



THE CITY OF SAN DIEGO

## MITIGATED NEGATIVE DECLARATION

Project No. 516011  
SCH No. 2018081011

**SUBJECT:** BLACK HALIBUT-SITE DEVELOPMENT PERMIT (SDP) and COASTAL DEVELOPMENT PERMIT (CDP) for the demolition of an existing one-story 2,578 square-foot residence and 639 square-foot guest residence that were constructed in 1950 and construct a two-story 6,927 square-foot residence with a 4,022 square-foot basement. The proposed new residence would also include 2,073 square feet of deck area, totally 13,005 square feet. The project also includes a side-yard swimming pool with various site improvements including both hardscape and landscape. The landscaping plan would consist of small street trees; and native and drought-tolerant landscaping which would minimize irrigation needs. The landscape plan has been reviewed by Landscape Review staff who determined that the landscape areas conform to the landscape plan requirements of §1510.0304(h) of the City of San Diego's Municipal Code. **LEGAL DESCRIPTION:** Lot 1 of Ocean Terrace, in the City of San Diego, County of San Diego, and State of California, According to Map thereof No. 2615, files in the office of the County Recorder of San Diego County, January 20, 1950. Excepting therefrom that portion thereof heretofore or now lying below the mean high tide lines of the Pacific Ocean.

Revisions to this document have been made when compared to the Draft Mitigated Negative Declaration (DMND) dated August 2, 2018. The site plan graphic within the DMND was not the latest version. The most recent version of the site has replaced the earlier version in the Final MND. In accordance with the California Environmental Quality Act, Section 15073.5 (c)(4), the addition of new information that clarifies, amplifies, or makes insignificant modification does not require recirculation as there are no new impacts and no new mitigation identified. An environmental document need only be recirculated when there is identification of new significant environmental impact or the addition of a new mitigation measure required to avoid a significant environmental impact. The information that was added to the environmental document does not affect the environmental analysis or conclusions of the MND.

I. PROJECT DESCRIPTION:

See attached Initial Study.

II. ENVIRONMENTAL SETTING:



See attached Initial Study.

III. DETERMINATION:

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

IV. DOCUMENTATION:

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

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

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

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

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

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

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

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

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



**B. GENERAL REQUIREMENTS – PART II**

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

**1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

***Qualified Archaeologist, Native American Monitor, and Qualified Paleontologist***

**Note:**

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

**CONTACT INFORMATION:**

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

**2. MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) #516011 and /or Environmental Document # 516011, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc

**Note:**

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

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

***None required***

**4. MONITORING EXHIBITS**



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

**NOTE:**

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

**5. OTHER SUBMITTALS AND INSPECTIONS:**

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

<b>DOCUMENT SUBMITTAL/INSPECTION CHECKLIST</b>		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to Preconstruction Meeting
Cultural Resources (Archaeology)	Monitoring Report(s)	Archaeological/Historic Site Observation
Cultural Resources (Paleontology)	Monitoring Report(s)	Paleontological Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

**ARCHAEOLOGICAL MONITORING PROGRAM and TRIBAL CULTURAL RESOURCES MITIGATION**

**I. Prior to Permit Issuance**

**A. Entitlements Plan Check**



1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first pre-construction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.
- B. Letters of Qualification have been submitted to ADD
  1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
  2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
  3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

## **II. Prior to Start of Construction**

- A. Verification of Records Search
  1. The PI shall provide verification to MMC that a site specific records search (0.25-mile radius) has been completed. Verification includes but is not limited to, a copy of a confirmation letter from South Coastal Information Center, or if the search was in-house, a letter of verification from the PI stating that the search was completed.
  2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
  3. The PI may submit a detailed letter to MMC requesting a reduction to the 0.25-mile radius.
- B. PI Shall Attend Pre-Construction Meetings
  1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Pre-Construction Meeting that shall include the PI; Native American consultant/monitor (where Native American resources may be impacted); Construction Manager (CM) and/or Grading Contractor; Resident Engineer (RE); Building Inspector (BI), if appropriate; and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Pre-Construction Meeting to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
    - a. If the PI is unable to attend the Pre-Construction Meeting, the Applicant shall schedule a focused Pre-Construction Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
  2. Identify Areas to be Monitored
    - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been



reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

- b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information, such as review of final construction documents that indicate site conditions such as depth of excavation and/or site graded to bedrock, which may reduce or increase the potential for resources to be present.

### III. During Construction

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

1. The Archaeological Monitor shall be present full-time during all soil-disturbing and grading/excavation/trenching activities that could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities, such as in the case of a potential safety concern within the area being monitored. In certain circumstances, OSHA safety requirements may necessitate modification of the AME.**
2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Sections III.B-C and IV.A-D shall commence.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVRs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

#### B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.



2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

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

#### 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

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

B. Isolate Discovery Site

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

C. If Human Remains are determined to be Native American



1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources, and Health and Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative for the treatment or disposition with proper dignity of the human remains and associated grave goods.
5. Disposition of Native American human remains will be determined between the MLD and the PI and if:
  - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; or
  - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN
  - c. In order to protect these sites, the Landowner shall do one or more of the following:
    - (1) Record the site with the NAHC
    - (2) Record an open space or conservation easement on the site
    - (3) Record a document with the County
  - d. Upon the discovery of multiple Native American human remains during a ground-disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5(c).
- D. If Human Remains are **NOT** Native American
  1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
  2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
  3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

## V. Night and/or Weekend Work

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



In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8 a.m. of the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III, During Construction, and IV, Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

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

d. The PI shall immediately contact MMC, or by 8 a.m. of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night and/or weekend work becomes necessary during the course of construction:

1. The Construction Manager shall notify the RE or BI, as appropriate, a minimum of 24 hours before the work is to begin.
2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described previously shall apply, as appropriate.

## VI. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

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

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

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

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

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.



5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
  1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.
  2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
  3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
  1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
  3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV(5), Discovery of Human Remains.
- D. Final Monitoring Report(s)
  1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

## **PALEONTOLOGICAL MONITORING PROGRAM**

### **I. Prior to Permit Issuance**

- A. Entitlements Plan Check
  1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
  1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
  2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.



3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

## II. Prior to Start of Construction

### A. Verification of Records Search

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

### B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

### 3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

## III. During Construction

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

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**



2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
  3. The monitor shall document field activity via the Consultant Site Visit Record (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 Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
  2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
  3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance
1. The PI shall evaluate the significance of the resource.
    - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
    - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
    - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
    - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

#### IV. **Night and/or Weekend Work**

- A. If night and/or weekend work is included in the contract
1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to MMC via fax by 8AM on the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.



- c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
- d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

**V. Post Construction**

- A. Preparation and Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
    - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with the San Diego Natural History Museum  
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
  - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
  - 4. MMC shall provide written verification to the PI of the approved report.
  - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
  - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
  - 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
  - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
  - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)



1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

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

VI. PUBLIC REVIEW DISTRIBUTION:

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

STATE OF CALIFORNIA  
State Clearinghouse (46)  
California Coastal Commission (47)

CITY OF SAN DIEGO  
Development Project Manager: Glenn Gargas  
Councilmember Barbra Bry, Councilmember District 1  
EAS – Jeff Szymanski  
LDR Planning – Joseph Stanco  
LDR Engineering – Tamara Adams  
Water and Sewer – Mahmood Keshavarzi  
MMC – Sam Johnson  
LDR-Landscaping – Frank Hunt  
LDR Geology - Patrick Thomas  
Facilities Financing (93B)  
Water Review (86A)  
Central Library MS 17 (81a)  
La Jolla/Riford Branch Library (81L)

OTHER ORGANIZATIONS AND INTERESTED PARTIES  
Historical Resources Board (87)  
La Jolla Village News (271)  
La Jolla Town Council (273)  
La Jolla Historical Society (274)  
La Jolla Community Planning Association (275)  
Carmen Lucas (206)  
South Coastal Information Center (210)  
San Diego Archaeological Center (212)  
San Diego Natural History Museum (213)  
Save Our Heritage Organization (214)  
Ron Christman (215)

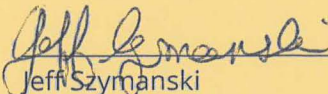


Clint Linton (215B)  
Frank Brown, Inter-Tribal Cultural Resources Council (216)  
Campo Band of Mission Indians (217)  
San Diego County Archaeological Society, Inc. (218)  
Native American Heritage Commission (222)  
Kumeyaay Cultural Heritage Preservation (223)  
Kumeyaay Cultural Repatriation Committee (225)  
Native American Distribution – Public Notice Map Only (225A-S)

VII. RESULTS OF PUBLIC REVIEW:

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

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

  
\_\_\_\_\_  
Jeff Szymanski  
Senior Planner  
Development Services Department

August 2, 2018  
Date of Draft Report

October 31, 2018  
Date of Final Report

Analyst: Jeff Szymanski

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





EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



KEN ALEX  
DIRECTOR

September 4, 2018

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

Subject: Black Halibut  
SCH#: 2018081011

Dear Jeffrey Szymanski:

1A. The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on August 31, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

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

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Response to Comments

CALIFORNIA STATE CLEARINGHOUSE (8/4/2018)

1A. Comment noted.





**San Diego County Archaeological Society, Inc.**

Environmental Review Committee

5 August 2018

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

Subject: Draft Mitigated Negative Declaration  
Black Halibut  
Project No. 516011

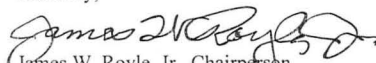
Dear Mr. Szymanski:

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

- ☒ Based on the information contained in the DMND and the appendix prepared by Laguna Mountain Environmental, we agree with the cultural resources mitigation measures included in the DMND.

