THE CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT
Date of Notice: 1/15/2014
PUBLIC NOTICE OF A
RECIRCULATED DRAFT MITIGATED NEGATIVE DECLARATION
IO No.: 21002315

The City of San Diego Development Services Department has prepared a draft Mitigated Negative Declaration Report for the following project and is inviting your comments regarding the adequacy of the document. The draft Mitigated Negative Declaration has been placed on the City of San Diego web-site at **http://clerkdoc.sannet.gov/Website/publicnotice/pubnotceqa.html**. **Your comments must be received by** 2/15/2014, to be included in the final document considered by the decision-making authorities. Please send your written comments to the following address: **Jeffrey Szymanski, 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: Pottery Canyon Remediation, Project No. 296100
Community Plan Area: La Jolla Community Plan, Council District: 1

Subject: CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT approval to allow for the implementation of a remediation plan at a waste and contaminated (hazardous waste) soil site within the City of San Diego's Pottery Canyon Park. The project is as described in the "Conceptual Remediation Plan – Pottery Canyon Site" (URS, 2012), hereby incorporated by reference. The waste site was used as a dump from the 1890's through the 1930's. Waste debris at the site consists mainly of fragmented and fused glass, porcelain, and ceramics which may be related to the Rodriguez Family's pottery manufacturing operation.

Applicant: City of San Diego Park and Recreation Open Space Parks/ Joel Hyatt 202 C Street San Diego California 92101 619-685-1359.

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): Air Quality, Health and Safety (Hazards and Hazardous Materials) and 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 Jeffrey Szymanski at (619) 446-5324. The draft Mitigated Negative Declaration and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Fifth floor of the Development Services Center. If you are interested in obtaining additional copies of either a Compact Disk (CD), a hard-copy of the draft Mitigated Negative Declaration, or the separately bound technical appendices, they can be purchased for an additional cost) This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on 1/15/2014.

Cathy Winterrowd
Assistant Deputy Director
Development Services Department

City of San Diego
Development Services

Advanced Planning and Engineering
(619) 446-5460

RECIRCULATED DRAFT
MITIGATED NEGATIVE DECLARATION

Project No. 296100
SCH No. PENDING

SUBJECT: Pottery Canyon Park Remediation Plan CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT approval to allow for the implementation of a waste and contaminated (hazardous waste) soil remediation plan at a hazardous waste site within the City of San Diego's Pottery Canyon Park. The project is as described in the "Conceptual Remediation Plan – Pottery Canyon Site" (URS, 2012), hereby incorporated by reference. The waste site was used as a dump from the 1890's through the 1930's. Waste debris at the site consists mainly of fragmented and fused glass, porcelain, and ceramics which may be related to the Rodriguez Family's pottery manufacturing operation.

The project is proposed based on the findings of a site investigation titled "Subsurface Site Investigation, Pottery Canyon Park, Northeast" by Ninyo & Moore (November 23, 2009) and includes procedures to be implemented at the site to meet the State Minimum Standards for former landfill sites, and to reduce the potential for human exposure and health risk related to waste and soil containing lead and other COPCs. In addition, the project incorporates the remediation plan titled "Conceptual Remediation Plan Pottery Canyon Site" prepared by URS dated April 13, 2012.

The project is intended to bring the site into compliance with solid waste state minimum standards (SMS) contained in applicable sections of Division 2, Title 27, Chapter 3 and Subchapter 4 of the California Code of Regulations through the placement of a cap of approximately 1,000 cubic yards of clean fill material over approximately 13,500 square feet of contaminated soil. The project is designed to meet SMS related to site security, grading of fill surfaces (cover), site maintenance, drainage and erosion control, and gas monitoring during closure and post closure. Importation of clean soil to the site for the cap is expected to involve approximately 65 truck trips. A portion of waste at the site will be excavated from the southern perimeter of the site and consolidated into the remaining footprint that will then be capped with 2 feet of clean soil. The site would subsequently be regraded using track hoes and other relatively small construction equipment.

The soil cover beyond the north, west and east of the footprint would be tapered at 4:1 slope; soil cap on the west, north, and east perimeter of the footprint would extend eight feet beyond the footprint in order to taper the grade at its edges; the southern margin of the footprint beneath the

roadway is essentially capped and would remain as is; in order to taper the cap to match the existing grade of the roadway, a minimal volume of soil would be excavated and spread thinly on the area that would have a 2-foot soil cap; a non-woven geotextile fabric would be placed over the area to provide separation and serve as a delimiter between the waste, contaminated (hazardous waste) soil and the clean fill; clean fill would be placed over the textile to form a 2-foot cap; and compost socks would be placed around the area and it would be hydro seeded with a native seed mix. The project would also place temporary fencing around the site and would raise an existing sewer manhole 18 inches above the final grade. In addition, there are up to four utility poles that may have to be relocated.

Prior to any excavation the approximate horizontal extent of the waste site footprint would be marked using stakes and/or marking paint. Conventional construction equipment, such as a front-end loader equipped with a backhoe, would be used to excavate the waste on the southern margin of the site footprint. These materials will be placed on the low areas of the project's footprint. No soil stockpiling will be conducted unless it is deemed necessary. If required, the soil will be place in temporary stockpiles within the footprint of the site.

Fugitive dust can be generated during the handling of the waste-containing soil after it has been excavated or disturbed. Fugitive dust control measures will be implemented at the site by the excavation contractor to mitigate dust migration outside of the work area and off site; so that there is limited potential for exposure to site workers, visitors and residents located nearby. Airborne dust monitoring will be conducted to verify and document the dust suppression efforts.

The installation of the cap will require long-term inspection and maintenance to provide long-term effectiveness. The City will develop a post-closure operation and maintenance plan to address situations where penetration of the cap could occur in the future as well as identify requirements for the long-term inspection and maintenance of the cap. Periodic inspections for settlement, ponding of liquids, and erosion would be required in accordance with CCR Title 27 regulations. Future activities that could involve breaching of the cap and exposure to waste would require that the City of San Diego Solid Waste Local Enforcement Agency (LEA) notification and as well as approve the activities and provide oversight of any approved activity.

As part of the project and prior to the pre-construction meeting the contractor shall provide a Community Health and Safety Plan (CHSP) that has been approved by the City of San Diego Solid Waste Local Enforcement Agency (LEA) which will address; dust control and dust monitoring during the construction of the project; soil movement, placement, and soil stockpiling, as well as the post closure maintenance of the site.

