

ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT

**Project No. 660539
Addendum to EIR No. 616992
SCH No. 2017071022**

SUBJECT: KITE STREET STORM DRAIN

I. PROJECT DESCRIPTION:

This Addendum describes the potential impacts and activities related to the proposed pipe repair project adjacent to 3405 Kite Street (hereafter referred to as Project). The Project is located adjacent to 3405 Kite Street and extends down-slope to 3410 Jackdaw Street (see Figure 1, Location Map). As shown in Figures 2a through 2e, Site Photographs, a sinkhole has developed over an 18-inch-diameter corrugated metal pipe (CMP) running through a City of San Diego (City)-owned paper street. Current site conditions have limited the City Transportation & Stormwater Department's (TSW) ability to complete a full conditional assessment of the storm drain system. To complete the assessment, the failed portion of the CMP must be further exposed through excavation of a trench, the trench stabilized with shoring, and the downstream storm drain system inspected via closed-circuit television (CCTV).

Prior to the beginning of any on-site construction activities, construction best management practices (BMPs) would be installed to prevent any non-stormwater discharges from leaving the site. The M-9 wooden barrier located at the northwest side of the intersection of Kite Street and West Upas Street would be removed to provide access to the construction site. Once BMPs are installed, an excavator would be used to dig an up to 25-foot-wide by 60-foot-long by 12-foot-deep trench. Following excavation of the trench, the CCTV inspection would occur, and up to 50 linear feet of damaged portions of the exposed CMP would be removed and replaced with 18-inch high-density polyethylene (HDPE) pipe or lined with a cured-in-place pipe liner. Also, up to 100 feet of CMP downstream of the trench would be repaired with a cured-in-place pipe liner. The cured-in-place pipe-liner would be pulled through the existing downstream CMP using the excavated trench and a downstream cleanout to access the system. Installation of the 18-inch HDPE pipe would consist of a crushed rock base, pipe bedding, pipe, and backfill. Base, bedding, and backfill material would be delivered to the site via 12-yard dump truck, and the HPDE via F450 Crew truck. The HDPE pipe would be cut to size on site with a portable electric handsaw or gas-powered cutoff saw, connected with clamp fittings, and dropped into the trench using an excavator or crane. The HDPE pipe would be connected to an existing inlet structure located at the top of the slope at the intersection of Kite Street and West Upas Street and to the existing downstream CMP located on the slope adjacent to the proposed trench. The existing CMP continues down-slope, terminating at the cleanout on the corner of Jackdaw Street and West Upas Street. Connecting the HDPE pipe would be performed using a concrete pipe collar. Concrete material would be placed using a concrete pump connected to a concrete truck stationed in the staging area on Kite Street. Up to 360 cubic yards of bedding and backfill material would be compacted in small, 24-inch lifts, using an excavator with a sheep's foot attachment for the deeper sections, and a gas-powered vibrator plate or a gas-powered tamper for sections closer to the surface. If needed, the existing concrete curb inlet structure would be repaired.

The site would be secured daily with temporary chain-link fencing. After construction activities are complete, the M-9 wooden barrier would be placed back in its original location. Exposed areas would be revegetated with ice plant (*Carpobrotus edulis*) using plugs from the surrounding area and stabilized with a hydraulic mulch or soil binder.

Access and staging would occur within the paved roadway on Kite Street, West Upas Street, and Jackdaw Street. Work would take place between 7:00 a.m. and 4:00 p.m. and would take approximately 90 days to complete. Plans/drawings with a detailed description of the work to be performed are included as Attachment 5, and the as-builts are included as Attachment 6. Permanent replacement of the storm drain system has been included in a future Capital Improvement Program (CIP) Uptown Storm Drain Replacement Project, which is currently in the design phase.

II. ENVIRONMENTAL SETTING:

See Final Program Environmental Impact Report (FEIR) SCH No. 2017071022; Project Number 616992.

This summary provides a brief synopsis of the results of the environmental analysis. By necessity, this summary does not contain the extensive background and analysis found in the individual sections of this Addendum. Therefore, the reader should review the entire document to fully understand the Addendum and its potential environmental consequences.

