

MITIGATED NEGATIVE DECLARATION

THE CITY OF SAN DIEGO

Project No. 689701 SCH No. 2022030739

SUBJECT: Jana Residence CDP: The project proposes a Coastal Development Permit (CDP) for the construction of a new two-story, 4,410-sf single family residence with pool, spa, hardscape and landscape on a vacant lot (APN# 300-294-26) located near the northwest corner of El Amigo Road and Crest Way. The 0.17-acre site is in the RS-1-6 Zone and Coastal (Non-Appealable) Overlay Zone within the Torrey Pines Community Plan area, and Council District 1. (LEGAL DESCRIPTION: LOT 39, BLOCK 12 OF DEL MAR HILLS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 157 FILED IN THE OFFICE OF THE COUNTY RECORDER, SAN DIEGO CO. JULY 8TH, 1887.)

APPLICANT: M Design

Update April 25, 2022

Minor revisions have been made to the draft Mitigated Negative Declaration (MND). Revisions to the language would appear in <u>strikeout and underline</u> format. Public project mitigation language was inadvertently included in the MMRP and has been revised to reflect that it is a private project. The update to the language would not result in any changes to the environmental impacts associated with the project. As such, no recirculation of the MND is required. 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 where there is identification of new significant environmental impact or the addition or a new mitigation measure required to avoid a significant environmental impact.

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) 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.

- In addition, the ED shall verify that <u>the MMRP Conditions/Notes that apply ONLY to the</u> <u>construction phases of this project are included VERBATIM</u>, 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:

https://www.sandiego.gov/development-services/forms-publications/design-guidelinestemplates

- 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)

 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 Qualified Native American Monitor

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the RE at the Field Engineering Division 858-627-3200
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**
- 2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) #689701 and /or Environmental Document #689701, 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)	Archaeology/Historic Site Observation		
Tribal Cultural Resources	Monitoring Report(s)	Archaeology/Historic Site Observation		
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter		

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

HISTORICAL CULTURAL RESOURCES (ARCHAEOLOGICAL) and NATIVE AMERICAN TRIBAL CULTURAL MONITORING

I. Prior to Permit Issuance or Bid Opening/Bid Award

- A. Entitlements Plan Check
 - Prior to permit issuance or Bid Opening/Bid Award, 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. 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 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
 - Prior to Bid Award, tThe 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.

II. Prior to Start of Construction

- A. Verification of Records Search
 - The PI shall provide verification to MMC that a site-specific records search (1/4-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 inhouse, 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 ¼ mile radius.
- B. PI Shall Attend Precon Meetings
 - Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon 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 Precon Meetings 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 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.
- Acknowledgement of Responsibility for Curation (CIP or Other Public Projects) The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.
 - 3. Identify Areas to be Monitored
 - <u>a.</u> 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.

- <u>b.</u> The AME shall be based on the results of a site-specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any existing known soil conditions (native or formation).
 <u>MMC shall notify the PI that the AME has been approved.</u>
- 43. 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 age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.
- Approval of AME and Construction Schedule
 After approval of the AME by MMC, the PI shall submit to MMC written authorization
 of the AME and Construction Schedule from the CM.

III. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
 - The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which 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.
 - 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 Section 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 CSVR'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 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 Bl, 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, follow protocol in Section IV below.
 - 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) which has been reviewed by the Native American <u>consultant/monitor</u>, and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM <u>Impacts to significant resources must be mitigated</u> 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 Guidelines Section 15064.5, 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.
 - (1). Note: For pipeline trenching and other linear projects in the public Right-of-Way, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - 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.
 - (1). Note: For Pipeline Trenching and other linear projects in the public Rightof-Way, if the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.
 - (2). Note, for Pipeline Trenching and other linear projects in the public Right-of-Way, if significance cannot be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.
- D. Discovery Process for Significant Resources Pipeline Trenching and other Linear Projects in the Public Right-of-Way

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities or for other linear project types within

the Public Right-of-Way including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes_to reduce impacts to below a level of significance: 1. Procedures for documentation, curation and reporting

- a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.—
- b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
- c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.
- d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. 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

- Archaeological Monitor shall notify the RE or Bl as appropriate, 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
 - 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 provenience of the remains.
 - 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
 - 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 Pl within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Guidelines Section 15064.5(e), the California Public Resources and Health & 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 granted access to the site, 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, the landowner shall reinter the human remains, and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN
 - c. 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; or
 - (3) Record a document with the County. The document shall be titled "Notice of Reinternment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.
 - 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., above.
- 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 Pl 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.
- V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM 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 the RE and MMC, or by 8AM 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 above shall apply, as appropriate.

VI. Post Construction

- A. 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) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE 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 as a result of 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 or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.

 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 via the RE for revision or, for preparation of the Final Report.
- 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
- 4. MMC shall provide written verification to the PI of the approved report.
- 5. MMC shall notify the RE or Bl, 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
 - 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.
 - <u>32</u>. 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 Discovery of Human Remains, Subsection C, <u>5</u>.
 - 3. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
 - 4. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
 - 53. 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)
 - 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 of the approved report.
 - 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.

VI. PUBLIC REVIEW DISTRIBUTION:

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

<u>CITY OF SAN DIEGO</u> Mayor's Office Councilmember Joe LaCava, Council District 1 Development Services:

Development Project Manager Engineering Review Environmental Review Landscaping Planning Review Transportation PUD Water and Sewer Central Library Carmel Valley Library MMC (77A) City Attorney's Office (93C)

OTHER ORGANIZATIONS AND INTERESTED PARTIES

Historical Resources Board (87) Carmen Lucas (206) South Coastal Information Center (210) San Diego Archaeological Center (212) 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) Kumeyaay Cultural Heritage Preservation (223) Kumeyaay Cultural Repatriation Committee (225) **Torrey Pines Community Planning Board (469) Richard Drury** John Stump **Stacy Matthews** Mario Larach

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 Development Services Department for review, or for purchase at the cost of reproduction.

Sara Osborn

Sara Osborn Senior Planner Development Services Department 3/30/2022

Date of Draft Report

4/25/2022

Date of Final Report

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



RESPONSES

A. San Diego County Archaeological Society

A-1. Comment noted. The comment does not address the adequacy of the draft Mitigated Negative Declaration. No further response is required.

A-2. Comment noted. The Cultural Resources Survey Report will be posted with the Final MND.

