Tribal Cultural Resources would be less than significant.

XVIII. UTILITIES AND SERVICE SYSTEMS – Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Implementation of the project would not interrupt existing sewer service to the project site or other surrounding uses. No increase in demand for wastewater disposal or treatment would be created by the project, as compared to current conditions. The project is not anticipated to generate significant amounts of waste water. Wastewater treatment facilities used by the project would be operated in accordance with the applicable wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). Additionally, the project site is located in an urbanized and developed area. Adequate services are already available to serve the project and no mitigation measures are required. No impact would result due to implementation of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| could cause significant environmental effects? | | | | |

This project would not result in an increase in the intensity of the use and would not be required to construct a new water or wastewater treatment facility. No impact would result due to implementation of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project would not exceed the capacity of the existing storm water drainage systems and therefore, would not require construction of new or expansion of existing storm water drainage facilities of which could cause significant environmental effects. No impact would result due to implementation of the project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project does not meet the CEQA significance threshold which would require the preparation of a water supply assessment. The existing project site currently receives water service from the City, and adequate services are available to serve the proposed residential dwelling units without required new or expanded entitlements. No impact would result due to implementation of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Construction of the project would not adversely affect existing wastewater treatment services. Adequate services are available to serve the project site without required new or expanded entitlements. Impacts would be less than significant, and no mitigation measures are required. No impact would result due to implementation of the project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

While construction debris and waste would be generated from the demolition of the existing single-family residence and construction of the new residence it would not rise to the level of significance for cumulative (construction, demolition, and or renovation of 40,000 square feet) or direct (construction, demolition, or renovation of 1,000,000 square feet) impacts as defined by the City's Thresholds. All construction waste from the project site would be transported to an appropriate facility, which would have adequate capacity to accept the limited amount of waste that would be generated by the project. Long-term operation of the proposed residential unity is anticipated to

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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generate typical amounts of solid waste associated with residential use. Furthermore, the project would be required to comply with the City's Municipal Code for diversion of both construction waste during the demolition phase and solid waste during the long-term, operational phase. No impact would result due to implementation of the project.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Comply with federal, state, and local statutes and regulation related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The project would comply with all Federal, State, and local statutes and regulations related to solid waste. The project would not result in the generation of large amounts of solid waste, nor generate or require the transport of hazardous waste materials, other than minimal amounts generated during the construction phase. All demolition activities would comply with any City of San Diego requirements for diversion of both construction waste during the demolition phase and solid waste during the long-term, operation phase. No impact would result due to implementation of the project.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE –

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The site has been previously developed and does not contain or support any sensitive biological resources as defined by the Biology Guidelines of the City's Land Development Manual. Nor does the site contain native or sensitive vegetation communities, wetlands that would be expected to support special-status wildlife species, or lands that are classified as Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats. Implementation of the project would not have a substantial adverse effect on candidate, sensitive, or special-status species as identified in local or regional plans, policies, or regulations, and the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the LJCP, the City of San Diego General Plan, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Impacts would be less than significant.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| b) Does the project have impacts that are individually limited but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impacts associated with Cultural Resources are individually significant and when taken into consideration with other past projects in the vicinity, may contribute to a cumulative impact; specifically with respect to non-renewable resources. However, with implementation of the MMRP, any information associated with these resources would be collected catalogued and included in technical reports available to researchers for use on future projects, thereby reducing the cumulative impact to below a level of significance.

| | | | | |
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| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

The City of San Diego conducted an Initial Study which determined that the project could have a significant environmental effect in the following area Cultural Resources (Historical and Paleontological Resources), Tribal Cultural Resources. However, with the implementation of mitigation identified in Section V of this MND the project would not have environmental effects which would cause substantial direct or indirect adverse effects on human beings.

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

- ☒ City of San Diego General Plan
- ☒ Community Plans: La Jolla Community Plan

II. Agricultural Resources & Forest Resources

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- ☐ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973
- ☐ California Agricultural Land Evaluation and Site Assessment Model (1997)
- ☐ Site Specific Report:

III. Air Quality

- ☐ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990
- ☐ Regional Air Quality Strategies (RAQS) - APCD
- ☐ Site Specific Report:

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- ☒ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997
- ☒ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" Maps, 1996
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- ☐ City of San Diego Land Development Code Biology Guidelines
- ☐ Site Specific Report:

V. Cultural Resources (includes Historical Resources)

- ☒ City of San Diego Historical Resources Guidelines
- ☐ City of San Diego Archaeology Library
- ☐ Historical Resources Board List
- ☐ Community Historical Survey:
- ☒ Site Specific Report: A Cultural Resources Study for 1834 Spindrift Drive (Brian Smith and Associates, February 2018)

VI. Geology/Soils

- ☒ City of San Diego Seismic Safety Study
- ☐ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975
- ☒ Site Specific Report: Preliminary Geotechnical Evaluation (Geosoils, Inc. November 2017), Geotechnical Addendum, (Geo Soils, February 2018).

VII. Greenhouse Gas Emissions

- ☒ Site Specific Report: CAP Checklist, June 2017

VIII. Hazards and Hazardous Materials

- ☒ San Diego County Hazardous Materials Environmental Assessment Listing
- ☐ San Diego County Hazardous Materials Management Division
- ☐ FAA Determination
- ☐ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized
- ☐ Airport Land Use Compatibility Plan
- ☐ Site Specific Report:

IX. Hydrology/Water Quality

- ☐ Flood Insurance Rate Map (FIRM)
- ☒ Federal Emergency Management Agency (FEMA), National Flood Insurance Program-Flood Boundary and Floodway Map

- ☐ Clean Water Act Section 303(b) list, http://www.swrcb.ca.gov/tmdl/303d_lists.html
- ☒ Site Specific Report: Water Quality Study (Pasco Laret Suiter and Associates (January 2018))

X. Land Use and Planning

- ☒ City of San Diego General Plan
- ☒ Community Plan
- ☐ Airport Land Use Compatibility Plan
- ☒ City of San Diego Zoning Maps
- ☐ FAA Determination
- ☐ Other Plans:

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- ☐ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification
- ☐ Division of Mines and Geology, Special Report 153 - Significant Resources Maps
- ☐ Site Specific Report:

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- ☒ City of San Diego General Plan
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- ☐ San Diego International Airport - Lindbergh Field CNEL Maps
- ☐ Brown Field Airport Master Plan CNEL Maps
- ☐ Montgomery Field CNEL Maps
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- ☐ Community Plan
- ☐ Series 11/Series 12 Population Forecasts, SANDAG
- ☐ Other:

XV. Public Services

- ☐ City of San Diego General Plan
- ☐ Community Plan

XVI. Recreational Resources

- ☐ City of San Diego General Plan
- ☐ Community Plan
- ☐ Department of Park and Recreation
- ☐ City of San Diego - San Diego Regional Bicycling Map
- ☐ Additional Resources:

XVII. Transportation / Circulation

- ___ City of San Diego General Plan
- ___ Community Plan
- ___ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
- ___ San Diego Region Weekday Traffic Volumes, SANDAG
- ___ Site Specific Report:

XVIII. Utilities

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XIX. Water Conservation

- ___ Sunset Magazine, *New Western Garden Book*, Rev. ed. Menlo Park, CA: Sunset Magazine