THE CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT
Date of Notice: October 22, 2014
PUBLIC NOTICE OF A
DRAFT MITIGATED NEGATIVE DECLARATION
IO No.: 24004520

The City of San Diego Development Services Department has prepared a draft Mitigated Negative Declaration Report for the following project and is inviting your comments regarding the adequacy of the document. The draft Mitigated Negative Declaration has been placed on the City of San Diego web-site at:

http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml

Your comments must be received by November 21, 2014, to be included in the final document considered by the decision-making authorities. Please send your written comments to the following address: **Rebecca Malone, Environmental Planner, City of San Diego Development Services Center, 1222 First Avenue, MS 501, San Diego, CA 92101 or e-mail your comments to DSDEAS@sandiego.gov with the Project Name and Number in the subject line.**

General Project Information:

- Project Name: **CHILDREN'S POOL WALKWAY REPLACEMENT PROJECT**
- Project No. 362882 / SCH No. *Pending*
- Community Plan Area: La Jolla
- Council District: 1

Subject: **MAYORAL APPROVAL** to demolish and replace existing parking lot paving, curb and gutter, and sidewalk located above an existing public beach (Children's Pool). The project also includes the removal of existing irrigation and plant materials, as well as the construction of asphalt paving, concrete curb and gutter, concrete sidewalk, rock walls, landscape boulders, fencing, parking stalls, landscaping, and irrigation. A Traffic Control Plan will be implemented during construction activities in accordance with all applicable provisions in the Municipal Code. The site is not included on any Government Code listing of hazardous waste sites.

Applicant: City of San Diego Park and Recreation Department

Recommended Finding: The recommended finding that the project will not have a significant effect on the environment is based on an Initial Study and project revisions/conditions which now mitigate potentially significant environmental impacts in the following area(s): **HISTORICAL RESOURCES (ARCHAEOLOGY).**

Availability in Alternative Format: To request this Notice, the draft Mitigated Negative Declaration, Initial Study, and/or supporting documents in alternative format, call the Development Services Department at 619-446-5460 or (800) 735-2929 (TEXT TELEPHONE).

Additional Information: For environmental review information, contact Rebecca Malone at (619) 446-5371. The draft Mitigated Negative Declaration and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Fifth floor of the Development Services Center. If you are interested in obtaining additional copies of either a Compact Disk (CD), a hard-copy of the draft Mitigated Negative Declaration, or the separately bound technical appendices, they can be purchased for an additional cost. **For information regarding public meetings/hearings on this project, contact Paul Jacob at (619) 235-5242.** This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on October 22, 2014.

Cathy Winterrowd, Deputy Director
Planning Department

City of San Diego
Development Services

Advance Planning &
Engineering Division
(619) 446-5460

DRAFT MITIGATED NEGATIVE DECLARATION

Project No. 362882
SCH No. *N/A*

SUBJECT: **CHILDREN'S POOL WALKWAY REPLACEMENT PROJECT. MAYORAL APPROVAL** to demolish and replace existing parking lot paving, curb and gutter, and sidewalk located above an existing public beach (Children's Pool). The project also includes the removal of existing irrigation and plant materials, as well as the construction of asphalt paving, concrete curb and gutter, concrete sidewalk, rock walls, landscape boulders, fencing, parking stalls, landscaping, and irrigation. A Traffic Control Plan will be implemented during construction activities in accordance with all applicable provisions in the Municipal Code.

I. PROJECT DESCRIPTION: See attached Initial Study.

II. ENVIRONMENTAL SETTING: See attached Initial Study.

III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas(s): **HISTORICAL RESOURCES (ARCHAEOLOGY)**. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

A. **GENERAL REQUIREMENTS – PART I**
Plan Check Phase (prior to permit issuance)

1. Prior to issuance of any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of the project(s) are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS**."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

   http://www.sandiego.gov/development-services/industry/standtemp.shtml

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

B. GENERAL REQUIREMENTS – PART II
Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

   Archaeology Consultants/Monitor

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:
   a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division (858) 627-3200**
   b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at (858)627-3360**

2. **MMRP COMPLIANCE:** This **Project No. 362882** shall conform to the mitigation requirements contained in the associated Construction Plans and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc

Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder

obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

California Coastal Commission

4. **MONITORING EXHIBITS.** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

[List all and only project specific required verification documents and related inspections table below]

Issue Area	*Document submittal*	*Assoc Inspection/Approvals/Notes*
General	*Consultant Qualification Letters*	*Prior to Pre-construction Meeting*
General	*Consultant Const. Monitoring Exhibits*	*Prior to or at Pre-Construction Mtg*
Archaeology	*Archaeology Reports*	*Archaeology site observation*
Final MMRP	*Final monitoring reports*	*Final MMRP inspection*

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

HISTORIC RESOURCES (ARCHAEOLOGY)

I. Prior to Permit Issuance or Bid Opening/Bid Award

A. Entitlements Plan Check

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee 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 ADD

1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (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 the applicant 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, the applicant 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; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. 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, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
   2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects) The applicant 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 faxed 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 or BI, 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 fax or 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 Historical Resources Guidelines. 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 or BI 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 notified by the Commission, 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, 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.

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, the applicant/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 fax 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, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
   2. The RE, or BI, 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 Historical Resources Guidelines (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 Historical Resources Guidelines, 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 or BI, 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 or BI, as appropriate for donor signature with a copy submitted to MMC.
4. The RE or BI, 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 or BI and MMC.