INITIAL STUDY CHECKLIST

- 1. Project title/Project number: Jana Residence CDP / 689701
- Lead agency name and address: City of San Diego, 1222 First Avenue, MS-501, San Diego, California 92101
- 3. Contact person and phone number: Sara Osborn / (619) 446-5381
- 4. Project location: Near the northwest corner of El Amigo Road and Crest Way, San Diego, CA 92014 (APN. 300-294-26)
- 5. Project Applicant/Sponsor's name and address: Stacy Matthews, M Designs 1740 Kenwood Place, San Marcos, CA 92078 (760) 815-9904.
- 6. General/Community Plan designation: Low Residential Density (5-9 du/ac)
- 7. Zoning: RS-1-6
- 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.):

The project proposes a Coastal Development Permit (CDP) for the construction of a new twostory, 4,410-sf single family residence with pool, spa, hardscape and landscape on a vacant lot (APN# 300-294-26) located near the northwest corner of El Amigo Road and Crest Way. The 0.17-acre site is in the RS-1-6 Zone and Coastal (Non-Appealable) Overlay Zone within the Torrey Pines Community Plan area, and Council District 1.

The project's landscaping has been reviewed by staff and would comply with all applicable City of San Diego Landscape ordinances and standards. Drainage would be directed into appropriate storm drain systems, including a biofiltration basin, designated to carry surface runoff, which has been reviewed and accepted by City Engineering staff. Ingress and egress would be via a private driveway with access from El Amigo Road to the south of the project site.

9. Surrounding land uses and setting:

The 0.17-acre site is located on the north side of El Amigo Road, north of Del Mar Heights Road and west of Crest Way. The project is within a developed residential neighborhood surrounded by similar existing single-family residences. The project site is within the Torrey Pines Community Planning area and is subject to the RS-1-6 zoning requirements. The project is also subject to the Coastal Overlay Zone (Non-Appealable), Coastal Height Limitation Overlay Zone, and is within Council District 1.

The project site is currently vacant and bordered by residential homes and a vacant lot. Del Mar Heights Road is to the south. The street frontage along El Amigo Road is landscaped with shrubs and trees with sidewalks along either side of the street. Additionally, the project site is currently served by existing public services and utilities. 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 via email to the Native American Tribes traditionally and culturally affiliated with the project area. The Notifications were distributed to the local Kumeyaay community for consultation on November 18, 2021 for 60 days concluding with no response. 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.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agriculture and Forestry Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
\boxtimes	Cultural Resources		Mineral Resources	\boxtimes	Tribal Cultural Resources
	Energy		Noise		Utilities/Service System
	Geology/Soils	\boxtimes	Mandatory Findings Significance		Wildfire

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.
- 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? 				\boxtimes

The project is not located within, or adjacent to a designated scenic vista or view corridor that is identified in the Torrey Pines Community Plan. The project proposes to construct a single-family residence and would be conditioned to comply with all setback, height, and step back requirements pursuant to the community plan and regulations in the Land Development Code. The project is located in a Residential land use area with similar residential structures. The project would not have a substantial adverse effect on a scenic vista. No Impact would result.



Refer to response I (a) above. The project is situated within a residential neighborhood with similar development. The site is not adjacent to a historic building and is not adjacent to a significant landmark. The project is not located within or adjacent to a state scenic highway and would be required to meet all design requirements pursuant to the Torrey Pines Community Plan. No impact would result.

C)	Substantially degrade the existing visual			
	character or quality of the site and its		\boxtimes	
	surroundings?			

Refer to response I (a) above. The project was reviewed by City staff and would be conditioned to comply with the applicable SDMC requirements for the RS-1-6 zone. The project is within an existing developed residential neighborhood with homes of a similar scale in terms of square footage and height. As designed, the proposed exterior finishes would be consistent with surrounding development. The proposed landscape, architectural design, and building scale would be consistent with the existing visual character of the site and surrounding area. The project would not degrade the existing visual character or quality of the site and its surroundings. Impacts would be less than significant.



The project would comply with the outdoor lighting standards contained in SDMC Section 142.0740 (Outdoor Lighting Regulations) that requires all outdoor lighting be installed, shielded, and adjusted so that the light is directed in a manner that minimizes negative impacts from light pollution, including trespass, glare, and to control light from falling onto surrounding properties. Therefore, lighting installed with the project would not adversely affect day or nighttime views in the area, resulting in a less than significant lighting impact.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
	impact	Incorporated	mpace	

The project would comply with SDMC Section 142.0730 (Glare Regulations) that requires exterior materials utilized for proposed structures be limited to specific reflectivity ratings. The project would have a less than significant impact.

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:



The project is consistent with the Torrey Pines Community Plan land use designation Low Residential Density (5-9 du/ac) and is located within a developed residential neighborhood. As such, the project site does not contain, and is not adjacent to, any lands identified as Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as show on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency. Therefore, the project would not result in the conversion of such lands to non-agricultural use. No significant impacts would occur, and no mitigation measures are required.

b)	Conflict with existing zoning for		
	agricultural use, or a Williamson Act		\boxtimes
	Contract?		

Refer to response II (a), above. There are no Williamson Act Contract lands on or within the vicinity of the project. The project is consistent with the existing land use and the underlying zone. The project would not conflict with any properties zoned for agricultural use or be affected by a Williamson Act Contract. No impacts would result.



The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No designated forest land or timberland occur onsite as the project is consistent with the community plan, and the underlying zone. No impacts would result.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
 Result in the loss of forest land or conversion of forest land to non-forest use? 				\boxtimes

Refer to response II (c) above. Additionally, the project would not contribute to the conversion of any forested land to non-forest use, as surrounding properties are developed, and land uses are generally built out. No impacts would result.

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?		\boxtimes
	land to non-forest use?		

Refer to response II (a) and II (c), above. The project and surrounding areas do not contain any farmland or forest land. No changes to any such lands would result from project implementation. No impact would result.

- 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?

The project site is located in the San Diego Air Basin (SDAB) and is under the jurisdiction of the San Diego Air Pollution Control District (SDAPCD) and the California Air Resources Board (CARB). Both the State of California and the Federal government have established health-based Ambient Air Quality Standards (AAQS) for the following six criteria pollutants: carbon monoxide (CO); ozone (O3); nitrogen oxides (NOx); sulfur oxides (SOx); particulate matter up to 10 microns in diameter (PM10); and lead (Pb). O₃ (smog) is formed by a photochemical reaction between NOx and reactive organic compounds (ROCs). Thus, impacts from O₃ are assessed by evaluating impacts from NOx and ROCs. A new increase in pollutant emissions determines the impact on regional air quality as a result of a proposed project. The results also allow the local government to determine whether a proposed project would deter the region from achieving the goal of reducing pollutants in accordance with the Air Quality Management Plan (AQMP) in order to comply with Federal and State AAQS.

