THE CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT
Date of Notice: March 05, 2014
PUBLIC NOTICE OF A
DRAFT MITIGATED NEGATIVE DECLARATION
WBS No.: S-00613.02.06

The City of San Diego Development Services Department Advanced Planning & Engineering Division has prepared a draft Mitigated Negative Declaration 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

Your comments must be received by March 25, 2014 to be included in the final document considered by the decision-making authorities. Please send your written comments to the following address: **Myra Herrmann, Senior 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: **TORREY PINES ROAD IMPROVEMENTS PHASE I**
- Project No. **316432** / SCH No. **N/A**
- Community Plan Area: **LA JOLLA**
- Council District: **1**

Subject: **CITY COUNCIL** approval to allow for the replacement of damaged, settling sidewalks, curbs and gutters through construction of new and replacement sidewalks, curb ramps, cross gutters, Americans with Disabilities Act (ADA)-compliant driveways and relocation of sidewalk obstructions (street lights, traffic signals and utility facilities). Phase I improvements, which will be entirely within the public right-of-way along Torrey Pines Road from Prospect Place to La Jolla Shores Drive (as further illustrated in Figure 1) are further described below. The roadway improvement project is not included on any Government Code listing of hazardous waste sites.

Sidewalk/Curb & Gutter Replacement: Approximately 2,000 square feet of sidewalk will be replaced due to damage or settling along Torrey Pines Road. Existing dry utilities and water meters affected will either be adjusted to meet grade or relocated. Approximately 50 linear feet of new curb and gutter will replace damaged curb and an unused driveway.

New Sidewalk: Approximately 1,800 square feet of new sidewalk will be installed from Roseland Drive to Calle Juela. Gravity retaining walls with a maximum height of 2' are required to provide enough spacing to construct the new sidewalks. Existing dry utilities and

water meters affected will either be adjusted to meet grade or relocated. Existing trees and vegetation will be cut back to provide enough clearance for pedestrians using the path.

Curb Ramps: The project proposes 21 new curb ramps at the intersections along the corridor in order to provide safe access to the proposed walkways. Several of the new ramps require the removal of landscape in order to create the space necessary to build. Two curb ramps have been relocated and will require approximately 28 linear feet of new curb and gutter and sidewalk to replace the existing ramp locations. At the porkchop at the intersection of Torrey Pines and La Jolla Shores, a minor traffic signal and pedestrian signal pole are to be relocated to accommodate new ramps.

Driveway: Six existing driveways will be upgraded to become ADA compliant residential driveways. In order to create a flatter, accessible path, the new driveways will require a sawcut further up the driveway in order to meet the existing grade.

Cross Gutters: Two cross gutters are proposed to upgrade the drainage runoff at the intersections of Torrey Pines Road and Little Street and Torrey Pines Road and Calle Juela. The cross gutter at Torrey Pines Road and Calle Juela is located on a steep grade and will require the removal and replacement of AC pavement along Calle Juela in order to meet the new asphalt grade.

Utility Relocations: The new improvements create the need to relocate several utilities. Four steel street lights (which require a 5'1" depth for base foundation) are to be relocated behind the sidewalk. Large utility boxes at the intersection of Torrey Pines and Coast Walk will be relocated outside the sidewalk.

Applicant: City of San Diego, Public Works Department-Engineering and Capital Improvements Projects, Right of Way Design Division.

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 Myra Herrmann at (619) 446-5372. 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 a hard-copy of the draft Mitigated Negative Declaration, or the separately bound technical appendices, they can be purchased for an additional cost. For additional information regarding the public meeting/hearing on this project, contact David Li, Associate Engineer, at (619) 533-5164. This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on **March 5, 2014.**

Cathy Winterrowd
Interim Deputy Director
Development Services Department

City of San Diego
Development Services

ADVANCED PLANNING & ENGINEERING DIVISION
(619) 446-5460

DRAFT
MITIGATED NEGATIVE DECLARATION

Project No. 316432
SCH No. N/A

SUBJECT: **TORREY PINES ROAD IMPROVEMENTS PROJECT PHASE I:** CITY COUNCIL APPROVAL to allow for the replacement of damaged, settling sidewalks, curbs and gutters through construction of new and replacement sidewalks, curb ramps, cross gutters, Americans with Disabilities Act (ADA)-compliant driveways and relocation of sidewalk obstructions (street lights, traffic signals and utility facilities). Phase I improvements, which will be entirely within the public right-of-way along Torrey Pines Road from Prospect Place to La Jolla Shores Drive (as further illustrated in Figures 1-5) are further described below. The roadway improvement project is not included on any Government Code listing of hazardous waste sites.

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Applicant: City of San Diego, Public Works Department -Engineering and Capital Improvements Projects, Right of Way Design Division

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 several of the proposed projects could have a significant environmental effect in the following areas(s): HISTORICAL RESOURCES (ARCHAEOLOGY). The project proposal requires the implementation of specific mitigation identified in Section V of this Mitigated Negative Declaration (MND). The project as presented avoids or mitigates the potentially significant environmental effects identified, and the preparation of an Environmental Impact Report (EIR) would 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 the issuance Bid Opening/Bid Award 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 have been incorporated.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project 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:

   Archaeologist and Native American 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, Project Tracking System (PTS) 316432 shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED, 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 that any other agency requirements or permits have been obtained or are in process 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.

Not Applicable for this project.