III. PROJECT BACKGROUND:

The City's Municipal Waterways Maintenance Plan (MWMP) describes the process for planning and performing maintenance activities within the City's storm drain system, as the storm drain system requires periodic maintenance to remove accumulated sediment, vegetation, and trash that impedes water flow and increases flood risk. The MWMP FEIR was adopted in June 2020. The MWMP FEIR, Program-Level Analysis (Other Activities), includes program-level analysis and a process to handle and address stormwater assets or facilities not analyzed at the project level in the MWMP (i.e., not included in Appendix A of the MWMP). The Program-Level Analysis (Other Activities) encompasses programmatic activities, including the following:

- Minor maintenance activities
- Changed conditions for new or substantially amended Facility Maintenance Plans (FMPs)
- Compensatory mitigation sites
- Emergency maintenance or repair

Minor maintenance activities are defined as potentially occurring "throughout the City but would not affect environmentally sensitive lands (ESL) as defined by the City's Land Development Code and as regulated by the City, or result in a regulated impact to resources under the jurisdiction of US Army Corps of Engineers, California Department of Fish and Wildlife, San Diego Regional Water Quality Control Board, or California Coastal Commission. These activities may include maintenance of facilities such as stormwater pipes, inlet/outlet structures, ditches, channels, brow ditches, basins, and permanent BMPs." These minor maintenance activities would further include pipe replacement, such as the proposed Project.

The Project would be categorized under the program-level analysis's minor maintenance activities because biological surveys have been conducted to confirm that the Project would not affect ESLs, require regulatory permits for jurisdictional impacts, or impact coastal resources. Impacts associated with minor maintenance or repair activities fall within the scope of environmental impacts identified for implementation of FMPs (i.e., project-level analysis), and, therefore, mitigation measures identified in a project-level analysis would be applied to these minor maintenance activities as part of subsequent, after-the-fact environmental review.

The MWMP FEIR (March 2020) can be found on the City's California Environmental Quality Act (CEQA) webpage under the "Final Environmental Documents" tab: <https://www.sandiego.gov/ceqa/final>

IV. ENVIRONMENTAL DETERMINATION:

The City previously prepared and certified the MWMP Final PEIR (Project No. 616992/SCH No. 2017071022) per Resolution No. R-613080 on June 9, 2020. Based on all available information in light of the entire record, the analysis in this Addendum, and pursuant to Section 15162 and 15164 of the State CEQA Guidelines the following has been determined:

- There are no new significant environmental impacts not considered in the previous EIR
- No substantial changes have occurred with respect to the circumstances under which the Project is undertaken
- There is no new information of substantial importance to the Project

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project. Therefore, in accordance with Section 15164 of the State CEQA Guidelines, this Addendum has been prepared, and the MWMP Final EIR has been incorporated by reference pursuant to CEQA Guidelines Section 15150. No public review of this Addendum is required.

V. IMPACT ANALYSIS AND MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT:

This Mitigation Monitoring and Reporting Program (MMRP) is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This MMRP identifies, at a minimum, the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the MMRP will be maintained at the offices of the Planning Department, 9485 Aero Drive, MS 413, San Diego, California 92123. All mitigation measures contained in the FEIR SCH No. 2017071022; Project Number 616992 shall be made conditions of future development within the Project area, as further described below.

I. Air Quality

Cumulative Increase of Criteria Pollutants

a. Impacts

Implementation of the Project and construction associated with the Project could contribute to a

cumulatively considerable net increase of criteria pollutants for which the region is in non-attainment under an applicable federal or state ambient air quality standard because program-level maintenance activities would take place at multiple locations concurrently. Air pollutant emissions would vary day-to-day as a result of how many maintenance activities are occurring at once. The maximum daily air pollutant emissions would exceed the City's oxides of nitrogen (NO_x) threshold if four or more activities were occurring concurrently. The combined emissions of the 10 concurrent maintenance activities (project- or program-level), which represent the maximum daily construction scenario, would exceed the San Diego Air Pollution Control District's significance threshold for NO_x prior to implementation of mitigation.

As described in Table ES-1, Impacts and Proposed Environmental Protocols and Mitigation, page 1-12, of the FEIR, the Project as a program-level analysis and associated discretionary actions would have a potential cumulative impact on air quality. Work would take place between 7:00 a.m. and 4:00 p.m. and would take approximately 90 days to complete. Page 5.2-21 of the FEIR states that a maximum of 10 maintenance activities would occur concurrently and a maximum of 43 maintenance activities could occur in a calendar year. The Project and its estimated 90-day completion timeline would be considered one maintenance activity, and the 90 days of construction would release emissions already anticipated by the FEIR.

b. Mitigation Framework

The FEIR identified Mitigation Measure (MM) AQ-1 as appropriate mitigation that would reduce potentially significant impacts.

