



Date of Notice: October 30, 2020

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION PLANNING DEPARTMENT

PROJECT NAME/NUMBER: 2501 Angell Avenue Emergency Pipe Repair/Project No. 0678101

COMMUNITY PLAN AREA: University City

COUNCIL DISTRICT: 1

LOCATION: The project is an emergency repair of a failed corrugated metal pipe (CMP) that conveys stormwater and is located at the bottom of the slope near 2501 Angell Avenue at approximately 32.849556, -117.232306, approximately 0.25 miles east of Interstate 5 and north of State Route 52, in Council District 1. The site is within the Rose Canyon Open Space Park and is located within a Multi-Habitat Planning Area (MHPA).

PROJECT DESCRIPTION: The purpose of the project is to repair the collapsed stormwater drain pipe that has resulted in the formation of a sink hole approximately one foot away from the base of pole Z90879 along San Diego Gas & Electric's (SDG&E) electrical transmission Tie Line (TL) 664. The sink hole has compromised the integrity of the transmission pole's foundation, and the pipe needs to be repaired immediately due to its proximity to an electrical transmission pole and a City of San Diego sewer cleanout. The following is a description of the nature of the project:

Schedule

The emergency repair is expected to begin on November 2, 2020 and is estimated to take two to three weeks to complete.

Staging and Access

Access for the project will occur from 7042 Genesee Road using an existing dirt road, and an 80-foot long by 10-foot wide staging area will be situated immediately northeast of the project area within the dirt access road.

Equipment

Equipment will include an excavator, loader, bobcat, backhoe, dump truck, and hand tools.

Below-Ground Pipe and Cleanout Installation

City workers will clean out the existing sink hole, install a concrete Type-A cleanout using a backhoe, raise the grade within the sink hole, and re-compact the soil before installing a replacement high-density polyethylene (HDPE) 18-inch pipe. The replaced HDPE pipe will be lugged to the existing CMP with concrete and continue running downslope 70 feet to where it intersects with an existing dirt access road. City crews will trench across the existing dirt access road, lay the new HDPE pipe and backfill with a mix of native and imported soils. The below-ground pipe will be installed within a 70-foot-long by 10-foot-wide by up to 5-foot deep impact area. The clean-out will involve excavations within a 5-foot by 5-foot area to a depth of 5 feet at the base of the slope where it meets the dirt access road.

Above-Ground Pipe Installation

The 18-inch HDPE pipe will convert from a below-ground to above-ground configuration on the northwest side of the dirt access road and continue for an additional 30 feet before terminating at a rip-rap outfall. The above-ground HDPE will be secured with stakes at the downslope end.

Rip-Rap Outfall Installation

The former rip-rap outfall associated with the failed CMP was not located during a site assessment and is believed to be buried within a vegetated area. Therefore, a replacement rip-rap outfall will be installed by excavating an approximately 10-foot-wide by 10-foot-long area to a depth of 0.5 to 1-foot deep at the edge of the Rose Creek riparian corridor and installing rip-rap within the excavated footprint. Work will be completed using a backhoe or excavator working from the road only given steep slopes on both sides and trucks will enter the area via the access road to bring in imported fill. A sill will be installed in front of the rip-rap, and 30 feet of silt fence will be installed in front of the sill and removed after maintenance activities are complete. The slope will be stabilized with jute mesh and hydroseed to mitigate the potential for erosion.

Impacted Resources and Monitoring

Biological Resources

The project is expected to result in temporary and permanent impacts within the MHPA to disturbed lands, a Tier IV upland community that is not considered sensitive, and southern coast live oak riparian forest, a City wetlands community and Environmentally Sensitive Land (ESL) according to the City Biology Guidelines.

Impacts within disturbed habitat are expected to total 955 square feet of temporary impacts associated with the pipe installation work area and 45 square feet of permanent impacts associated with the above-ground pipe. Impacts within southern coast live oak riparian forest are expected to total 115 square feet (0.003 acre) of permanent impacts resulting from placement of rip-rap and the associated concrete sill, or well below the 0.01-acre significance threshold. Impacts within southern coast live oak riparian forest are also expected to be subject to emergency notification requirements to California Department of Fish and Wildlife pursuant to Fish and Game Code Section 1610.