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

Issue Area	*Document submittal*	*Associated Inspection/Approvals/Note*
General	Consultant Qualification Letters	Prior to Pre-construction Meeting
General	Consultant Const. Monitoring	Prior to or at Pre-Construction Meeting
Archaeology	Archaeology Reports	Archaeology observation
Final MMRP		Final MMRP Inspection

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

HISTORICAL RESOURCES (ARCHAEOLOGY)

This Project requires implementation of an Archaeological Mitigation Program prior to the start of ANY construction. The Archaeological Monitoring Program with Native American participation shall provide the maximum opportunity to recover human remains and repatriate these remains with the Native American community. Because of the potential for Native American human burial remains in this area, and with respect to the cultural heritage of the local Kumayaay people the governing protocol for the following locations affected by any ground disturbing activities in areas of the project where it overlaps with the southern boundary of the Spindrift Archaeological Site (CA-SDI-39/SDMM-W-1) shall be hand-excavated by archaeologists prior to the start of ANY construction to provide the greatest opportunity possible to identify and recover human remains:

Princess Street	**(St #31+90)**	**Streetlight Relocation**
Little Street	**(St #43+25)**	**New Fire Hydrant**

Any human remains if encountered shall be repatriated to the Kumeyaay representatives or MLD. Any discovery of such remains shall be treated in accordance with the protocol listed below and shall be implemented as described below after consultation with DSD ED in accordance with the Cultural Resources Report prepared by LSA Associates, Inc. (November 2013).

In addition, the following three streetlight locations SHALL have full-time archaeological and Native American monitoring during any and all ground-disturbing activities associated with the project:

Coast Walk	**(St #22+00)**
Little Street	**(St #47+20)**
Roseland Drive	**(St #50+00)**

HISTORICAL RESOURCES (ARCHAEOLOGICAL MONITORING)

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 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.

VI. PUBLIC REVIEW DISTRIBUTION:

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

State of California
Native American Heritage Commission (56)

City of San Diego:
Mayor's Office (91)
Councilmember Sherri Lightner, District 1

City Attorney
Shannon Thomas
Development Services Department
Myra Herrmann, Senior Environmental Planner
Helene Deisher, Development Project Manager
Gary Geiler
Mitigation Monitoring Coordination
Mehdi Rastakhiz
Public Works Department - Engineering and Capital Projects
David Li
Brad Johnson
Juan Baligad
Peter Fogec
Transportation & Storm Water Department
Mario Reyes
Linda Marabian
Anne Jarque
Library Department – Government Documents (MS 17)
La Jolla/Riford City Branch Library (81L)
Historical Resources Board (87)
Real Estate Assets Department (85)
Fire & Life Safety (MS 603)

Other Groups and Individuals
San Diego Transit Corporation (112)
San Diego Gas and Electric (SDGE) (114)
Carmen Lucas (206)
South Coastal Information Center @ San Diego University (210)
San Diego Archaeological Center (212)
Save Our Heritage Organization (214)
Ron Christman (215)
Clint Linton (215B)
Frank Brown – Inter-Tribal Cultural Resource Council (216)
Campo Band of Mission Indians (217)
San Diego County Archaeological Society (218)
Kumeyaay Cultural Heritage Preservation (223)
Kumeyaay Cultural Repatriation Committee (225)
Native American Distribution (225A-S Public Notice only)
Barona Group of Capitan Grande Band of Mission Indians (225A)
Campo Band of Mission Indians (225B)
Ewiiaapaayp Band of Mission Indians (225C)
Inaja Band of Mission Indians (225D)
Jamul Indian Village (225E)
La Posta Band of Mission Indians (225F)
Manzanita Band of Mission Indians (225G)
Sycuan Band of Mission Indians (225H)

Viejas Group of Capitan Grande Band of Mission Indians (225I)
Mesa Grande Band of Mission Indians (225J)
San Pasqual Band of Mission Indians (225K)
Ipai Nation of Santa Ysabel (225L)
La Jolla Band of Mission Indians (225M)
Pala Band of Mission Indians (225N)
Pauma Band of Mission Indians (225O)
Pechanga Band of Mission Indians (225P)
Rincon Band of Luiseno Indians (225Q)
San Luis Rey Band of Luiseno Indians (225R)
Los Coyotes Band of Mission Indians (225S)
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 Shores PDO Advisory Board (279)
La Jolla Light (280)
LSA Associates, Inc. (Consulting Archaeologist)

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 materials are available in the office of the Advanced Planning & Engineering Division for review, or for purchase at the cost of reproduction.

Myra Herrmann, Senior Planner
Development Services Department

March 5, 2014
Date of Draft Report

Date of Final Report

Analyst: Herrmann

Attachments: Figure 1 – Location Map
Figures 2-5 – Project Details
Initial Study Checklist

LOCATION MAP
Torrey Pines Road Improvements Project No. 316432
City of San Diego – Development Services Department