MM-AQ-1 Tier 4 Interim Construction Equipment. Prior to the commencement of any four or more concurrent construction activities, the City of San Diego Transportation & Stormwater Department (TSW) or its designee shall sum the estimated corresponding maximum daily construction nitrogen oxide (NO_x) emissions from Table 5.2-6, Estimated Maximum Daily Construction Emissions By Representative Project (Unmitigated), to determine if the combined emissions exceed the San Diego Air Pollution Control District (SDAPCD) construction threshold of 250 pounds per day for NO_x. If the combined NO_x emissions exceed the SDAPCD threshold, TSW or its designee shall provide evidence that, for off-road equipment with engines rated at 75 horsepower or greater, no equipment shall be used that is less than Tier 4 Interim. An exemption from these requirements may be granted if TSW documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the Environmental Designee/Mitigation Monitoring Coordination, TSW shall be required to demonstrate that three construction fleet owners/operators in the San Diego region were contacted and that those owners/operators confirmed Tier 4 Interim equipment could not be located within the San Diego region. If Tier 4 Interim equipment is not reasonably available, then all diesel-powered equipment, equal to or greater than 75 horsepower, shall have at least California Air Resources Board-certified Tier 3 engines with the most effective Verified Diesel Emission Control Strategies available for the engine type, such as Level 3 Diesel Particulate Filters (Tier 4 engines automatically meet this requirement), which provides an equivalent reduction.

c. Mitigation Funding, Timing, and Responsibility

As future discretionary projects are implemented, applicants or developers would be required to fund project-specific analysis related to air quality when warranted by City CEQA Guidelines. Mitigation would be implemented prior to the commencement of any four or more concurrent construction activities.

II. Historical/Archaeological/Tribal Cultural Resources

Potential Impacts to Undiscovered Cultural Resources and/or Human Remains

a. Impacts

As described in Table ES-1, Impacts and Proposed Environmental Protocols and Mitigation, page 1-12, of the FEIR, the Project as a program-level analysis and associated discretionary actions would have a potential impact on previously undiscovered cultural resources. Although a Grading Permit would not be needed, the Project would involve replacing a portion of existing failed CMP adjacent to 3405 Kite Street, lining remaining portions of the existing CMP, and repairing an existing concrete curb inlet structure. To fulfill these actions, excavation to dig up a 25-foot-wide by 60-foot-long by 12-foot-deep trench would be required at the Project site and surrounding areas. Although the Project site is located in an urban and previously disturbed location, excavation of the site could potentially result in significant impacts to unknown cultural resources, including tribal cultural resources and/or grave sites. These ground-disturbing maintenance activities would have the potential to impact cultural resources and/or human remains, and as such, would be potentially significant, absent mitigation.

b. Mitigation Framework

The following mitigation measures would be implemented to address the potential impacts.

MM-CR-1 Cultural Resources Monitoring and Treatment Plan (CRMTP).

- I. Prior to Start of Activities Marked as Requiring Further Review in Table 5.6-4, Archaeological Review Matrix, and as Determined Necessary by a Qualified Archaeologist's Review of the Proposed Maintenance Activity.
 - A. Preparation of CRMTP
 1. Prior to the start of construction, the Principal Investigator (PI) archaeologist shall prepare a CRMTP that specifies and describes:
 - The cultural resources Area of Potential Effect (APE)
 - The roles and responsibilities of all parties involved in the monitoring and/or treatment program, including inter-agency relationships for the purposes of compliance with Section 106 of the National Historic Preservation Act (NHPA), California Environmental Quality Act (CEQA), and the City of San Diego (City) Historical Resources Regulations and Historical Resources Guidelines (HRG).
 - Reporting protocols

- Construction monitoring methods
 - Avoidance and protection measures for all cultural resources
 - Procedures for evaluating resource significance, and/or data recovery for significant resources (known and unanticipated discoveries) that cannot be avoided within the linear footprint, unless human remains are encountered and require removal for the purpose of repatriation. City established data recovery procedures include in-situ recordation, recovery, laboratory analysis, curation and/or repatriation, and reporting.
 - Consultation obligations and timelines for providing feedback
 - Post-construction requirements
2. The PI shall prepare the draft CRMTP and submit to the City of San Diego Point of Contact for review and to facilitate any stakeholder consultation obligations.