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

Sincerely,

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

cc: Laguna Mountain Environmental  
SDCAS President  
File

SAN DIEGO COUNTY ARCHAEOLOGICAL SOCIETY (8/5/2018)

1B. Comment noted.





www.MertenArchitect.com

PHILIP A. MERTEN AIA ARCHITECT

1230 MUIRLANDS VISTA WAY LA JOLLA, CALIFORNIA 92037 PHONE 858-459-4756 Phil@MertenArchitect.com

August 20, 2018

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

TRANSMITTED VIA EMAIL: [DSDEAS@sanidiego.gov](mailto:DSDEAS@sanidiego.gov)

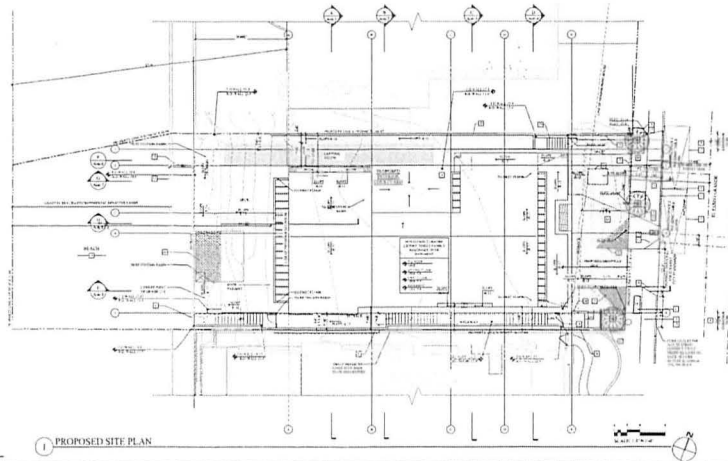
Re: Comments regarding the DRAFT Mitigated Negative Declaration  
Black Halibut, Project No. 516011

Mr. Szymanski,

Thank you for the opportunity to respond to the DRAFT Mitigated Negative Declaration for the project referenced above. Please accept the following comments as they pertain to sections of the DRAFT document.<sup>1</sup>

- 1C. There is and major inconsistency between drawings contained in the Draft MND and the latest revised drawings submitted to the Development Services Department.

On June 7, 2018 the applicant presented revised drawings labeled 'DESIGN CHANGES PER LJCPA' dated 05/17/2018 to the La Jolla Community Planning Association. The same identical revised drawings were also submitted to the Development Services Department. The revised drawings showed the west exterior wall of the proposed main structure located 30 feet east of the existing public sidewalk and aligning (in a north south direction) with the west exterior wall of the existing adjacent home at 8474L Paseo Grande as depicted below:



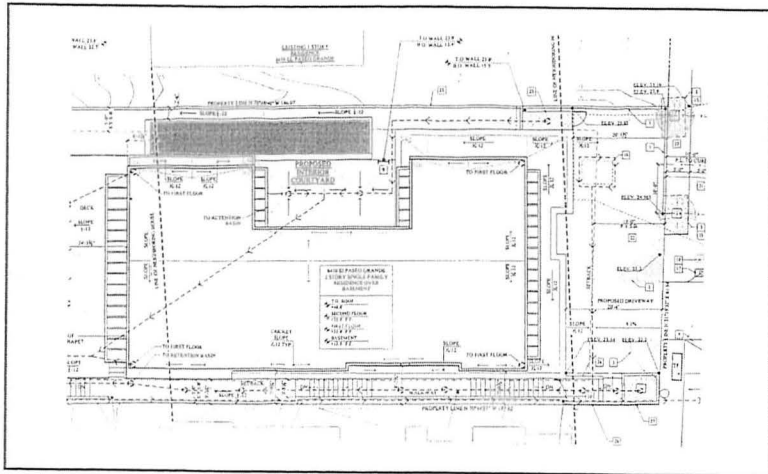
<sup>1</sup> Text in red is quoted from the Draft Mitigated Negative Declaration while text in blue is quoted from the referenced documents.

PHILIP A. MERTEN (10/30/2018)

1C. The City has received the most recent plan set from the applicant. The correct site plan has been inserted into the Final Mitigated Negative Declaration (MND). The current plans are consistent with the design that was presented to the La Jolla Community Planning Association (LJCPA).



Contrary to the submitted plans, the Site Plan drawing contained in the draft MND depicts the west exterior wall of the proposed main structure just 24'3" from the existing public sidewalk and projecting 5 feet westward of the west exterior wall of the existing home on the adjacent property as shown in below.



**Site Plan**  
 Black Halibut / Project No. 516011  
 City of San Diego – Development Services Department

**FIGURE**  
**No. 2**

This conflict between the drawings means either: (1) DSD staff inadvertently included the wrong Site Plan drawing in the subject Draft MND; or (2) applicant no longer supports the design changes that he presented to the LJCPA and again is proposing an earlier design. Which Site Plan is correct?

#### INITIAL STUDY CHECKLIST

Section X LAND USE AND PLANNING, of the Initial Study Checklist asks: Would the project?

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 plan program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

2C. The Environmental Reviewer's response is: "No Impact". The response should be 'Potentially Significant Impact.'

PHILIP A. MERTEN (10/30/2018)

2C. The proposed project does not conflict with applicable land use plans, policies and regulations of the City of San Diego. City staff reviewed the building setbacks, drainage, lot coverage, building mass, building height, public views, public access and driveway width and found that the project will comply with all of the required development regulations. The project would demolish the existing dwelling unit and replace it with a new one. The project is consistent with the Community Character Recommendations of the La Jolla Community Plan and conforms to the General Design Regulations and Development Regulations of the Single Family (SF) Zone of the La Jolla Shores Planned District Ordinance (LJSPDO). The proposed development is consistent with the applicable Low Density Residential land use designation (5-9 DU/AC), the identified public access and public views requirements of the La Jolla Community Plan and Local Coastal Land Use Plan, and the SF Zone of the La Jolla Shores Planned District development regulations regarding allowed density and design recommendations. There are no proposed variances or deviations to the development regulations of the Land Development Code. The references cited section includes the General Plan, Community Plan and Zoning Maps. Section X of the Initial Study includes discussions concerning the project's compliance with both the Municipal Code and zoning.

The proposed demolition of an existing residence and construction of a new two-story, residential dwelling unit is not incompatible with the surrounding development with regard to architecture, bulk, scale or density. The project site is part of a unique strip of 22 beachfront properties abutting El Paseo Grande, located between La Jolla Shores Park to the south and the Scripps Institution of Oceanography to the north. The surrounding neighborhood does not have a unifying architectural theme or style and is comprised of an eclectic variety of one, two, and three-story structures. The existing homes in the neighborhood do not have a unifying theme of architecture such as the architecture of Old Town. Old Town is used as an example in the City's CEQA Significance Thresholds as a community containing a unifying architectural theme. The project site is located in a developed neighborhood that is transitioning as older homes are replaced and there are several homes of similar size and scale.

Finally, it should be noted that the applicant made several design changes in response to concerns raised by neighbors to further reduce the bulk and scale of the proposed project. These changes included, among other things: i) moving the deck and pool back to align with the home to the south, ii) moving the house back to align with the homes on either side – 30' back from sidewalk, iii) eliminating roof parapets, and iv) reducing the overall height of the structure by 2'-9".



Section X LAND USE AND PLANNING, of the Initial Study Checklist (continued)

2.C. Issue 1

The references cited at the end of the Initial Study Checklist fails to include the Land Development Code (zoning ordinance). The Land Development Code includes the La Jolla Shores Planned District Ordinance (LJSPDO) which incorporates the La Jolla Shores Design Manual (LJSDM). The General Design Regulations (Sec. 1510.0301) of the LJSPDO and the LJSDM establish specific design criteria to be used in the evaluation of the appropriateness of all development in La Jolla Shores Planned District. The General Design Guidelines of the LJSDM state:

"The fitting in of new development, is, in a broad sense, a matter of scale...it requires a careful assessment of each building site in terms of the size...and a very conscious effort to achieve a balance and compatibility in the design of a new building...Good Scale depends on a bulk that is not overwhelming." (p.3) and  
"To conserve important design character in La Jolla Shores, some uniformity of detail, scale, proportion, texture, materials color and building form is necessary."

The Design Manual continues with the following mandates regarding this "bulk & scale" issue:

- "Large buildings interposed into communities characterized by small scale structures without adequate transition *should be avoided*" (p.4);
- "Visually strong building which contrast severely with their surroundings *impair the character of the area.*" (p.4)
- "Structures *shall conform or complement* the general design and bulk of the buildings in surrounding and adjacent areas." (p.4);
- "new buildings should be *made sympathetic* to the scale, form and proportion of older development; (p.5)
- new designs should *promote "harmony* in the visual relationships and transitions between new and older buildings." (p.5); and
- "extreme contrasts in color, shape and organization of architectural elements *should be avoided*, so that new structures do not stand out in excess of their importance." (p.6) [emphasis added]

The proposed project does not conform to the mandates of the LJSPDO nor the LJSDM and is incompatible with surrounding development. The proposed design violates every tenet of the LJSPDO and LJSDM regarding "bulk and scale". The proposed design would impose on the neighborhood the exact opposite result from that intended by the LJSPDO and the LJSDM:

- The structure would be *so different* in form, height and relationship as to disrupt the architectural unity of the area. (Contrast with PDO section 1510.0301, Design Manual p. 2);
- Good *scale would not be achieved* because there is no balance and compatibility with older buildings and the bulk of the proposed structure would overwhelm adjacent development (Contrast with Design Manual p. 3);
- The proposed development is *not sympathetic* to the scale, *form and proportion* of adjacent older development (p.5);
- The *scale, form and proportion* of the proposed development *does not transition* to the scale, form and proportion of adjacent older development (Contrast with Design Manual p. 4);
- The proposed height, *bulk, shape and color* of the proposed development *will stand out* in excess of its importance in the neighborhood (p.6)



**Section X LAND USE AND PLANNING**, of the Initial Study Checklist (continued)

For all of the reasons described above, the proposed project **does** 'Conflict with any applicable land use plan, policy, or regulation ...' As such, the correct response should be 'Potentially Significant Impact.'

3C. **Issue 2**

The bulk and scale of the proposed three story dwelling far exceeds that of the existing one and two story structures in the vicinity.

The *Design Principal* section of the *General Design Regulations* of the *LJSPDO* (Sec. 1510.0301) and the *LJS Design Manual* (p.2), both state that: "no structure will be approved that is so different in quality, form, materials, color and relationship as to disrupt the architectural unity of the area."

For these reasons, the proposed project **does** 'Conflict with any applicable land use plan, policy, or regulation ...' As such, the correct response should be 'Potentially Significant Impact.'

4C. **Issue 3**

The *La Jolla Shores Design Manual* (*LJSDM*) establishes specific design criteria to be used in the evaluation of the appropriateness of all development in La Jolla Shores Planned District. The Design Guidelines of the *LJSDM* (pg.50) states: Roofs are visually most important element; no other single element of design will contribute to neighborhood continuity as effectively as the use of similar roof materials and colors.

1. **Use simple shapes**

Form consistency shall be a determining factor for design consideration, i.e. roof forms on any given street will be required to be "compatible" with roof forms on neighboring buildings.