FIGURE
No. 1

Project Details - Prospect Place to NE of Coast Walk

Torrey Pines Road Improvements Project No. 316432

City of San Diego – Development Services Department

FIGURE

No. 2

Project Details - NE of Coast Walk to NE of Viking Way

Torrey Pines Road Improvements Project No. 316432

City of San Diego – Development Services Department

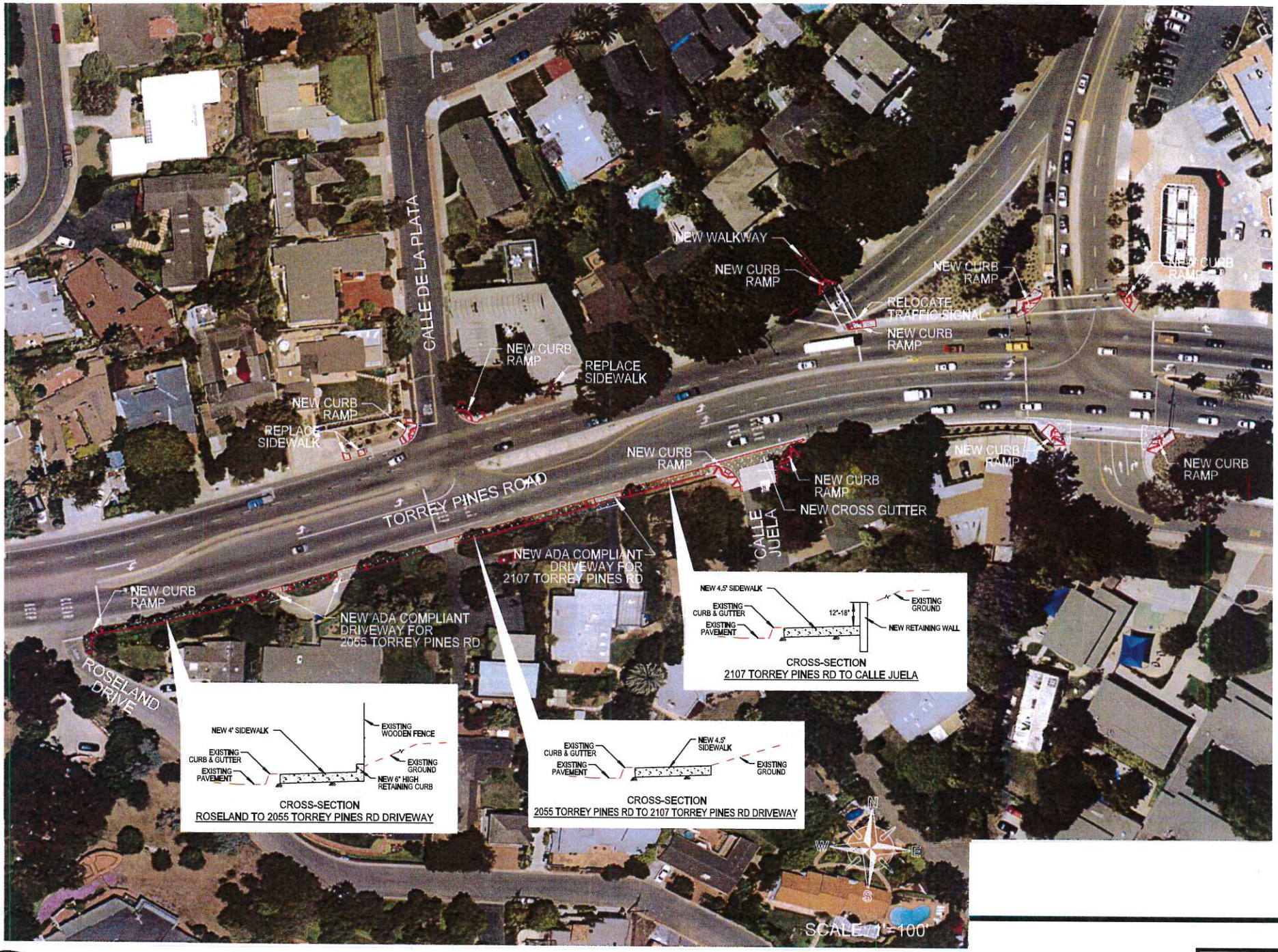
FIGURE No. 3

Project Details - NW of Little Street to NE of Little Street

Torrey Pines Road Improvements Project No. 316432

City of San Diego – Development Services Department

FIGURE No. 4



Project Details -Roseland Dr. to Calle Juela; Calle de la Plata to La Jolla Shores Dr.

Torrey Pines Road Improvements Project No. 316432

City of San Diego – Development Services Department

FIGURE No. 5

INITIAL STUDY CHECKLIST

1. Project Title/Project Number: TORREY PINES ROADWAY IMPROVEMENTS PHASE I/316432

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

3. Contact person and phone number: Myra Herrmann, Senior Planner, 619-446-5372

4. Project location: All work will be entirely within the public right-of-way along Torrey Pines Road from Prospect Place to La Jolla Shores Drive (as further illustrated in Figures 1-5).

5. Project Applicant/Sponsor's name and address:
   David Li, Associate Engineer,
   City of San Diego, Public Works-Engineering and Capital Projects Department
   Right-of-Way Design Division
   525 B St. Mail Station 908A, San Diego, CA 92101
   619-533-5164

6. General Plan designation: Right-of-Way (residential on both sides of Torrey Pines Rd.)

7. Zoning: Right-of-Way (residential zoning on both sides of Torrey Pines Rd.))

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.):

   CITY COUNCIL APPROVAL to allow for the replacement of damaged, settling sidewalks, curbs and gutters through construction of new and replacement sidewalks, curb ramps, cross gutters, Americans with Disabilities Act (ADA)-compliant driveways and relocation of sidewalk obstructions (street lights, traffic signals and utility facilities). All work will be entirely within the public right-of-way along Torrey Pines Road from Prospect Place to La Jolla Shores Drive (as further illustrated in Figures 2-5).

   Sidewalk/Curb & Gutter Replacement: Approximately 2,000 square feet of sidewalk will be replaced due to damage or settling along Torrey Pines Road. Existing dry utilities and water meters affected will either be adjusted to meet grade or relocated. Approximately 50 linear feet of new curb and gutter will replace damaged curb and an unused driveway.

   New Sidewalk: Approximately 1,800 square feet of new sidewalk will be installed from Roseland Drive to Calle Juela. Gravity retaining walls with a maximum height of 2' are required to provide enough spacing to construct the new sidewalks. Existing dry utilities and water meters affected will either be adjusted to meet grade or relocated. Existing trees and vegetation will be cut back to provide enough clearance for pedestrians using the path.

Curb Ramps: The project proposes 21 new curb ramps at the intersections along the corridor in order to provide safe access to the proposed walkways. Several of the new ramps require the removal of landscape in order to create the space necessary to build. Two curb ramps have been relocated and will require approximately 28 linear feet of new curb and gutter and sidewalk to replace the existing ramp locations. At the porkchop at the intersection of Torrey Pines and La Jolla Shores, a minor traffic signal and pedestrian signal pole are to be relocated to accommodate new ramps.