MM-CR-2 **Avoidance of Cultural Resources.** The following measure shall be implemented to protect known archaeological resources that may also be tribal cultural resources (hereafter referred to as “cultural resources”) that have not been evaluated for significance or that have been evaluated as significant under Section 106 and CEQA.

- I. Prior to Start of Activities Marked as Requiring Further Review in Table 5.6-4, Archaeological Review Matrix (see FEIR, page 5.6-41), and as Determined Necessary by a Qualified Archaeologist’s Review of the Proposed Maintenance Activity.
 - A. Identified cultural resources that have not been evaluated for significance or that have been evaluated as significant under Section 106 of the NHPA and/or CEQA, shall be avoided through project design. These include resources that were either found outside of the work limits or for which significance evaluation did not identify significant archaeological deposits within the work limits.
 - 1. Prior to the start of construction, the Principal Investigator (PI) archaeologist shall ensure that resource-specific avoidance measures are implemented to prevent unanticipated impacts. These measures may include exclusionary fencing, environmentally sensitive area signage, or other measures deemed appropriate and as specified in the CRMTP.

MM-CR-3 **Construction Monitoring.** The following monitoring program shall be implemented to protect unknown archaeological or tribal cultural resources that may be encountered during construction and/or maintenance-related activities.

- I. Prior to Permit Issuance or Bid Opening/Bid Award for Activities Marked as Requiring Further Review in Table 5.6-4, Archaeological Review Matrix (see FEIR, page 5.6-41), and as Determined Necessary by a Qualified Archaeologist’s Review of the Proposed Maintenance Activity.

A. Entitlements Plan Check.

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Environmental Designee (ED) 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 ED.

1. Prior to Bid Award, the City's Transportation & Stormwater Department (TSW) shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the PI for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City's 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 TSW 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, TSW 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 (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was 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 ¼ mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; TSW shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), MMC representative, Project Consultant(s), TSW, Construction Manager (CM) (if applicable), Resident Engineer (RE) (if applicable), and other parties of interest. The qualified Archaeologist and Native American Monitor shall

attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

a. If the PI is unable to attend the Precon Meeting, TSW shall schedule a focused Precon Meeting with MMC, the PI, RE, or CM, if appropriate, prior to the start of any work that requires monitoring.

2. Acknowledgement of Responsibility for Curation (Capital Improvement Program or Other Public Projects).

TSW shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.

3. Identify Areas to be Monitored

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 the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).

c. MMC shall notify the PI that the AME has been approved.

4. When Monitoring Will Occur

a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

5. Approval of AME and Construction Schedule

After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM

III. During Construction

A. Monitor 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 which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.**
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 Section III.B-C and IV.A-D shall commence.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be emailed 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, 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 email with photos of the resource in context, if possible.

4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM, and RE. ADRP and any mitigation must be approved by MMC, RE, and/or CM 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 Section 15064.5, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**
 - (1) Note: For pipeline trenching and other linear projects in the public Right-of-Way, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.
 - (1) Note: For Pipeline Trenching and other linear projects in the public Right-of-Way, if the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.
 - (2) Note, for Pipeline Trenching and other linear projects in the public Right-of-Way, if significance cannot be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.

D. Discovery Process for Significant Resources – Pipeline Trenching and other Linear Projects in the Public Right-of-Way

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities or for other linear project types within the Public Right-of-Way including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:

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

IV. Discovery of Human Remains

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

A. Notification

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

B. Isolate discovery site

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 provenience of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE** determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the 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 & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN
 - c. To protect these sites, the landowner shall do one or more of the following:

- (1) Record the site with the NAHC;
- (2) Record an open space or conservation easement; or
- (3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are **NOT** Native American

1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
2. The Medical Examiner will determine the appropriate course of action with the 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, TSW/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

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

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

b. Discoveries

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

c. Potentially Significant Discoveries

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

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

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

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

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

VI. Post Construction

A. Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the City's HRG (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe as a result of delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline

Trenching Discovery Process shall be included in the Draft Monitoring Report.

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 HRG, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

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

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. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection C.