Roof forms on any given local street or cluster **should be required to provide "continuity" to the street** or cluster.

The flat roof of the proposed project would be the only multi-story flat roof building in the vicinity. The proposed roof form is so different from the gabled roofs on neighboring buildings as to be incompatible and not "provide **"continuity" of roof forms to the street"**, and therefore Conflict(s) with any applicable land use plan, policy, or regulation ...". As such, the correct response should be 'Potentially Significant Impact.'

5C. **Issue 4 BUILDING AND STRUCTURE SETBACKS NOT IN CONFORMITY**

The Single Family Zone-Development Regulations of the *LJSPDO* [Sec. 1510.0304(b)(4)] states: "Building and structure setbacks shall be in general conformity with those in the vicinity."

3C. The comment incorrectly describes the project as a three-story home and does not differentiate between the portions of the project that are "above" and "below" grade. The proposed project includes a two-story home with a basement below. Per SDMC Section 113.0261(d), basements are considered stories only where there is at least a 6-foot separation between lowest grade and finish floor above. At no point is the proposed residence considered a 3-story structure since the basement level does not exceed the 6-foot threshold with additional stories situated directly above.

The proposed basement has no impact on bulk and scale because it is located below grade, and the height of the home from existing grade is well below the height limit. For example, the height of the structure at the south west corner is 24-feet above existing grade, 6-feet below the allowable limit. In fact, by incorporating a basement, the project is minimizing any impact to the aesthetics by ensuring that the home is under the Coastal Height Limit by proposing a two-story residence above grade. For further responses regarding bulk and scale, see Response #2C.

In addition, the Single Family Zone (SF) Zone of the La Jolla Shores PDO does not contain restrictions on number of stories and permits a maximum height of 30 feet. Bulk and scale in La Jolla Shores is addressed by conformance to the General Design Regulations and Development Regulations of the Single Family (SF) Zone of the *LJSPDO* and through consistency with applicable policies of the La Jolla Community Plan (i.e. Community Character Recommendations, Visual Resources, etc).

The project site is part of a unique strip of 22 beachfront properties abutting El Paseo Grande, located between La Jolla Shores Park to the south and the Scripps Institution of Oceanography to the north. The surrounding neighborhood does not have a unifying architectural theme or style and is comprised of an eclectic variety of one, two, and three-story structures. The proposed building design will be compatible with the diverse nature of homes in the area. Therefore, the design of the home will not be disruptive to the existing architectural character of the area.



**Section X LAND USE AND PLANNING**, of the Initial Study Checklist (continued)

For all of the reasons described above, the proposed project **does** 'Conflict with any applicable land use plan, policy, or regulation ...' As such, the correct response should be 'Potentially Significant Impact.'

3C. **Issue 2**

The bulk and scale of the proposed three story dwelling far exceeds that of the existing one and two story structures in the vicinity.

The *Design Principal* section of the *General Design Regulations* of the LJSPDO (Sec. 1510.0301) and the *LJS Design Manual* (p.2), both state that: "no structure will be approved that is so different in quality, form, materials, color and relationship as to disrupt the architectural unity of the area."

For these reasons, the proposed project **does** 'Conflict with any applicable land use plan, policy, or regulation ...' As such, the correct response should be 'Potentially Significant Impact.'

4C. **Issue 3**

The *La Jolla Shores Design Manual* (LJSDM) establishes specific design criteria to be used in the evaluation of the appropriateness of all development in La Jolla Shores Planned District. The Design Guidelines of the LJSDM (pg.50) states: Roofs are visually most important element; no other single element of design will contribute to neighborhood continuity as effectively as the use of similar roof materials and colors.

1. **Use simple shapes**

Form consistency shall be a determining factor for design consideration, i.e. roof forms on any given street will be required to be **"compatible" with roof forms on neighboring buildings.**

Roof forms on any given local street or cluster **should be required to provide "continuity" to the street** or cluster.

The flat roof of the proposed project would be the only multi-story flat roof building in the vicinity. The proposed roof form is so different from the gabled roofs on neighboring buildings as to be incompatible and not **"provide "continuity" of roof forms to the street"**, and therefore Conflict(s) with any applicable land use plan, policy, or regulation ...' As such, the correct response should be 'Potentially Significant Impact.'

5C. **Issue 4 BUILDING AND STRUCTURE SETBACKS NOT IN CONFORMITY**

The Single Family Zone-Development Regulations of the LJSPDO [Sec. 1510.0304(b)(4)] states: "Building and structure setbacks shall be in general conformity with those in the vicinity."

4C. The project roof does not create a design incompatibility because there is no common roofing design or theme in the neighborhood. The proposed home would include a smooth cement plaster finish and a flat sloping roofline that is compatible with the diverse nature of homes in the area. Homes in the neighborhood include a number of unique roof designs and materials. Some roofs are gabled, and some are flat. Roofing materials include tile, metal and composition shingles with varying colors. For example, a survey of 39-homes on El Paseo Grande from La Jolla Shores Park to the beginning of Scripps Beach revealed 7 homes with flat roofs on the west side and 6 homes with flat roofs east side (See results of survey on September 11, 2018 attached as Exhibit 1.) Although the neighbor to the south has approval to build a home with pitched slate tile china, multicolor roof, there is no requirement that new homes match the identical roof design of their existing or proposed neighbors. Therefore, the design of the home is not out of character with the neighborhood and will not disrupt the neighborhood continuity.



**Section X LAND USE AND PLANNING**, of the Initial Study Checklist (continued)

For all of the reasons described above, the proposed project **does** 'Conflict with any applicable land use plan, policy, or regulation ...' As such, the correct response should be 'Potentially Significant Impact.'

3C. **Issue 2**

The bulk and scale of the proposed three story dwelling far exceeds that of the existing one and two story structures in the vicinity.

The *Design Principal* section of the *General Design Regulations* of the *LJSPDO* (Sec. 1510.0301) and the *LJS Design Manual* (p.2), both state that: "no structure will be approved that is so different in quality, form, materials, color and relationship as to disrupt the architectural unity of the area."

For these reasons, the proposed project **does** 'Conflict with any applicable land use plan, policy, or regulation ...' As such, the correct response should be 'Potentially Significant Impact.'

4C. **Issue 3**

The *La Jolla Shores Design Manual* (*LJSDM*) establishes specific design criteria to be used in the evaluation of the appropriateness of all development in La Jolla Shores Planned District. The Design Guidelines of the *LJSDM* (pg.50) states: Roofs are visually most important element; no other single element of design will contribute to neighborhood continuity as effectively as the use of similar roof materials and colors.

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5C. **Issue 4 BUILDING AND STRUCTURE SETBACKS NOT IN CONFORMITY**

The Single Family Zone-Development Regulations of the *LJSPDO* [Sec. 1510.0304(b)(4)] states: "Building and structure setbacks shall be in general conformity with those in the vicinity."

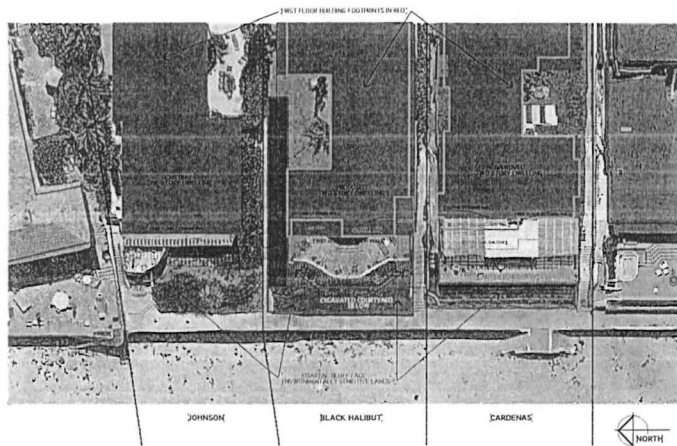
5C. The building and structure setbacks comply with Section 1510.0304(b)(3), which requires general conformity with setbacks in the vicinity. As part of the submittal requirements, the applicant provided a Jolla Shores Planned District Ordinance Survey of properties within a 300-foot radius of the project site. As demonstrated through this survey of the existing neighborhood character, all the project's proposed front, side, and rear setbacks are in general conformance with those in the vicinity, per San Diego Municipal Code Section 1510.0304(b)(4). In particular, side yard setbacks within the vicinity are not uniform and vary given the organic layout of streets and the varying lot placement of existing residences. The proposed project's side yard setbacks, which range from 5 to 8-feet at the south and 10 to 12-feet at the north, are within general conformity with the nearby residences, including the recently approved home to the south, which has 5-foot side yard setbacks. (Cardenas Residence). The proposed project addressed the issue of the west facing exterior walls and agreed to set them back 30' feet from the walkway instead of the proposed 24'-11" Distance. This aligns the proposed project with west facing walls of the neighbors to the north and south.

Finally, the commenter's statement that the project structures are 8'-6" from abuts a public walkway is incorrect. The commenter is referring to the private walkway at the rear of the property that is behind the existing seawall. The west façade of the proposed basement level, with storage area, bathroom, and first floor deck, will observe a substantially similar horizontal separation from the private walkway as the rear deck on the recently approved home directly to the south at 8466 El Paseo Grande. The proposed rear deck, lap pool and railing height will be consistent with the rear deck and railing height approved on the adjacent parcel. The rear of the first-floor level of the proposed home is setback approximately 30 feet from the edge of the sidewalk. As discussed above, the rear yard setback complies with Section 1510.0304(b)(3).



5c. **Issue 4 BUILDING AND STRUCTURE SETBACKS NOT IN CONFORMITY** (continued)

The proposed elevated swimming pool structure as depicted below and the adjacent proposed lower level BATH and the proposed lower level STORAGE room near the southern property line are one story high structures that support the main level exterior deck. The elevated swimming pool and the one story high structures are just 8'-5" from the public walkway. There are no other one story high structures this close to the public walkway anywhere along the 8400 block of El Paseo Grande. The closest similarly high structure is the curved elevated exterior terrace on the adjacent Johnson property to the north which is set back approximately 16 feet from the public walkway. Therefore the proposed 8-6" setback for the one story high buildings and elevated swimming pool structure is not in general conformity with those in the vicinity. As such, the correct response should be 'Potentially Significant Impact.'