Driveway: Six existing driveways will be upgraded to become ADA compliant residential driveways. In order to create a flatter, accessible path, the new driveways will require a sawcut further up the driveway in order to meet the existing grade.

Cross Gutters: Two cross gutters are proposed to upgrade the drainage runoff at the intersections of Torrey Pines Road and Little Street and Torrey Pines Road and Calle Juela. The cross gutter at Torrey Pines Road and Calle Juela is located on a steep grade and will require the removal and replacement of AC pavement along Calle Juela in order to meet the new asphalt grade.

Utility Relocations: The new improvements create the need to relocate several utilities. Four steel street lights (which require a 5'1" depth for base foundation) are to be relocated behind the sidewalk. Large utility boxes at the intersection of Torrey Pines and Coast Walk will be relocated outside the sidewalk.

9. Surrounding land uses and setting: Briefly describe the project's surroundings: The surrounding land uses are predominantly residential (single and multiple dwelling units).

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): None

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.

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 La Jolla Community Plan indicates that the project Area of Potential Affect (APE) includes public views of the coast along Torrey Pines Road between Prospect Place and La Jolla Shores Road with the following keys areas identified: views over private property from the public right-of-way (ROW) at Princess Street; intermittent or partial vistas; public open space on Torrey Pines Road between St. Louis Terrace and Calle de la Plata; and a viewshed at Coast Walk looking towards La Jolla Shores. Although the project involves mainly pedestrian-related sidewalk improvements to the existing public right-of-way (ROW) which would not affect views, several streetlights will be relocated which would enhance the visual character of the area. Therefore, the project would not substantially affect a scenic vista, public view or viewshed as defined in the community plan since the majority of work would be located within the public right of way and would not block views once constructed.

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

As stated in I.a., the project would be located below grade and would not adversely affect the visual resources within the APE. No scenic resources such as trees, rock outcroppings or historic buildings within a scenic highway have been identified within the APE which would be affected by the project. Therefore the project would not damage scenic resources.

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

Although the project involves mainly pedestrian-related sidewalk improvements to the existing public right-of-way (ROW) which would not affect views, several streetlights will be relocated which would enhance the visual character of the area. Therefore, the project would not

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

substantially affect a scenic vista, public view or viewshed as defined in the community plan since the majority of work would be located within the public right of way and would not block views once constructed. Please see I. a and b.

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

The project involves mainly pedestrian-related sidewalk improvements within the existing public right-of-way (ROW) and would not have the potential to create light or glare impacts.

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) Convert Prime Farmland, Unique Farmland, or Farmland of	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				

The project is located within the developed public right of way and is not classified as farmland by the Farmland Mapping and Monitoring Program (FMMP). Similarly, lands surrounding the project are not in agricultural production and are not classified as farmland by the FMMP. Therefore, the project would not convert farmland to non-agricultural uses.

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

Please see II.a

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))?	☐	☐	☐	☒

The public right of way and land surrounding the project is not zoned as forest land. Therefore, the sidewalk improvement project would not conflict with existing zoning for forest land.

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

The sidewalk improvement project is located within the developed public right of way and the land surrounding the project is not designated forest land. Therefore, the project would not convert forest land to non-forest use.

e) Involve other changes in the existing environment, which, due to their location or nature, could	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				

No existing agricultural uses are located in proximity to the underground utility district that could be affected by the project. Therefore, the project would not convert farmland to non-agricultural uses.

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?	☐	☐	☐	☒

Construction of the sidewalk improvement project could increase the amount of harmful pollutants entering the air basin. However, construction emissions would be temporary. In addition, construction Best Management Practices (BMPs), such as watering for dust abatement, would reduce construction dust emissions by 75 percent. The project would not directly generate additional trips to these facilities. With the implementation of project BMPs during construction and the lack of operational emissions the project would not result in a conflict with any air quality plans.

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

Please see III a

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	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
exceed quantitative thresholds for ozone precursors)?				

As described above, construction operations could temporarily increase the emissions of dust and other pollutants. However, construction emissions would be temporary and it is anticipated that implementation of BMPs would reduce potential impacts related to construction activities to a level to less than significant. 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.

d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒

Construction operations could temporarily increase the emissions of harmful pollutants, which could affect sensitive receptors adjacent to the project. However, construction emissions would be temporary and it is anticipated that implementation of construction BMPs would reduce potential impacts related to construction activities to minimal levels. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations.

e) 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 and would only remain in proximity to the construction equipment and vehicles temporarily. Therefore, the project would not create substantial amounts of objectionable odors affecting a substantial number of people.

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	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Wildlife Service?				

The sidewalk improvement project is located in an urban setting, entirely within the developed public right of way, and does not have the potential to impact sensitive species listed in regional plans, policies or regulations.

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?	☐	☐	☐	☒

No sensitive habitats exist on-site or within close proximity to the sidewalk improvement project. Also see IV. a.

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 sidewalk improvement project is located in the developed public right of way and wetlands are not located within or adjacent to the project APE. Therefore, the project does not have the potential to impact these resources.

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 sidewalk improvement project would not result in adverse impacts on wildlife movement in the project area. As mentioned above this project is located in the developed public right of way

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

and does not contain wildlife corridors.

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

The sidewalk improvement project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The project area lacks any sensitive biological resources and would not require the removal of any unique or sensitive trees. No impact would occur.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

The sidewalk improvement project is not located within or adjacent to the City's MHPA and no conflicts with conservation plans 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.