3. The PI shall submit the Accession Agreement and catalogue record(s) to the RE, as appropriate for donor signature with a copy submitted to MMC.
 4. The RE, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
 5. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

MM-CR-4 Evaluation of Program-Level Activities. Prior to the initiation of any program-level activities in new locations that have not been previously identified in Table 5.6-4, Archaeological Review Matrix (page 5.6-41), and Table 5.6-5, Non-Exempt Activities (page 5.6-48), and prior to the initiation of non-exempt program-level activities in new locations that have not been previously identified in Table 5.6-6, Historical Resources Review Matrix (page 5.6-50), and Table 5.6-7, Program-Level Activities Exempt from Further Historical Review (page 5.6-63), the activity and specific location shall be evaluated by a qualified PI. The evaluation shall determine (a) the presence (or lack thereof) of archaeological and/or historical resources located within the APE; (b) whether identified resources have been previously evaluated and (c) whether a site visit is necessary to determine the cultural sensitivity and the extent of previous ground disturbance. If determined to be necessary, site visits and related documentation shall be conducted in a manner consistent with the methods employed in the Historical Resources and Cultural Resources Inventory/Evaluation Reports prepared for the MWMP EIR. Based on the results of future archaeological evaluations, the PI (in consultation with the City) shall determine whether additional avoidance and minimization measures, **MM-CR-1** through **MM-CR-3** (see above), and/or MM-HR-1 through MM-HR-2 (page 5.6-77 through 5.6-79) would be required for the non-exempt program-level activity.

c. Mitigation Funding, Timing, and Responsibility

As future discretionary projects are implemented, applicants or developers would be required to fund project-specific analysis related to historical, archaeological, and/or tribal cultural resources when warranted by City CEQA Guidelines.

III. Noise

Temporary Construction Noise

a. Impacts

The Project would require construction activities to repair the pipeline system near Kite Street, as detailed in Section I, Project Description. Construction activities related to implementation of the Project and associated discretionary actions would potentially generate short-term noise levels in excess of 75 A-weighted decibels (dBA) average sound level (L_{eq}) at adjacent properties. While the City regulates noise associated with construction equipment and activities through enforcement of noise ordinance standards (e.g., days of the week and hours of operation) and imposition of conditions of approval for building or grading permits, there is a procedure in place that allows for a permit to deviate from the noise ordinance. Work for the Project would occur between 7:00 a.m. and 4:00 p.m. and would last approximately 90 days. However, due to the highly developed nature of the Project area, with sensitive receivers potentially located in proximity to construction sites, there is a potential for construction of future projects to expose existing sensitive land uses to significant noise levels.

For instances in which noise-sensitive receivers are located closer than 100 feet from maintenance activities, temporary significant noise increases could result. Therefore, noise impacts resulting from project- and program-level maintenance activities conducted under the MWMP would be potentially significant, prior to mitigation.

Vibration impacts during construction could be avoided by scheduling construction activities with the highest potential to produce perceptible vibration to hours with least potential to affect nearby sensitive land uses. However, pile driving within 95 feet of existing structures has the potential to exceed 0.20 inches per second and would be potentially significant.

b. Mitigation Framework

To mitigate impacts related to construction noise, the following mitigation measure would be implemented.

MM-NOI-1 Noise Reduction Techniques. Prior to the Notice to Proceed, Mitigation Monitoring Coordination (MMC) shall verify that projects (i.e., maintenance and repair activities) located within 100 feet of noise-sensitive receivers include noise-reduction measures to ensure activities do not exceed and comply with City of San Diego (City) Noise Standards (San Diego Municipal Code Section 59.5.0401, Sound Level Limits, and Section 59.5.0404, Construction Noise), as follows:

- I. The City Transportation & Stormwater Department (TSW) crew or maintenance/construction contractor shall be required to work in such a manner so as not to exceed a 12-hour average sound level of 75 dBA between 7:00 a.m. and 7:00 p.m. Monday through Saturday.
- II. Noise reduction measure(s) shall include implementation of any one or more of the following noise-reducing measures.
 - A. Limit the number of equipment operating at once.
 - B. Install temporary plywood noise barriers 8 feet in height between the maintenance site and sensitive receptors.