6c. **Issue 5 BUILDING HEIGHT EXCEEDS THE MAXIMUM ALLOWED**

The underlying purpose of establishing a maximum permitted *structure height* (SDMC Sec. 113.0270) is to limit the apparent height of a structure when perceived by the public. As such, structure height is measured from *existing grade or proposed grade, whichever is lower*.

The plumb line measurement of *structure height* is the means by which the full apparent vertical height of a vertical facade of a building or structure is determined, and is measured from *existing grade or proposed grade* directly below *whichever is lower*.

6C. The comment mischaracterizes height by not taking into consideration the rules that apply to measuring height where there is a basement. The project has a basement which it defined as "a building area that is wholly or partially below grade". (SDMC Sec. 113.0103) As such, the measurement of plumb line structure height includes exceptions for "special circumstances" per

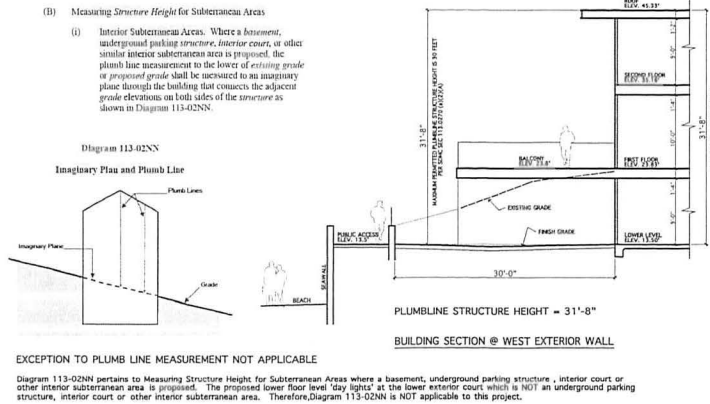
Section 113.0270(a)(4): Where a basement, or other similar interior subterranean area is proposed, the plumb line measurement to the lower of existing or proposed grade shall be measured to an imaginary plane through the building that connects adjacent grade elevations on both sides of the structure. Hence the plumb line for purposes of measuring height for proposed project is the imaginary plane connecting adjacent grade along the north and south elevations – through the building – and not from the finish floor of the basement. This methodology is illustrated in Diagram 113-02J." Finally, the Code provides that height "measurement is taken vertically through the structure at each point where structure height is being measured, as shown in Diagram 113-2KK. (SDMC 113.0270(a)(2)(A).) Measurement extends to the lower of existing or proposed grade. Application of these standards to the proposed project verified that the proposed structure does not exceed the 30-foot height limit. For example, the height of the structure at the southwest corner is 24-feet above existing grade, 6-feet below the allowable limit.

7C. Please see responses 1c-6c. The letter does not raise any issues with respect to the overall adequacy of the MND nor did it identify new significant environmental impacts or new mitigation measure which would be required to avoid a significant impact.

7C. Please see responses 1c-6c. The letter does not raise any issues with respect to the overall adequacy of the MND nor did it identify new significant environmental impacts or new mitigation measure which would be required to avoid a significant impact.

**Issue 5 BUILDING HEIGHT EXCEEDS THE MAXIMUM ALLOWED (continued)**

Therefore the exception for 'special circumstances' (Diagram 113-02NN) is not applicable to this project, as depicted below.



The proposed project will exceed the Maximum Structure Height allowed. As such, the correct response should be 'Potentially Significant Impact.'

7C For all of the reasons listed above, certain evaluations in the LAND USE AND PLANNING section of the INITIAL STUDY CHECKLIST contained in the DRAFT Mitigated Negative Declaration are flawed and should be corrected to accurately address the proposed project's non-compliance with the Land Development Code.

Thank you for your consideration.

Sincerely,

Philip A. Merten AIA

cc: Gargas Glenn <Ggargas@sandiego.gov>  
La Jolla Community Planning Association <info@lajollacpa.org>



From: Peggy Davis [mailto:peggydavis@jolla@gmail.com]

Sent: Tuesday, September 04, 2018 4:51 PM

Subject: MND Black Halibut Project No. 516011 / SCH No. Pending Community Plan Area: La Jolla Council District: 1

September 4, 2018

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

**General Project Information:**

Project Name: Black Halibut

Project No. 516011 / SCH No. Pending Community Plan Area: La Jolla Council District: 1

Dear Mr. Szymanski,

Thank you for the opportunity to respond to the DRAFT Mitigated Negative Declaration for the project referenced above. Please accept the following comments as I believe there are inaccurate statements in the Black Halibut MND.

There are inconsistencies and concerns in the Draft MND.

I) AESTHETICS – a)

***1D. The aesthetics of this project will have a potentially significant impact. The bulk and scale of this three-story, 11,740 square foot project with decks for a total of 13,005 square feet, 39 foot high in the rear will exceed the bulk, scale and architectural style for the neighborhood. The design of the structure with the 2200 Square Foot basement, accessed on the lower floor of the western front of the property, will strongly contrast to the adjacent property. The design would substantially degrade the existing visual character of the area.***

***The proposed structure violates rules of the Land Development Code, the LJSPDO and LJS Design Manual regarding bulk and scale. The General Design Regulations (Sec. 1510.0301) of***

2

PEGGY DAVIS (9/4/2018)

1D. The comment incorrectly describes the project as a three-story home and does not differentiate between the portions of the project that are “above” and “below” grade. The proposed project includes a two-story home with a basement below. Per SDMC Section 113.0261(d), basements are considered stories only where there is at least a 6-foot separation between lowest grade and finish floor above. At no point is proposed residence considered a 3-story structure since the basement level does not exceed the 6-foot threshold with additional stories situated directly above. The proposed basement has no impact on bulk and scale as it located below grade. In fact, by incorporating a basement, the project is minimizing any impact to the aesthetics by ensuring that the home is under the Coastal Height Limit.

The comment incorrectly characterized height by not taking into consideration the rules that apply to measuring height where there is a basement. The project has a basement which is defined as “a building area that is wholly or partially below grade”. (SDMC Sec. 113.0103). As such, the measurement of plumb line structure height includes exceptions for “special circumstances” per Section 113.0270(a)(4): Where a basement, or other similar interior subterranean area is proposed, the plumb line measurement to the lower of existing or proposed grade shall be measured to an imaginary plane through the building that connects adjacent grade elevations on both sides of the structure. Hence the plumb line for purposed of measuring height for proposed project is the imaginary plane connecting adjacent grade along the north and south elevations – through the building – and not from the finish floor of the basement. This methodology is illustrated in Diagram 113-02J.” Finally, the Code provides that height “measurement is taken vertically through the *structure* at each point where *structure height* is being measured, as shown in Diagram 113-2KK. (SDMC 113.0270(a)(2)(A).) Measurement extends to the lower of existing or proposed grade. Application of these standards to the proposed project verified that the proposed structure does not exceed the 30-foot height limit.

The commenter’s statement that there is a 39-foot-high wall is also incorrect. The actual above-grade wall is less than 30 feet. For example, the height of the structure at the south west corner is 24-feet above existing grade, 6-feet below the allowable limit.

The comment incorrectly describes the project as an “11,740 square foot project.” In fact, the total proposed Gross Floor Area (GFA) is 6,760 square feet. The proposed project will not strongly contrast with adjacent properties or substantially degrade the visual character of the area. The proposed project is consistent with the aesthetic quality of the surrounding neighborhood. The existing homes in the neighborhood do not have a unifying theme of architecture such as the architecture of Old Town. The project site is located in a developed neighborhood that is transitioning as older homes are replaced. There are several homes of similar size and scale. The replacement dwelling unit complies with all applicable height and bulk regulations is consistent with the Community Character Recommendations of the La Jolla Community Plan and conforms to the General Design Regulations and Development Regulations

the LJSPDO and the LJSDM establish specific design criteria to be used in the evaluation of conformity of all development in the La Jolla Shores Planned District,

2D I) AESTHETICS –C)

*This project as designed will have a potentially significant impact.*

I) AESTHETICS –d)

*This three story structure with a height of 45.33 feet on the west of structure from lower patio to top of roof will present substantial glare on the adjacent property at 8486 which is approximately 20 feet in height. Potentially significant impact.*

3D V. CULTURAL RESOURCES –a) Archaeological Resources

**Potentially significant impact. Artifacts were found during construction of La Jolla Shores Lifeguard Tower during 2010, approximately 1500 feet from subject property.**

*Potentially significant impact The excavation of 1,930 cu yards of soil for a 2200 square foot basement will require extensive Native American monitoring. Artifacts found at La Jolla Shores Lifeguard Tower during construction in 2010.*

*Potentially significant impact Excavation of 1,950 cubic yards require constant*

*Native American monitoring.*

VI. GEOLOGY AND SOILS – Would the project:

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

*Potentially significant impact*

4D i) *The La Jolla Community plan and Local Coastal Program Use Plan states: “The City of San Diego Seismic Safety Study (1995) identified active and inactive geological faults that are located within La Jolla.*

*The faults that are classified as potentially active include the Scripps Fault, the Mount Soledad Fault, the Muirlands Fault and the Country Club Fault. All of these inactive faults run in a northwest to southeast direction and have a “moderate” geotechnical risk rating. The site is underlain by expansive soils. The Scripps Earthquake Fault is underneath this building site.*

of the Single Family (SF) Zone of the La Jolla Shores Planned District Ordinance (LJSPDO). The project is consistent with General Design guidelines as outlined in the La Jolla Community Plan. The new dwelling unit would not have an architectural character in stark contrast to the surrounding neighborhood. The neighborhood is characterized by varied and unique home architectural styles. The project would not result in the physical loss, isolation or degradation of a community identification symbol or landmark, which is identified in the General Plan, applicable community plan or local coastal program. The demolition of an existing dwelling unit and construction of a new dwelling unit would not open up a new area for development or change the overall character of the area. Therefore, since none of the above conditions apply, the project would not substantially degrade the existing visual character or the quality of the site and its surroundings.

2D. The comment incorrectly describes height and the project as a three-story home and does not differentiate between the portions of the project that are “above” and “below” grade. The proposed project includes a two-story home with a basement below (see Response #1D). The comment does not provide any evidence of substantial glare impacts, and the project has been designed to avoid glare-inducing features. The proposed project’s windows are all recessed, and none are projecting beyond the building envelope. Further, the proposed project is utilizing a low-sheen non-reflective, low-E double-paned glass for all windows that prevents any potential for glare to the neighboring properties. The project would comply with Municipal Code Section 142.0730 (Glare Regulations). The proposed project would consist of wood siding, stucco, concrete or natural stone.