The 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 SDAB. The County Regional Air Quality Strategy (RAQS) was initially adopted in 1991 and is updated on a triennial basis (most recently in 20016). 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 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.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 construct a single-family dwelling in an area with similar land uses. The project is consistent with the General Plan, community plan, and the underlying zoning. 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. As such, no impacts would result.

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

Short-Term (Construction) Emissions

Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emissions include fugitive dust from grading activities; construction equipment exhaust; construction-related trips by workers, delivery trucks, and material-hauling trucks; and construction-related power consumption.

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 offsite.

Fugitive dust emissions are generally associated with land-clearing and grading operations. Construction operations would include standard measures as required by City of San Diego grading permit to limit potential air quality impacts. Any 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. No mitigation measures are required.

Long-Term (Operational) Emissions

Long-term air emission impacts are those associated with stationary sources and mobile sources related to any change caused by a project. Operation of single-family residences would produce minimal stationary sources emissions. 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, and no mitigation measures are required.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
exceed quantitative thresholds for				

ozone precursors)?

As described in III (b) above, construction operations could temporarily increase the emissions of dust and other pollutants. However, construction emissions would be temporary and short-term in duration. The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment under applicable federal or state ambient air quality standards. Impacts would be less than significant.

d)	Create objectionable odors affecting a substantial number of people?			\boxtimes	
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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. Impacts would be less than significant.

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. Residential 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. Project operations would result in less than significant impacts.

IV. BIOLOGICAL RESOURCES – Would the project:

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?				
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The project site is located in a developed residential neighborhood and is currently vacant. On-site 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. The project would result in less than significant impacts, and no mitigation measures are required.

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?		
	Service?		

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project site is within an urbanized developed residential setting, no such habitats exist on or adjacent to the project site. Refer to Response IV (a), above. The project site does not contain any riparian habitat or other identified community, as the site currently supports non-native landscaping. The project would result in less than significant impacts, and no mitigation measures are required.

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?		

The project site does not contain federally protected wetlands as defined by Section 404 of the Clean Water Act. Wetlands or waters as regulated by the United States Army Corps of Engineers (USACE), the Regional Water Quality Control Board (RWQCB) or the California Department of Fish and Wildlife (CDFW) do not occur on-site and therefore will not be impacted by the project. The project site is located on a vacant lot within a developed residential neighborhood. No impacts would occur, and no mitigation measures are required.

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?		
	the use of hative whome nursery sites?		

The project site is within an existing residential neighborhood. Crest Canyon is located across Crest Way which is the nearest cross street to the east, however, the project is not located directly adjacent to the canyon or to any established wildlife corridor and would not impede the movement of any wildlife or the use of any wildlife nursery sites. Therefore, no impact would occur, and no mitigation measures are required.



Refer to Response IV (a), above. The project is in compliance with the City's Multiple Species Conservation Program (MSCP) Subarea Plan (1997) and the City Biology Guidelines (2018). The project would not conflict with any local policies and/or ordinances protecting biological resources. No impact would result.

f)	Conflict with the provisions of an		
	adopted Habitat Conservation Plan,		
	Natural Community Conservation Plan,		\boxtimes
	or other approved local, regional, or		
	state habitat conservation plan?		

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Refer to response IV (a), above. The project site is designated for Low Residential Density (5-9 du/ac) pursuant to the Torrey Pines Community Plan and zoned RS-1-6. The project complies with the City's Multiple Species Conservation Program (MSCP) Subarea Plan (1997) and the City Biology Guidelines (2018). The project is located entirely outside the MHPA, with the nearest MHPA segment located approximately 100 feet from the project area across Crest Way within the Crest Canyon open space area. Given this distance, the MHPA Land Use Adjacency Guidelines (City of San Diego 1997) are not required. The project does not conflict with local policies or ordinances protecting biological resources. Therefore, no impact would occur.

V. CULTURAL RESOURCES – Would the project:



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

The City of San Diego criteria for determination of historic significance, pursuant to CEQA, is evaluated based upon age (over 45 years), location, context, association with an important event, uniqueness, or structural integrity of the building. Projects requiring the demolition and/or modification of structures that are 45 years or older have the potential to result in potential impacts to a historical resource.

The project site is vacant and does not contain a residence over 45 years old, and therefore did not require an evaluation. The site is not historically designated nor contain historic buildings. No impacts would result.

b)	Cause a substantial adverse change in		
	the significance of an archaeological	\boxtimes	
	resource pursuant to §15064.5?		

Many areas of San Diego County, including mesas and the coast, are known for intense and diverse prehistoric occupation and important archaeological and historical resources. The region has been inhabited by various cultural groups spanning 10,000 years or more. The project area is located within an area identified as sensitive on the City of San Diego's Historical Resources Sensitivity Maps.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project is located in the Torrey Pines Community Planning area which is a location in the City that has been known to contain sensitive cultural resources. Additionally, a Phase I Cultural Resource Survey for APN 300-294-26, prepared by Brian F. Smith and Associates, Inc. (September 20, 2021), was submitted and the survey assessed the potential for cultural resources on the property and a visual inspection for the presence of cultural resources. No evidence of any archaeological resources was identified within the property during the survey, however the report concluded the possibility of significant historical resources being present within the project area is considered moderate due to the amount of previously recorded historical resources within a one-mile radius of the project area. An archaeological monitoring program is recommended to ensure that any previously unrecorded cultural resources that may be exposed by grading can be recorded and evaluated.

As such, an archaeological and Native American monitor must be present during all grading activities in order to reduce any potential impacts to a level below significance.

A Mitigation Monitoring and Reporting Program, as detailed within Section V of the Mitigated Negative Declaration would be implemented to reduce impacts related to Historical Resources (archaeology) to below a level of significance.

c)	Directly or indirectly destroy a unique			
	paleontological resource or site or		\boxtimes	
	unique geologic feature?			