- C. Construction equipment shall be properly outfitted with sound control devices and maintained with manufacturer recommended noise-reduction devices to minimize construction-generated noise. "Properly outfitted" implies that the device (e.g., silencer, muffler) is effective in that it is the correct size and type for the specific equipment, it is in good working order, and is installed in such a way that it reduces the noise in the way it was intended;
 - D. Stationary noise sources such as generators or pumps shall be located at least 100 feet from noise-sensitive land uses as feasible;
 - E. Laydown and maintenance/construction vehicle staging areas shall be located as far from noise sensitive land uses as feasible; and/or
 - F. As recommended by a qualified acoustician, implement any other alternative noise reducing best available technologies, methods or practices as approved by the MMC.
- III. During maintenance or repair activities, noise monitoring can be conducted at any time to ensure that the work is in compliance with the City's construction noise standard of 75 dBA L_{eq} (12-hour). If activities are found to be in exceedance of this standard, alternative methods (e.g., such as the use of quieter equipment, fewer pieces of equipment operating at any one time) shall be implemented and verified by MMC to meet City noise standards.
 - IV. Prior to the issuance of the Notice to Proceed or if work is stopped during maintenance or repair activities by the MMC, TSW shall obtain a permit or similar authorization from the Noise Abatement and Control Administrator if maintenance and repair activities does not comply with San Diego Municipal Code Section 59.5.0404 – Construction Noise.
 - V. If authorized emergency work is necessary and will likely occur or exceed these noise limitations, TSW shall notify the Noise Abatement and Control Administrator within 48 hours after commencement of work.

Effectiveness of this mitigation measure would vary from several decibels (which in general is a relatively small change) to 10 or more decibels (which subjectively would be perceived as a substantial change), depending on the specific equipment and the original condition of that equipment, the specific locations of the noise sources and the receivers, and other variables. Installation of a noise barrier, for example, would vary in effectiveness depending on the degree to which the line-of-sight between the source and receiver is broken, and typically ranges from 5 to 10 dB. Installation of more effective silencers could affect noise levels from several decibels to well over 10 dB. Reduction of idling equipment could reduce overall noise levels from barely any reduction to several decibels. Cumulatively, however, these measures would result in substantial decreases in the noise from maintenance activities.

c. Mitigation Funding, Timing, and Responsibility

Funding for the described noise mitigation would be provided on a project-specific basis during the discretionary review process for individual projects to be completed and funded by applicants and/or developers. During discretionary review, site-specific analysis would be completed, and specific conditions would be imposed on projects by the City that would be implemented before, during, and after construction, as warranted by the site-specific reports and as specified in MM-NOI-1. Responsibility for noise-related mitigation monitoring, enforcement, and reporting would be with the City.

IV. Paleontological Resources

Potential Impacts to Undiscovered Paleontological Resources

a. Impacts

As described in Table ES-1, Impacts and Proposed Environmental Protocols and Mitigation, page 1-12, of the FEIR, the Project as a program-level analysis and associated discretionary actions would have a potential impact on previously undiscovered paleontological resources as a result of the ground-disturbing activities.

Although a Grading Permit would not be needed, the Project would involve replacing a portion of existing failed CMP adjacent to 3405 Kite Street, lining remaining portions of the existing CMP, and repairing an existing concrete curb inlet structure. To fulfill these actions, excavation to dig up a 25-foot-wide by 60-foot-long by 12-foot-deep trench would be required at the Project site and surrounding areas. Although the Project site is located in an urban and previously disturbed location, excavation of the site could potentially result in significant impacts to unknown paleontological resources. These ground-disturbing maintenance activities would have the potential to impact paleontological resources, and as such, would be potentially significant, absent of environmental protocol that would reduce such impacts.

b. Mitigation Framework

No mitigation measures were developed, However, an environmental protocol (EP) was identified to address the potential impacts. EPs are identified to avoid, minimize, and/or reduce potential environmental impacts. The following EP would be implemented to address the potential paleontological impacts.

EP-PAL-1 **Paleontological Resource Compliance.** Pursuant to Land Development Code (LDC) Section 142.0151, the City of San Diego (City) Transportation & Storm Water Department (TSW) shall verify grading quantities and geologic formation sensitivity for all maintenance and repair activities and apply the appropriate requirements for paleontological monitoring in accordance with the General Grading Guidelines for Paleontological Resources in the City's Land Development Manual. Geologic formation sensitivity is provided in Table 5.10-3, Paleontological Sensitivity of Earthen-Bottom Facilities. Regulatory compliance for maintenance and repair activities would be ensured through notes on plans and/or substantial conformance review documentation.

c. Mitigation Funding, Timing, and Responsibility

As future discretionary projects are implemented, applicants or developers would be required to fund project-specific analysis related to paleontological resources when warranted by City CEQA Guidelines.