3D. Comment noted. As noted in Section V. of the Initial Study an archaeological report was prepared for the project. The report made the determination that archaeological monitoring with Native American monitoring would be necessary to avoid significant impacts to archaeological resources. City staff reviewed the report and concurred with the recommendation from the report. Therefore, archaeological and Native American monitoring will be required as a mitigation measure as identified in Section IV of the MND. The inclusion of this mitigation measure would reduce impacts to below a level of significance.

4D. A Geologic Investigation Report and addendums (Christian Wheeler Engineering, November 2017) were prepared that addressed geologic hazards. The Geologic Investigation Report indicates that the nearest active fault is the Rose Canyon Fault Zone located approximately 1/2 mile to the southwest. Ultimately the report finds that the subject property is suitable for the construction of subject project and associated improvements provided the recommendations presented in the report are implemented. Full discussion of the Scripps Fault is contained in the reports which were found to be inactive. Furthermore, no structural setbacks from the Scripps Fault are considered necessary for the proposed site development.



5D. *Heavy seepage perched water was encountered during soil geological explorations at approximately 10 feet in depth.*

ii) Strong seismic ground shaking?

6D. *Property will be graded to a depth of 13.5 feet, removing 1,950 cubic yards, close to the coastal bluff located on the potentially ACTIVE Scripps Earthquake Fault.*

*Potentially significant impact*

iii) Seismic-related ground failure, including Liquefaction?

7D. *There is underground water beginning at 8 feet to 10 feet. Water travels down the hill from the Calle Corta into the area of 8470 El Paseo Grande. Soil has been reported as moist soils in geology reports. Potentially significant impact.*

iv) Landslides?

8D. *Property is not set back from the coastal bluff in accordance with the Environmentally Sensitive Land regulations. Project does not comply with erosion control measures as per Sensitive Coastal Bluff Regulation in the Land Development Code. potentially significant impact.*

c) Be located on a geologic unit

9D. *Property is located on the Scripps Fault, a potentially inactive fault. Landslides have been noted on Black's Beach in the past, underground water is noted in geologic reports.*

*Potentially significant impact.*

#### IX. HYDROLOGY AND WATER QUALITY -

10D. *The project will have a 2,200 square foot basement built with a MAT FOUNDATION. This could alter the existing drainage pattern of the site area. Potentially significant impact*

#### 11D X. LAND USE AND PLANNING -

*Building and Structure setbacks not in conformity with those in the vicinity.*

*The bulk and scale of the proposed three story dwelling far exceeds that of the existing one and two story structures in the area. The Design principle section of the General Design Regulations of the LJS PDO (Sec. 1510.0301) and the LJS Design manual (p.2) both state that: "no structure will be approved that is so different in quality, form, materials and relationship as to disrupt the architectural unity of the area.*

*Project will have a Potentially Significant.*

Submitted by Peggy Davis on September 4, 2018

5D. As discussed in the geotechnical reports no significant ground water conditions are expected to occur during or after construction. However, minor issues could occur but would be offset by the recommendation from the reports. It was the opinion of the authors of the geotechnical report that based on the anticipated construction and the permeability of the on-site soils that seepage problems that any occur will be minor in extent. Ultimately the report finds that the subject property is suitable for the construction of subject project and associated improvements provided the recommendations presented in the report are implemented.

Additionally, the seismic design factors for the project were determined in accordance with the California Building Code.

6D. Please see response 4D.

7D. As identified in the geotechnical report free groundwater below the developed portions of the site is anticipated at elevations of about 1 to 3 feet above mean sea level, from west to east across the site. Such elevations are 8 to 10 feet below the elevation of the proposed subterranean lower level of the structure. As such, free groundwater will not be encountered during site construction and grading and will not affect the proposed project.

8D. This comment does not apply to the proposed project because there is no coastal bluff on the subject property. The Land Development Code (LDC) defines a "sensitive coastal bluff" as a coastal bluff that is designated within hazard category numbers 41 through 47. The manufactured slope located east of the existing seawall is designated hazard category 52 and is not considered a "sensitive coastal bluff" or an Environmentally Sensitive Land (ESL). The proposed project will be constructed on a manufactured slope that was put in place for the construction of the existing residence. Furthermore, the design of the project would utilize proper engineering design and standard construction practices to eliminate the potential for erosion impacts would not occur.

9D. Please see response 4D. In accordance with the geotechnical report neither the presence of the Scripps Fault, land sliding nor underground water are considered to pose potentially significant impacts to the project.

10D. Please see response 4D.

11D. The building and structure setbacks comply with Section 1510.0304(b)(3), which requires general conformity with setbacks in the vicinity. As part of the submittal requirements, the applicant provided a Jolla Shores Planned District Ordinance Survey of properties within a 300-foot radius of the project site. As demonstrated through this survey, and through a general analysis of the existing neighborhood character, all the project's proposed front, side, and rear setbacks are in general conformance with those in the vicinity, per San Diego Municipal Code Section 1510.0304(b)(4). In particular, side yard setbacks within the vicinity are not uniform and vary given the organic layout of streets and the varying lot placement of existing residences. The proposed project's side yard setbacks, which range from 5 to 8-feet at the south and 10 to 12-feet

Szymanski, Jeffrey

From: Szymanski, Jeffrey on behalf of DSD EAS  
Sent: Tuesday, September 04, 2018 2:29 PM  
To: Szymanski, Jeffrey  
Subject: FW: Black Halibut Project #516011

-----Original Message-----

From: Johnson, Richard D. <johnsonricha@umkc.edu>  
Sent: Monday, September 03, 2018 2:57 PM  
To: DSD EAS <DSDEAS@sanidiego.gov>; Geiler, Gary <GGeiler@sanidiego.gov>; Szymanski, Jeffrey <JSzymanski@sanidiego.gov>  
Cc: Gargas, Glenn <GGargas@sanidiego.gov>  
Subject: Black Halibut Project #516011

1. My property is directly adjacent, North side of subject property. Here are my comments: 1. The size, scope, physical dimensions and occupied space far exceed anything in the neighborhood. By comparison my next door house to the planned building is like a row boat next to The Titanic. 2. In my opinion the planned balconies and water front extensions do not comply with allowed coastal standards. Plus they are obscuring my beach side views. Side yard set backs between my house and project building appear incorrect since the project includes a swimming pool in said area. 3. Project building height obscures sunlight, breezes, quality of air and personal privacy in my front, street side patio which we use on a daily basis. 4. I attended the final LJCPA meeting covering the project at which the Project for/against vote was tied 6 to 6 with the President breaking the tie casting a vote in favor although initially recusing himself from voting.

Respectfully submitted by Dr. Richard D. Johnson, property owner

8486 El Paseo Grande, La Jolla 92037

DR. RICHARD JOHNSON (9/3/2018)

1E. Community character concerns have been previously discussed in responses 3C and 1D. The proposed two-story, residential dwelling unit is consistent with the surrounding development with regard to bulk and scale.

2E. Please see response 5C.

3E. The project meets all applicable building requirements and includes setbacks, building envelope and height limitations that minimize impacts to neighboring properties. The project site is an existing developed lot within a residential area. Construction of the proposed project would affect the visual environment during excavation, grading, and on-site storage of equipment and materials. Although views may be altered, construction would be short term and temporary. Temporary visual impacts would potentially include views of large construction equipment, storage areas, and potential signage. All construction equipment would vacate the project site upon completion of the proposed project, thus making any visual obstructions temporary. Per the City of San Diego CEQA Significance Thresholds projects that would block public views from designated open space areas, roads, or parks or significant visual landmarks or scenic vistas may result in a significant impact. The coastal beach and Pacific Ocean lies directly to the west of the property. Per Section 132.0403(c) of the Municipal Code - Supplemental Regulations of the Coastal Overlay Zone, existing or potential public views on property located between the ocean and the first public roadway, shall be preserved, enhanced, and restored by deed restricting the side setbacks to form functional view corridors and preventing a walled effect from development. The site plan has clearly labeled both 5-foot side setbacks as "view corridors to be deed restricted." Along with the required 5-foot side setbacks the project is consistent with height restrictions and impacts to views to the Pacific Ocean would be less than significant. It should be noted that the project applicant reduce the height of the proposed home by 2'-9", from 48.08 MSL to 45.33 MSL. For reference, the Municipal Code §132.0501 states, "the purpose of the Coastal Height Limit Overlay Zone is to provide a supplemental height limit for specific coastal areas as enacted by the voters of the City of San Diego." Per the City's certified Local Coastal Program, the Coastal Commission is explicit in that "private" views are not protected, only "public." The proposed project preserves public view by including view easements on the south and north sides of the property. The project would be consistent with the General Plan and Community Plan land use and zoning designations; therefore, the project would be compatible with the existing and surrounding development. Lastly, the proposed project does not project outside of the building footprint, therefore, is consistent with the allowable building envelope. The proposed project meets the intent of the community plan's recommendation for maintaining the integrity of the streetscape and providing adequate amounts of light and air.



Szymanski, Jeffrey

From: Szymanski, Jeffrey on behalf of DSD EAS  
Sent: Tuesday, September 04, 2018 2:29 PM  
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From: Johnson, Richard D. <johnsonricha@umkc.edu>  
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Cc: Gargas, Glenn <GGargas@sanidiego.gov>  
Subject: Black Halibut Project #516011

[E] My property is directly adjacent, North side of subject property. Here are my comments: 1. The size, scope, physical dimensions and occupied space far exceed anything in the neighborhood. By comparison my next door house to the planned building is like a row boat next to The Titanic. 2. In my opinion the planned balconies and water front extensions do not comply with allowed coastal standards. Plus they are obscuring my beach side views. Side yard set backs between my house and project building appear incorrect since the project includes a swimming pool in said area. 3. Project building height obscures sunlight, breezes, quality of air and personal privacy in my front, street side patio which we use on a daily basis. 4. I attended the final LCPA meeting covering the project at which the Project for/against vote was tied 6 to 6 with the President breaking the tie casting a vote in favor although initially recusing himself from voting.

Respectfully submitted by Dr. Richard D. Johnson, property owner

8486 El Paseo Grande, La Jolla 92037

4E. Comment is noted. However, the comment does not address the adequacy of the draft MND, therefore, no further response is required under CEQA.

No response required.