D. Final Monitoring Report(s)
   1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI 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.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

State Government
- State Clearinghouse (46)
- California Coastal Commission (47)
- Native American Heritage Commission (222)
- Regional Water Quality Control Board (44)

City of San Diego
- Mayor's Office
- Councilmember Sherri Lightner
- City Attorney
  - Shannon Thomas
- Development Services Department
  - Rebecca Malone
  - Myra Herrmann
  - Helene Deisher
- Park and Recreation Department
  - Paul Jacob
- La Jolla/Riford Branch Library (81L)
- Library Department – Government Documents (81)
- Real Estate Assets Dept. (85)

Others
- Historical Resources Board (87)
- Carmen Lucas (206)
- South Coastal Information Center (210)
- San Diego Archaeological Center (212)
- Save Our Heritage Organisation (214)
- Ron Christman (215)
- Clint Linton (215B)
- Frank Brown – Inter-Tribal Cultural Resources Council (216)
- Campo Band of Mission Indians (217)

San Diego County Archaeological Society, Inc. (218)
Kumeyaay Cultural Heritage Preservation (223)
Kumeyaay Cultural Repatriation Committee (225)
Native American Distribution (225 A-S)
La Jolla Village News (271)
La Jolla Shores Association (272)
La Jolla Town Council (273)
La Jolla Historical Society (274)
La Jolla Community Planning Association (275)
La Jolla Light (280)
Patricia K. Miller (283)
Jim Neri

VII. RESULTS OF PUBLIC REVIEW:

( ) No comments were received during the public input period.

( ) Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.

( ) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program and any Initial Study material are available in the office of the Development Services Department for review, or for purchase at the cost of reproduction.

Myra Herrmann, Senior Planner
Development Services Department

10/17/14
Date of Draft Report

Date of Final Report

Analyst: **Rebecca Malone**

Attachments: Initial Study
Figure 1: Location Map
Figure 2: Project Site Map

Revised 120710mjh

Location Map

Children's Pool Walkway Replacement/Project No. 362882

City of San Diego – Development Services Department

FIGURE

No. 1

Project Site Map

Children's Pool Walkway Replacement/Project No. 362882

City of San Diego – Development Services Department

FIGURE

No. 2

INITIAL STUDY CHECKLIST

1. Project title/Project number: CHILDREN'S POOL WALKWAY REPLACEMENT / 362882

2. Lead agency name and address: City of San Diego, Development Services Department, 1222 First Avenue, MS 501, San Diego, CA 92101-4101

3. Contact person and phone number: Rebecca Malone, 619-446-5371

4. Project location: 850 Coast Boulevard, La Jolla, CA, 92037

5. Project Applicant/Sponsor's name and address: Jim Neri, Neri Landscape Architecture, 928 Hornblend Street, Suite 3, San Diego, CA 92109, 858-274-3222
City Contact: Paul Jacob, City of San Diego Park and Recreation Department, 202 C Street, MS 35, San Diego, CA 92101, 619-235-5242

6. General/Community Plan designation: The project site is within City of San Diego right-of-way. The surrounding area is designated either open space or residential by the City of San Diego General Plan.

7. Zoning: The project site is zoned LJPD-5 (La Jolla Planned District: 5) by the City of San Diego.

8. Description of project (Describe the whole action involved, including but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation.):

   The project consists of improvements to an existing public sidewalk located above a public beach (Children's Pool). The improvements include the demolition of existing parking lot paving, curb and gutter, sidewalk, and the removal of existing irrigation and plant materials, as well as the construction of asphalt paving, concrete curb and gutter, concrete sidewalk, rock walls, landscape boulders, fencing, parking stalls, landscaping, and irrigation. A Traffic Control Plan will be implemented during construction activities in accordance with all applicable provisions in the Municipal Code.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

   A public beach and the Pacific Ocean border the project to the north and west. Residential uses border the project to the east and south. The project is adjacent to Coast Boulevard and includes a crosswalk on Coast Boulevard.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):

    California Coastal Commission

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐	Aesthetics	☐	Greenhouse Gas Emissions	☐	Population/Housing
☐	Agriculture and Forestry Resources	☐	Hazards & Hazardous Materials	☐	Public Services
☐	Air Quality	☐	Hydrology/Water Quality	☐	Recreation
☐	Biological Resources	☐	Land Use/Planning	☐	Transportation/Traffic
☒	Cultural Resources	☐	Mineral Resources	☐	Utilities/Service System
☐	Geology/Soils	☐	Noise	☒	Mandatory Findings Significance

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial evaluation:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact answer should be explained where it is based on project specific factors

as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses", as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration. *Section 15063(c)(3)(D).* In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used. Identify and state where they are available for review.

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated", describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

    a. The significance criteria or threshold, if any, used to evaluate each question; and

    b. The mitigation measure identified, if any, to reduce the impact to less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

I) AESTHETICS – Would the project:

a) Have a substantial adverse effect on a scenic vista? ☐ ☐ ☒ ☐

The project consists of the removal and replacement of parking lot pavement, sidewalk, and associated landscaping. Any fencing, decorative boulders, or rock walls would be a maximum height of 40 inches. The project's impact on views of the ocean from the public walkway would be less than significant.

b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ☐ ☐ ☐ ☒

No scenic resources exist on-site, and the site is not within a state scenic highway. No impact would occur.

c) Substantially degrade the existing visual character or quality of the site and its surroundings? ☐ ☐ ☐ ☒

The project consists of the removal and replacement of existing pavement and sidewalk as well as the removal and replacement of plantings and other landscaping such as decorative boulders and fencing. All project elements would be compatible with the visual character of the site and its surroundings. No impact would occur.

d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? ☐ ☐ ☐ ☒

See I.a. and I.c. The project does not include any element that would produce substantial light or glare that would adversely affect day or nighttime views in the area. No impact would occur.

II. AGRICULTURAL AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project:

a) Converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources ☐ ☐ ☐ ☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Agency, to non-agricultural use?

No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance exists on-site. No impact would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract? ☐ ☐ ☐ ☒

There are no Williamson Act Contracts within the project site. No impact would occur.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? ☐ ☐ ☐ ☒

No land within the project site is zoned as forest land, timberland, or Timberland Production. No impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use? ☐ ☐ ☐ ☒

There is no forest land within the project site. No impact would occur.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? ☐ ☐ ☐ ☒

There is no farmland or forest land in the vicinity of the project. The project would not involve changes to the existing environment, which, due to their location or nature, could result in the conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use. No impact would occur.

III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make the following determinations – Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan? ☐ ☐ ☒ ☐

The project would not generate a substantial amount of emissions as a result of the proposed use (e.g., vehicle miles traveled, etc.). The project proposes to replace an existing sidewalk and paved parking area, which would not increase emissions above existing levels. An increase in emissions would occur during construction; however, this increase would be temporary and

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

minimal and would not conflict with implementation of the applicable air quality plan. Impacts would be less than significant.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ☐ ☐ ☒ ☐

The project would not generate a substantial amount of emissions as a result of the proposed use. The project would replace an existing sidewalk, paved parking area, and adjacent landscaping. An increase in emissions would occur during construction; however, this increase would be temporary and minimal. The small construction-related increase in emissions would not violate any air quality standard or contribute substantially to any air quality violations. Impacts would be less than significant.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? ☐ ☐ ☒ ☐

Construction could temporarily increase the emissions of dust and other pollutants associated with the use of construction equipment; however, these emissions would be minimized by the implementation of Best Management Practices (BMPs). The scope of the project would not increase the number of Vehicle Miles Traveled (VMT) since there is already an existing parking area and sidewalk at this location. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards. Impacts would be less than significant.

d) Create objectionable odors affecting a substantial number of people? ☐ ☐ ☐ ☒

Operation of construction equipment and vehicles could generate odors associated with fuel combustion. However, these odors would dissipate into the atmosphere upon release. Therefore, the project would not create substantial amounts of objectionable odors affecting a substantial number of people. No impact would result.

IV. BIOLOGICAL RESOURCES – Would the project:

a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife ☐ ☐ ☐ ☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Service?

The existing landscaping on the project site is non-native and the site does not contain any sensitive biological resources, or any candidate, sensitive, or special status species. No impact would occur.

b) Have a substantial adverse effect on any riparian habitat or other community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ☐ ☐ ☐ ☒

The project site is currently developed with sidewalk, a paved parking area, and ornamental landscaping. No riparian habitat exists on-site, or would be affected by development of the project. No impact would occur.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ☐ ☐ ☐ ☒

The project consists of the replacement of existing sidewalk, a paved parking area, and adjacent landscaping. It would not have an adverse effect on federally protected wetlands through removal, filling, hydrological interruption, or other means. No impact would occur.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ☐ ☐ ☐ ☒

The project site is not within or adjacent to a wildlife corridor and would not impede the movement of any migratory fish or wildlife species. No impact would occur.

e) Conflict with any local policies or ordinances protecting biological resources, such a as tree preservation policy or ordinance? ☐ ☐ ☐ ☒

The project consists of the removal and replacement of sidewalk, a paved parking area, and associated landscaping. It would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impact would occur.

f) Conflict with the provisions of an adopted Habitat Conservation ☐ ☐ ☐ ☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project site is located outside of the Multi-Habitat Planning Area (MHPA) and would not affect sensitive biological resources as defined in the MSCP Subarea Plan or the City's Biological Guidelines. No impact would occur.

V. CULTURAL RESOURCES – Would the project:

a) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5? ☐ ☒ ☐ ☐

The purpose and intent of the *Historical Resources Regulations of the Land Development Code (Chapter14, Division 3, and Article 2)* is to protect, preserve and, where damaged, restore the historical resources of San Diego. The regulations apply to all proposed development within the City of San Diego when historical resources are present on the premises. CEQA requires that before approving discretionary projects, the Lead Agency must identify and examine the significant adverse environmental effects, which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource may have a significant effect on the environment (Sections 15064.5(b) and 21084.1). A substantial adverse change is defined as demolition, destruction, relocation, or alteration activities, which would impair historical significance (Sections 15064.5(b)(1)). Any historical resource listed in, or eligible to be listed in the California Register of Historical Resources, including archaeological resources, is considered to be historically or culturally significant.

Based on a search of the City's archaeology database, there is a mapped archaeological site in the near vicinity of the project. Monitoring during construction would be required to ensure that the project does not cause a substantial adverse change in the significance of an historical resource. Implementation of the MMRP detailed in Section V of the MND would reduce potential impacts to below a level of significance.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ☐ ☒ ☐ ☐

See. V.a. There is a mapped archaeological site directly north of the project site. Although the project does not directly affect this site, its presence indicates the potential for additional archaeological resources on the project site, and mitigation is required. The potential remains for buried resources to be encountered during the removal of the existing sidewalk, paving, landscaping, and irrigation system. Mitigation in the MND requires archaeological and Native American monitoring during ground-disturbing activities. Implementation of this mitigation would reduce any impact to less than significant. Mitigation measures are included in Section V. of the MND, Mitigation, Monitoring, and Reporting Program.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ☐ ☐ ☒ ☐

According to the "Geology of the San Diego Metropolitan Area, California, La Jolla, 7.5 Minute Quadrangle Maps" (Kennedy and Peterson, 1975), the project site is located on the Point Loma

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Formation, which has a high sensitivity rating. The City of San Diego Determination Thresholds state that monitoring is required when a depth of 10 feet and 1,000 cubic yards of excavation would be exceeded at a site with a high sensitivity rating. Project activities would not extend below the 10-foot-deep threshold used by the City in high paleontological resource sensitivity formations to determine whether monitoring would be required. The potential impact to paleontological resources would be less than significant.

d) Disturb and human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

No human remains have been documented within the project area. Should remains be encountered during ground disturbance activities, protocol in accordance with the City's Mitigation Monitoring and Reporting Program for Historical Resources and strict compliance with the California Public Resources Code and Health and safety Code would reduce potential impacts to below a level of significance.

VI. GEOLOGY AND SOILS – Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐

The nearest active fault to the project site is the Rose Canyon fault zone, which is approximately 0.5-mile north of the project site. Implementation of the proposed project, which would replace an existing sidewalk, paved parking area, and associated landscaping, would not result in the creation of new structures or land uses that would attract a higher, permanent intensification of people at the project site. Given that no new structures are proposed, potential impacts to people or new structures associated with the possible rupture of a known fault, such as the Rose Canyon fault, would be less than significant.

ii) Strong seismic ground shaking?	☐	☐	☒	☐

The proposed project would not expose people or structures to substantial effects from strong seismic ground shaking due to the fact the project involves replacing existing paved areas and associated landscaping. Given the absence of any new structures that would result from the proposed project, impacts related to strong seismic ground shaking would be less than significant.

iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. Implementation of the project would not result in an increase in the potential for seismic-related ground failure, including liquefaction. Given that no new structures are proposed, potential impacts to people or new structures associated with seismic-related ground failure would be less than significant.

iv) Landslides? ☐ ☐ ☒ ☐

According to the City of San Diego Seismic Safety Study Maps (2008, Map 29), the project site lies within Geologic Hazard Category 43, which is characterized as generally unstable. The existing sidewalk and paved parking area are along the edge of a cliff overlooking the Children's Pool beach. The project proposes to replace this area with new sidewalk, paved parking area, and landscaping. The project does not propose to construct any new structures or amenities, and thus, would not expose a greater number of people to the risk of landslides. Impacts would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☒ ☐

Implementation of the proposed project would involve the replacement of sidewalk, a paved parking area, and landscaping and associated irrigation system. Minimal disturbance to areas outside of the existing paved and landscaped areas would occur. The replacement of the paved areas and landscaping would not result in erosion or the loss of topsoil. Application of project best management practices (BMPs) required during construction would ensure that erosion and loss of topsoil is minimized. Therefore, overall impacts resulting from soil erosion or the loss of topsoil would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? ☐ ☐ ☒ ☐

According to the City of San Diego Seismic Safety Study Maps (2008, Map 29), the project site lies within Geologic Hazard Category 43, which is characterized as generally unstable; however, the risk of instability associated with the project would be considered minimal. Given the nature of the proposed project, i.e., the replacement of existing paved areas, the project would not be expected to destabilize the project area, resulting in landslides, lateral spreading, subsidence, liquefaction, or collapse. Impacts would be less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? ☐ ☐ ☒ ☐

See VI.c. Although the project would be constructed on a formation that is considered generally unstable, due to the nature of the project, i.e., the replacement of sidewalk and pavement, substantial risks to life or property would not result from the development of the project. Impacts would be less than significant.

e) Have soils incapable of ☐ ☐ ☐ ☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The proposed project does not involve the use or installation of septic tanks or alternative waste water disposal systems. There is no impact.

VII. GREENHOUSE GAS EMISSIONS – Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ☐ ☐ ☒ ☐

The City of San Diego is using the California Air Pollution Control Officers Association (CAPCOA) report "CEQA and Climate Change" (CAPCOA 2009) to determine whether a GHG analysis would be required for submitted projects. The CAPCOA report references a 900 metric ton per year of carbon dioxide equivalent ($MTCO_2E$) guideline as a conservative threshold for requiring further analysis and possible mitigation. This emission level is based on the amount of vehicle trips, the typical energy and water use associated with projects, and other factors. An example of a use that would generate 900 $MTCO_2E$ is 50 single family houses. The proposed project would replace an existing sidewalk, paved area, and landscaping. At most, it would minimally increase the amount of GHG emissions at the project site. Both construction and operation of the project would be well below the 900 $MTCO_2E$ level. Impacts would be less than significant.

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ☐ ☐ ☒ ☐

Refer to VII(a), above, regarding discussion of project-related GHG emissions. The City of San Diego General Plan Conservation Element and the San Diego Sustainable Community Program aim to reduce state and local GHG emissions.

The City also recently released the *City of San Diego Climate Action Plan Working Draft* (City of San Diego, 2014) that establishes a Citywide GHG inventory baseline for the year 2010, as well as measures to meet reduction targets of 15 percent below the 2010 baseline by 2020 and 49 percent below the 2010 baseline by 2035. The City's strategies to achieve these reduction targets include (1) Energy and Water Efficient Buildings; (2) Clean and Renewable Energy; (3) Biking, Walking, and Transit; (4) Zero Waste; and (5) Climate Resiliency.

The project consists of the removal and replacement of sidewalk, a paved parking area, and adjacent landscaping. The project would not result in long-term GHG emissions. Therefore, the project would not conflict with any adopted GHG reduction plans, policies, or regulations. In addition, as discussed above under Section VII(a), the project would result in less than 900 $MTCO_2E$ net increase in GHG emissions. This impact would be less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

Implementation of the proposed project would result in the temporary use of construction vehicles and equipment. Any movement of vehicles transporting or disposing of hazardous materials to and from the project site would be short term, and would cease upon completion of construction activities. Therefore, potential impacts associated with the routine transport, use, or disposal of hazardous materials as a result of the proposed project construction would be less than significant.

The project proposes the replacement of sidewalk, a paved parking area, and landscaping. The proposed sidewalk and parking area would not generate or necessitate the use of hazardous materials during their operation; therefore, it is not anticipated that any hazardous materials would be routinely transported, used, or disposed of during operation of the new facility. No significant hazards to the public or the environment would be created during operation.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒

The project proposes the replacement of sidewalk, a paved parking area, and landscaping. The existing sidewalk, parking area and landscaping do not release hazardous materials into the environment; therefore, it is not anticipated that any hazardous materials would be discovered and released into the environment during the construction of the new sidewalk, parking area, and landscaping. In addition, as mentioned above, it is not anticipated that the project would require the use of hazardous materials. Therefore, no release of hazardous materials into the environment would occur. No impact would result.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

The project is not within one-quarter mile of an existing school. It is not anticipated that any hazardous materials would be discovered during project implementation and therefore, the public would not be impacted by hazardous materials. No impact would occur.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

The project site is not included on a list of hazardous materials sites and therefore implementation of the project would not create a significant hazard to the public or environment. No impact would result.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two mile of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐

The project site is not located in an airport land use plan or within two miles of a public airport. The project would not result in a safety hazard for people residing or working in the project area. No impact would result.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

The project is not located within the vicinity of a private airstrip. As such, the project would not result in a safety hazard for people residing or working in the project area. No impact would result.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

Coast Boulevard is not an emergency route; however, construction vehicles would be required to allow for adequate emergency access on Coast Boulevard. Operation of the proposed project would not physically interfere with the movement of emergency vehicles. Impacts would be less than significant.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

The project is located within a developed coastal area with no wildlands located adjacent to the project site or in the surrounding area. No impact would result.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒

The proposed project would comply with all storm water quality standards during and after construction, and would implement appropriate BMPs. All standard development projects in the City of San Diego are also subject to source control, construction, as specified in the City of San Diego's Stormwater Standards Manual. Implementation of the proposed project would replace

existing paved areas. Pavement replacement activities would not create additional impervious surfaces at the project site beyond what is currently present in the existing condition; therefore, increased runoff would not occur as a result of the proposed project.

Unprotected construction sites have the potential to discharge sediment and other pollutants into local waterways. All construction projects are required to reduce pollution to the maximum extent practicable by implementing best management practices (BMPs). The proposed project pavement removal and replacement activities would be minimal and very localized; however, the activities would necessitate temporary exposure of soil which, if left uncovered, could result in sedimentation in the event of rain. In addition fuels, oils, lubricants, and other hazardous substances would be used during construction and if these substances are unmanaged, or in the event of an accidental spill, these substances could be released and impact water quality. The proposed project would include implementation of source control and erosion control BMPs during construction of the proposed project to prevent sediment and/or hazardous materials and substances from leaving the project site. Erosion control BMPs, such as scheduling during the non-rainy season and preservation of existing vegetation, would prevent the exposure of soil to water and reduce the threat of erosion during construction. The proposed project would also implement sediment control BMPs, such as sandbags and fiber rolls, to trap any sediment that mobilizes on-site, thereby preventing siltation from occurring.

Given the above considerations, the proposed project would not violate any water quality standards or waste discharge requirements, and impacts would be less than significant.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒

The proposed project does not involve the use of groundwater. In addition, no impervious surfaces would be added over and above what exists. Therefore, no impacts to existing groundwater supplies or quality will occur as a result of the proposed project.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐

Implementation of the proposed project would involve replacing existing paved areas and adjacent landscaping. These project elements would not add additional impervious surface to the project site, and as such, post-project drainage patterns will be returned to pre-project conditions upon completion of construction work. Given that the proposed project would add no new impervious surfaces to the project site and that BMPs would be employed during construction, potential impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	☐	☐	☒	☐

As explained in Section IX.c., construction of the proposed project would not result in the creation of new impervious surfaces at the project site, nor would it affect non-paved areas such that the existing drainage pattern would be substantially altered or the rate of surface runoff increased. Furthermore, the proposed project would not impact or alter the course of any river. Therefore, potential impacts would be less than significant.

e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐

As described previously, replacement of existing paved areas would not result in the creation of additional impervious surfaces. Therefore, post-project runoff rates would not exceed pre-project conditions. As such, potential impacts to the City of San Diego's on- and off-site existing stormwater drainage systems would be less than significant.

f) Otherwise substantially degrade water quality?	☐	☐	☒	☐

See sections IX.a. through IX.e.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒

Implementation of the proposed project does not involve the construction of housing, therefore there is no impact.

h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?	☐	☐	☐	☒

The project site is not located within a 100-year flood hazard area or any other known flood area. No impact would occur.

X. LAND USE AND PLANNING – Would the project:

a) Physically divide an established community?	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The project consists of the replacement of an existing sidewalk, paved parking area, and associated landscaping. All project elements would be constructed in approximately the same location as the existing sidewalk and parking area; therefore, project implementation would not result in the division of an established community. No impact would result.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? ☐ ☐ ☒ ☐

The project consists of upgrades to existing public infrastructure. The project would not alter the site's land use and is consistent with the policies, goals and recommendations of the General Plan and the La Jolla Community Plan and Local Coastal Program. One of the goals of the Natural Resources and Open Space Element of the La Jolla Community Plan and Local Coastal Program is to "enhance existing public access to La Jolla's beaches and coastline areas (for example La Jolla Shores Beach and Children's Pool areas) in order to facilitate greater public use and enjoyment of these and other coastal resources." The proposed project would enhance a section of an existing coastal walkway above the Children's Pool beach. The project would also be consistent with Shoreline Areas and Coastal Bluffs Policy b., which states that the City shall maintain, enhance, and restore shoreline areas, in order to benefit present and future visitors. The project would maintain, enhance, and restore the existing walkway to provide a better facility for residents and visitors. The project would also be consistent with Public Access Policy c., which states that the City shall maintain, enhance, and restore existing parking areas, public stairways, pathways, and railings along the shoreline. The project would enhance an existing parking area. Finally, the project would be consistent with Plan Recommendation 3: Shoreline Areas, which states that the City should maintain, and, where feasible, enhance and restore existing facilities including streets, public easements, stairways, pathways and parking areas in order to provide adequate public access to the shoreline.

The La Jolla Community Plan and Local Coastal Program includes policies and recommendations that all development avoid Environmentally Sensitive Lands (ESL) and heritage resources, i.e., sites of archaeological, architectural, or historical value. The proposed project would not affect any ESL, historic sites, or sites of architectural value. There are mapped archaeological sites in the vicinity of the project; however, after construction, which would require archaeological monitoring, the project would have no additional environmental effects above and beyond those of the existing paved parking area and sidewalk. Therefore, it would not conflict with any land use planning document for the community. Impacts would be less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? ☐ ☐ ☒ ☐

The project site is located outside of the Multi-Habitat Planning Area (MHPA) and would not conflict with the City's Biological Guidelines or the Multiple Species Conservation Program (MSCP) Subarea Plan; however, a moratorium on construction during the seal pupping season exists at the project site between December 15 and May 15. The project would comply with this

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

limitation. Impacts would be less than significant.

XI. MINERAL RESOURCES – Would the project?

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒

The area surrounding the project is not being used for the recovery of mineral resources, nor is it designated for the recovery of mineral resources on the City of San Diego General Plan Land Use Map. Therefore, the project would not result in the loss of availability of a known mineral resource. No impact would result.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

The project would not result in the loss of the availability of a locally important mineral resource. There are no existing quarries within close proximity to the site. The project site and its surrounding are not zoned for mineral resources. As such, project implementation would not result in the loss of availability of a locally important mineral resource recover site. No impact would result.

XII. NOISE – Would the project result in:

a) Generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐

The project would result in potential increased noise exposure of sensitive receptors in the vicinity during the short-term construction activities. Per Section 21.04 of the San Diego Municipal Code, it is unlawful for any person, between the hours of 7:00 pm of any day and 7:00 am of the following day, or on legal holidays, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator. Except as provided above, it is unlawful for any person, including the City of San Diego, to conduct any construction activity so as to cause, at or beyond the property lines of any property zoned residential, an average sound level greater than 75 dBA during the 12-hour period from 7:00 am to 7:00 pm.

Sensitive receptors in the immediate vicinity of the project site include residential uses directly to the east of the project. Excavation and finishing activities would likely be the loudest phases of project construction. Construction noise at these levels would comply with the City's CEQA significance threshold of 75 dBA Leq, and therefore would not be considered significant.

In regards to operations, there would be no long-term sources of noise associated with the project. Therefore, the project would not conflict with the noise standards in the City General Plan or Noise Abatement and Control Ordinance. There would be no operational noise impact.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Generation of, excessive ground borne vibration or ground borne noise levels?	☐	☐	☐	☒

The project would not include construction activities that would result in substantial levels of ground borne vibration or noise, such as blasting or pile driving. As such, the project would not result in people being exposed to excessive ground borne vibration and ground borne noise. No impact would occur.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒

As discussed for criterion XII.a., there would be no long-term, permanent sources of noise associated with the project. No impact would occur.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing without the project?	☐	☐	☒	☐

As discussed in Section XII.a., the project would result in short-term, temporary noise during construction activities. However, this impact would be less than significant.

e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☐	☒

The project site is not located in an airport land use plan or within two miles of a public airport. The project would not expose people residing or working in the project area to excessive noise levels. No impact would result.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

The project would not be in the vicinity of a private airstrip. No impact would occur.

XIII. POPULATION AND HOUSING – Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The project consists of the replacement of sidewalk, a paved parking area, and associated landscaping. It would not induce growth to the area either directly or indirectly. No impact would occur.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

The proposed project would not displace any developments, housing or otherwise, as the proposed project work would be contained within the boundaries of the City of San Diego right-of-way. No displacement of housing would occur, thus there is no impact.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

The proposed project would similarly not displace any people, as the project work would be contained on-site and would not affect any households or populations in the vicinity. No displacement of people would occur, thus there is no impact.

XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

i) Fire Protection ☐ ☐ ☐ ☒

The replacement and installation of sidewalk, a paved parking area, and landscaping would not alter any fire protection response times, facilities or impact the operation of fire personnel. The project would not result in the need for new or physically altered fire protection facilities. No impact would result.

ii) Police Protection ☐ ☐ ☐ ☒

The replacement and installation of sidewalk, a paved parking area, and landscaping would not alter any police protection response times, facilities or impact the operation of police personnel. The project would not result in the need for new or physically altered police facilities. No impact would result.

iii) Schools ☐ ☐ ☐ ☒

The replacement and installation of sidewalk, a paved parking area, and landscaping would not result in the need for new or physically altered schools. No impact would result.

v) Parks ☐ ☐ ☐ ☒

The project would replace sidewalk, a paved parking area, and landscaping adjacent to a public beach. It would upgrade the existing park facility. The project would not have a substantial

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

adverse physical impact on the current facility, nor would it require new or physically altered government facilities. No impact would occur.

vi) Other public facilities ☐ ☐ ☐ ☒

The project would not result in the increased demand for electricity, gas, or other public facilities. The project would improve existing infrastructure (public sidewalk and parking area) and would not impact any other public facilities. No impact would result.

XV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ☐ ☐ ☐ ☒

The project would replace sidewalk, a paved parking area, and landscaping adjacent to a public beach. It would upgrade the existing park facility. The project would not result in the building of residential units and would, therefore, not result in an increase in demand for recreational facilities. Substantial physical deterioration of a recreational facility would not occur or be accelerated as a result of the development of the proposed project. No impact would result.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? ☐ ☐ ☐ ☒

The project would replace sidewalk, a paved parking area, and landscaping adjacent to a public beach. It would upgrade the existing park facility. It would be an improvement to the existing public facility, and would not represent an adverse physical effect on the environment. No impact would occur.

XVI. TRANSPORTATION/TRAFFIC – Would the project?

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? ☐ ☐ ☒ ☐

The project consists of the replacement of an existing sidewalk and paved parking area, and

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

associated landscaping improvements, and would not create additional traffic beyond the existing condition once construction is complete. Construction traffic and staging would increase traffic along haul routes, but this impact is temporary. Therefore, there would be no conflict with a plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. Impacts would be less than significant.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? ☐ ☐ ☒ ☐

The project consists of the removal and replacement of an existing sidewalk, paved parking area, and landscaping, and would not necessitate additional traffic beyond the existing traffic once it is constructed. Construction traffic and construction staging would increase traffic along haul routes and at the project site, but this impact is temporary. Therefore, there would be no conflict with any applicable congestion management program. Impacts would be less than significant.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? ☐ ☐ ☐ ☒

The project would not result in a change in air traffic patterns, an increase in traffic levels, or a change in traffic location resulting in substantial safety risks. Therefore, no impact will occur.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ☐ ☐ ☐ ☒

The project would not result in hazards due to a design feature or incompatible use. Construction staging would occur on-site, and the area's circulation system would largely perform as it does in existing conditions. No impact would result.

e) Result in inadequate emergency access? ☐ ☐ ☒ ☐

Adequate emergency access would be available during construction and operation of the facility. Due to the construction staging located on the project site, the right-of-way access would not be compromised. Impacts would be less than significant.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? ☐ ☐ ☐ ☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The project consists of the removal and replacement of sidewalk, a paved parking area, and associated landscaping. This would constitute an improvement to a pedestrian facility and a parking area. It would not decrease the performance of either facility. Therefore, the project would not conflict with plans or programs regarding public transit, bicycle, or pedestrian facilities or decrease their performance. No impact would result.

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒

The project includes the replacement of sidewalk, paved parking area, and associated landscaping. The project would not produce wastewater, and thus, would not exceed wastewater treatment requirements of the San Diego Regional Water Quality Control Board. No impact would result.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒

The project includes the removal and replacement of sidewalk, a paved parking area, and associated landscaping. The project is a necessary upgrade to existing water facilities. It would not require or result in the construction and expansion of water or wastewater treatment facilities. No impact would result.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐

The project includes the removal and replacement of sidewalk, a paved parking area, and associated landscaping, and would not result in a substantial change to the on-site drainage pattern. Runoff volume generated from the completed project would not be significantly different from the existing runoff volume. The project would not require or result in construction of new storm water drainage facilities or the expansion of existing facilities. Impacts would be less than significant.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒

The project would replace the landscaping and irrigation system within the project site. The irrigation system would be more efficient and the landscaping would require less irrigation than what is existing at the site. The project site would not require more water than it is currently receiving. No impact would result.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒

The project includes the removal and replacement of sidewalk, a paved parking area, and associated landscaping. The project would have no impact on the demand on the existing wastewater treatment system. No impact would result.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐

The solid waste generated by this project would be disposed of in conformance with all applicable local and state regulations pertaining to solid waste including permitting capacity of the landfill serving the project area. Implementation of the proposed project is anticipated to generate debris related to the removal of the current pavement and irrigation system. The proposed project is not expected to generate amounts of debris great enough to affect the permitted capacity of local landfills. Operation of the project would not generate waste and therefore would not affect the permitting capacity of the landfill serving the project area. Therefore, this impact would be less than significant.

g) Comply with federal, state, and local statutes and regulation related to solid waste?	☐	☐	☐	☒

Any solid waste generated during construction related activities would be recycled or disposed of in accordance with all applicable local, state and federal regulations. No impact would result.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE –

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐

The preceding analysis does not reveal any impacts to the environment that cannot be mitigated to below a level of significance. The project is located entirely within a developed City-owned park

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

in a developed, urbanized neighborhood and would not degrade the quality of the surrounding environment. The project has the potential to result in impacts to archaeological resources requiring monitoring during excavation activities. Implementation of the MMRP found in Section V. of the MND would reduce potential impacts to archaeological resources to below a level of significance. The project is not located within the City's MHPA; however it is within an area in which a moratorium on construction is in effect from December 15 to May 15 due to seal pupping. This moratorium will be observed. With archaeological monitoring, impacts would be reduced to below a level of significance.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable futures projects)? ☐ ☐ ☒ ☐

The potential for cumulative impacts occurs when the independent impacts of the project are combined with the impacts of related projects in proximity to the project site such that the impacts that occur are greater than the project alone. As discussed above, with the exception of archaeological resources, it has been determined that the project would have no impacts, or impacts would be less than significant. Other impacts associated with the proposed project, including emissions, noise, and traffic generated by construction activities, would be temporary, largely localized to the project site itself, and less than significant. Given the temporary nature of the proposed project in both its implementation and impacts, any contribution it would have to a cumulatively considerable impact on the environment is considered less than significant.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? ☐ ☒ ☐ ☐

As stated previously, potentially significant impacts have been identified for archaeological resources only. The proposed project is located on a previously graded site within a developed residential area of San Diego. The project is consistent with the planning objectives of the community in which it is located. Potential environmental effects on human beings resulting from this project would be reduced or eliminated through standard project design measures, implementation of mitigation measures identified in the MMRP in section V of the MND, and/or compliance with applicable local, State, or federal regulations. As such, project implementation would not result in substantial adverse impacts to the environment or human beings. Impacts would be less than significant.

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

_X_ City of San Diego General Plan.

_X_ Community Plans:

_X_ Local Coastal Plan.

II. Agricultural Resources & Forest Resources

___ City of San Diego General Plan

___ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973

___ California Agricultural Land Evaluation and Site Assessment Model (1997)

___ Site Specific Report:

III. Air Quality

___ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990

___ Regional Air Quality Strategies (RAQS) - APCD

___ Site Specific Report:

IV. Biology

_X_ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997

_X_ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" Maps, 1996

_X_ City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997

___ Community Plan - Resource Element

___ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001

___ California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California, "January 2001

___ City of San Diego Land Development Code Biology Guidelines

___ Site Specific Report:

V. Cultural Resources (includes Historical Resources)

_X_ City of San Diego Historical Resources Guidelines

_X_ City of San Diego Archaeology Library

___ Historical Resources Board List

___ Community Historical Survey:

_X_ Site Specific Report: Research by qualified archaeological staff using the California Historical Resources Inventory System and other in-house resources.

VI. Geology/Soils

_X_ City of San Diego Seismic Safety Study

___ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975

___ Site Specific Report:

VII. Greenhouse Gas Emissions

___ Site Specific Report:

VIII. Hazards and Hazardous Materials

_X_ San Diego County Hazardous Materials Environmental Assessment Listing

___ San Diego County Hazardous Materials Management Division

___ FAA Determination

___ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized

___ Airport Land Use Compatibility Plan

___ Site Specific Report:

IX. Hydrology/Water Quality

___ Flood Insurance Rate Map (FIRM)

_X_ Federal Emergency Management Agency (FEMA), National Flood Insurance Program-Flood Boundary and Floodway Map

___ Clean Water Act Section 303(b) list, http://www.swrcb.ca.gov/tmdl/303d_lists.html

___ Site Specific Report:

X. Land Use and Planning

_X_ City of San Diego General Plan

_X_ Community Plan

___ Airport Land Use Compatibility Plan

_X_ City of San Diego Zoning Maps

___ FAA Determination

___ Other Plans:

XI. Mineral Resources

___ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification

___ Division of Mines and Geology, Special Report 153 - Significant Resources Maps

___ Site Specific Report:

XII. Noise

_X_ City of San Diego General Plan

___ Community Plan

___ San Diego International Airport - Lindbergh Field CNEL Maps

___ Brown Field Airport Master Plan CNEL Maps

___ Montgomery Field CNEL Maps

___ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes

___ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG

__ Site Specific Report:

XIII. Paleontological Resources

_X_ City of San Diego Paleontological Guidelines

___ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996

_X_ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975

___ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977

___ Site Specific Report:

XIV. Population / Housing

___ City of San Diego General Plan

___ Community Plan

___ Series 11/Series 12 Population Forecasts, SANDAG

___ Other:

XV. Public Services

___ City of San Diego General Plan

___ Community Plan

XVI. Recreational Resources

___ City of San Diego General Plan

_X_ Community Plan

___ Department of Park and Recreation

___ City of San Diego - San Diego Regional Bicycling Map

___ Additional Resources:

XVII. Transportation / Circulation

___ City of San Diego General Plan

___ Community Plan

___ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG

___ San Diego Region Weekday Traffic Volumes, SANDAG

___ Site Specific Report:

XVIII. Utilities

___ Site Specific Report :

XIX. Water Conservation

___ Sunset Magazine, New Western Garden Book, Rev. ed. Menlo Park, CA: Sunset Magazine