According to the "Geology of the San Diego Metropolitan Area, California, Del Mar, 7.5 Minute Quadrangle Maps" (Kennedy and Peterson, 1975), the project site is underlain with the moderate sensitive rating Old Paralic deposits formation which has a moderate probability of containing important paleontological resources. The City's Significance Determination Thresholds state paleontological monitoring during grading activities may be required if it is determined that the project's earth movement quantity exceeds the Paleontological threshold (if greater than 1,000 cubic yards and ten feet deep for formations with a high sensitivity rating and if greater than 2,000 cubic yards and ten feet deep for formations with a moderate sensitivity rating). The project proposes to excavate approximately 34-Cubic Yards to a depth of 6-feet, which does not exceeds the City's grading thresholds for sensitive paleontological resources. The project does not propose grading activities which would exceed the grading thresholds in a moderate or high sensitive formation. Therefore, impacts would remain less than significant.

d)	Disturb human remains, including		
	those interred outside of dedicated	\boxtimes	
	cemeteries?		

Refer to response V (b) above. Section V of the Mitigation Monitoring and Reporting Program 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.

Is	sue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENE	RGY – Would the project:				
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			\boxtimes	

The project would be required to meet mandatory energy standards of the current California energy code. Construction of the single-family residence would require operation of heavy equipment but would be temporary and short-term in duration. Additionally, long-term energy usage from the buildings would be reduced through design measures that incorporate energy conservation features in heating, ventilation and air conditioning systems, lighting and window treatments, and insulation and weather stripping. The project would also incorporate cool-roofing materials and solar panels. Development of the project would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Impacts would remain less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The project is consistent with the General Plan and the Torrey Pines Community Plan's land use designation. The project is required in comply with the City's Climate Action Plan (CAP) by implementing energy reducing design measures, therefore the project would not obstruct a state or local plan for renewable energy or energy efficiency. No impacts would result.

VII. 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:
 - 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.

The site is not located in an Alquist-Priolo Earthquake Fault Zone. No active faults are known to underlie or project toward the site. Therefore, the probability of fault rupture is considered low. Additionally, the project would be required to comply with seismic requirement of the California Building Code, utilize proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, in order to ensure that potential impacts based on regional geologic hazards would remain less than significant.

ii)	Strong seismic ground shaking?			\boxtimes	
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Issue		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact		
The site is located within a seismically active Southern California region, and is potentially subject to moderate to strong seismic ground shaking along major earthquake faults. Seismic shaking at the site could be generated by any number of known active and potentially active faults in the region. The project would utilize proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, in order to ensure that potential impacts from regional geologic hazards would remain less than significant.							
	lated ground failure, iquefaction?			\boxtimes			
causing the soils to lo moderate due to the project would be requ people or structures utilization of standard	y occurs when loose, se cohesion. The pot geologic structure an uired to comply with to an acceptable leve d construction praction ntial for impacts from	ential for soil li d the Geologic the California E l of risk. Impler es, to be verifi	quefaction at the Hazard Category Building Code that mentation of prop ed at the building	subject site is Designation 5 t would reduce per engineerin permit stage,	low to 52. The e impacts to g design and would		
iv) Landslides	?			\boxtimes			
The possibility of deep-seated slope stability problems at the site is low to moderate. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts would be reduced to an acceptable level of risk. Impacts would be less than significant.							
b) Result in substa loss of topsoil?	antial soil erosion or the			\boxtimes			
would be required to implementation of ap would be required to Water Standards, whi significant levels. Furt postconstruction con	s would temporarily e comply with the City' propriate Best Mana comply with the City ch would ensure soil hermore, permanent sistent with the City's result in substantial	s Storm Water gement Practio of San Diego C erosion and to t storm water E regulations, a	Standards which ces (BMPs). Gradin Grading Ordinance opsoil loss is minir BMPs would also l long with landsca	requires the ng activities wi e as well as the mized to less t pe required pe regulations	ithin the site e Storm han . Therefore,		

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?		

significant.

As discussed in Section VII (a) and VII (b), the project site is not likely to be subject to landslides, and the potential for liquefaction and subsidence is low. The project design would be required to comply

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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with the requirements of the California Building Code, ensuring hazards associated with expansive soils would be reduced to an acceptable level of risk. As such, impacts are expected to be less than significant.

d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building	_	_		
	Code (1994), creating substantial risks			\bowtie	
	to life or property?				

The project would be required to comply with seismic requirements of the California Building Code that would reduce impacts to people or structures due to local seismic events to an acceptable level of risk. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from regional geologic hazards would remain less than significant.

e)	Have soils incapable of adequately		
	supporting the use of septic tanks or		
	alternative waste water disposal		\boxtimes
	systems where sewers are not available		
	for the disposal of waste water?		

The project site is located within an area that is already developed with existing infrastructure (i.e., water and sewer lines) and does not propose a septic system. In addition, the project does not require the construction of any new facilities as it relates to wastewater, as services are available to serve the project. No impacts would occur.

VIII. GREENHOUSE GAS EMISSIONS – Would the project:

a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the		\boxtimes	
	environment?			

The City's Climate Action Plan (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 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. The project is consistent with the General Plan and the Torrey Pines Community Plan's land use and zoning designations. Further, based upon review and evaluation of the completed CAP Consistency Checklist, the project is consistent with the applicable strategies and actions of the CAP.

Based on the project's consistency with the City's CAP Checklist, the project's contribution of GHG's to cumulative statewide emissions would be less than cumulatively considerable. Therefore, the project's direct and cumulative GHG emissions would have a less than significant impact.

b)	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of		
	greenhouse gases?		

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 gasses. 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.

IX. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?

The project would conduct grading activities and although minimal amounts of such substances may be present during such activities, they are not anticipated to create a significant public hazard. Once constructed, due to the nature of the project, the routine transport, use, or disposal of hazardous materials on or through the subject site is not anticipated. Therefore, impacts would be less than significant.

 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?

Refer to response IX (a) above. No health risks related to the storage, transport, use, or disposal of hazardous materials would result from the implementation of the project. Impacts would be less than significant.

c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		\boxtimes	
	proposed school?			

Refer to response IX (a) above. Future risk of releases of hazardous substances would not occur as a result of project operations because it is anticipated that future on-site operations would not require the routine use or transport of acutely hazardous materials. Construction of the project may require the use of hazardous materials (fuels, lubricants, solvents, etc.), which would require proper storage, handling, use and disposal. Further, the project would be required to comply with all federal, state and local requirements associated with hazardous materials; therefore, impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
 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? 				