The project site is within Pottery Canyon Park which is located between Torrey Pines Road (immediately north of 2725 Torrey Pines Road) and La Jolla Scenic Drive north of La Jolla Parkway, within the La Jolla Community Planning area. Applicant: City of San Diego Park and Recreation Open Space Parks.

BACKGROUND

The original MND was circulated for public review on May 7, 2013 and ended on May 28, 2013. The City of San Diego, as the Lead Agency, identified the need to recirculate the original MND because of the requirement that the draft be distributed to the California State Clearinghouse. In addition, it was determined that new mitigation measures would be required to reduce impacts to Health and Safety (Hazards and Hazardous Materials) and Air Quality to below a level of significance. Therefore, the draft MND is being recirculated for public review pursuant to Section 15088.5 of the CEQA Guidelines. In accordance with Section 15088.5 responses to comments received on the original MND will not be provided by the City. The City of San Diego will respond to comments submitted only in response to the recirculated revised MND.

A. PROJECT DESCRIPTION: See attached Initial Study.

B. ENVIRONMENTAL SETTING: See attached Initial Study.

C. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas(s): Air Quality, Historical Resources (Archaeology) and Health and Safety (Hazards and Hazardous Materials). The project requires implementation of specific mitigation identified in Section V of this Mitigated Negative Declaration (MND). The project as presented now avoids or mitigates the potentially significant environmental effects identified and the preparation of an Environmental Impact Report (EIR) would not be required.

D. DOCUMENTATION:

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

E. MITIGATION, MONITORING AND REPORTING PROGRAM (MMRP):

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 Local Enforcement Agency (LEA) Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Project Representative(s), Job Site Superintendent and the following consultants:

   Archaeologist
   Native American Monitor
   Air Sampling Monitor

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

   CONTACT INFORMATION:
   a) The PRIMARY POINT OF CONTACT is the **City's Local Enforcement Agency (LEA) 858-627-3200**
   b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **LEA and MMC at 619-533-3696**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) No. 296100, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED, and MMC. 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 LEA 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 LEA 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 **LEA** 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 **LEA** and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, potential soil stockpile locations, air quality monitoring locations, 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 **LEA** 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 the Pre-Construction meeting
Archaeology	Archaeological Reports	Archaeological observation
Hazards & Hazardous Materials	Community H&S Plan	Prior to or at the Pre-Construction meeting
	Daily air monitoring results	Air monitoring observations
Final MMRP		Final MMRP Inspection

HEALTH AND SAFETY (HAZARDS AND HAZARDOUS MATERIALS and AIR QUALITY

I. Prior to Pre-Construction Meeting

A. The contractor shall provide a Community Health and Safety Plan (CHSP) approved by the City of San Diego Solid Waste Local Enforcement Agency (LEA) to the Assistant Director

(ADD) Environmental designee. The contractor will provide dust control and air (dust) monitoring services during the construction of the project.

B. Letters of Qualification have been submitted to ADD
1. 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 dust control and air monitoring as identified in the CHSP. If applicable, individuals involved in dust control and air monitoring must have completed the 40-hour Hazwopper training and provide certification documentation.2. MCC will provide a letter to the applicant confirming whether or not the qualifications of the PI and all persons involved in the dust control and air monitoring for the proposed project meet the qualifications established in the CHSP.

C. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the dust control or air monitoring portions of the CHSPC. If the project will involve the excavation, stockpiling or transportation of any excavated solid (non-hazardous) waste , ash and/or contaminated (hazardous waste) soil material from the disposal site the contractor shall provide a Waste and Soil Management Plan (WSMP) that addressesthe proper handling and disposal of all waste materials. If required, the Waste and Soil Management Plan shall include a soil sampling plan, estimate of the types and quantities of waste and soil materials to be removed from the site and the name(s), addresses, and phone numbers of the permitted disposal location(s).

II. During Construction

A. Air Monitor shall be present full-time during all soil disturbing, grading, excavating, placement, trenching, removal and transportation activities.
1. The Air Monitor shall be present full-time during all soil disturbing, grading, excavating, placement, trenching, removal and transportation activities to monitor and evaluate the exposure to workers and the public to lead-containing and COPC wastes. Air monitoring devices will be located in the worker's breathing zone, at the perimeter of the exclusion zone and at the perimeter of the site using an upwind/downwind monitoring approach. **The Construction Manager is responsible for notifying the LEA, PI and MMC of changes to any construction activities. In certain circumstances, OSHA safety requirements may necessistate modification of the CHSP or temporary stoppage of construction activities.**
2. The air quality monitor shall document field activity via the method approved in the Community Health and Safety Plan. The reports shall be faxed by the CM to the LEA at the end of every day of monitoring, and immediately upon the discovery of health standards being exceeded.
3. The Air Monitor and Construction Manager shall ensure that capping procedure for waste and contaminated (lead and COPC) soils is consistent with the Subsurface Site Investigation, Pottery Canyon Park, Northeast" Ninyo & Moore 2009 and the report titled "Conceptual Remediation Plan Pottery Canyon Site" - 2012.

B. Air Monitoring Discovery Process
1. In the event of health and safety/air quality standards are exceeded, the Air Monitor shall direct the contractor to immediately stop some or all soil disturbing activities, including but not limited to digging, trenching excavating, grading, soil placement activities .
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) and the LEA of the air quality health and safety standards being exceeded.

3. The PI shall immediately notify MMC by phone of the incident, and shall also submit written documentation to MMC within 24 hours by fax or email.
4. No construction activities shall occur until a determination can be made regarding the contamination level, the need to modify activities, and/or revise the CHSP is identified, and if needed, approved by the LEA prior to resumption of the project.

C. 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 Pre-construction meeting.
   2. The following procedures shall be followed during night and/or weekend work.
      a. No Discoveries
         In the event that no air quality/monitoring standards were exceeded 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. Dust Control/Air Quality Health Standards Exceeded
         All standards that are exceeded shall be documented in writing using the existing procedures detailed in Sections II - During Construction
      c. The PI shall immediately contact the RE and MMC by 8AM of the next business day to report and discuss the findings.

D. 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.

E. All other procedures described above shall apply, as appropriate.

III. 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 Community Health and Safety Plan which describes the results, analysis, and conclusions of all phases of the dust control and Air 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 problems with dust control and/or air quality standards exceeded during monitoring, a summary of these problems and their solutions shall be included in the Draft Monitoring Report.
   2. MMC shall return the Draft Monitoring Report to the PI via the **LEA** for revision or, for preparation of the Final Report.
   3. The PI shall submit revised Draft Monitoring Report to MMC via the **LEA** 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. 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 **LEA** shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC.