V. Solid Waste

Impacts regarding Solid Waste Diversion Rate

a. Impacts

As described in Section I, Project Description, the Project's construction activities require that the existing damaged storm drain pipe would be replaced with a new HDPE pipe or lined with a cured-in-place pipe liner. Construction of the Project would produce solid waste due to the removal of the

damaged pipes and the removal of accumulated trash, debris, and sediment in and around the existing site. A portion of the solid waste would be diverted from going to a landfill. However, due to the nature of the solid waste, recycling and reusing the materials is not always appropriate or feasible, and the amount that would be diverted from disposal is unknown. Given that the Project may not substantially change the amount of solid waste currently handled and transferred to the Miramar Landfill, and that TSW has a current diversion rate far below the required amount of 50%, it is anticipated that the Project may not comply with the 50% waste diversion goal set by the TSW Waste Diversion Plan. Impacts from the Project may be potentially significant, prior to mitigation.

b. Mitigation Framework

No feasible mitigation measures exist to decrease the amount of solid waste that would be sent to a landfill as a result of the Project, such that the Project would be positively contributing to help meet TSW's Waste Diversion Plan goal of 50% diversion. Although the Project could result in significant impacts related to solid waste, it is consistent with the solid waste analysis evaluated in the MWMP FEIR.

c. Mitigation Funding, Timing, and Responsibility

No mitigation measures exist.

VI. SIGNIFICANT UNMITIGATED IMPACTS:

There are no new significant impacts identified for the current Project. However, the FEIR for the original project identified significant impacts relating to air quality and odor, biological resources, historical/archaeological/tribal cultural resources, land use, noise, solid waste, and water quality. Specifically, significant and unavoidable impacts were identified in the FEIR for biological resources, solid waste, and water quality. Potentially significant impacts (prior to mitigation) were identified in the FEIR for air quality and odor, historical/archaeological/tribal cultural resources, land use, and noise. Because there were significant unmitigated impacts associated with the original project, approval required the decision maker to make specific and substantiated CEQA Findings, which stated that (a) specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR, and (b) these impacts have been found acceptable because of specific overriding considerations. No new CEQA Findings are required for this Project.

VIII. CERTIFICATION

Copies of the addendum, the Final PEIR, the Mitigation Monitoring and Reporting Program, and any technical appendices have been placed on the City of San Diego's California Environmental Quality Act webpage at <https://www.sandiego.gov/ceqa/final>.

