



THE CITY OF SAN DIEGO

Date of Notice: September 20, 2023

NOTICE OF RIGHT TO APPEAL

ENVIRONMENTAL DETERMINATION

ENGINEERING & CAPITAL PROJECTS

PROJECT NAME: 1105 Sutter Street Storm Drain Emergency Repair

COMMUNITY PLAN AREA: Uptown

COUNCIL DISTRICT: 3

LOCATION: 1105 Sutter Street, San Diego, CA 92103

PROJECT DESCRIPTION: A recent inspection of an 18- and 24-inch diameter corrugated metal pipe (CMP) storm drain located underneath a multi-family residential structure at 1105 Sutter Street has revealed the pipe has failed and caused a sinkhole near the corner of the structural foundation measuring approximately 22 feet (width) x 8 feet (length) x 6 feet (depth).

In order to prevent further damage to infrastructure, and avoid potential damage to nearby residential structures, this emergency repair project will replace-in-place approximately 30 linear feet (LF) of 24-inch diameter corrugated metal pipe (CMP) storm drain with new 24-inch diameter reinforced concrete pipe (RCP) adjacent to the east side of the structure, and line approximately 90 LF of existing 24-inch diameter RCP storm drain between the curb inlet on Sutter Street and the existing outfall structure at the south end of the property. Repair work will also include backfilling the sinkhole at the structural foundation and clearing and grubbing vegetation within an approximately 14-by-14-foot area adjacent to the outfall in order to facilitate the lining work. Following completion of work, all areas impacted by the emergency will be restored to their pre-impact condition, including revegetation and erosion control of the excavated area.

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 repair 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 20, 2023, 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 five (5) business days from the date of the posting of this Notice (by September 27, 2023). Appeal procedures are described in Information Bulletin 505 (<https://www.sandiego.gov/sites/default/files/dsdib505.pdf>). Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: The Environmental Determination Appeal Application Form DS-3031 can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Send the completed appeal application form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sandiego.gov by 5:00 p.m. 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: The Environmental Determination Appeal Application Form DS-3031 can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Deposit the fully completed appeal application (including grounds for appeal and supporting documentation) to the City Administration Building – Public Information Counter (Open 8:00 a.m. to 5:00 p.m. Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00 p.m. on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer. Please include the project name on the memo line of the check/money order. This Drop-Off Box is checked daily, and payments are processed the following business day.

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

POSTED ON THE CITY'S CEQA WEBSITE

POSTED: 9/20/23

REMOVED: _____

POSTED: J. Jakubauskas