## Location Map

Black Halibut/Project No. 516011

City of San Diego – Development Services Department

**FIGURE**

**No. 1**





## INITIAL STUDY CHECKLIST

1. Project title/Project number: Black Halibut /PTS 516011
2. Lead agency name and address: City of San Diego, 1222 First Avenue, MS-501, San Diego, California 92101
3. Contact person and phone number: Jeff Szymanski / (619) 446-5324
4. Project location: 8470 El Paseo Grande, La Jolla, CA 92037
5. Project Applicant/Sponsor's name and address: Paul Dang, Marengo Morton Architects, 2778 Girard Avenue, La Jolla, CA 92037
6. General/Community Plan designation: La Jolla Community Plan
7. Zoning: La Jolla Shores Planned District -Very Low Density Residential (0-5 dwelling units per acre)
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 Black Halibut project proposes to demolish an existing one-story 2,578 square-foot residence and 639 square-foot guest residence that were constructed in 1950 and construct a two-story 6,927 square-foot residence with a 4,022 square-foot basement. The proposed new residence would also include 2,073 square feet of deck area, totally 13,005 square feet. The project also includes a side-yard swimming pool with various site improvements including both hardscape and landscape. The landscaping plan would consist of small street trees; and native and drought-tolerant landscaping which would minimize irrigation needs. The landscape plan has been reviewed by Landscape Review staff who determined that the landscape areas conform to the landscape plan requirements of §1510.0304(h) of the City of San Diego's Municipal Code.

The two-story residence over basement would include a smooth cement plaster finish and a flat sloping roofline. Grading for the project would include 1,980 cubic yards of excavation to a depth of approximately 10 feet four inches. Access to the property would be taken from El Paseo Grande.

The 11,740-square foot project site is located 8370 El Paseo Grande. The lot supports an existing residential unit with associated improvements. Approximately the western one-fourth of the property is vacant and extends into the La Jolla Shores beach. An existing seawall exists along the east side of the beach area of the site and a concrete sidewalk is located atop and



behind the seawall. LEGAL DESCRIPTION: Lot 1 of Ocean Terrace, in the City of San Diego, County of San Diego, and State of California, According to Map thereof No. 2615, files in the office of the County Recorder of San Diego County, January 20, 1950. Excepting therefrom that portion thereof heretofore or now lying below the mean high tide lines of the Pacific Ocean.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The land use designation is Very Low Density Residential (0-5 dwelling units per acre). Additionally, the project site is in the La Jolla Shores Planned Development Ordinance- Single Family and within the Sensitive Coastal Overlay Zone, the Coastal Overlay Zone (Appealable), the Coastal Height Limitation Overlay Zone, the First Public Roadway, the Parking Impact Overlay Zone (Coastal and Beach), the Residential Tandem Parking Overlay Zone, the Transit Area Overlay Zone and the La Jolla Community Plan and Local Coastal Program, Council District 1.

The project is surrounded by similar residential development on the north, east and south sides and the Pacific Ocean on the west. The proposed project is located on a previously developed site currently serviced by existing public services and utilities.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): The project is appealable to the California Coastal Commission
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 notification to two Native American Tribes traditionally and culturally affiliated with the project. Both the Lipay Nation of Santa Ysabel and the Jamul Indian Village responded within the 30-day period requesting consultation and additional information. Consultation took place on June 21, 2017. Please see Section XVII for further discussion.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION:** (To be completed by Lead Agency)

On the basis of this initial evaluation:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been



addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required.

- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

## EVALUATION OF ENVIRONMENTAL IMPACTS:

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



- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significant.

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

I) AESTHETICS – Would the project:

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

The project site is an existing developed lot within a residential area. Construction of the proposed project would affect the visual environment during excavation, grading, and on-site storage of equipment and materials. Although views may be altered, construction would be short term and temporary. Temporary visual impacts would potentially include views of large construction equipment, storage areas, and potential signage. All construction equipment would vacate the project site upon completion of the proposed project, thus making any visual obstructions temporary.

Per the City of San Diego CEQA Significance Thresholds projects that would block public views from designated open space areas, roads, or parks or significant visual landmarks or scenic vistas may result in a significant impact. The coastal beach and Pacific Ocean lies directly to the west of the property. Per Section 132.0403(c) of the Municipal Code - Supplemental Regulations of the Coastal Overlay Zone, existing or potential public views on property located between the ocean and the first public roadway, shall be preserved, enhanced, and restored by deed restricting the side setbacks to form functional view corridors and preventing a walled effect from development. The site plan has clearly labeled both 5-foot side setbacks as "view corridors to be deed restricted." Along with the required 5-foot side setbacks the project is consistent with height restrictions and impacts views to the Pacific Ocean would be less than significant.

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

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

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

According to the City's CEQA Thresholds projects that severely contrast with the surrounding neighborhood character may result in a significant impact. To meet this significance threshold one or more of the following conditions must apply: the project would have to exceed the allowable height or bulk regulations and the height and bulk of the existing patterns of

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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development in the vicinity of the project by a substantial margin; have an architectural style or use building materials in stark contrast to adjacent development where the adjacent development follows a single or common architectural theme (e.g., Gaslamp Quarter, Old Town); result in the physical loss, isolation or degradation of a community identification symbol or landmark (e.g., a stand of trees, coastal bluff, historic landmark) which is identified in the General Plan, applicable community plan or local coastal program; be located in a highly visible area (e.g., on a canyon edge, hilltop or adjacent to an interstate highway) and would strongly contrast with the surrounding development or natural topography through excessive height, bulk signage or architectural projections; and/or the project would have a cumulative effect by opening up a new area for development or changing the overall character of the area. None of the above conditions apply to the project.

The site is currently developed with a single dwelling unit. The project would demolish the existing dwelling unit and replace it with a new one. The replacement dwelling unit would be constructed to comply with all height and bulk regulations. The project is consistent with General Design guidelines as outlined in the La Jolla Community Plan. The project site is located in a developed neighborhood. Existing homes in the neighborhood do not have a unifying theme of architecture such as the architecture of Old Town. The new dwelling unit would not have an architectural character in stark contrast to the surrounding neighborhood. The project would not result in the physical loss, isolation or degradation of a community identification symbol or landmark which is identified in the General Plan, applicable community plan or local coastal program. The demolition of an existing dwelling unit and construction of a new dwelling unit would not open up a new area for development or change the overall character of the area.

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

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

All lighting would be required to be shaded and adjusted to fall on the project's site as required in the City's municipal code. In addition, the project would not be located adjacent to a light-sensitive property and therefore the single dwelling unit would not create a substantial light or glare impact. The project would also be subject to the City's Outdoor Lighting Regulations per Municipal Code Section 142.0740. No impact would result due to implementation of the proposed project.

- II. AGRICULTURAL AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are



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significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project:

- a) Converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

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

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project is not under a Williamson Act Contract nor is any surrounding land under a Williamson Act Contract. No impact would result due to implementation of the proposed project.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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No land within the La Jolla Community Plan is designated as forest land or timberland. Therefore, the project would not conflict with existing zoning forest land. No impact would result due to implementation of the project.

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

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

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

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

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

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

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

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SANDAG growth projections are based on population, vehicle trends, and land use plans developed by San Diego County and the cities in the county as part of the development of their general plans.

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

The project would demolish one residential unit and construct a new one within a developed neighborhood of similar residential uses. The project is consistent with the General Plan, community plan, and the underlying zoning for residential development. Therefore, the project would be consistent at a sub-regional level with the underlying growth forecasts into the RAQS and would not obstruct implementation of the RAQS. As such, no impact would result due to implementation of the proposed project.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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#### Short-term Emissions (Construction)

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

Fugitive dust emissions are generally associated with land clearing and grading operations. Due to the nature and location of the project, construction activities are expected to create minimal



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fugitive dust, as a result of the disturbance associated with grading. The project would demolish an existing residential structure and construct a new one. Construction operations would include standard measures as required by the City of San Diego grading permit to reduce potential air quality impacts to less than significant. Therefore, impacts associated with fugitive dust are considered less than significant and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. Impacts related to short term emissions would be less than significant.

#### Long-term Emissions (Operational)

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

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

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

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As described above in response III (b), construction operations may temporarily increase the emissions of dust and other pollutants. However, construction emissions would be temporary and short-term in duration. Implementation of Best Management Practices (BMP's) would reduce potential impacts related to construction activities to a less than significant level. Therefore, the

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project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards. Impacts would be less than significant.

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

#### Short-term (Construction)

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

#### Long-term (Operational)

Typical long-term operational characteristics of the project are not associated with the creation of such odors nor anticipated to generate odors affecting a substantial number of people. The project would demolish an existing residential structure and construct a new one. Residential dwelling units are not typically associated with the creation of such odors nor are they anticipated to generate long-term operational odors that would affect a substantial number of people. Therefore, impacts would be less than significance.

#### IV. BIOLOGICAL RESOURCES – Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is currently developed with a single dwelling unit and surrounded by other residential dwelling units. Onsite landscaping is non-native, and the project site does not contain

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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sensitive biological resources, nor does it contain any candidate, sensitive or special status species. No impact would result due to implementation of the proposed project.

- b) Have a substantial adverse effect on any riparian habitat or other community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site has been previously developed within a residential setting. No such habitats exist on or near the site. Refer also to Response to IV (a), above. The project site does not contain any riparian habitat and currently only supports non-native landscaping. No impact would result due to implementation of the proposed project.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is fully developed, in an urban setting. Additionally, as shown in the La Jolla Community Plan and Local Coastal Program Land Use Plan, there are no federally protected wetlands on site. Therefore, construction activities would not cause an impact to wetlands as defined by Section 404 of the Clean Water Act. There would be no impacts to federally protected wetlands. No impact would result due to implementation of the proposed project.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project site is fully developed, in an urbanized setting. The project site is not located within a wildlife corridor, or within a migratory passageway for any native resident or migratory fish or wildlife species. No impact would result due to implementation of the proposed project.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

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The proposed project would be consistent with all relevant goals and policies of the City's General Plan and of the La Jolla Community Plan and Local Coastal Land Use Plan regarding the preservation and protection of biological resources. The proposed project is not within the City's Multi-Habitat Planning Area (MHPA) and would not conflict with relevant goals and policies regarding the preservation and protection of biological resources, as outlined in the City's Multiple Species Conservation Program (MSCP). Additionally, project implementation would be consistent with all biological resources policies in the La Jolla Community Plan and Local Coastal Land Use Plan. No impact would result due to implementation of the proposed project.