IV. Prior to the issuance of the Notice of Completion by the LEA

The project proponent shall provide a Post-closure Maintenance Plan (PCMP) that addresses long-term site maintenance to assure containment of waste, contaminated (hazardous levels of lead and COPCs) soil by the soil cap. In addition, the plan shall describe how adequate drainage over the site will be maintained to prevent ponding of precipitation and to minimize erosion of the soil cap. The PCMP shall include discussion of the importance of not breaching or excavating the cap and will state that the City of San Diego Solid Waste Local Enforcement Agency must review and approve any proposed future activities to, or involving, the cap. Finally, the LEA would provide oversight of any approved activities. This oversight includes the review and approval of any proposed excavation associated with maintenance of the existing sewer line that traverses the waste footprint, including its associated manhole.

HISTORICAL RESOURCES (ARCHAEOLOGY)

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

A. Entitlements Plan Check
   1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD
   1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
   2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
   3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search
   1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
   2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, **LEA,** 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, **LEA**, 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 LEA, 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 **LEA** the first day of monitoring, the last day of monitoring, monthly **(Notification of Monitoring Completion)**, and in the case of ANY discoveries. The **LEA** shall forward copies to MMC.
5. **The archaeological monitor shall ensure that the capping procedure for the burn ash is consistent with *Pottery Canyon Site Archaeological Evaluation Project* (Brian Smith and Associates, February, 2011).**

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 **LEA** 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, **LEA** 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 **LEA** 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 **LEA**, 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 **LEA** for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC via the **LEA** 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 **LEA** 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:

United States Government
- U.S. Fish and Wildlife Service

State of California
- California Department of Fish and Wildlife (32A)
- Cal Recycle/ Sue O'Leary
- State Clearinghouse (46)

City of San Diego:
- Council District 1, Councilmember Lightner
- Development Services Department
  - Angela Nazareno (MS 301)
  - Jeffrey Szymanski (MS 501)
- Parks and Recreation Department
  - Laura Ball (5D)
  - Joel Hyatt (5D)
  - Betsy Miller (5D)
- Local Enforcement Agency
  - Bill Prinz (606L)
- Historical Resources Board (87)
- La Jolla Branch Library (MS 81L)

Other
- La Jolla Community Planning Association (275)
- La Jolla Town Council (273)
- La Jolla Historical Society (274)
- Bill Allen
- Carmen Lucas (206)
- Clint Linton (215B)
- South Coastal Information Center @ San Diego State University (210)
- San Diego Archaeological Center (212)
- Save Our Heritage Organization (214)
- Ron Christman (215)
- Louie Guassac (215A)
- Frank Brown (216)
- San Diego County Archaeological Society (218)
- Kumeyaay Cultural Heritage Preservation (223)
- Kumeyaay Cultural Repatriation Committee (225)
- Native American Distribution (225A-S Public Notice Only)
- Sierra Club (165A)
- San Diego Audubon Society (167)
- Jim Pugh (167A)
- California Native Plant Society (170)
- Endangered Habitat League (182 and 182A)

VII. RESULTS OF PUBLIC REVIEW:

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

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

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

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

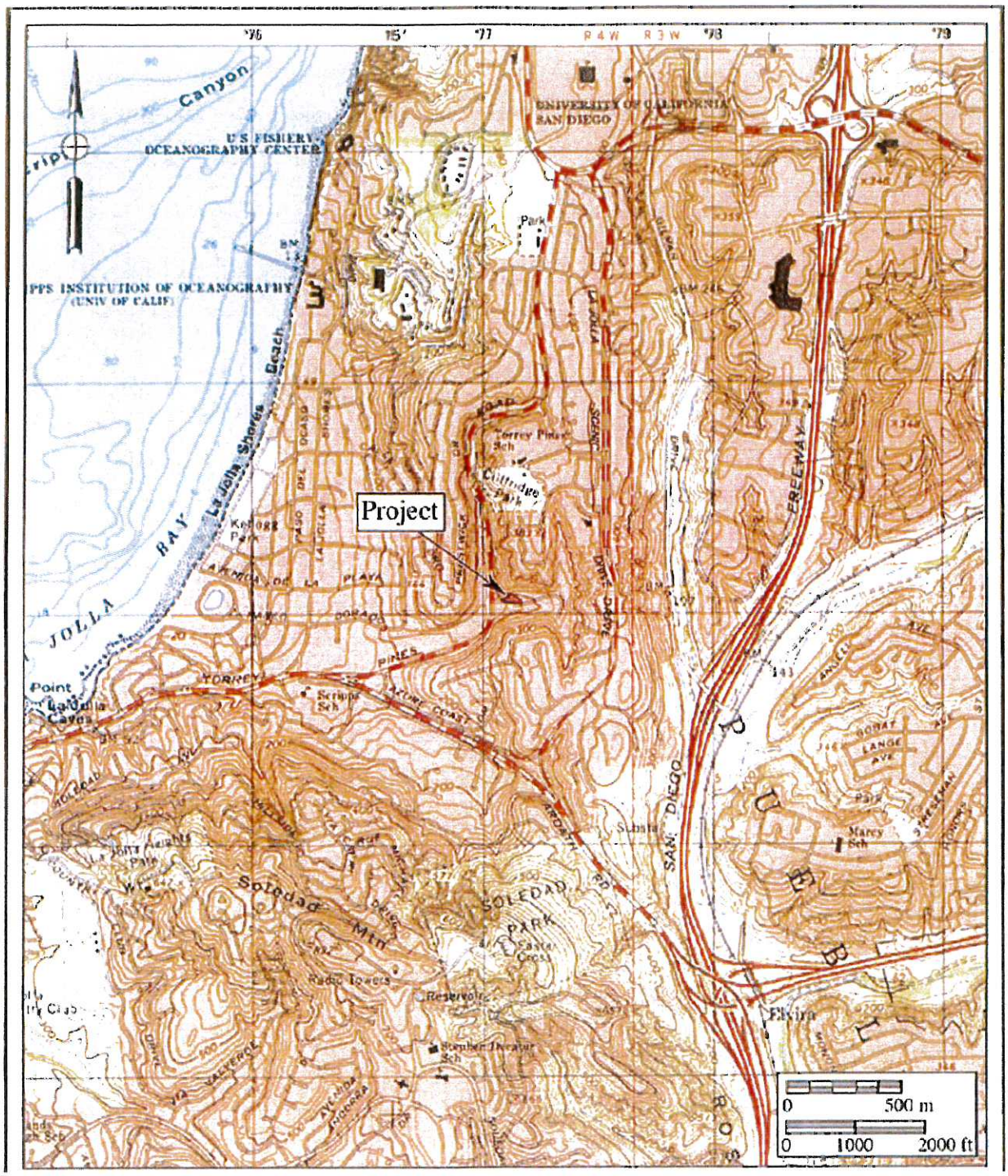
Jeffrey Szymanski, Senior Planner
Development Services Department