Biological monitoring of vegetation trimming and removal within ESL would be conducted to help ensure that impacts to native vegetation are minimized to the greatest extent feasible and impacts remain within the anticipated impact area. The project would occur outside of the avian/raptor nesting season (January 15 through September 15), therefore, the need for a nesting bird survey is not anticipated.

Cultural and Paleontological Resources

A site visit was conducted on October 20, 2020, by ESA cultural resources specialist Michael Vader. The site visit and a review of geologic maps, soils maps, and the South Coastal Information Center records search results indicate that much of the landform on which project-related ground disturbance would occur is sloped and not conducive to the preservation of archaeological resources. The one exception is the placement of rip-rap, which includes excavations within a 10 by 10-foot area to depths of 0.5 to 1 foot deep in a portion of the project where the slope transitions into the Rose Creek riparian corridor. The landslide deposits on which the project site sits are of appropriate age and type to preserve subsurface archaeological resources. This coupled with the presence of two archaeological resources, P-37-012557 and P-37-011873/012559, located 415 feet and 615 feet from the project, respectively, indicate there is a degree of archaeological sensitivity in the Rose Creek riparian corridor. Given the archaeological sensitivity of the Rose Creek riparian corridor, and that the proposed rip-rap placement is located on a landform conducive to the preservation of buried archaeological deposits, excavations associated with the rip-rap installation would be subject to archaeological and Native American monitoring.

The project-related ground disturbance would not exceed the excavation thresholds outlined in the City's Land Development Code §143.0151 Paleontological Resources Requirements for Grading Activities . Therefore, pursuant to the City's regulations, paleontological resources monitoring is not recommended.

This emergency activity will require issuance of an emergency permit pursuant to the City of San Diego's Land Development Code (LDC) Section 143.0126 - Emergency Authorization to Impact Environmentally Sensitive Lands. Because emergency activities will result in permanent impacts to environmentally sensitive lands, a subsequent application for permit review will be required. The application shall be submitted within 180 days of completion of the emergency work.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego – Mayor Appointed Designee

ENVIRONMENTAL DETERMINATION: Statutorily exempt from CEQA pursuant to California Public Resources Code Section 21080(b)(2) and State CEQA Guidelines Section 15269(b) & (c)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego Mayor Appointed Designee

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: This emergency activity meets the criteria set forth in Public Resources Code Section 21080(b)(2) and Section 15269(b) & (c) of the CEQA Guidelines, which allows for actions necessary to prevent or mitigate an emergency. This determination is supported by and based on the expert opinion and findings of the Transportation & Storm Water Department that immediate action is necessary to prevent imminent damage to public facilities, infrastructure and City-owned open space. The work may also include emergency repairs to public or private facilities necessary to maintain service, which are exempt under Public Resources Code Section 21080(b)(2) and CEQA Guidelines Section 15269(b) & (c).

The failed pipe has created a sink hole that has compromised the integrity of the SDG&E electrical transmission pole's foundation and requires immediate repair to restore the stability of the pole's foundation and prevent further erosion. The City received notice from SDG&E expressing their concerns regarding the stability of their pole and requesting the repairs be performed prior to December 2020. The initiation of the project on an emergency schedule is required to complete the pipe repair and mitigate the threat to the pole within this timeframe. The work is the minimum necessary to prevent and mitigate the emergency, and impacts to ESLs would be below the significance threshold.

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On October 30, 2020, 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 Contact listed above.

Applications to appeal CEQA determination to the City Council must be filed with the Office of the Clerk within 10 business days from the date of the posting of this Notice (**November 16, 2020**). 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 Email: Send the appeal by email to Hearings1@sandiego.gov; your email appeal will be acknowledged within 24 hours. You must separately mail the required appeal fee by check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Myra Herrmann, 9485 Aero Drive, MS 413, San Diego, CA 92123**. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.
2. Appeals filed via US Mail: Send the appeal by US Mail to **City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101**. Appeals filed by US Mail must have a United States Postal Service (USPS) postmark by the appeal deadline to be considered valid. You must separately mail the required appeal fee by check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Myra Herrmann, 9485 Aero Drive, MS 413, San Diego, CA 92123**. The appeal filing fee must be postmarked within 5 business days of the date the appeal is filed.

If you have any questions regarding the procedures to file the appeal, please contact **Myra Herrmann** at mherrmann@sandiego.gov.

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

POSTED ON THE CITY'S CEQA WEBPAGE

POSTED: 10/30/2020

REMOVED: _____

POSTED: M. Herrmann