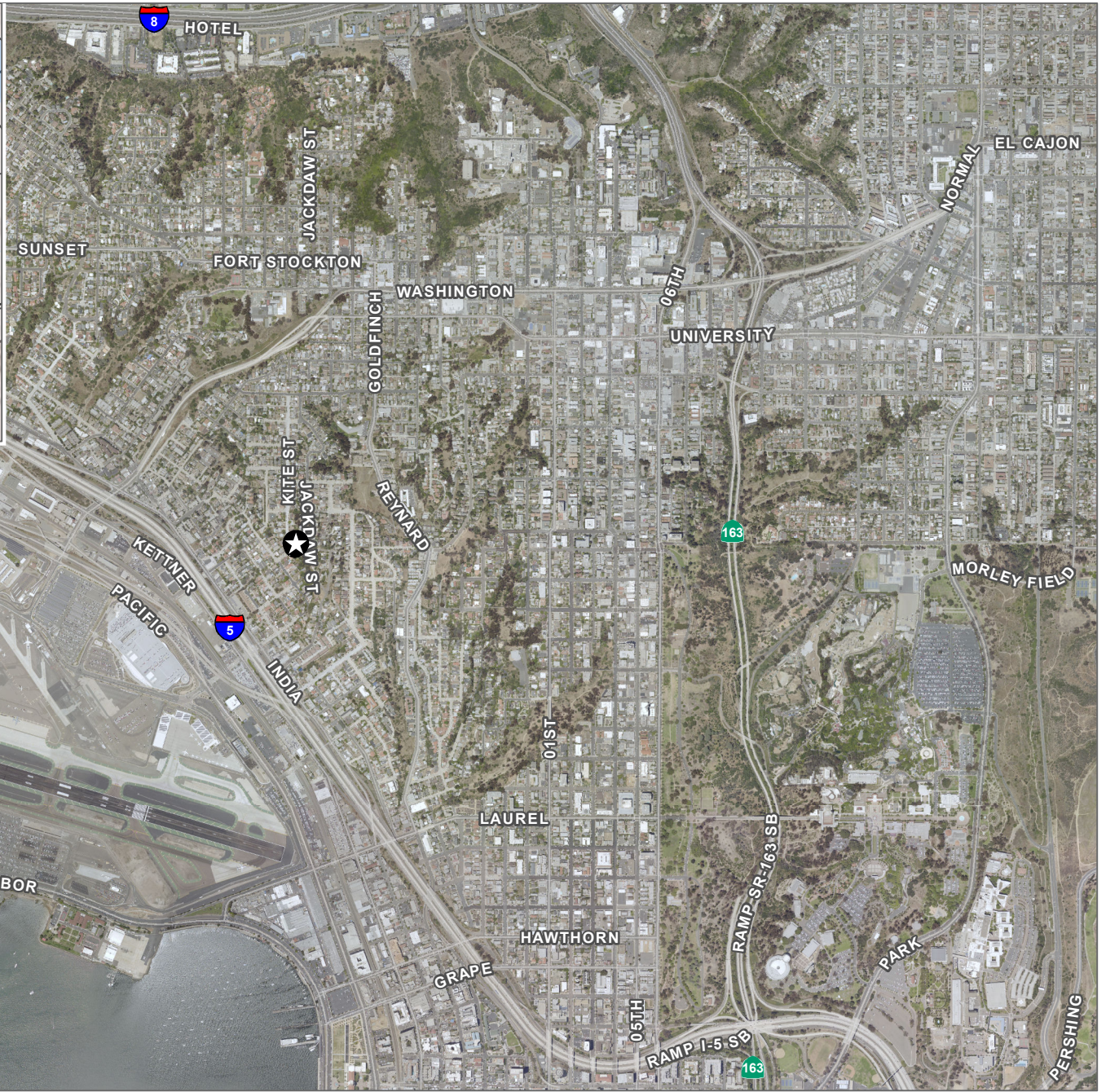
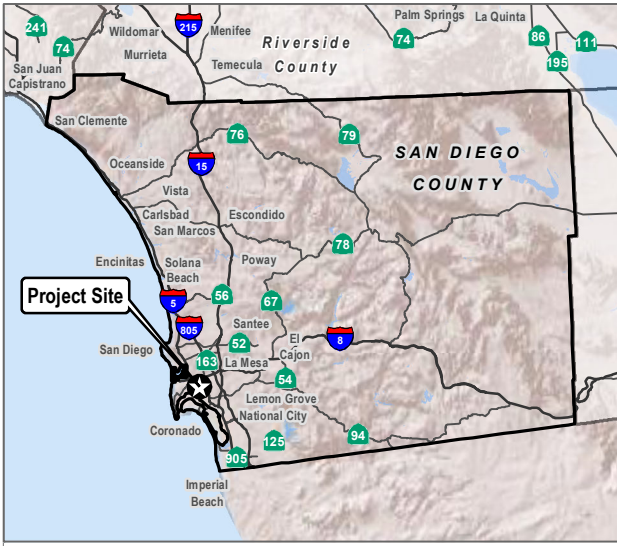


Myra Herrmann, Senior Planner
Planning Department

March 29, 2021
Date of Final Report

Analyst: M. Herrmann

Attachments: Location Map (Figure 1)
Site Photographs (Figures 2a-2e)
Biological Resources Memo
Archaeological Resources Memo
Paleontological Resources Memo



★ Project Location

SOURCE: SanGIS 2017

DUDEK



FIGURE 1

Location Map

3405 Kite Street Pipe Repair Project



Photo 1. Northeast-facing view of staging area at the corner of Kite Street and W. Upas Street.



Photo 2. West-facing view of storm drain pipe location.

SOURCE: Balk Biological 2020

FIGURE 2a

Site Photographs

3405 Kite Street Pipe Repair Project



Photo 3. East-facing view of storm drain pipe location.



Photo 4. Southwest-facing view of storm drain cleanout location.

SOURCE: Balk Biological 2020

FIGURE 2b

Site Photographs

3405 Kite Street Pipe Repair Project



Photo 5. North-facing view of the temporary impact area.



Photo 6. Southeast-facing view of storm drain inlet location.

SOURCE: Balk Biological 2020

FIGURE 2c

Site Photographs

3405 Kite Street Pipe Repair Project



Photo 7. East-facing view of failed storm drain pipe at sinkhole location.



Photo 8. West-facing view of failed storm drain pipe at sinkhole location.

SOURCE: Balk Biological 2020

FIGURE 2d

Site Photographs

3405 Kite Street Pipe Repair Project



Photo 9. North-facing view of existing concrete brow ditch.

File: Z:\Projects\City\5D\4\News\4\11212017\04\MAP\000\DOCUMENT\16\ 8\Addendum

SOURCE: Balk Biological 2020

FIGURE 2e

Site Photographs

3405 Kite Street Pipe Repair Project