January 9, 2014
Date of Recirculated Draft Report

Analyst: J. Szymanski

Date of Final Report

Attachments:
Figure 1 - Location/Vicinity Map
Figure 2 - Site Plan
Initial Study Checklist

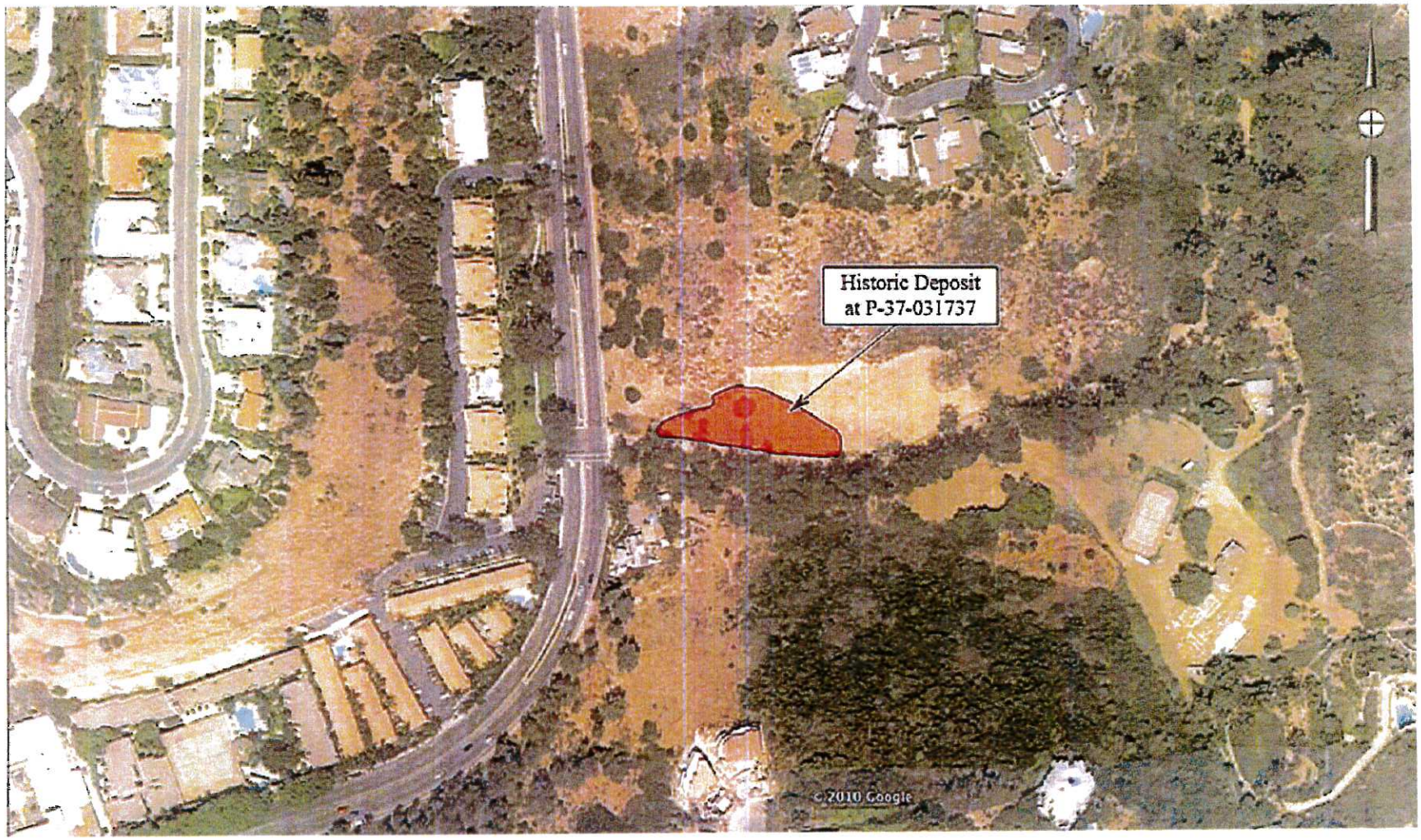


Location Map

Pottery Canyon Remediation/Project No. 296100

City of San Diego – Development Services Department

FIGURE No. 1



Site Plan

Pottery Canyon Remediation / Project No. 296100

City of San Diego – Development Services Department

FIGURE

No. 2

INITIAL STUDY CHECKLIST

1. Project Title/Project number: Pottery Canyon Park Remediation Project/296100

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: Jeff Szymanski, Senior Planner, 619-533-7523

4. Project location: The project site is within Pottery Canyon Park which is located between Torrey Pines Road (immediately north of 2725 Torrey Pines Road) and La Jolla Scenic Drive north of La Jolla Parkway, within the La Jolla Community Planning area.

5. Project Applicant/Sponsor's name and address: City of San Diego Park and Recreation Open Space Parks/ Joel Hyatt 202 C Street San Diego California 92101 619-685-1359.

6. General Plan designation: City of San Diego Open Space

7. Zoning: OP-1-1 and RS 1-7

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 of San Diego Development Services Department approval to allow for the implementation of a remediation plan at a waste and contaminated (hazardous waste) soil site within the City of San Diego's Pottery Canyon Park. The project is as described in the "Conceptual Remediation Plan – Pottery Canyon Site" (URS, 2012), hereby incorporated by reference. The waste site was used as a dump from the 1890's through the 1930's. Waste debris at the site consists mainly of fragmented and fused glass, porcelain, and ceramics which may be related to the Rodriguez Family's pottery manufacturing operation.

   Testing of the soil (Ninyo & Moore, 2009) determined that the lead concentrations in several surface and subsurface soil samples were above the Total Threshold Limit (TTLC) concentration of 1,000 milligrams per kilogram (mg/kg). Samples were also tested using the Waste Extraction Test (WET) and lead concentrations were also found to be above the Soluble Threshold Limit Concentration (STLC) threshold and were determined to be hazardous. None of the other metals tested at the site exceeded the STLC threshold. However, several metals present in the samples, such as antimony, arsenic, cadmium and lead, showed levels which exceeds the California Human Health-based Screening Levels (CHSSLs) for a residential (unrestricted) property use.