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

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

#### V. CULTURAL RESOURCES – Would the project:

- a) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?

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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

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

#### Archaeological Resources

The project site is located on the City's Historical Sensitivity map and within the La Shores Archaeological Study Area. Based upon the scope of work which would require substantial excavation within the special area the preparation of an archaeological evaluation (Laguna Mountain Environmental, May 2017) was required.

The first phase of the evaluation included a pedestrian survey which indicated that no cultural resources were visible on the property. However, because surface visibility was limited due to development a second phase, which included subsurface testing, was conducted. Three shovel tests pits were excavated within the parcel to determine if significant archaeological resources were located below the surface. The testing indicated that the western side of the lot was partially raised with artificial fill during the construction of the house in the 1950's. No artifacts or sensitive resources were found in any of the shovel test pits. However, due the project's location within this sensitive area it was determined that the project could potentially impact buried archaeological deposits which potentially exists sub-surface. The report makes the determination that archaeological monitoring with Native American monitoring would be necessary to avoid significant impacts to archaeological resources. City staff has reviewed the report and concurs with the recommendation from the report. Therefore, archaeological and Native American monitoring will be required as a mitigation measure as identified in Section IV of the MND. The inclusion of this mitigation measure would reduce impacts to below a level of significance.

#### Built Environment

The City of San Diego reviews projects requiring the demolition of structures 45 years or older for historic significance in compliance with the California Environmental Quality Act (CEQA). CEQA Section 21084.1 states that "A project that may cause a substantial adverse change in the significance of an historical resource is a project that may cause a significant effect on the environment." Historic property (built environment) surveys are required for properties which are 45 years of age or older and which have integrity of setting, location, design, materials, workmanship, feeling, and association.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The property located at 8470 El Paseo Grande is not an individually designated resource and is not located within a designated historic district. However, San Diego Municipal Code Section 143.0212 requires City staff to review all projects impacting a parcel that contains a structure 45-year-old or older to determine whether a potentially significant historical resource exists on site prior to issuance of a permit. Qualified City staff has reviewed site photos; Assessor's Building Record; water and sewer records; written description of the property and alterations; chain of title; and listing of occupants; as well as any available historic photographs; Sanborn maps; and Notices of Completion.

In addition, staff has considered input received through applicable public noticing and outreach and have made the following determination: staff has determined that the property does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria and a historic report was not required. Therefore, EAS finds that the project site does not meet the criteria of being a significant historical resource as defined by the City of San Diego's Significance Determination Thresholds. No impact would result due to implementation of the proposed project.

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Please refer to response V.a.

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

The project site is underlain by the Baypoint Formation. The Baypoint Formation is assigned a high resource potential for fossils. The City's CEQA Significance Determination Threshold for grading in an area of high sensitivity rating is 1,000 cubic yards of excavation to a depth exceeding 10 feet.

Based on information provided on the grading plan, the project would excavate 1,980 cubic yards of soil to a depth of 10-feet four- inches. Since the grading quantities exceed the City's CEQA Significance Thresholds this project would require paleontological monitoring during construction activities. See Section IV of the MND for further details. Impacts would be less than significant with the mitigation incorporated.

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| d) Disturb and human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Refer to response V(a) above. No cemeteries, formal or informal, have been identified on the project site. However, if human remains are encountered during the construction of the project archaeological and Native American monitoring is included as a mitigation measure and would reduce impacts to below a level of significance.

#### VI. GEOLOGY AND SOILS – Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

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A Geologic Investigation Report and addendums (Christian Wheeler Engineering, November 2017) were prepared that addressed geologic hazards. The Geologic Investigation Report indicates that the nearest active fault is the Rose Canyon Fault Zone located approximately ½ mile to the southwest. The report also indicates that the Scripps Fault has been mapped by others at or near the norther perimeter of the site. The Scrips Fault has not been mapped as bisecting the middle to early Pleistocene-aged very old paralic deposits that crop out approximately 0.6 miles to the northeast of the subject site. As such the professional opinion of the geologist is that the Scripps Fault is inactive.

Based on the results of the report it can be determined that the site is not traversed by an active, potentially active, or inactive fault and is not within an Alquist-Priolo fault Zone. 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 and mitigation is not required.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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|------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

The site and Southern California in general are in a location that could be affected by seismic activity from major active faults located throughout the region. According to the San Diego Seismic Safety maps the site is in Geologic Hazards Category 52 and 12. Category 52 is assigned to level to sloping areas with generally favorable geologic structure, where the level of geologic risk is generally considered to be low. Category 12 is assigned to areas underlain by or in in close proximity to faults that considered to be potentially active, inactive presumed inactive or of unknown activity.

However, 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 and mitigation is not required.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iii) Seismic-related ground failure, including Liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. The geotechnical report indicates that portions of the near surface earth materials underlying the site may be subject to soil liquefaction in the event of a major, proximal seismic event due to the present of a shallow groundwater table and the anticipated consistency and density of the near surface soils. The report recommends that a quantitative evaluation of the site's liquefaction potential be conducted during the building permitting phase. The recommendation would ensure that the project would utilize proper engineering design and utilization of standard construction practices to address liquefaction. No impact would result due to implementation of the proposed project.

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|-----------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

The report did not indicate any impacts associated with landslides. Based on the generally level area of the subject site and surrounding areas, the risk of slope failures affecting the existing and proposed improvements at the site is considered to be negligible. The report ultimately has determined that there are no geologic hazards of sufficient magnitude to preclude the continued residential use or redevelopment of the site are known to exist and that the site should be suitable for continued residential use or future redevelopment. No impact would result due to implementation of the proposed project.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project includes a landscape plan that has been reviewed and approved by City staff that precludes erosion of topsoil. In addition, standard construction Best Management Practices (BMPs) would be in place to ensure that the project would not result in a substantial amount of topsoil erosion. No impact would result due to implementation of the proposed project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The report ultimately has determined that there are no geologic hazards of sufficient magnitude to preclude the continued residential use or redevelopment of the site and that the site should be suitable for continued residential use or future redevelopment.

Additionally, see Vail, proper engineering design and utilization of standard construction practices would be verified at the construction permitting stage. No impact would result due to implementation of the proposed project.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The majority of the near surface soils at the site are anticipated to possess a low to medium expansive potential. No impact was identified under this category. Furthermore, the design of the project would utilize proper engineering design and standard construction practices to ensure that the potential for impacts would not occur.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

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The project does not propose the use of septic tanks. As a result, septic tanks or alternative wastewater systems would not be used. No impact would result due to implementation of the proposed project.

#### VII. GREENHOUSE GAS EMISSIONS – Would the project:

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

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

The City's 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 (Checklist) is part of the CAP and contains measures that are required to be implemented on a project-by-project basis to ensure that the specified emission targets identified in the CAP are achieved. Projects that are consistent with the CAP as determined through the use of this Checklist may rely on the CAP for the cumulative impacts of GHG emissions.

The project is consistent with the existing General Plan and Community Plan land use and zoning designations. Further based upon review and evaluation of the completed CAP Consistency Check 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 and impacts from greenhouse gas emissions are not significant. No mitigation is required.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would not conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases. The project is consistent with the existing General Plan and Community Plan land use and zoning designations. Further based upon review and evaluation of the completed CAP Consistency Checklist for the project, the project is consistent with the applicable strategies and actions of the CAP. Therefore, the project is consistent with the assumptions for relevant CAP strategies toward achieving the identified GHG reduction targets. Impacts are not significant, and mitigation is not required.

#### VIII. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed project is residential in nature and does not propose the use or transport of any hazardous materials beyond those used for everyday household purposes. Therefore, no such impacts would occur.

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

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Please see VIIIa.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

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Please see VIIIa.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

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

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

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

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

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



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

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

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

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This project is located in a developed neighborhood with no private airstrip located in the immediate vicinity. No impact would result due to implementation of the proposed project.

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

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The project would not alter an emergency response or evacuation plan since the site is currently developed and is replacing one unit with a new one. No impact would result due to implementation of the proposed project.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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residences are intermixed with wildlands?

This project is located in a developed neighborhood with no wildlands located adjacent to the site or within the adjacent neighborhood. Therefore, it would not be possible to cause wildland fires directly. No impact would result due to implementation of the proposed project.

#### IX. HYDROLOGY AND WATER QUALITY - Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Based upon the scope of the project, impacts to existing water quality standards would not occur and there would be no long-term operation storm water discharge. Conformance to the City's Stormwater Regulations would prevent or effectively minimize short-term water quality impacts. Therefore, the project would not violate any existing water quality standards or discharge requirements. No impact would result due to implementation of the proposed project.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would be connected to the public water supply. It would not rely directly on groundwater in the area and would not significantly deplete any resources. No impact would result due to implementation of the proposed project.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?

Although grading would be required for development, streams or rivers do not occur on or adjacent to the site that would be impacted by the proposed grading activities. The grading would not drastically alter on site drainage patterns. As stated previously, the project would implement BMPs as identified in the City of San Diego Storm Water Standards. In addition, following construction, landscaping would be installed consistent with City landscaping design requirements to further reduce the potential for runoff from the project site to occur. With implementation of the proposed BMPs and adherence to City storm water requirements, no adverse impacts to the downstream conveyance system are anticipated. No impact would result due to implementation of the proposed project.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Please see IX.c., no flooding would occur.

- 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Based on City of San Diego review, the proposed project would be adequately served by existing municipal storm water drainage facilities, therefore no impacts would occur. Potential release of sediment or other pollutants into surface water drainages downstream from the site will be precluded by implementation of Best Management Practices (BMPs) required by City of San Diego regulations, in compliance with San Diego Regional Water Quality Control Board requirements to implement the federal Clean Water Act. Therefore, no significant surface water quality impacts

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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are expected to result from the proposed activity. Proper irrigation and landscaping would ensure that runoff would be controlled and unpolluted. No impact would result due to implementation of the proposed project.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

See IX. e)

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project does not propose construction of any new housing in the 100-year flood hazard area. No impact would result due to implementation of the proposed project.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

#### X. LAND USE AND PLANNING – Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is consistent with the General Plan's and Community Plan's land use designation. The project site is located within a developed residential neighborhood and surrounded by similar residential development. The replacement of one existing residence with a new one would not affect adjacent properties and is consistent with surrounding land uses. Therefore, the project would not physically divide an established community. No impact would result due to implementation of the proposed project.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

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See response X(a) above. The project will require a Site Development Permit (SDP), processed in accordance with Process 3 (Hearing Officer as decision-maker, appealable to Planning Commission) for development in the La Jolla Shores Planned District, per Section 1510.0201(d) and for development on premises with Environmentally Sensitive Lands (ESL) in the form of Coastal Beaches, per SDMC Section 143.0110. The proposed project will also require a Coastal Development Permit (CDP), processed in accordance with Process Two for development within the Coastal Overlay Zone, per Section 126.0707.