A hazardous waste site record search was completed using Geo Tracker, an online website which discloses any type of hazardous clean-up site pursuant to Government Code section 65962.5: <u>http://geotracker.waterboards.ca.gov/</u> The records search identified that no hazardous waste sites exist onsite or in the surrounding area. No Impacts would result.

e)	For a project located within an airport		
	land use plan or, where such a plan has		
	not been adopted, within two mile of a		
	public airport or public use airport,		\boxtimes
	would the project result in a safety		
	hazard for people residing or working		
	in the project area?		

The proposed project is not located within an airport land use plan, or within two miles of a public airport or public use airport. No impacts would result.

f)	For a project within the vicinity of a		
	private airstrip, would the project result in a safety hazard for people residing		\boxtimes
	, , , , , , , , , , , , , , , , , , , ,		
	or working in the project area?		

The project site is not located within the vicinity of a private airstrip, nor would the project result in a safety hazard for people residing or working in the project area. No impacts would result.

g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency		
	response plan of emergency		
	evacuation plan?		

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 result.

h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including		\boxtimes	
	where wildlands are adjacent to urbanized areas or where residences			
	are intermixed with wildlands?			

The project is located within a developed urbanized area, on a lot that is currently vacant within the Very High Fire Hazard Severity Zone. The project would not expose people or structures to a significant loss, injury, or death involving wildland fires as the development will occur within an area

Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
		Incorporated	•	

planned for residential use. Further discussion can be found in Section XX below. Any impacts would be less than significant.

X. HYDROLOGY AND WATER QUALITY - Would the project:

a)	Violate any water quality standards or		
	waste discharge requirements?		

The project was reviewed by City Engineering staff for applicable water quality standards and water discharge requirements. The proposed project will not have a significant impact on downstream properties and the drainage system is engineered to adequately manage site stormwater. According to the Hydrology and Hydraulics Analysis (Pasco Laret Suiter & Associates, Inc., February 21 2022) prepared for the project, drainage patterns onsite in the existing condition generally flow north, south, and west. Drainage in the proposed condition will generally drain predominately south to El Amigo Road via surface drainage as well as a pipe system with inlets throughout the site design. The project includes a biofiltration basin for detention of stormwater onsite. Furthermore, the Site Plan A-1 includes stormwater notes stating the project will not discharge any increase in stormwater run-off onto adjacent properties and prior to the issuance of any construction permit, the owner/permittee shall submit Water Pollution Control Plan (WPCP).

The project would be conditioned to comply with the City's Storm Water Regulations during and after construction, and appropriate Best Management Practices (BMP's) would be utilized. Implementation of project specific BMP's would preclude violations of any existing water quality standards or discharge requirements. Impacts would be less than significant.



The project does not require the construction of wells or the use of groundwater. The project would be conditioned to include pervious design features and appropriate drainage. Therefore, the project would not introduce a significant amount of new impervious surfaces that could interfere with groundwater recharge. The project as designed was reviewed by qualified City staff and would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The project is located in a residential neighborhood where all infrastructures exist. The project would connect to the existing public water system. 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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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 storm drain system and would therefore not substantially alter existing drainage patterns. The project would be required to implement BMPs to ensure that substantial erosion or siltation on or off-site during construction activities would not occur. Impacts would be less than significant.

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?

Refer to response X (c) above. No flooding would occur. Impacts would be less than significant.

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?		
	polluted runoff?		

The project would be required to comply with all City storm water standards during and after construction. Appropriate BMPs would be implemented to ensure that water quality is not degraded; therefore, ensuring that project runoff is directed to appropriate drainage systems. Any runoff from the site is not anticipated to exceed the capacity of the storm water systems or provide substantial additional sources of polluted runoff. Refer to response X (a) above for more information. Impacts would be less than significant, and no mitigation measures are required.

f)	Otherwise substantially degrade water		\square	
	quality?			

Refer to response X (a) above. The project would be required to comply with all City storm water standards both during and after construction, using appropriate BMP's that would ensure that water quality is not degraded. Impacts would be less than significant.

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

The project site is not located within a 100-year flood hazard area or any other known flood area. The project has been reviewed by the proper engineering staff and would be conditioned to follow building construction guidelines to avoid flooding. Any impacts would remain below a level of significance.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
 Place within a 100-year flood hazard area, structures that would impede or redirect flood flows? 			\boxtimes	

Refer to X (g) above. The project site is not located within a 100-year flood hazard area or any other known flood area. Impacts would remain below a level of significance.

XI. LAND USE AND PLANNING – Would the project:

a) Physically divide an established community?

The project site is located within a developed residential neighborhood and surrounded by similar residential development. The project would not substantially change the nature of the surrounding area and would not introduce any barriers or project features that could physically divide the community. The project is consistent with the Torrey Pines Community Plan and the General Plan. The project would meet all regulations outlined in the SDMC. No impacts would result.

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?		

The project is consistent with the General Plan and the Torrey Pines Community Plan's land use designation. There are no conflicts with the applicable land use plan, policy, or regulations. Impacts would be less than significant.

c)	Conflict with any applicable habitat			
	conservation plan or natural		\boxtimes	
	community conservation plan?			

Please refer to section IV (e) above. The project is not located within the City of San Diego's Multiple Habitat Planning Area (MHPA). The project is located within a developed residential neighborhood and would not conflict with any applicable habitat conservation plan or natural community conservation plan. Impacts would be less than significant.

XII. 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		\boxtimes
	of the state?		

There are no known mineral resources located on the project site. The urbanized and developed nature of the project site and vicinity would preclude the extraction of any such resources. No impacts would result.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
 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? 				

See XII (a), above. The project site has not been delineated on a local general, specific or other land use plan as a locally important mineral resource recovery site, and no such resources would be affected with project implementation. Therefore, no impacts were identified.

XIII. NOISE – Would the project result in:

a) Generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Short-term (Construction)

Short-term noise impacts would be associated with onsite grading, and construction activities of the project. Construction-related short-term noise levels would be higher than existing ambient noise levels in the project area but would no longer occur once construction is completed. Sensitive receptors (e.g. residential uses) occur in the immediate area and may be temporarily affected by construction noise; however, construction activities would be required to comply with the construction hours specified in the City's Municipal Code (Section 59.5.0404, Construction Noise) which are intended to reduce potential adverse effects resulting from construction noise. Impacts would remain below a level of significance.

Long-term (Operation)

For the long-term, typical noise levels associated with residential uses are anticipated, and the project would not result in an increase in the existing ambient noise level. The project would not result in noise levels in excess of standards established in the City of San Diego General Plan or Noise Ordinance. Impacts would remain below a level of significance.

b)	Generation of, excessive ground borne		
	vibration or ground borne noise levels?		

Potential effects from construction noise would be reduced through compliance with the City restrictions. Pile driving activities that would potentially result in ground borne vibration or ground borne noise are not anticipated with construction of the project. Impacts would be less than significant.

c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		\boxtimes	
	the project?			

The project would not significantly increase long-term (ambient) noise levels. The project would not introduce a new land use or significantly increase the intensity of the allowed land use. Post construction noise levels and traffic would be generally unchanged as compared to noise with the

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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existing residential use. Therefore, no substantial permanent increase in ambient noise levels is anticipated. Impacts would be less than significant.

d)	A substantial temporary or periodic			
	increase in ambient noise levels in the		\boxtimes	
	project vicinity above existing without			
	the project?			

The project would not expose people to a substantial increase in temporary or periodic ambient noise levels. Construction noise would result during construction activities but would be temporary in nature. Construction-related noise impacts from the project would generally be higher than existing ambient noise levels in the project area but would no longer occur once construction is completed. In addition, the project would be required to comply with the San Diego Municipal Code, Article 9.5 "Noise Abatement and Control." Implementation of these standard measures would reduce potential impacts from an increase in ambient noise level during construction to a less than significant level.

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		\boxtimes
	excessive noise levels?		

The project site is not located within an airport land use plan. The project site is also not located within two miles of a public airport or public use airport. No impacts would result.

f)	For a project within the vicinity of a			
	private airstrip, would the project	 	_	
	expose people residing or working in			\boxtimes
	the project area to excessive noise			
	levels?			

The project site is not located within the vicinity of a private airstrip. No impacts would result.

XIV. POPULATION AND HOUSING – Would the project:

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		\boxtimes
	infrastructure)?		

The project is consistent with the underlying zone and is consistent with the Torrey Pines Community Plan Residential (Low Density) land use designation. The project proposes to construct a single-family dwelling in a location with similar development. The project site is currently served by existing infrastructure. As such, the project would not substantially increase housing or population growth in the area. No impacts would result.
Iss	ue	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?						
Refer to	response XIV (a) above. No impacts	would result.					
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				\boxtimes		
Refer to	response XIV (a) above. No impacts	would result.					
XV. PUBL	IC SERVICES						
a)	Would the project result in substantial adve physically altered governmental facilities, ne construction of which could cause significar rations, response times or other performan	eed for new or pl nt environmental	nysically altered gover impacts, in order to m	nmental facilities naintain acceptab	, the		
	i) Fire protection			\boxtimes			
The project site is located in an urbanized and developed area where fire protection services are currently provided. The project is consistent with the land use designation pursuant to the Torrey Pines Community Plan. The project would not adversely affect existing levels of fire protection services to the area and would not require the construction of new or expansion of existing governmental facilities. Impacts would be less than significant.							
	ii) Police protection			\boxtimes			
protectio	response XV (a)(i) above. The projec on services or create a new significa expansion of existing governmental	nt demand ar	nd would not requ	ire the constr	uction of		
	iii) Schools			\boxtimes			
Refer to response XV (a)(i) above. The project site is located in an urbanized and developed area where public school services are available. The project would not significantly increase the demand on public schools over that which currently exists and is not anticipated to result in a significant increase in demand for public educational services. Impacts would be less than significant.							
	iv) Parks			\boxtimes			
Refer to response XV (a)(i) above. The project site is located in an urbanized and developed area where City-operated parks are available. The project would not significantly increase the demand on existing neighborhood or regional parks or other recreational facilities over that which presently exists. Impacts would be less than significant.							
	v) Other public facilities			\boxtimes			

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

Refer to response XV (a)(i) above. The project site is located in an urbanized and developed area where City services are already available. The project would not adversely affect existing levels of public services and not require the construction or expansion of an existing governmental facility. Impacts would be less than significant.

XVI. 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?

The project is consistent with the underlying zoning and land use designation pursuant to the General Plan and the Torrey Pines Community Plan. The project proposes to construct a single-family dwelling in a location with similar development. The project would not adversely affect the availability of and/or need for new or expanded recreational resources. The project would not require the construction or expansion of an existing park facility. The project would not significantly increase the use of existing neighborhood or regional parks or other recreational facilities. Therefore, the project is not anticipated to result in the use of available parks or facilities such that substantial deterioration occurs, or that would require the construction or expansion of recreational facilities to satisfy demand. As such, impacts would remain less than significant.

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?

Refer to XVI (a) above. The project does not propose recreation facilities nor require the construction or expansion of any such facilities. As such, impacts would remain less than significant.

XVII. TRANSPORTATION/TRAFFIC - Would the project?

a) Would the project or plan/policy conflict with an adopted program, plan, ordinance or policy addressing the transportation system, including transit, roadways, bicycle and pedestrian facilities?

The project proposes to construct a single-family dwelling which is consistent with the land use designation pursuant to the Torrey Pines Community Plan and will include a sidewalk along El Amigo Road. The project would not result in design measures that would conflict with existing policies, plan, or programs supporting alternative transportation. No impacts would result.

b)	Would the project or plan/policy result in VMT exceeding thresholds identified in the City of San Diego Transportation		\boxtimes	
	Study Manual?			

On September 27, 2013, Governor Edmund G. Brown, Jr. signed SB-743 into law, starting a process that fundamentally changes the way transportation impact analysis is conducted under CEQA. Related revisions to the State's CEQA Guidelines include elimination of auto delay, level of service (LOS), and similar measurements of vehicular roadway capacity and traffic congestion as the basis for determining significant impacts.

In December 2018, the California Resources Agency certified and adopted revised CEQA Guidelines, including new section 15064.3. Under the new section, vehicle miles traveled (VMT), which includes the amount and distance of automobile traffic attributable to a project, is identified as the "most appropriate measure of transportation impacts." As of July 1, 2020, all CEQA lead agencies must analyze a project's transportation impacts using VMT.

The City of San Diego Transportation Study Manual (TSM) dated September 29, 2020 is consistent with the California Environmental Quality Act (CEQA) guidelines and utilizes VMT as a metric for evaluating transportation-related impacts. Based on these guidelines, all projects shall go through a screening process to determine the level of transportation analysis that is required.

The project involves the construction of a new single-family residence in a neighborhood which serves similar residential development. A "Small Project" is defined as a project generating less than 300 daily unadjusted driveway trips using the City of San Diego trip generation rates/procedures. Based upon the screening criteria identified above, the project qualifies as a "Small Project" and is screened out from further VMT analysis. Therefore, as recommended in the City of San Diego TSM, the project would have a less than significant impact.

c)	Would the project or plan/policy substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm		\boxtimes
	equipment)?		

