



THE CITY OF SAN DIEGO

Date of Notice: September 15, 2021

# NOTICE OF RIGHT TO APPEAL

## ENVIRONMENTAL DETERMINATION

### ENGINEERING & CAPITAL PROJECTS

WBS# B-21153.02.06

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**PROJECT NAME:** 3405 Kite Street Emergency Storm Drain Repair

**COMMUNITY PLAN AREA:** Uptown

**COUNCIL DISTRICT:** 3

**LOCATION:** 3405 Kite Street, San Diego, CA 92103

**PROJECT DESCRIPTION:** A recent inspection of an 18-inch diameter corrugated metal pipe (CMP) storm drain segment has revealed severe deterioration of over 50 feet of pipe length. The deterioration of the CMP has occurred underground, where storm water is conveyed east down a steep hillslope from a Type C curb inlet at 3405 Kite Street and discharges at a cleanout located at the base of the slope at 3410 Jackdaw Street. The deteriorated condition of the CMP within the hillslope has resulted in subsurface soil erosion from leaking stormwater, which has created a sinkhole in the center of the slope (17 feet long, 8 feet wide, and 16 feet deep), 15 feet of subgrade cylindrical void surrounding the eroded CMP uphill from the sinkhole, and 22 feet of void downhill from the sinkhole.

The soil erosion has the potential to cause a sudden failure to the hillslope, which would send debris and/or stormwater toward the downstream residences. The chance of slope failure will continue to increase with future storm events. Therefore, the CMP requires immediate repair in order to halt further slope failure and prevent impacts to life, health, and property in the immediate area. The emergency scope of work includes the replacement of approximately 180 linear feet of existing deteriorated 18-inch diameter CMP storm drain pipe with new 18-inch diameter fusible HDPE (High-Density Polyethylene Pipe) with 24-inch casing, utilizing trenchless installation methods. Following completion of work, all areas impacted by the emergency will be restored to their pre-impact condition.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego

**ENVIRONMENTAL DETERMINATION:** This activity is statutorily exempt from CEQA pursuant to CEQA Statute Sections 21080(b)(2) and (4) and CEQA Guidelines Sections 15269(b) and (c) (Emergency Projects).

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego Engineering & Capital Projects

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The City of San Diego conducted an environmental review that determined the project meets the definition of an “Emergency” as defined in CEQA Guidelines Section 15359 (Emergency) as the project involves a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. This emergency clean-up is required in order to protect public health, safety and property, and is supported by the expert opinion of the City Engineer. Thus, this emergency activity is statutorily exempt from CEQA pursuant to CEQA Statute Section 21080(b)(2) and CEQA Guidelines Section 15269(b) (Emergency Projects) which exempts emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to public health, safety or welfare. This activity is also statutorily exempt from CEQA pursuant to CEQA Statute Section 21080(b)(4) and CEQA Guidelines Section 15269(c) (Emergency Projects) which exempts specific actions necessary to prevent or mitigate an emergency.

**CITY PROJECT MANAGER:** Jerry Jakubauskas  
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On September 15, 2021 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Project Manager listed above.

Applications to appeal CEQA determination to the City Council must be filed in the Office of the City Clerk within 10 business days from the date of the posting of this Notice (by September 29, 2021). During the Statewide “Safer-at-Home” directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals to the City Clerk must be filed by email or US Mail as follows:

- 1) Appeals filed via E-mail: Send the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation in pdf format) via email to [Hearings1@sanidiego.gov](mailto:Hearings1@sanidiego.gov) by 5:00pm on the last day of the appeal period; your email appeal will be acknowledged within 24 hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked within 5 business days of the date the appeal is filed.
- 2) Appeals filed in person: Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the City Administration Building—Public Information Counter, 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period.

This information will be made available in alternative formats upon request.