   The project is intended to bring the site into compliance with solid waste state minimum standards (SMS) contained in applicable sections of Division 2, Title 27, Chapter 3 and Subchapter 4 of the California Code of Regulations through the placement of a cap of approximately 1,000 cubic yards (1,300 tons) of clean fill material over the site footprint of approximately 13,500 square feet of contaminated soil. The project is designed to meet SMS related to site security, grading of fill surfaces (cover), site maintenance, drainage and erosion control, and gas monitoring during closure and post closure. Importation of clean

soil to the site for the cap is expected to involve approximately 65 truck trips. A portion of waste at the site will be excavated from the southern perimeter of the site and consolidated into the remaining footprint that will then be capped with 2 feet of clean soil. The site would subsequently be regraded using track hoes and other relatively small construction equipment. The soil cover beyond the north, west and east of the footprint would be tapered at 4:1 slope; soil cap on the west, north, and east perimeter of the footprint would extend eight feet beyond the footprint in order to taper the grade at its edges; the southern margin of the footprint beneath the roadway is essentially capped and would remain as is; in order to taper the cap to match the existing grade of the roadway, a minimal volume of soil would be excavated and spread thinly on the area that would have a 2-foot soil cap; a non-woven geotextile fabric would be placed over the area to provide separation and serve as a delimiter between the waste, contaminated (hazardous waste) soil and the clean fill; clean fill would be placed over the textile to form a 2-foot cap; and compost socks would be placed around the area and it would be hydro seeded with a native seed mix. The project would also place temporary fencing around the site and would raise an existing sewer manhole 18 inches above the final grade. In addition, there are up to four utility poles that may have to be relocated.

Prior to any excavation the approximate horizontal extent of the burn site footprint would be marked using stakes and/or marking paint. Conventional construction equipment, such as a front-end loader equipped with a backhoe, would be used to excavate the waste on the southern margin of the site footprint. These materials will be placed on the low areas of the project's footprint. No soil stockpiling will be conducted unless it is deemed necessary. If required, the soil will be place in temporary stockpiles within the footprint of the site.

Fugitive dust can be generated during the handling of the waste-containing soil after it has been excavated or disturbed. Fugitive dust control measures will be implemented at the site by the excavation contractor to mitigate dust migration outside of the work area and off site; so that there is limited potential for exposure to site workers, visitors and residents located nearby. Airborne dust monitoring will be conducted to verify and document the dust suppression efforts.

The installation of the cap will require long-term inspection and maintenance to provide long-term effectiveness. The City will develop a post-closure operation and maintenance plan to address situations where penetration of the cap could occur in the future as well as identify requirements for the long-term inspection and maintenance of the cap. Periodic inspections for settlement, ponding of liquids, and erosion would be required in accordance with CCR Title 27 regulations. Future activities that could involve breaching of the cap and exposure to waste would require that the City of San Diego Solid Waste Local Enforcement Agency (LEA) notification and as well as approve the activities and provide oversight of any approved activity.

As part of the project and prior to the pre-construction meeting the contractor shall provide a Community Health and Safety Plan (CHSP) that has been approved by the City of San Diego Solid Waste Local Enforcement Agency (LEA) which will address; dust control and dust monitoring during the construction of the project; soil movement, placement, and soil stockpiling, as well as the post closure maintenance of the site.

9. Surrounding land uses and setting: Briefly describe the project's surroundings: The surrounding land uses are residential and open space.

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
X	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 project would place clean fill soil over an existing grassy area containing waste and contaminated (hazardous waste) soils. The fill soil would be seeded and a vegetation program would be implemented. In addition, no designated scenic vistas have been identified within the project Area of Potential Affect (APE). Impacts to a scenic vista would not occur.

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

Pottery Canyon Park is a designated Historic Resource (City of San Diego, Historic Resources Board No. 108). However, the placement of soil over a burn ash site and then the subsequent re-planting of the site would not result in an impact to the resource.

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

Please see I.a

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

The placement of clean soil over a waste and hazardous waste contaminated soil site and then the subsequent re-planting of the site 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:

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

The project site is not classified as farmland by the Farmland Mapping and Monitoring Program (FMMP). Similarly, the land surrounding the project site is not in agricultural production and is 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 the project would not conflict with the Williamson Act Contract.

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))?	☐	☐	☐	☒

Pottery Canyon Park is not zoned as forest land. Therefore, the 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 remediation project is located within the Pottery Canyon Park and is not designated as 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 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 the proximity of the project that could be affected.

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

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?	☐	☐	☐	☒

The soil remediation project does not have the bulk and scale to cause any obstruction in the implementation of the existing air quality plan or otherwise cause any adverse air movement within the area.

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

Air quality impacts would not occur during the temporary implementation of the project. The project would generate 65 large truck trips and the operation of heavy equipment at the site during construction. In addition, a very small construction crew would travel through the site on a daily basis. The impacts would be minor and short-term and thus less than significant.

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

Please see IIIa. and IIIb, 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?	☐	☒	☐	☐

Fugitive dust can be generated during the handling of the waste-containing soil after it has been excavated or disturbed. Fugitive dust control measures will be implemented at the site by the contractor to mitigate dust migration outside of the work area and off site; to limit the potential for exposure to site workers and residents located nearby. Airborne dust

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

monitoring will be conducted to verify and document the dust suppression efforts. The public will be prohibited from entering the Pottery Canyon Park during the remediation activities. On-site contractor staff, County staff and other workers will be required to wear appropriate dust control personal protective equipment while on-site in accordance with OSHA regulations.

Dust Control and Air Monitoring During Excavation measures identified in the *Conceptual Remediation Plan Pottery Canyon Site 2725 Torrey Pines Road La Jolla, Californian* (URS, April 2012) will be included in the Mitigation, Monitoring and Reporting Program in Section IV of the MND and would reduce potential impacts to below a level of significance.

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

The soil remediation project removal does not have the potential to release objectionable odors.

