



THE CITY OF SAN DIEGO

Date of Notice: March 28, 2023

# NOTICE OF RIGHT TO APPEAL

## ENVIRONMENTAL DETERMINATION

### ENGINEERING & CAPITAL PROJECTS

WBS#: B-23115.02.06

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**PROJECT NAME:** 4356 Altamirano Way Storm Drain Emergency Replacement

**COMMUNITY PLAN AREA:** Uptown

**COUNCIL DISTRICT:** 3

**LOCATION:** The project site is located between 4356 Altamirano Way (APN: 442-692-05-00) and 4366 Altamirano Way (APN: 442-692-06-00); between 4356 Altamirano Way and 2414 Marilouise Way (APN: 442-702-01-00); between 4350 Altamirano Way (APN: 442-692-04-00) and 2414 Marilouise Way; and between 4350 Altamirano Way and open space.

**PROJECT DESCRIPTION:** A recent visual inspection of storm water infrastructure revealed two sinkholes associated with the failure of a 24-inch diameter corrugated aluminum pipe (CAP) storm drain. The first sinkhole (12 feet long x 6 feet wide x 2.5 feet deep) is located within the side yard of 4356 Altamirano Way. The second sinkhole (22 feet long x 8 feet wide x 6.5 feet deep) is located along the property line between 4356 Altamirano Way and 2414 Marilouise Way and is undermining the foundation of the single-family residential structure located at 2414 Marilouise Way.

The project will replace approximately 300 linear feet (LF) of failing 24-inch diameter CAP storm drain with 24-inch diameter reinforced concrete pipe (RCP) storm drain. The existing storm drain will be abandoned in-place. The replacement pipe will be installed adjacent to the existing alignment within the existing storm drain easement. The project will also install approximately 140 LF of new RCP storm drain and a headwall, energy dissipator, and riprap at the outfall within an adjacent canyon. The project will require removal of one tree to facilitate construction activities; backfill two sinkholes; and reconstruct masonry walls. Failure to repair this storm drain infrastructure increases the likelihood of further impacts to adjacent residential structures. The proposed work is the minimum necessary to ensure adequate operational capacity of the storm drain and ensure health and safety.

Following completion of work, all areas impacted by the emergency will be restored to their pre-impact condition to the extent feasible given installation of new headwall and dissipator. A portion of the project occurs within the City's Multi-Habitat Planning Area (MHPA) and will be required to comply with the MHPA Land Use Adjacency Guidelines as specified in Section 1.4.3 of the MSCP Subarea Plan. A subsequent Site Development Permit (SDP) is required in accordance with Section 143.0126 of the Land Development Code. The application for the SDP shall be submitted within 180 days of issuance of the emergency permit.

**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, including the repair of significant leaks from spalling and cracking concrete in the dam structure. 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  
**MAILING ADDRESS:** 525 B Street, Suite 750, San Diego, CA 92101  
**PHONE NUMBER/E-MAIL:** (619) 533-3755 / Jjakubauskas@sandiego.gov

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On March 23, 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 ten (10) business days from the date of the posting of this Notice (by April 12, 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](mailto: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:** 3/28/23

**REMOVED:** \_\_\_\_\_

**POSTED:** J. Jakubauskas