The project is compatible with the area designated for residential development by the General Plan and Community Plan and is consistent with the existing underlying zone and surrounding land uses. Construction of the project would occur within an urbanized neighborhood with similar development. Furthermore, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan community plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. No impact would result due to implementation of the proposed project.

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

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As previously discussed in Section IV of the Initial Study, the proposed project is not within the MHPA, but would be consistent with all relevant goals and policies regarding the preservation and protection of biological resources, as outlined in the City's MSCP. The proposed project does not have the potential to conflict with any habitat conservation plans. In addition, implementation of the project would be consistent with all biological resources policies outlined in the General

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Plan and La Jolla Community Plan. Implementation of the project would not conflict with any applicable plans. No impact would result due to implementation of the proposed project.

#### XI. MINERAL RESOURCES – Would the project?

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

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

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See XI a.

#### XII. 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Construction related noise would result but would be temporary and is strictly regulated under San Diego Municipal Code Section 59.5.0404, "Noise Abatement and Control" which places limits on the hours of construction operations and standard decibels which cannot be exceeded. Therefore, people would not be exposed to noise levels in excess of those covered by existing noise regulations. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Generation of, excessive ground borne vibration or ground borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No excessive noise is anticipated as a result of the demolition and new construction. Therefore, no ground vibration would result. No impact would result due to implementation of the proposed project.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

See XII the project once complete would not result in any permanent noise increase.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

As stated above there would be a temporary increase in noise during demolition of the existing structure and with new construction; however, work would only be allowed between the hours of 7 am and 7 pm in compliance with the City of San Diego's noise ordinance for construction activities. After construction is completed, no substantial increase in noise levels would result from this dwelling unit. Impacts would less than significant.

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

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

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

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

### XIII. 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 infrastructure)?

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The project would replace one dwelling unit with a new one; therefore, the project would not result in an increase in units of residential housing. No impact would result due to implementation of the proposed project.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

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No displacement would occur as a result of this project. The project would replace one dwelling unit with a new one resulting in no net change. No impact would result due to implementation of the proposed project.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

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See XIII.



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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#### XIV. PUBLIC SERVICES

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

i) Fire Protection ☐ ☐ ☐ ☒

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

The project would replace one dwelling unit with a new one and would not require the alteration of any fire protection facilities and would not require any new or altered fire protection services. No impact would result due to implementation of the proposed project.

ii) Police Protection ☐ ☐ ☐ ☒

The City of San Diego Police Department (SDPD) would serve the proposed project. The project site is located within the SDPD's Northern Division, which serves a population of 225,234 people and encompasses 41.3 square miles. The proposed project would replace one residential unit with a new one and would not require the alteration of any fire protection facilities and would not require any new or altered police protection services. No impact would result due to implementation of the proposed project.

iii) Schools ☐ ☐ ☐ ☒

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

v) Parks ☐ ☐ ☐ ☒

The project would not induce growth that would require substantial alteration to an existing park or the construction of a new park does. No impact would result due to implementation of the proposed project.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
vi) Other public facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The scope of the project would not substantially increase the demand for electricity, gas, or other public facilities. No impact would result due to implementation of the proposed project.

#### XV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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This project would replace one dwelling unit with a new one and would not require any expansion of existing recreational facilities. There would be no increase in the use of existing facilities in the area including parks or other recreational areas. No impact would result due to implementation of the proposed project.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project does not include the construction of recreational facilities nor does it require the construction or expansion of recreational facilities. No impact would result due to implementation of the proposed project.

#### XVI. TRANSPORTATION/TRAFFIC – Would the project?

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				

Since the proposed project would replace one dwelling unit with a new one, traffic patterns would not change. The new dwelling unit would not change road patterns or add to congestion. In addition, the project would not require the redesign of streets, traffic signals, stop signs, striping or any other changes to the existing roadways or existing public transportation routes or types are necessary. No impact would result due to implementation of the proposed project.

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See XVI a.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is located in a residential community outside of airport land use plan areas. The project is consistent with height and bulk regulations and is not at the scale which would result in a change in air traffic patterns. No impact would result due to implementation of the proposed project.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
See XVI a.				
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
See XVI a.				
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project site 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(a) of the Initial Study.

- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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In accordance with the requirements of Assembly Bill (AB) 52, The City of San Diego sent notification to two Native American Tribes traditionally and culturally affiliated with the project area on July 25, 2017. Both the Lipay Nation of Santa Ysabel and the Jamul Indian Village requested consultation within the 30-days. Consultation took place on June 21, 2017 with the Lipay Nation of Santa Ysabel and the Jamul Indian Village.

Tribal Cultural Resources (TCR) include sites, features, places, cultural landscapes, and sacred places or objects that have cultural value or significance to a Native American Tribe. TCRs 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 resources. Tribal representatives are considered experts appropriate for providing substantial evidence regarding the locations, types, and significance of tribal cultural resources within their rationally and cultural affiliated geographic area.

Through the AB 52 consultation process it was determined that TCRs were not readily apparent on the project site. However, due to the project's location within this sensitive area it was determined that impacts could occur to buried archaeological deposits or TCRs which potentially exists under the developed portions of the site. The inclusion of archaeological and Native American monitoring as a mitigation requirement would reduce impacts under this category to

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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below a level of significance. The Lipay Nation of Santa Ysabel and the Jamul Indian Village both identified no further work was required and consultation concluded.

#### XVIII. UTILITIES AND SERVICE SYSTEMS – Would the project:

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

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

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project would not exceed the capacity of the existing storm water drainage systems and therefore, would not require construction of new or expansion of existing storm water drainage facilities of which could cause significant environmental effects. The project was reviewed by

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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qualified City staff who determined that the existing facilities are adequately sized to accommodate the proposed development. No impact would result due to implementation of the proposed project.

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

The project does not meet the CEQA significance threshold which would require the preparation of a water supply assessment. The existing project site currently receives water service from the City of San Diego, and adequate services are available to serve the proposed project. No impact would result due to implementation of the proposed project.

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

Construction of the project would not adversely affect existing wastewater treatment services. Adequate services are available to serve the project site without required new or expanded services. No impact would result due to implementation of the proposed project.

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

While construction debris and waste would be generated from the demolition and construction of a single dwelling unit the project would not rise to the level of significance for cumulative (construction, demolition, and or renovation of 40,000 square feet) or direct (construction, demolition, or renovation of 1,000,000 square feet) impacts as defined by the City's Thresholds. All construction waste from the project site would be transported to an appropriate facility, which would have adequate capacity to accept the limited amount of waste that would be generated by the project. Long-term operation of the proposed residential unit is anticipated to generate typical amounts of solid waste associated with residential use. Furthermore, the project would be

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

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

#### XIX. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The site has been fully developed within an urban setting and does not contain or support any sensitive biological resources as defined by the Biology Guidelines of the City's Land Development Manual. Implementation of the project would not have a substantial adverse effect on candidate, sensitive, or special-status species as identified in local or regional plans, policies, or regulations, and the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the La Jolla Community Plan, the City of San Diego



Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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General Plan, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. No impact would result due to implementation of the proposed project.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable futures projects)?

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

- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The City of San Diego conducted an Initial Study which determined that the project could have a significant environmental effect in the following areas Cultural Resources (Archaeology) and Tribal Cultural Resources. However, with the implementation of mitigation identified in Section V of this MND the project would not have environmental effects which would cause substantial direct or indirect adverse effects on human beings.

## INITIAL STUDY CHECKLIST

### REFERENCES

#### I. Aesthetics / Neighborhood Character

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

#### II. Agricultural Resources & Forest Resources

- ☐ 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
- ☐ Regional Air Quality Strategies (RAQS) - APCD
- ☐ Site Specific Report:

#### IV. Biology

- ☒ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997
- ☒ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" Maps, 1996
- ☒ 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 & 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)**

- ☒ City of San Diego Historical Resources Guidelines
- ☐ City of San Diego Archaeology Library
- ☐ Historical Resources Board List
- ☐ Community Historical Survey:
- ☒ Site Specific Report: Laguna Mountain Environmental, May 2017

**VI. Geology/Soils**

- ☒ City of San Diego Seismic Safety Study
- ☐ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975
- ☒ Site Specific Report: Christian Wheeler Engineering, November 2017

**VII. Greenhouse Gas Emissions**

- ☐ Site Specific Report:

**VIII. Hazards and Hazardous Materials**

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

**IX. Hydrology/Water Quality**

- ☐ Flood Insurance Rate Map (FIRM)

- ☒ Federal Emergency Management Agency (FEMA), National Flood Insurance Program-Flood Boundary and Floodway Map
- ☐ Clean Water Act Section 303(b) list, [http://www.swrcb.ca.gov/tmdl/303d\\_lists.html](http://www.swrcb.ca.gov/tmdl/303d_lists.html)
- ☒ Site Specific Report: Storm Water Quality Management Plan (San Diego Land Surveying and Engineering, 5/18/2017)
- X. Land Use and Planning**
  - ☒ City of San Diego General Plan
  - ☒ Community Plan
  - ☐ Airport Land Use Compatibility Plan
  - ☒ City of San Diego Zoning Maps
  - ☐ FAA Determination
  - ☐ Other Plans:
- XI. Mineral Resources**
  - ☐ 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:
- XII. Noise**
  - ☒ City of San Diego General Plan
  - ☐ Community Plan
  - ☐ 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:

### **XIII. Paleontological Resources**

- ☒ 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
- ☒ 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
- ☐ 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:

### **XIV. Population / Housing**

- ☐ City of San Diego General Plan
- ☐ Community Plan
- ☐ Series 11/Series 12 Population Forecasts, SANDAG
- ☐ Other:

### **XV. Public Services**

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

### **XVI. Recreational Resources**

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

### **XVII. Transportation / Circulation**



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

#### **XVIII. Utilities**

- \_\_\_\_ Site Specific Report:

#### **XIX. Water Conservation**

- \_\_\_\_ Sunset Magazine, New Western Garden Book, Rev. ed. Menlo Park, CA: Sunset Magazine