IV. BIOLOGICAL RESOURCES – Would the project:

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

As mentioned above the project would be placing clean soil over a historic dump site containing hazardous materials. However, since the project site does contain vegetation the preparation of a biological survey letter report was prepared (Betsy Miller, City of San Diego Park and Recreation, Open Space, Natural Resource Manager) to assess potential impacts of the project on sensitive habitats. Biological field surveys conducted included: vegetation mapping, and a general wildlife survey. The biological survey report is available for review at the offices of the Entitlements Division.

Two habitat types were documented within the project's footprint and include non-native Grassland (Tier IIIB) and Disturbed Land (Tier IV). The area is characterized by nonnative species, such as Red Foxtail, Wild Oats, Black Mustard, Bermuda Buttercup, Horehound, Tree Tobacco, Russian Thistle, Onion Weed, and Nettle-leaved Goosefoot. Three individual Lemonadeberry occur within this habitat.

Wildlife observed during the surveys include: Cooper's Hawk, Red-tailed Hawk, Anna's Hummingbird, Mockingbird, Cassin's Kingbird, Black Phoebe, California Towhee, Mourning Dove, Scrub Jay, Common Raven, Yellow-rumped Warbler, White-crowned Sparrow, and

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

House Finch.

The project would impact 0.03 acres of Non-Native Grassland and 0.27 acres of Disturbed Land. In accordance with the City of San Diego's CEQA Significance Guidelines, combined project impacts for Tier I through Tier IIIB lands equaling less than 0.1 acres are not significant and mitigation is not required.

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?	☐	☐	☐	☒

Please see IV a. Riparian habitat was not identified on-site and impacts would not occur.

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

Please see IV b., no substantial effect would occur.

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

The site is surrounded by non-native Eucalyptus woodland, patches of disturbed habitat, residential development and Tier I habitat to the north. Because the project site is surrounded by residential development the existing native habitat lacks connectivity with habitat corridors. Furthermore, the scope of work for the project would place clean fill and revegetate the area and no permanent structures or facilities are being proposes which would interfere with wildlife movement. Therefore, impacts to wildlife movement would not occur.

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

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Please see IVa. no significant impacts 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 project is not located in or directly adjacent to the City's Multi-Habitat Planning Area (MHPA) or any other conservation planning areas. Therefore the project does not have the potential to conflict with any habitat conservation plans.

V. CULTURAL RESOURCES – Would the project:

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

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

Based upon the identification of old ceramics bottles and glass and adjacency to a designated historic resource (City of San Diego, Historic Resources Board No. 108) the preparation of an archaeological investigation was required. The evaluation consisted of a record search, archival research and the archaeological testing of the site for significance (Brian Smith and Associates, February 2011).

Historical background research shows that as the City expanded in the early 1920s citizens were looking for new locations to dispose of their trash and many times canyons and ravines were used as informal dumping sites. From Smith's background research it appears that the project site was used as an informal dump during the 1920's and 1930's. The adjacent Rodriguez pottery operation was in use from approximately the late 1920's through 1950's, and was designated a Historic Landmark by the City in 1976.

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

As part of the evaluation five archaeological test trenches were excavated across the site. The analysis of the artifacts found within the trenches indicates that the refuse was generated between the 1890's-1930's. However, it was not made readily apparent if the Rodriguez family dumped their refuse there. The research concluded that the dump site could be historically significant because it is one of the last dump sites in La Jolla and could yield important information regarding the historic period in La Jolla. Therefore, Smith made the determination that the site qualifies as a significant cultural resource Under CEQA Section 15064.5 Criterion D "has yielded or may be likely to yield information important to prehistory or history" and could qualify under the City of San Diego Historical Resources Register Criteria A, as it "exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscape, or architectural development.

In order to reduce significant impacts from the implantation of the remediation plan mitigation would be required. The archaeological report recommended using a Data Recovery Plan or the capping of the site as the mitigation. The applicant has chosen to cap the site which is a viable methodology pursuant to the City's Historical Resources Guidelines. The capping procedure was identified in the archaeological report (Smith, February 2011) and an archaeological monitor would be employed during the process to ensure that the capping is consistent with what was described in the report. The archaeologist would also be required to monitor the project in case of unexpected discoveries. The mitigation measure would reduce impacts to historical resources to below a level of significance.

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

Please see V a., with mitigation the project would not cause a substantial change to the significance of an archaeological resource.

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

The project would require very little excavation and impacts to paleontological resources are not anticipated.

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

Please see V a, impacts to human remains would not occur.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS – Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
The project is not located within an Alquist-Priolo Fault Zone and the implementation of the remediation plan would not attract people to the location or would it develop the site with structures. Therefore, risks from rupture of a known earthquake fault would not occur.				
ii) Strong seismic ground shaking?	☐	☐	☐	☒
Please see VIai. The project is not proposing to construct facilities that would attract people to the location other than for routine maintenance. Therefore, people or structures would not be exposed to the potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.				
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
Please see VIai and VIaii. The project is located in the Geologic Hazard category 25 which is a slide prone formation but with favorable or neutral geologic structure. The soil remediation project would not attract a substantial number of people to the location and therefore impacts in this category would not occur.				
iv) Landslides?	☐	☐	☐	☒
Please see VIai and VIaii. The project would not expose people or structures to the risk of loss, injury, or death involving landslides.				
b) Result in substantial soil erosion	☐	☐	☐	☒

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

or the loss of topsoil?

The project would place approximately 1,000 cubic yards of clean fill material over a geotextile that would be placed over the waste and contaminated (hazardous waste) soil site.. The project would result in a net increase of topsoil at the site and erosion impacts would not occur as the cover soil would be graded and seeded with a native seed mix to provide erosion control. Furthermore, the project would implement Best Management Practices (BMPs) during construction such as the covering of soil stockpiles during non-work hours to abate soil dispersion by both wind and rain, placement of silt fences in down slopes areas to trap any sediment that might become mobilized, placement of temporary berms in and around work areas to divert stream water flow and prevent soil erosion and periodic street sweeping as needed to prevent the tracking of soil onto nearby public streets. The scope of work for the project along with the use of BMPs would ensure that the project would not result in substantial soil erosion or the loss of topsoil.

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?	☐	☐	☐	☒

The project is located in the Geologic Hazard category 25 which is a slide prone formation but with favorable or neutral geologic structure. The soil remediation project does not have the potential to cause the structure of the soil to become unstable.

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?	☐	☐	☐	☒

The project would be located within Carlsbad gravely loam, this soil type is not characterized as being expansive. No impacts would occur in this category.