The project does not propose any new road development or infrastructure. The project complies with the zoning regulations and the land use designation pursuant to the Torrey Pines Community Plan. No impacts would result.

d)	Result in inadequate emergency		
	access?		

Adequate emergency access would be provided during both short-term construction (with construction operating protocols) and long-term operations of the project. Emergency access to the site would be provided from the driveway entrances on El Amigo Road. The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impacts would result.

XVIII. 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:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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				\boxtimes

The project site is vacant and is not listed nor is it 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). In addition, please see section V (b) above. Impacts would not result.

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.

Tribal Cultural Resources include sites, features, places, cultural landscapes, and sacred places or objects that have cultural value or significance to a Native American Tribe. Tribal Cultural Resources include "non-unique archaeological resources" that, instead of being important for "scientific" value as a resource, can also be significant because of the sacred and/or cultural tribal value of the resource. Tribal representatives are considered experts appropriate for providing substantial evidence regarding the locations, types, and significance of tribal cultural resources within their traditionally and cultural affiliated geographic area (PRC § 21080.3.1(a)).

In accordance with the requirements of Assembly Bill (AB) 52, the City of San Diego sent Notifications via email to the Native American Tribes traditionally and culturally affiliated with the project area. The Notifications were distributed to the local Kumeyaay community for consultation on November 18, 2021 for 60 days with no response. Please see Section XVII of the Initial Study for more detail.

It was determined that there are no sites, features, places or cultural landscapes that would be substantially adversely impacted by the proposed project. Although no Tribal Cultural Resources were identified within the project site, there is a potential for the construction of the project to impact buried and unknown Tribal Cultural Resources due to its location to known recorded resources in the near vicinity. Therefore, it was agreed upon that archaeological and Native American monitoring should be included in the MMRP. Mitigation in the form of archaeological and Native American monitoring would reduce all impacts to Tribal Cultural Resources to below a level of significance. See section V of the MND and the Mitigation, Monitoring and Reporting Program (MMRP) for further details.

XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:

Resources Code section 5020.1(k), or

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			\boxtimes	

Implementation of the project would not interrupt existing sewer service to the project site or other surrounding uses. No significant 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 wastewater. Wastewater 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. Impacts would remain below a level of significance.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Refer to response XIX (a) above. Adequate services are available to serve the project site. Additionally, the project would not significantly increase the demand for water or wastewater treatment services and thus, would not trigger the need for new treatment facilities. No impacts would result.

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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?

The project would not exceed the capacity of the storm water drainage systems and would not require construction of new or expansion of storm water drainage facilities of which could cause significant environmental effects. Furthermore, the Site Plan A-1 includes stormwater notes stating the project will not discharge any increase in stormwater run-off onto adjacent properties and prior to the issuance of any construction permit, the owner/permittee shall submit Water Pollution Control Plan (WPCP). The project also includes an onsite biofiltration basin.

The project would be conditioned to comply with the City's Storm Water Regulations during and after construction, and appropriate Best Management Practices (BMP's) would be utilized. The project was reviewed by qualified City staff who determined that the existing facilities are adequately sized to accommodate the proposed development. No impacts would result.

d)	Have sufficient water supplies available		
	to serve the project from existing entitlements and resources, or are new		\boxtimes
	or expanded entitlements needed?		

The 2020 City Urban Water Management Plan (UWMP) serves as the water resources planning document for the City's residents, businesses, interest groups, and public officials. The UWMP assess

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
	Significant	Potentially Significant with Significant Mitigation	Potentially Significant with Less Than Significant Significant Significant Impact Impact

the current and future water supply and needs for the City. The 2020 UWMP emphasizes a crossfunctional, systems approach that is intended to better guide and integrate any subsequent water resources studies, facilities master planning, and various regulatory reporting and assessment activities at the City, regional and state levels beyond a basic profiling of the City's water system. (City of San Diego 2020). Implementation of the project would not result in new or expanded water entitlements from the water service provider, as the project is consistent with existing demand projections contained in the UWMP (which are based on the allowed land uses for the project site). Therefore, the project would not require new or expanded entitlements. No impacts would result.

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?		

The project would not adversely affect existing wastewater treatment services. Adequate services are available to serve the project site without requiring new or expanded entitlements. No impacts would result.

f)	Be served by a landfill with sufficient			
	permitted capacity to accommodate the project's solid waste disposal		\boxtimes	
	needs?			

All construction waste from the project site would be transported to an appropriate facility, which would have sufficient permitted capacity to accept that generated by the project. Long-term operation of the residential use is anticipated to generate typical amounts of solid waste associated with residential uses. Furthermore, the project would be required to comply with the City's Municipal Code requirement for diversion of both construction waste during the short-term, construction phase and solid waste during the long-term, operational phase. Impacts are considered to be less than significant.

g)	Comply with federal, state, and local			
	statutes and regulation related to solid		\boxtimes	
	waste?			

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, operational phase. Impacts would be less than significant.

XX. WILDFIRE – Would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?		\boxtimes	
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The City of San Diego participates in the San Diego County Multi-Jurisdictional Hazard Mitigation Plan. The project complies with the General Plan and is consistent with the Torrey Pines Community Plan's land use and the Land Development Code's zoning designation. The project is located in an urbanized area of San Diego and construction of a single-family residence would not disrupt any emergency evacuation routes as identified in the Hazard Mitigation Plan. Therefore, the project would have a less-than-significant impact on an emergency response and evacuation plan during construction and operation.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?



The project is located in an urbanized neighborhood of similar residential development within the Very High Fire Severity Zone near the Crest Canyon open space area. The project site is relatively flat and surrounded by similar residential lots. The site is anticipated for residential use and would be constructed using the California Building Code standards. The project would not exacerbate wildfire risks, nor expose occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, impacts would remain below a level of significance.

 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities)
 that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The project is located in a residential neighborhood with similar development. The site is currently serviced by existing infrastructure which would service the site after construction is completed. No new construction of roads, fuel breaks, emergency water sources, power lines, or other utilities would be constructed that would exacerbate fire risk. Impacts would be less than significant.

d)	Expose people or structures to			
	significant risks, including downslope or	 		
	downstream flooding or landslides, as a		\boxtimes	
	result of runoff, post-fire slope			
	instability, or drainage changes?			

Refer to response XX (b) above. The project would comply with the City's appropriate Best Management Practices (BMP) for drainage and would not expose people or structures to significant risks as a result of run-off, post-fire slope instability, or drainage changes. Therefore, a less than significant impact would result.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE –				
 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? 				

This analysis has determined that, although there is the potential of significant impacts related to Cultural Resources (Archaeology) and Tribal Cultural Resources. As such, mitigation measures included in this document would reduce these potential impacts to a less than significant level as outlined within the Mitigated Negative Declaration.



As documented in this Initial Study, the project may have the potential to degrade the quality of the environment, notably with respect to Cultural Resources (Archaeology) and Tribal Cultural Resources, which may have cumulatively considerable impacts. As such, mitigation measures have been incorporated to reduce impacts to less than significant. Other future projects within the surrounding neighborhood or community would be required to comply with applicable local, State, and Federal regulations to reduce the potential impacts to less than significant, or to the extent possible. As such, the project is not anticipated to contribute potentially significant cumulative environmental impacts.

C)	Does the project have environmental		
	effects that will cause substantial	\square	
	adverse effects on human beings,		
	either directly or indirectly?		

The project is consistent with the environmental setting and with the use as anticipated by the City. Based on the analysis presented above, implementation of the mitigation measures would reduce environmental impacts such that no substantial adverse effects on humans would occur.

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

- X City of San Diego General Plan
- X Community Plans: Torrey Pines

II. Agricultural Resources & Forest Resources

- X City of San Diego General Plan
- _____ 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
- X Regional Air Quality Strategies (RAQS) APCD
- _____ Site Specific Report:

IV. Biology

- X City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997
- <u>X</u> City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" Maps, 1996
- X City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997
- ____ Community Plan Resource Element
- California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001
- California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California, "January 2001
- ____ City of San Diego Land Development Code Biology Guidelines
- _____ Site Specific Report:

V. Cultural Resources (includes Historical Resources)

- X City of San Diego Historical Resources Guidelines
- X City of San Diego Archaeology Library
- X Historical Resources Board List
- ____ Community Historical Survey:
- X Site Specific Report: *Phase I Cultural Resource Survey for APN 300-294-26*, prepared by Brian F. Smith and Associates, Inc. (September 20, 2021)

VI. Energy

- <u>X</u> City of San Diego Climate Action Plan (CAP), (City of San Diego 2015)
- X City of San Diego Climate Action Plan Consistency Checklist Jana Residence CDP

VII. Geology/Soils

X City of San Diego Seismic Safety Study

 X U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975
 Site Specific Report:

VIII. Greenhouse Gas Emissions

- <u>X</u> City of San Diego Climate Action Plan (CAP), (City of San Diego 2015)
- X City of San Diego Climate Action Plan Consistency Checklist Jana Residence CDP

IX. Hazards and Hazardous Materials

- X San Diego County Hazardous Materials Environmental Assessment Listing
- X San Diego County Hazardous Materials Management Division
- ____ FAA Determination
- <u>X</u> State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized, GeoTracker: https://geotracker.waterboards.ca.gov/
- X State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized
- _____ Airport Land Use Compatibility Plan
- _____ Site Specific Report:

X. Hydrology/Drainage

- ____ Flood Insurance Rate Map (FIRM)
- <u>X</u> Federal Emergency Management Agency (FEMA), National Flood Insurance Program-Flood Boundary and Floodway Map
- Clean Water Act Section 303(b) list, <u>http://www.swrcb.ca.gov/tmdl/303d_lists.html</u>
- _____ Site Specific Report:

XI. Land Use and Planning

- X City of San Diego General Plan
- X Community Plan: Torrey Pines
- _____ Airport Land Use Compatibility Plan
- <u>X</u> City of San Diego Zoning Maps
- ____ FAA Determination
- ____ Other Plans:

XII. Mineral Resources

- X City of San Diego General Plan
- <u>X</u> 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:

XIII. Noise

- X City of San Diego General Plan
- X Community Plan: Torrey Pines
- _____ San Diego International Airport Lindbergh Field CNEL Maps
- _____ Brown Field Airport Master Plan CNEL Maps
- _____ Montgomery Field CNEL Maps
- ____ San Diego Association of Governments San Diego Regional Average Weekday Traffic

Volumes

- ____ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
- _____ Site Specific Report:

XIV. Paleontological Resources

- X City of San Diego Paleontological Guidelines
- ____ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996
- <u>X</u> Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2
 Minute Quadrangles," *California Division of Mines and Geology Bulletin* 200, Sacramento, 1975
 <u>Minute</u> Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977 Site Specific Report:

XV. Population / Housing

- X City of San Diego General Plan
- X Community Plan: Torrey Pines
- _____ Series 11/Series 12 Population Forecasts, SANDAG
- ____ Other:

XVI. Public Services

- X City of San Diego General Plan
- <u>X</u> Community Plan: Torrey Pines

XVII. Recreational Resources

- X City of San Diego General Plan
- X Community Plan: Torrey Pines
- _____ Department of Park and Recreation
- _____ City of San Diego San Diego Regional Bicycling Map
- _____ Additional Resources:

XVIII. Transportation / Circulation

- X City of San Diego General Plan
- X Community Plan: Torrey Pines
- <u>X</u> San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
- X San Diego Region Weekday Traffic Volumes, SANDAG
- X City of San Diego Transportation Study Manual
- _____ Site Specific Report:

XIX. Utilities

- X City of San Diego General Plan
- X Community Plan: Torrey Pines
- _____ Site Specific Report:

XX. Water Conservation

_____ Sunset Magazine, New Western Garden Book, Rev. ed. Menlo Park, CA: Sunset Magazine

XXI. Water Quality

XClean Water Act Section 303(b) list, http://www.swrcb.ca.gov/tmdl/303d lists.html_____Site Specific Report:

XXII. Wildfire

- <u>X</u> City of San Diego General Plan
- <u>X</u> Community Plan: Torrey Pines
- X San Diego County Multi-Jurisdictional Hazard Mitigation Plan
- X Very High Fire Severity Zone Map, City of San Diego
- _____ City of San Diego Brush Management Regulations, Landscape Regulations (SDMC 142.0412)
- _____ Site Specific Report:





Location

<u>Jana Residence CDP / Project No. 689701</u> City of San Diego – Development Services Department FIGURE No. 1





Site Plan

Jana Residence CDP / Project No. 689701 City of San Diego – Development Services Department FIGURE No. 2