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

The sidewalk improvement project is located within and immediately adjacent to an area known to contain significant resources of the Spindrift Archaeological Site (CA-SDI-39/SDM-W-1), a previously recorded prehistoric occupation complex spanning the Early Archaic to the Late Prehistoric cultural periods. The Spindrift Site has been determined to be significant according to CEQA and City criteria. An important element of the significance of the Spindrift site is the numerous human burials discovered and the abundance of human bone encountered in graded lots and streets within this neighborhood. Site SDI-39 has been identified as an important, significant site since it was first recorded by Welty in 1912, when he noted that the site stretched for as long as 1,000 feet along the shore and up to 1,200 feet inland. He noted depths from one to eight feet, a dense black midden, shell, charcoal, and fragments of human remains.

Archaeological work by Malcolm Rogers in 1931 gave SDI-39 its name, the "Spindrift Site," after the street name. In a joint effort, the San Diego/Smithsonian Project in 1931 sought to uncover the origins of human occupation of the west coast. As a result of this project, Rogers excavated a series of sites throughout La Jolla (Rogers 1929). Although these studies were conducted at a time when La Jolla was undergoing development for homes, much of Rogers work was prior to the massive impacts to cultural resources that occurred in San Diego after World War II. Rogers' site record of SDI-39 indicated the site covered 20 acres, noting a range of occupation materials from cobble hearths to whale bone hypothesized for use as housing materials. Over the next several years, Rogers excavated an estimated 40 cubic feet of soil across three areas of Spindrift Drive. His excavations uncovered human remains and large amounts of prehistoric materials. During this time, Rogers' work identified intact strata from the earliest to the latest periods of occupation at SDI-39. As a result of his studies, Rogers divided the cultural deposit into three distinct layers of occupation, with the earliest (Stratum 1) composed of invertebrate faunal remains, milling equipment, lithic tools, fire-cracked rock, and charcoal. Although the next Stratum (2) contained a lower frequency of cultural materials, the majority of inhumations were identified from this deposit. The last Stratum (3) was considered the most dense and contained ceramics, cremations, and large amounts of other late prehistoric cultural materials. Rogers' trenching studies, according to Pigniolo and Brodie (2009), were located directly north of both project sites. A portion of his profile studies may have actually crossed the western slope of the current project area.

Additional studies have been conducted in the Spindrift area including work by Dr. James Moriarty, III in 1961 at the Oliver Gill Lot. Since Moriarty's work in 1961, several limited test excavations have taken place across portions of SDI-39. Examples of these limited excavations include Berryman and Roth (1993), Wade (1998), Gross and Robbins-Wade (1999), Case et al. (2003), and Rosenberg and Smith (2006). Although each of these excavations has added data to the greater understanding of SDI-39, the necessary scale of their investigations and previous impacts to the site has limited their scopes. However, each of these excavations identified buried portions of SDI-39, disturbed or otherwise, during their investigations. Based on these investigations, the deposit can extend from one to 1.5 meters in depth, and contains a variety of marine shell, lithic materials, faunal bone, ceramics, milling tools, and potentially human remains

(Stropes and Smith 2009). The early documentation, large quantity, and wide range of materials identified for SDI-39 clearly indicates that the site served a habitation function. To date, radiocarbon analysis from the site has been limited to only identifying the Late Prehistoric Period component (Gross and Wade 1999; Berryman and Roth 1993). Despite this, previous studies clearly indicate the presence of a large archaic component that has yet to be ratified through conventional C-14 methods.

Although the entire project APE is fully developed and covered by asphalt and concrete and portions of the project are within the Spindrift Archaeological Site Boundary, a field survey was conducted by LSA Associates, Inc., which did not result in the identification of any cultural materials on the surface. This was likely due to the extensive amount of disturbance, grading and filling associated with the original construction of Torrey Pines Road including sidewalks, infrastructure and appurtenances, making an assessment of condition difficult. As such, Qualified City staff reviewed all available information about the site and the project scope and determined in consultation with the Project Archaeologist and Native American representative that archaeological testing would not be required. Archaeological testing would otherwise have been required to determine if a subsurface component of the Spindrift Site remains in this area. Therefore, as further described in the report prepared in compliance with the City's Historical Resources Guidelines by LSA Associates, Inc., "*Cultural Resources Constraints Analysis, Torrey Pines Road Improvements Phase I, November 2013"* specific recommendations were made by the consulting archaeologist to hand excavate the areas where one fire hydrant and one streetlight would be relocated prior to the start of any ground disturbing activities associated with the project. The report also recommends that in addition to the regular monitoring program, three specific areas (along Torrey Pines Road at Coast Walk, Little Street and Roseland Drive) have full time archaeological and Native American monitoring. Qualified staff concurs with these recommendations and have incorporated them into the Mitigation, Monitoring and reporting Program included in Section V of the draft MND.

The project has the potential to result in direct impacts to archaeological resources associated with CA-SDI-39/SDM-W-1, while limited in area, the additive cumulative impacts to this cultural resource could be significant. Mitigation through controlled hand excavation at the two locations noted below (1 & 2) and full-time archaeological and Native American monitoring at the locations noted below (3-5) will serve to mitigate potential impacts to below a level of significance:

1) Princess Street (St #31+90) - Streetlight Relocation
2) Little Street (St #43+25) - New Fire Hydrant
3) Coast Walk (St #22+00)
4) Little Street (St #47+20)
5) Roseland Drive (St #50+00)

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

Appropriate treatment of any human remains encountered during the mitigation program or other construction-related activities must be accomplished in accordance with the California Public Resources Code (Section 5097.8) and the Health and Safety Code (Section 7050.5) in consultation with the Most Likely Descendant, as indicated by the Native American Heritage Commission.

Implementation of the Archaeological Mitigation Program and construction monitoring would reduce impacts to Historical Resources to below a level of significance and therefore the project would not result in an adverse change in the significance of an historical resource as defined in §15064.5.

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

See V. a.

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

Current project plans do not call for excavation depths that exceed the City of San Diego's CEQA Significance thresholds. Therefore no impact would occur to paleontological or unique geologic resources and no mitigation for this resource is required.

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

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

Please see V.a. Although archaeological testing was not conducted for the project, based on review of archival research for previous archaeological work in this area, there is a potential for human remains to be encountered during any construction-related activities for the project. In addition, the Native American observer expressed concerns relating to the likelihood of remains to exist throughout the project area and the continued proper treatment of remains was requested.

The project requires implementation of an Archaeological Mitigation Program as well as archaeological monitoring. Section. C of the MND which includes contingencies for the discovery of human remains which requires the consulting archaeologist to involk in accordance with the California Public Resources Code and the Health and Safety Code. In the event that human remains are encountered during the mitigation program, no soil shall be exported from the project site until it has been cleared by the Most Likely Descendant (MLD) and the Project Archaeologist.

The archaeological mitigation program has been developed in consultation with the Native American observer/monitor and will be implemented prior to and during construction activities to assure that any Native American cultural impacts will be reduced to below a level of significance and will satisfy the requirements for feasible measures incorporated into the project to address potential impacts to historical, archaeological and Native American resources.

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.	☐	☐	☐	☒

A portion of the project APE is located in proximity to faults. However, the project would be required to utilize proper engineering design and standard construction practices which would ensure that the potential for impacts from regional geologic hazards would be less than

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

significant. Therefore, no impact from the rupture of a known earthquake fault would occur.

ii) Strong seismic ground shaking?	☐	☐	☐	☒

The sidewalk improvement project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. The project has been designed to address factors associated with ground shaking and incorporates standard construction practices to address this issue. Therefore, there would be no impact.

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

The sidewalk improvement project has been designed to address factors associated with seismic-related failure including liquefaction and incorporates standard construction practices to address this issue. Therefore, no impact from liquefaction would result.

iv) Landslides?	☐	☐	☐	☒

The project would not expose people or structures to the risk of loss, injury, or death involving landslides. The project would utilize proper engineering design and utilization of standard construction practices. Therefore, there would be no impact.

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

Construction of the project would take place within the developed public right of way and all disturbances to existing infrastructure would be replaced in kind. Therefore no impact from soil erosion or loss of topsoil would occur.

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 USDA Soil Survey maps, the sidewalk improvement project is located in an area which is primarily underlain by Corralitos Loamy Sand (0-5 and 5-9 % slopes) which is not considered an expansive soil. This soil is defined as having no, or minimal limitations for related

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

public improvement development activity. The project area also consists of Altamont Clay which consists of well-drained clays that formed in material weathered from calcareous shale. The project would utilize proper engineering design and standard construction practices. There would be no impact associated with unstable soil or geologic unit within the APE.

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?	☐	☐	☐	☒

According to the USDA Soil Survey maps, the underground utility project is located in an area which is primarily underlain by Corralitos Loamy Sand (0-5 and 5-9 % slopes) which is not considered an expansive soil. This soil is defined as having no, or minimal limitations for related public improvement development activity. The project area also consists of Altamont Clay which consists of well-drained clays that formed in material weathered from calcareous shale. Furthermore, the project would utilize proper engineering design and standard construction practices to ensure that the potential for impacts would not occur.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Septic tanks or alternative wastewater systems would not be used. Therefore, no impact with regard to the capability of soils to adequately support the use of septic tanks or alternative wastewater disposal systems would result.

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 utilizing the California Air Pollution Control Officers Association (CAPCOA) report "CEQA and Climate Change" (CAPCOA 2008) to determine whether a GHG analysis would be required for submitted projects. The CAPCOA report references a 900 metric ton 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.

CAPCOA identifies project types that are estimated to emit approximately 900 metric tons of GHG's annually. This 900 metric ton threshold is roughly equivalent to 36,000 square feet of office space, 11,000 square feet of retail, 50 residential units, and 6,300 square feet of supermarkets. Since the undergrounding projects being considered in this CEQA document do not fit the categories listed above each project conducted an independent modeling analysis to determine the level of GHG emissions from the respective projects. The Roadway Construction Emissions Model is a spreadsheet program created by the Sacramento Metropolitan Air Quality Management District to analyze construction related GHGs (i.e. Carbon Dioxide) and was utilized to quantify the projects' GHG emissions. The model utilizes project information (e.g. total construction months, project type and total project area) to quantify GHG emissions from heavy-duty construction equipment, haul trucks, and worker commute trips associated with linear construction projects. The output of the model is carbon dioxide (CO2) which is the major contributor of GHGs.

Because this project involves mainly sidewalk improvements including curb, gutters, pedestrian ramps, relocated streetlights and a new fire hydrant, it will not result in an increase in vehicular traffic as measured in average daily trips (ADT), energy consumption, or water usage. Therefore, operational emissions resulting in direct, indirect, or cumulative Greenhouse Gas (GHG) impacts are not generated. However, this project would result in construction-related emissions which would occur during the duration of project implementation would are estimated to fall below the DSD-established interim threshold of 900 metric tons per project per year. Therefore, the project would not result in a significant CEQA Greenhouse gas impact and mitigation would not be required.

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

Please see VII.a. It is anticipated that the sidewalk improvement project would not conflict with any applicable plans, policies, or regulations related to greenhouse gases. There is no impact.

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒

Construction of the project may require the use of hazardous materials (fuels, lubricants, solvents, etc.), which would require proper storage, handling, use and disposal; however, the project would not routinely transport, use or dispose of hazardous materials. In addition, construction standards would be implemented in the event of an unanticipated discovery to meet local, state, and federal standards. Therefore, the project would not create a significant hazard to the public or environment.

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 alignment is not located on, or within 1,000 feet from properties which contain Leaking Underground Storage Tank (LUST) cleanup sites and permitted USTs, and other cleanup sites. However, in the event that such hazards are encountered, the contractor is responsible for implementing and specifications for construction to meet the local, state and federal requirements to address hazardous materials should they be encountered during construction. Impacts would remain less than significant.

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

No schools are located within a quarter mile of the project that would be directly affected by hazardous emissions that could be released if encountered during construction activities within the project right-of-way. As noted in VIII.b, construction documents include specific protocols to be followed-pursuant to County requirements-should any hazardous conditions be encountered. Impacts would remain less than significant.

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 location is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and therefore, no additional measures are required beyond those incorporated in the contract specifications to address any contaminated soils encountered during construction related activities in accordance with local, state, and federal regulations.

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 is not located within the boundaries of an existing airport land use plan or an airport land use plan pending adoption. Furthermore, the project is not located within the flight path and is located entirely within the existing PROW and therefore would not introduce any new features that would create a flight hazards.

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 2 miles of a private airstrip. Furthermore, the project is located entirely within the existing PROW and therefore would not result in a safety hazard that would create flight hazards.

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

Construction of the project would temporarily affect traffic circulation within the projects' APE and adjoining roadways. However, an approved Traffic Control Plan would be implemented during construction which would allow emergency plans to be employed. Therefore, the project would not physically interfere with an adopted emergency response plan or emergency evacuation plan.

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 in the developed public right of way and land surrounding the APE does not contain wildlands that could pose a threat of wildland fires. Additionally, the project would not introduce any new features that would increase the risk of fire because they will be located within existing ROW.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

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

Potential impacts to existing water quality standards associated with the project would include minimal short-term construction-related erosion/sedimentation and no long term operational storm water discharge. Conformance to BMPs outlined in the pending WPCP and conformance with the City's Stormwater Regulations would prevent or effectively minimize short-term water quality impacts. Therefore, the project would not violate any existing water quality standards or discharge requirements.

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 project does not propose the use of groundwater. Furthermore, the project would not introduce a substantially large amount of new impervious surfaces over ground that could interfere with groundwater recharge. Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

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? ☐ ☐ ☐ ☒

The project is located entirely within the developed public right of way within paved streets and sidewalks. Upon completion of the project the streets and sidewalks would be returned to their preexisting conditions. Therefore the project would not substantially alter any existing drainage patterns.

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?

Please see IX c

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? ☐ ☐ ☐ ☒

Conformance to BMPs outlined in the pending WPCP and compliance with the City Stormwater Regulations would prevent or effectively minimize short-term construction runoff impacts. Therefore, the project would not contribute runoff water that would exceed the capacity of existing storm water systems.

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

Conformance to BMPs outlined in the pending WPCP to be prepared for the project and compliance with the City's Stormwater Regulations would prevent or effectively minimize short-term water quality impacts and would preclude impacts to water quality.

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? ☐ ☐ ☐ ☒

The project does not propose construction of any new housing.

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

The project is not located within the 100 year floodplain and would not have the potential to impede or redirect flood flows.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? ☐ ☐ ☐ ☒

The project would not include any new features that would increase the risk associated with flooding beyond those of the existing conditions.

j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

The project would not include any new project features that would increase the risk associated with seiche, tsunami, or mudflow beyond those of the existing conditions.

X. LAND USE AND PLANNING –
Would the project:

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

Implementation of the project would involve replacing and installing utility infrastructure below ground and would not introduce any features that could divide an established community.

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 sidewalk improvement project is consistent with the applicable policies identified in the La Jolla Community Plan, and has been reviewed for compliance with all applicable land use plans, the La Jolla Shores PDO, the City of San Diego Municipal Code, the La Jolla Community Plan and City of San Diego General Plan. No deviations from the development regulations have been requested by the applicant for these projects. The Project does not require a Coastal Development Permit or Site Development Permit in accordance with the provisions of the Land Development Code.

The project has been reviewed for compliance with the City's Historical Resources Regulations; the project APE contains portions of an *Important Archaeological Site* as defined by the Land Development Code (LDC) and as such, was subject to review for compliance with the development regulations for *Important Archeological Site* in accordance with San Diego Municipal Code (SDMC) §143.0253. Although the project requires implementation of a Mitigation Monitoring and Reporting Program, a Site Development Permit is not required. Mitigation for direct impacts to archaeological resources as detailed in Section V of the Mitigated Negative Declaration (MND) would reduce direct impacts to archaeological resources to be low a level of significance.

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

No habitat conservation areas exist within the project APE, which is within a developed urbanized neighborhood and therefore would not conflict with any habitat conservation plans or natural community conservation plan for the area or region as a whole.

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 areas surrounding the project APE are not being used for the recovery of mineral resources. Similarly, these areas surrounding the proposed project site are not 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.

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 areas surrounding the project APE are not 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 locally important mineral resource recovery site.

XII. NOISE – Would the project result in:

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

The development of the project would generate noise from construction, which would be temporary and transitory in nature. Therefore, people would not be exposed to noise levels in excess of any noise regulations.

b) Exposure of persons to, or generation of, excessive ground borne vibration or ground borne ☐ ☐ ☒ ☐

noise levels?

Please see XIIa

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

Please see XIIa

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

Construction of the project would result in a temporary increase in the ambient noise levels in the project APE. However, based upon the transitory nature of the underground utility project and surrounding noise levels in the area resulting from traffic along the streets, the increase in ambient noise 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 is not located within the boundaries of an existing airport land use plan or an airport land use plan pending adoption and would not introduce any new features that would expose people residing or working in the project area to excessive noise levels beyond those associated with the existing environment.

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 is not located within approximately 2 miles of a private airstrip and would not introduce any new features that would expose people residing or working in the project APE to excessive noise levels beyond those associated with existing conditions.

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)?

The project would not extend any existing roadways into an undeveloped area or introduce any new roadways that could induce growth. Therefore, the project would not induce substantial population growth.

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

The project would underground overhead utilities and would not result in the displacement of any existing housing, or otherwise affect existing housing in any way that would necessitate the construction of replacement housing.

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

The project would not result in the displacement of any existing housing, or otherwise affect existing housing in any way that would necessitate the construction of replacement housing.

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 project would not physically alter any government facilities other than to install one new fire hydrant at Little Street (St# 43+25). The project would not require any new or altered fire protection services for the area; nor would it alter established response times for the area.

ii) Police Protection ☐ ☐ ☐ ☒

The project would not physically alter any police protection facilities. The project would not require any new or altered police protection services for the area nor would it alter established response times for the area.

iii) Schools ☐ ☐ ☐ ☒

The project would not physically alter any schools. Additionally, the project would not include construction of future housing or induce growth that could increase demand for schools in the area.

v) Parks ☐ ☐ ☐ ☒

The project would not physically alter any parks. Therefore, the project would not create demand for new parks or other recreational facilities in the area.

vi) Other public facilities ☐ ☐ ☐ ☒

The project would not increase the demand for electricity, gas, or other public facilities in the area.

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? ☐ ☐ ☐ ☒

Implementation of the project would not allow for improved access to existing recreation areas. The project would not directly generate additional trips to existing recreation areas or induce future growth that would result in additional trips to these facilities. Therefore, the project would not increase the use of existing recreational areas such that substantial physical deterioration of the facility would occur or be accelerated.

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 does not include the construction of recreational facilities or require the construction or expansion of recreational facilities.

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?

Construction of the project would temporarily affect traffic circulation within the project APE and its adjoining roads. However, an approved Traffic Control Plan would be implemented during construction so that traffic circulation would not be substantially impacted. Therefore, the project would not result in an increase of traffic which is substantial in relation to existing traffic capacity.

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? ☐ ☐ ☐ ☒

Construction of the project would temporarily affect traffic circulation within the project APE and its adjoining roads. However, an approved Traffic Control Plan would be implemented during construct so that traffic would not exceed cumulative or individual level of service.

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 does not include any tall structures or new features that could affect air traffic patterns or introduce new safety hazards related to air traffic.

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 will be designed to meet City design standards and, therefore, would meet existing levels of safety.

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

Construction of the project would temporarily affect traffic circulation within the project APE and adjoining roads. However, an approved Traffic Control Plan would be implemented during construction so that there would be adequate emergency access.

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?	☐	☐	☐	☒

The project, once completed would improve the condition of the existing PROW including safety hazards which currently occur in the existing bicycle path. The project does not have the potential to conflict with any alternative transportation policies.

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒

The project would not exceed the requirements of the Regional Water Quality Control Board.

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 would not require the construction of any new water or wastewater treatment facilities.

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 would not result in expanded impervious surface area and would not result in substantial quantities of runoff which would require new or expanded treatment facilities. Therefore, the project would not require the construction of new storm water drainage facilities or expansion of existing facilities.

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 not require the use of any permanent water source and, therefore, would not impact existing water supplies.

e) Result in a determination by the wastewater treatment provided 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 would not generate wastewater and, therefore, would not impact an existing wastewater treatment provider.

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

Construction of the project would likely generate waste associated with construction activities. This waste 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. Operation of the project would not generate waste and, therefore, would not affect the permitted capacity of the landfill serving the project area.

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

The project would not generate solid waste and, therefore, would not affect solid waste statutes and regulations.

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 project is located within the developed public right of way and is not located within or adjacent to wildlife preserves. The project is located within and adjacent to area known to contain significant historical/archaeological resources. Construction activities associated with the project have the potential to impact buried archaeological resources. See V a.

An Archaeological Mitigation Program which includes hand excavation for specific project elements and archaeological/Native American monitoring would be required. Implementation of the mitigation requirements outlined in Section V of the MND would reduce potential impacts to Historical Resources (Archaeology) to below a level of significance and would not result in a substantial adverse change to the significance of a historical resource or eliminate important examples of California history or prehistory.

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)? ☐ ☒ ☐ ☐

When viewed in connection with the effects of other projects in the La Jolla area, construction activities has the potential to impact archaeological resources which could incrementally contribute to a cumulative loss of non-renewable resources. However, with implementation of the mitigation measures in Section V of the MND, this incremental impact would be reduced to below a level of significance.

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. However, a mitigation program has been incorporated which would reduce potential impacts to archaeological resources to below a level of significance.

INITIAL STUDY CHECKLIST

REFERENCES

I. AESTHETICS / NEIGHBORHOOD CHARACTER

_X_ City of San Diego General Plan.

_X_ Community Plan.

___ Local Coastal Plan.

II. AGRICULTURAL RESOURCES & FOREST RESOURCES

_X_ City of San Diego General Plan.

_X_ 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.

_X_ Regional Air Quality Strategies (RAQS) - APCD.

___ Site Specific Report:

IV. BIOLOGY

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

__ 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: *Cultural Resources Constraints Analysis, Torrey Pines Road Improvements Phase I,* LSA Associates, Inc. (November 2013).

VI. GEOLOGY/SOILS

_X_ City of San Diego Seismic Safety Study.

_X_ 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

_X_ Site Specific Report: California Air Pollution Control Officers Association (CAPCOA). 2008. "Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act" http://www.climatechange.ca.gov/publications/others/CAPCOA-1000-2008-010.PDF

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).

___ 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

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

___ 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.

_X_ City of San Diego General Plan.

___ 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 Population Forecasts, SANDAG.

___ Other:

XV. PUBLIC SERVICES

_X_ City of San Diego General Plan.

_X_ Community Plan.

XVI. RECREATIONAL RESOURCES

_X_ 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

_X_ 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

_X_ City of San Diego General Plan.

_X_ Community Plan.

XIX. WATER CONSERVATION

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