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?	☐	☐	☐	☒

The project does not propose the use of septic tanks. As a result, 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.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS - Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒

The City has not adopted its own GHG Thresholds of Significance for CEQA and is following guidance from the 2008 California Air Pollution Control Officers Association (CAPCOA) report *CEQA & Climate Change* to identify screening criteria to determine when a GHG analysis would be required and information from the CARB Scoping Plan and BAU 2020 Forecast to determine when a cumulatively significant contribution of GHGs has occurred.

The CAPCOA report references a 900-metric-ton guideline as a conservative threshold for requiring further analysis and mitigation. The City thus chose a 900-metric-ton screening criterion for determining when a GHG analysis is required. To provide a screening tool, the 900 metric tons were translated into project types that would generally equate to a 900-metric-ton generation rate, allowing those projects that meet the following criteria to be exempt from preparing a GHG technical analysis report.

Based upon the scope of work, limited temporary construction and lack of additional automobile trips, the project would not generate any substantial Greenhouse Gas emissions (GHG). Emissions would be minimal and would fall under the 900 metric ton screening criteria. Therefore, the waste and contaminated (hazardous waste) soil remediation project would not cause any significant GHG emissions. No impacts are expected and no mitigation for GHG is 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 project would not conflict with any applicable plans, policies, or regulations related to GHGs.

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?	☐	☒	☐	☐

Testing of the soil at the Pottery Canyon Park location determined that the soils in several locations lead in concentrations that exceed the state's Soluble Threshold Limit Concentration (STLC) threshold and was determined to be hazardous. None of the other metals tested at the site exceeded the STLC threshold. However, several metals present in the samples, such as antimony, arsenic, cadmium and

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

lead, showed levels which exceeds the California Human Health-based Screening Levels (CHSSLs) for a residential property use.

Therefore the proposed project would employ a remediation plan (*Conceptual Remediation Plan Pottery Canyon Site*, URS, and April 13, 2012) that would place (cap) approximately 1,000 cubic yards of clean fill material over approximately 13,500 square feet of contaminated soil. The implementation of the plan would include the following: The soil cover beyond the north, west and east of the footprint would be tapered at 4:1 slope; soil cap on the west, north, and east perimeter of the footprint would extend eight feet beyond the footprint in order to taper the grade at its edges; the southern margin of the footprint beneath the roadway is essentially capped and would remain as is; in order to taper the cap to match the existing grade of the roadway, a minimal volume of soil would be excavated and spread thinly on the area that would have a 2-foot soil cap; a non-woven geotextile fabric would be placed over the area to provide separation and serve as a delimiter between the waste, contaminated soil and the clean fill ; clean fill would be placed over the textile to form a 2-foot cap; and compost socks would be placed around the area and it would be hydro seeded with a native seed mix. The City of San Diego's Local Enforcement Agency (LEA) would approve and monitor a Community Health and Safety Plan for the remediation.

Therefore, the project is addressing an existing hazardous waste condition and would not be transporting, using, or disposing of hazardous materials but would be implementing a remedy by reducing exposure to the existing hazardous wastes. In addition, prior to the capping of the wastes and contaminated soil areas sampling would be conducted to confirm that the exposed wastes would be adequately contained and that no waste would remain within two feet of the ground surface.

As part of the project, and prior to the pre-construction meeting, the contractor shall provide a Community Health and Safety Plan (CHSP) that has been approved by the City of San Diego LEA which will address; dust control and dust monitoring, worker health and safety, soil movement, soil placement and soil stockpiling during the construction of the project as well as the post closure maintenance of the site. The requirement to prepare a Community Health and Safety Plan, consistent with the remediation plan, and approved by the LEA, will be included within the Mitigation, Monitoring, and Reporting Program in Section V of the MND and would reduce impacts to below a level of significance.

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?	☐	☒	☐	☐

Please see VIIIa..

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐

There are schools within a one-quarter mile; however, the project would not release substantial emissions or pollutants into the area. Please see VIIIa impacts would be mitigated to below a level of significance.

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

The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, known as the Cortese list. However there are documented solid wastes as well as contaminated (hazardous waste) soils and soils containing CPOCs at the site. The project would provide a remedy for containing and reducing the exposure of the existing solid and hazardous wastes to both people and the environment. No impacts would occur in this category.

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. The project is not located within the flight path of any airport and 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 and therefore would not result in a safety hazard that would create flight hazards.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

The scale of the project does not have the potential to 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 waste and contaminated (hazardous waste) soil site remediation project would not attract people or build structures that would be exposed to wildfires.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

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

In order to address potential water quality impacts the project would implement the following Best Management Practices (BMPs): covering of temporary soil stockpiles during non-work hours to abate dispersion of soil by both wind and rain, placement of silt fences in down slopes areas to trap any sediment that might become mobilized, placement of temporary berms in and around work areas to divert stream water flow and prevent soil erosion and periodic street sweeping as needed to prevent the tracking of soil onto nearby public streets. The use of the listed BMPs would preclude impacts in this category.

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 new impervious surfaces over ground that could interfere with groundwater recharge. Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 would add soil cover beyond the north, west and east of the footprint and would be tapered at 4:1 slope; soil cap on the west, north, and east perimeter of the footprint would extend eight feet beyond the footprint in order to taper the grade at its edges; the southern margin of the footprint beneath the roadway is essentially capped and would remain as is; in order to taper the cap to match the existing grade of the roadway, a minimal volume of soil would be excavated and spread thinly on the area that would have a 2-foot soil cap; a non-woven geotextile fabric would be placed over the area to provide separation and serve as a delimiter between the waste, contaminated (hazardous waste) soil and the clean fill; clean fill would be placed over the textile to form a 2-foot cap; and compost socks would be placed around the area and it would be hydro seeded with a native seed mix. With the implementation of these measures substantial erosion or siltation would not occur on-site or off-site.

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 discussed above and compliance with the City Stormwater Regulations would prevent or effectively minimize construction runoff impacts. Additionally, no new impervious areas are proposed that would increase runoff from the project area. Therefore, the project would not contribute runoff water that would exceed the capacity of existing storm water systems.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒

Conformance to BMPs discussed above 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 and impacts in this category would not occur.

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

The remediation project does not propose construction of any features that would impede or redirect 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 project 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 a soil remediation plan and would not introduce any features that could divide an established community.

b) Conflict with any applicable land use	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				

The project is consistent with all applicable land use plans, policies, or regulations including the La Jolla Community Plan, City of San Diego General Plan and the MSCP Subarea Plan. The soil remediation plan would not conflict with any land use plans.

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

The project site is not adjacent to the Multi-Habitat Planning Area (MHPA). As such, implementation of the project would not be in conflict with the City's Multiple-Species Conservation Program (MSCP) Subarea Plan or any other conservation plans.

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 APE is 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 area surrounding the project site is not designated for the recovery of mineral resources on the City of San Diego General Plan Land Use Map. Therefore, the waste, contaminated (hazardous waste) soil remediation 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	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
established in the local general plan or noise ordinance, or applicable standards of other agencies?				

The project would be short in duration and excessive noise is not anticipated. Furthermore, the project is required to comply with the City Noise Ordinance and people would not be exposed to noise levels in excess of noise regulations.

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

Please see XII.a.

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

The project once complete, would not result in any permanent noise increase.

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

Please see XII.a.

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. Furthermore, the project 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 what currently exist.

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 proximity to a private airstrip. Furthermore, the project would not

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

introduce any new features that would expose people residing or working in the project area to excessive noise levels beyond those associated with existing conditions. No impacts would result.

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 is not proposing to displace any existing housing and the project would not affect existing housing.

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

Please see XIIb. The project would not displace people.

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 fire protection facilities. Soil remediation would not

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

require any new or altered fire protection services.

ii) Police Protection	☐	☐	☐	☒

The project would be a remedy to an existing hazardous material site and would not physically alter any police protection facilities.

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 is located within an open space park but would not result in a substantial alteration to the park. The project would enhance the park.

vi) Other public facilities	☐	☐	☐	☒

The project would not increase the demand for electricity, gas, or other public facilities. The project would address an existing waste and contaminated (hazardous waste) soil site and a substantial adverse impact would not occur to any public facilities.

XV. RECREATION –

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

The project is located within an open space park and the remediation project would not result in substantial alteration to it. The correction of the existing condition would not result in the increase use of other regional parks or facilities.

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 is located within Pottery Park and would not result in a substantial alteration to it. The project would rectify an existing condition and would not include the construction of recreational facilities or require the construction or expansion of recreational facilities.

XVI. TRANSPORTATION/TRAFFIC – Would the project?

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒

The project would not result in any additional permanent trips to the park. However, there would be minimal additional trips during the implementation of the remediation plan and these additional trips would not have the potential to conflict with transportation plans. Therefore, it 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?	☐	☐	☐	☒

Please see XVIa. No conflicts would occur.

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 is not proposing any new features beyond what is existing and no impacts would occur in this category.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in inadequate emergency access?	☐	☐	☐	☒

The scale of the project does not have the potential to physically interfere with an adopted emergency response plan or emergency evacuation plan.

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 soil remediation would not conflict with plans involving pedestrian, bicycle or public transportation.

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 contribute additional wastewater and therefore 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?	☐	☐	☐	☒

Please see XVII. 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, it 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,	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

Please see XVII.

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

All waste, if any, associated with this activity would be disposed of in accordance with all applicable local and state regulations pertaining to solid and hazardous waste including permitted capacity of the landfill serving the project area. Materials able to be recycled shall be done to local standards regulating such activity. Operation of the project is anticipated to generate minimal quantities of solid waste and no hazardous 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 generate minimal solid waste. However, any solid waste generated during construction related activities would be recycled or disposed of in accordance with all applicable local, state and federal 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	☐	☒	☐	☐

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
eliminate important examples of the major periods of California history or prehistory?				

The project is primarily located in a developed urbanized neighborhood and the soil remediation project would not degrade or impact the quality of the surrounding environment. No biological resources are present on site and therefore, impacts to such resources would not result from the project.

With respect to the project's location and the historically sensitive areas, the capping of the waste , the contaminated (hazardous waste) soil has the potential to impact cultural resources which could incrementally contribute to a cumulative loss of non-renewable resources. However, archaeological monitoring would be required and with implementation of mitigation requirements would reduce potential impacts to historical resources to below a level of significance; and therefore 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)?	☐	☒	☐	☐

Impacts associated with Historical Resources are individually significant and when taken into consideration with other past projects in the vicinity, may contribute to a cumulative impact; specifically with respect to non-renewable resources. However, with implementation of the MMRP, any information associated with these resources would be collected catalogued and included in technical reports available to researchers for use on future projects, thereby reducing the cumulative impact 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?	☐	☒	☐	☐

The City of San Diego conducted an Initial Study which determined that the project could have a significant environmental effect in the following areas: Cultural (Historical Resources) and Hazards and Hazardous Materials. However, with the implementation of mitigation identified in Section V of this MND the project would not have environmental effects which would cause substantial direct or indirect adverse effects on human beings.

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

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

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

___ Community Plan - Resource Element.

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

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

X City of San Diego Land Development Code Biology Guidelines.

_X_ Site Specific Report: *Biological Impact Assessment for proposed hazardous waste removal at Pottery Canyon* (Betsy Miller, City of San Diego Park and Recreation, Open Space, Natural Resource Manager)

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: *Pottery Canyon Site Archaeological Evaluation Project* (Brian Smith and Associates, February 2011)

VI. GEOLOGY/SOILS

_X_ City of San Diego Seismic Safety Study.

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

____ Site Specific Report:

VII. GREENHOUSE GAS EMISSIONS

____ Site Specific Report:

VIII. HAZARDS AND HAZARDOUS MATERIALS

_X_ San Diego County Hazardous Materials Environmental Assessment Listing

____ San Diego County Hazardous Materials Management Division

____ State Water Resources Control Board Geotracker

____ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized.

____ Airport Land Use Compatibility Plan.

_X__ Site Specific Report: *Subsurface Site Investigation Pottery Canyon Natural Park, Northeast of the Intersection of Torrey Pines Road and LaJolla Parkway, LaJolla, California* (Ninyo &Moore, November 23, 2009)

_X_ Site Specific Report: *Conceptual Remediation Plan Pottery Canyon Site 2725 Torrey Pines Road* (URS April 13, 2012).

IX. HYDROLOGY/WATER QUALITY

_X_ 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.

_X_ 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.

_X_ California Geological Survey - SMARA Mineral Land Classification Maps.

____ Site Specific Report:

XII. NOISE

_X_ Community Plan

____ San Diego International Airport Master Plan CNEL Maps.

____ MCAS Miramar ALUCP

____ 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.

____ 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

_X_ City of San Diego General Plan.

_X_ 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.

_X_ 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.

___ Site Specific Report:

XIX. WATER CONSERVATION

_X_ City of San Diego General Plan.

___ Community Plan.

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

___ Site Specific Report: