



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: September 13, 2012 **REPORT NO. PC-12-095**

ATTENTION: Planning Commission, Agenda of September 20, 2012

SUBJECT: SEWER AND WATER GROUP 809 - PROJECT NO. 230429.
PROCESS FOUR.

**OWNER/
APPLICANT:** CITY OF SAN DIEGO/ENGINEERING & CAPITAL PROJECTS
DEPARTMENT

SUMMARY

Issue(s) - Should the Planning Commission approve the Sewer and Water Group 809 project in the La Jolla Shores neighborhood of the La Jolla Community Plan area?

Staff Recommendation:

1. **Certify** Mitigated Negative Declaration No. 230429 and **Adopt** the Mitigation Monitoring and Reporting Program; and
2. **Approve** Site Development Permit No. 824244.

Community Planning Group Recommendation - The La Jolla Community Planning Association, on May 19, 2011, voted on consent to recommended approval.

Environmental Review - A Mitigated Negative Declaration No. 230429 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and would be implemented which would reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement - No fiscal impact. All costs associated with the processing of the application are recovered through an account funded by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The existing land use designation is for circulation and

public services. The proposed use is consistent with those designations and does not contain a proposal for housing. Therefore, there is no housing impact with this project.

BACKGROUND

The Sewer and Water Group 809 project is within the La Jolla Community Plan area and the sites are designated by the La Jolla Community Plan Land Use map for circulation and public service uses (Attachment 1). The Sewer and Water Group 809 project would remove and install new sewer and water mains within portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado and Avenida de la Ribera (Attachment 2) within the La Jolla Shores Planned District area of the La Jolla Community Plan area. The entire limits of work, approximately 1.47 acres, would be within the improved public right-of-way (Attachment 3).

DISCUSSION

Project Description

The Sewer and Water Group 809 project will remove sewer and water mains and install new sewer and water mains within portions of the public right-of-way. The project is divided into northern and southern sections. The northern section would consist of the replacement of 7,323 linear feet (LF) of sewer main and 6,700 LF of water main. The southern section would replace 1,386 LF of water mains. Approximately 7,120 LF of the sewer main and all water mains in both the northern and southern sections of the project would be replaced in the same trench.

Approximately 203 LF are proposed for a new sewer line along Paseo del Ocaso between Avenida de la Playa and Vallecitos. Streets in the northern section include Paseo del Ocaso, El Paseo Grande, Camino del Oro, Avenida de la Playa, Vallecitos, Calle Frescota, Camino del Sol, Avenida de la Ribera, La Jolla Shores Drive and Paseo Dorado. Streets in the southern section include La Jota Way, St. Louis Terrace and Hypatia Way (Attachment 4).

More specifically, the northern area of the proposed work would be within portions of Avenida de la Playa between La Vereda and Calle Del Cielo, Paseo del Ocaso between El Paseo Grande and Paseo Dorado, El Paseo Grande between Paseo del Ocaso and Paseo Dorado, Vallecitos between La Vereda and Calle Del Cielo, Calle Frescota between El Paseo Grande and Camino del Oro, Camino del Sol between Avenida de la Playa and Vallecitos, Camino del Oro between Avenida de la Playa and Paseo del Ocaso, Paseo Dorado between La Jolla Shores Drive and Dorado Court, La Jolla Shores Drive between Calle de la Garza and Calle Frescota and Avenida de la Ribera between Avenida de la Playa and Vallecitos. The southern area of the proposed work would be within La Jota Way and Hypatia Way and La Jota Way between Sprindrift Drive and Hypatia Way. Aerial photographs of the neighborhood with the proposed segments of work superimposed onto the photographs have been provided to demonstrate the segments of the water (Attachment 5) and sewer jobs (Attachment 6).

Construction of the Sewer and Water Group 809 project includes the installation of eight inch water mains, water services, fire services, valves, fire hydrants, markers, trench resurfacing, slurry sealing, thrust blocks, eight, ten and twelve inch sewer mains, sewer main rehabilitation, sewer laterals, sewer lateral replumbs, pavement resurfacing, curb ramps, traffic control and

other work as described in the specifications and drawings number 34119-01-D through 34119-37-D (Attachment 7).

The project would utilize open excavation for trench work, as well as trenchless technology. Trenches would be approximately three feet wide and the depth would range from five to twenty feet deep. Some sewer mains would be at the same depth as existing, some would be deeper than existing, and some would be replaced using trenchless technology (directional drilling or similar), or would be rehabilitated in place. The water main in the southern portion and some sewer main in the northern portion would be replaced using trenchless technology (pipe bursting). Pipe bursting in the southern portion of the project would require excavation of approximately eight ten-foot by ten-foot main line pits and approximately twenty-four 5-foot by 5-foot service pits. The northern portion would require approximately seventeen ten-foot by ten-foot main line pits and approximately forty-two five-foot by five-foot service pits.

Related work for sewer and water mains would also include construction of diversion manhole structures, replacement and re-installation of manholes, cleanouts, valves, water services, sewer laterals, various meters, potholing, curb ramps, fire hydrants, and other appurtenances, including street repair and/or resurfacing, traffic control measures and Best Management Practices during construction. Street trees removal and/or relocation would be done under the supervision of the City Arborist. Offsite staging areas as well as on site/street staging would occur in non-environmentally sensitive areas. The required staging area would be a minimum of 10,000 square feet and be identified by the contractor and accepted by the City prior to use.

Required Approvals

A Site Development Permit is required for work in the La Jolla Shores Planned District and by the Environmentally Sensitive Lands regulations due to the potential for Historical Resources and Paleontological Resources.

Although the site is located within the Coastal Overlay Zone, a Coastal Development Permit is not required per the Land Development Code Section 126.0704(e) which states “..... *public utility* repair or maintenance as exempted under the Coastal Commission’s Interpretive Guidelines on Exclusions from Permit Requirements filed with the City Clerk as Document No. OO-17067-2.” The proposed project is described in the Coastal Commission’s Interpretive Guidelines on Exclusions section IIB.4; “No permit is required for repair or maintenance of existing facilities that do not alter the service capacity, installation of new or increased service to development permitted or exempted under the Coastal Act, placement of additional facilities on existing poles, or placement of existing facilities underground, providing such undergrounding shall be limited to public road or railroad rights-of-way or public utility easements and provided there is no removal of major vegetation and the site is restored as close as reasonably possible to its original condition.” (Attachment 8).

Community Plan Analysis

The La Jolla Community Plan identifies the circulation roadways in Figure 11 (Attachment 8). The proposed construction would occur on roadways identified as two-lane modified collector, two-lane collector and local streets. All of the work proposed by the project would be within the

public right-of-way. The proposed project would not adversely affect the La Jolla Community Plan.

Conclusion

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the project (Attachment 9) and draft conditions of approval (Attachment 10). Staff recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. **Approve Site Development Permit No. 824244, with modifications.**
2. **Deny Site Development Permit No. 824244, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



John S. Fisher
Development Project Manager
Development Services Department

BROUGHTON:JSF

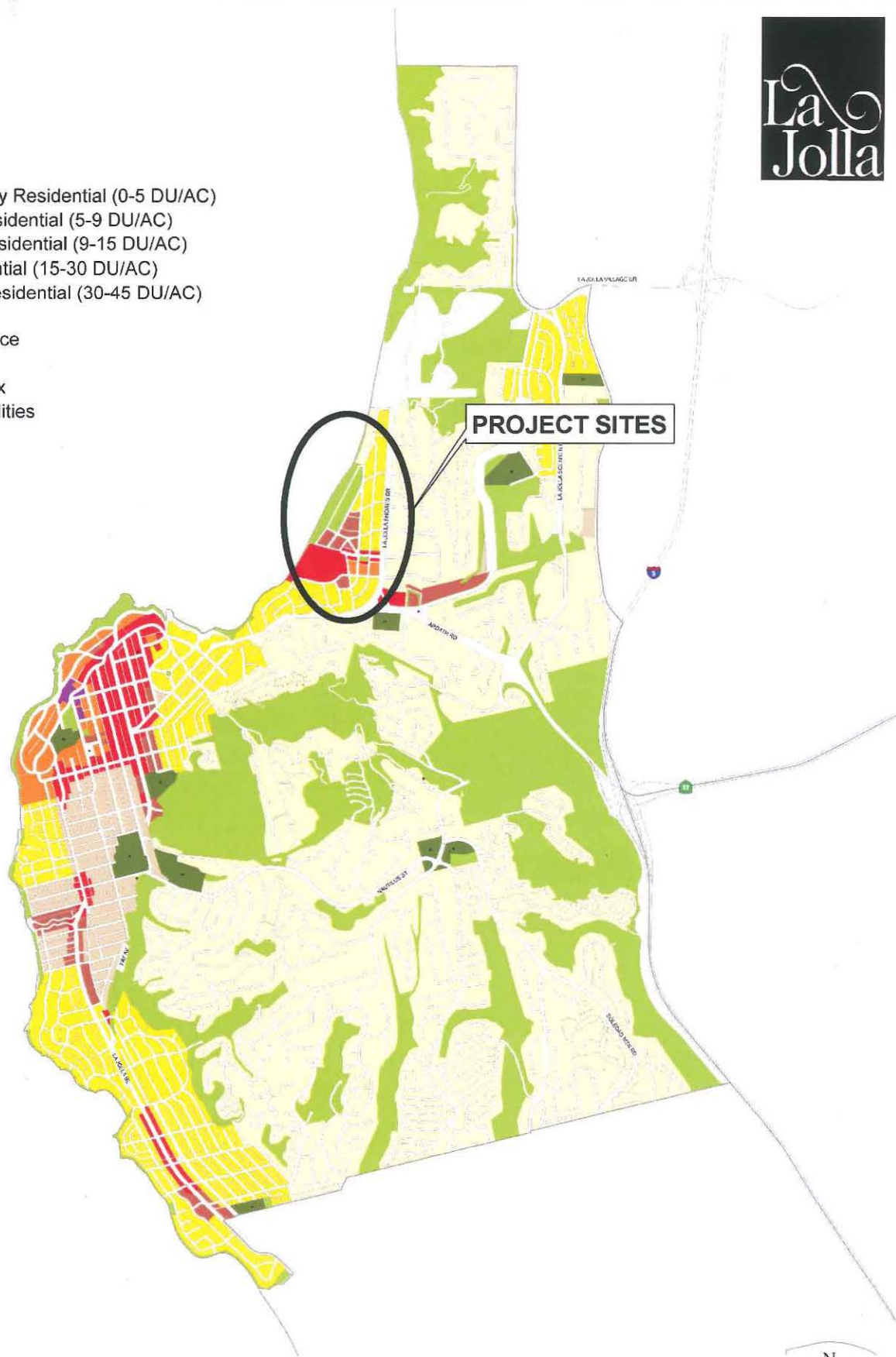
Attachments:

1. La Jolla Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Proposed Site Plan (Key Map, Sheet G-2)
5. Proposed water works/aerial photograph
6. Proposed sewer works/aerial photograph
7. Remaining Project Plans (under separate cover)
8. Coastal Commission's Interpretive Guidelines on Exclusions
9. Draft Development Permit Resolution with Findings
10. Draft Development Permit with Conditions
11. Draft CEQA Resolution & MMRP
12. La Jolla Community Planning Association recommendation
13. Project Chronology



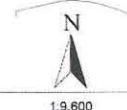
Legend

- Very Low Density Residential (0-5 DU/AC)
- Low Density Residential (5-9 DU/AC)
- Low Medium Residential (9-15 DU/AC)
- Medium Residential (15-30 DU/AC)
- Medium High Residential (30-45 DU/AC)
- Commercial
- Parks, Open Space
- Schools
- Cultural Complex
- Community Facilities



Community Land Use Map

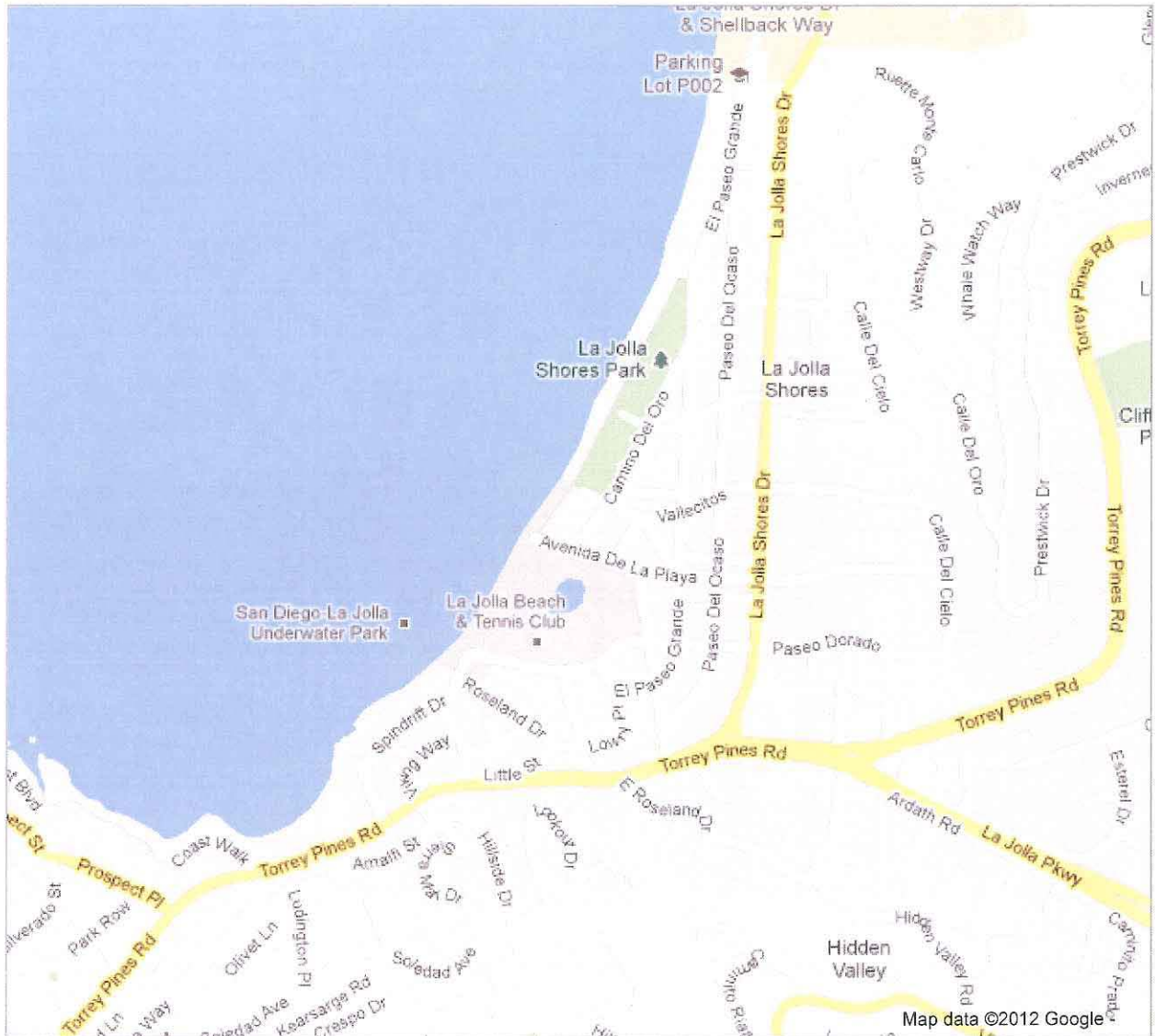
La Jolla Community Plan
City of San Diego Planning Department



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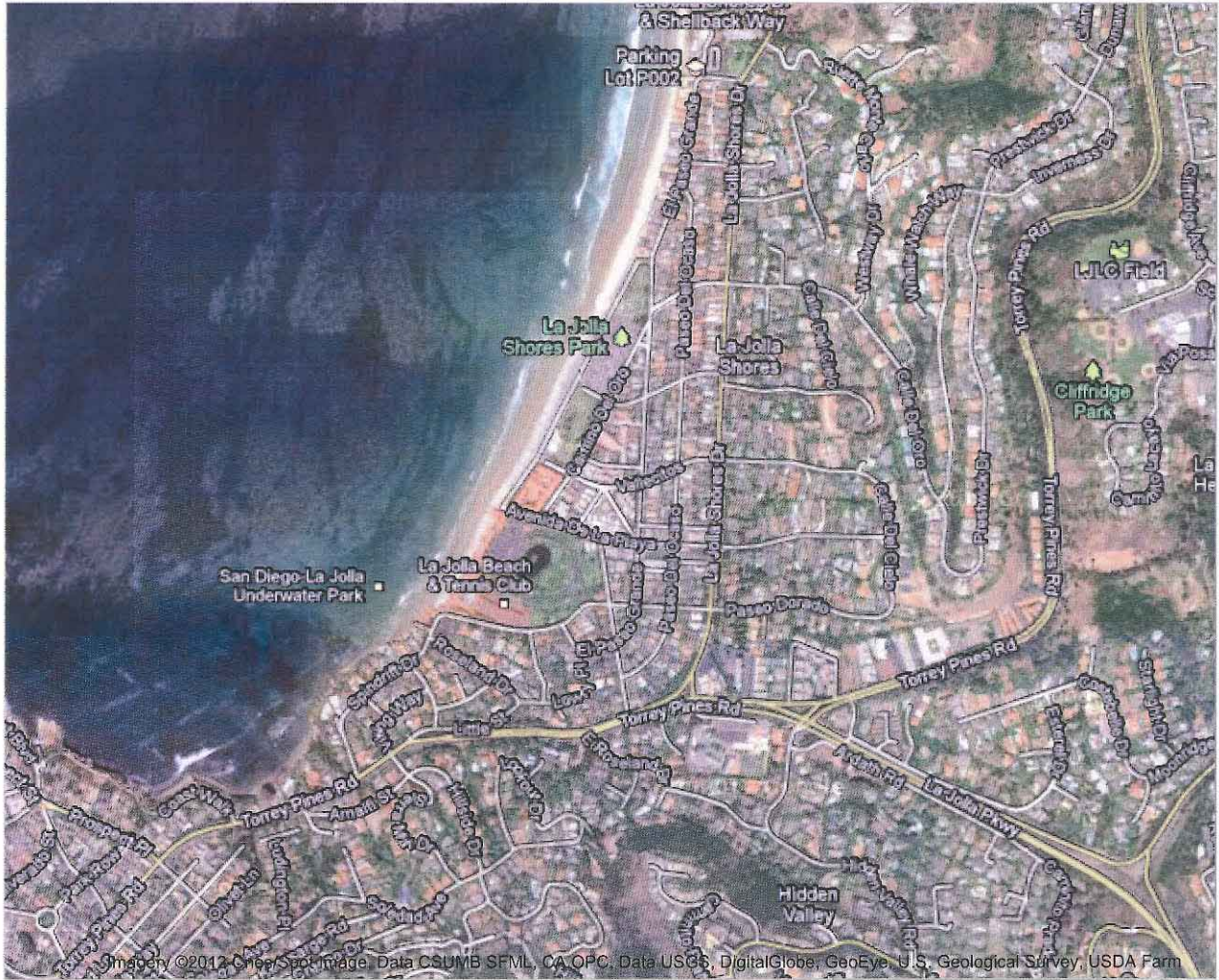


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ATTACHMENT 3

To see all the details that are visible on the screen, use the "Print" link next to the map.

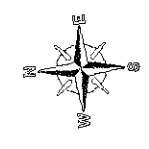
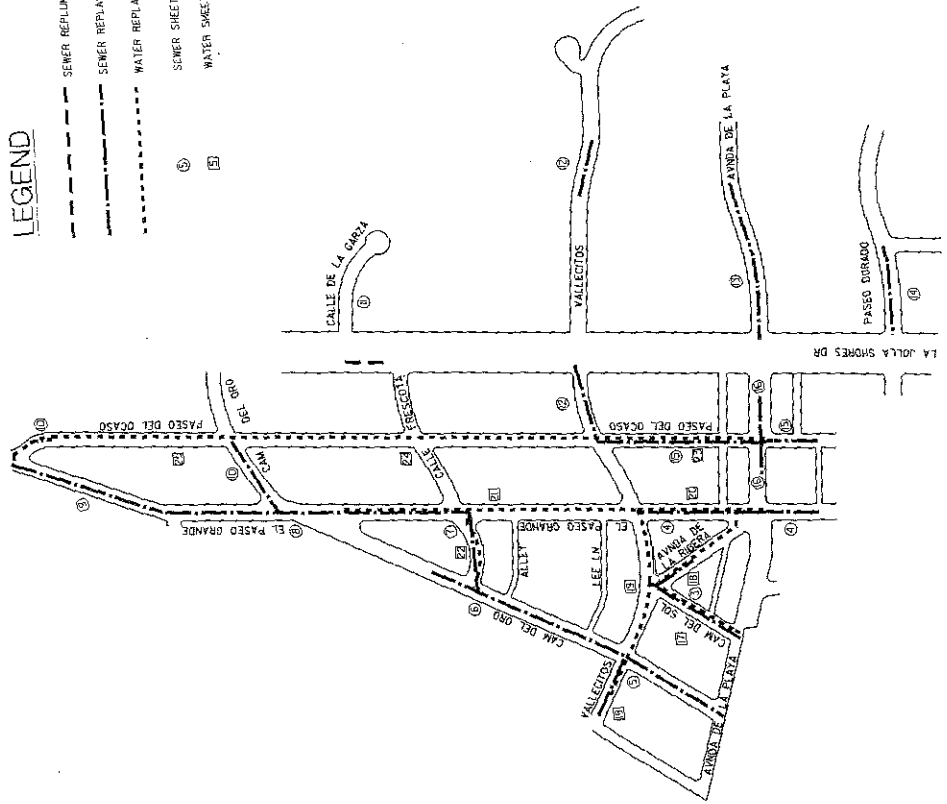


Imagery ©2012 CNES/Spot Image, Data CSUMB SFML, CA OPC, Data USGS, DigitalGlobe, GeoEye, U.S. Geological Survey, USDA Farm

KEY MAP

LEGEND

- SEWER REPLUMB
- SEWER REPLACEMENT
- WATER REPLACEMENT
- ⑤ SEWER SHEET NUMBER
- ⑥ WATER SHEET NUMBER



KEY MAP
NO SCALE

STAMP

G-2

SEWER AND WATER GROUP 809
KEY MAP

| | | |
|--|------------------|------------|
| CITY OF SAN DIEGO CONFORMS TO THE PROVISIONS OF THE SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS. | PROJECT NUMBER | 34419-02-D |
| DATE OF ISSUE | DATE OF REVISION | |
| BY | DATE | |
| APPROVED BY | DATE | |
| DESIGNED BY | DATE | |
| CHECKED BY | DATE | |
| PROJECT NUMBER | 34419-02-D | |
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SEWER AND WATER GROUP JOB 809



Legend

- REPLACED IN PLACE (SAME TRENCH, SAME DEPTH)
- TRENCHLESS



COMMUNITY NAME: LA JOLLA

COUNCIL DISTRICT: 1

SAP ID: B-00102

Date: November 10, 2010



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SEWER AND WATER GROUP JOB 809



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| | SAME TRENCH/ NEW TRENCH | No Scale |
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| Legend | | |

COMMUNITY NAME: LA JOLLA COUNCIL DISTRICT: 1 SAP ID: B-00416

Sewer & Water Group 809

PTS# 230429

Project Plans

60% Submittal

(under separate cover)

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INTERPRETIVE GUIDELINE ON EXCLUSIONS FROM PERMIT REQUIREMENTS

CLERK'S FILE COPY

NOTE: This guideline applies only to exclusions established in subsections (c) and (e) of Section 30610. For other exceptions to the permit requirements, see Section 13250 of the Commission Regulations (additions to existing single-family houses), Sections 13200 through 13210 (vested rights), Sections 13211-13213 (permits granted under the 1972 Coastal Act), Sections 13215-13235 (urban land), Sections 13240-13249 (categories of development, Sections 13136-13144 (emergency permits) and Sections 13145-13154.5 (administrative permits).

I. General Provisions.

Section 30610 of the Coastal Act states in part:

...no coastal development permit shall be required for... (c) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of such repair or maintenance activities; provided, however, that if the Commission determines that certain extraordinary methods of repair and maintenance that involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained under this chapter. (e) The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this division; provided, that the Commission may, where necessary, require reasonable conditions to mitigate any adverse impacts on coastal resources, including scenic resources.

This guideline is intended to detail the types of development activities the Commission considers repair, maintenance or utility hook-ups related to the on-going work of various types of public and private agencies. Such lists obviously cannot be exhaustive and the exclusions also apply to activities comparable to those listed. Where a proposed activity is not included in this guideline, the Regional Commission Executive Director, after consultation with the State Commission Executive Director, if necessary, will determine whether a permit is required.

DOCUMENT NO. 00-17067-2FILED APR 18 1988OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

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The standards for these exclusions are stated in Section 30610 of the Coastal Act: they do not relate to the environmental impact of the proposed activity. The repair and maintenance exclusion is intended to allow continuation of existing developments and activities which began before the effective date of the Coastal Act. The utility hook-up exclusion exempts utilities from obtaining permits for work to serve developments because Commission review of such work is included in the review of the development itself.

II. Description of Activities Excluded.

The following construction activities comparable to those listed do not require a coastal development permit except as specified below:

A. Roads. No permit is required for repair and maintenance of existing public roads including landscaping, signalization, lighting, signing, resurfacing, installation or expansion of retaining walls, safety barriers and railings and other comparable development within the existing right of way as specified below. Maintenance activities are generally those necessary to preserve the highway facility as it was constructed, including: construction of temporary detours, removal of slides and slip cuts, restoration and repair of drainage appurtenances, slope protection devices, installation of minor drainage facilities for preservation of the roadway or adjacent properties, restoration, repair and modifying for public safety bridges and other highway structures, restoring pavement and base to original condition by replacement, resurfacing, or pavement grooving. A permit is required for excavation or disposal of fill outside of the roadway prism. The following maintenance and alteration programs of the State Department of Transportation, or their equivalent conducted by local road departments, which do not result in an addition to or enlargement or expansion of the existing public road facility itself, do not require a permit except as noted: (1) Flexible Roadbed Program; (2) Rigid Roadbed Program; (3) Roadside Maintenance Program; (4) Roadway Litter and Debris Program;

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(5) Vegetation Control Program; (6) Pavement Delineation Program; (7) Sign Program; (8) Electrical Program; (9) Traffic Safety Devices Program; (10) Public Service Facility Program except that a permit is required for construction of new facilities; (11) Landscape Program; (12) Bridge and Pump Maintenance Program; (13) Tubes, Tunnel and Ferry Maintenance Program; (14) Bridge Painting Program; (15) Miscellaneous safety projects, provided there is not expansion in the roadway or number of traffic lanes; (16) Major damage maintenance, repair and restoration; (17) Comparable Minor Alterations.

(NOTE: See Appendix I for more detailed description of activities included in these programs.)

B. Public Utilities.

1. Natural Gas, Chilled Water and Steam Facilities.

a. Service Connections. Install, test and place in service the necessary piping and related components to provide natural gas, chilled water and/or steam service to development either exempted or approved under the Coastal Act, including:

(1) Extend underground gas, chilled water and/or steam mains, except in marshes, streams or rivers, from terminus of existing main piping to proper location in front of customer's property. Break and remove pavement as necessary, open trench or bore, for installation of main piping, install mains and appurtenances, pressure test for leakage, backfill open cuts, purge air from piping and introduce gas, chilled water and/or steam into newly installed piping. Restore pavement as necessary. Provide for cathodic protection as necessary.

(2) Extend underground gas, chilled water and/or steam service piping from the main locations, except in marshes, streams or rivers, to the meter location on the customer's property. Construction activities are similar to those in Item (1) above.

(3) Construct and install the meter set assembly, generally above ground, on the customer's property, including installation of associated valves, pressure regulator, meter and necessary piping to connect the gas, chilled water and/or steam service to the customer's piping system.

(4) When necessary, install gas, chilled water and/or steam pressure regulation equipment and related components, to control pressure where the source of the supply is at a higher pressure than the pressure in the district distribution main system. Construction includes necessary excavation, installation of piping, valves, regulators, below ground vaults and related components.

(5) Install necessary cathodic protection facilities for main and service extensions to new and existing customers.

b. Distribution and Transmission Facilities.

(1) Operate, inspect and maintain distribution and transmission mains, services, meter set assemblies and district regulator stations. Conduct leakage surveys, repair leaks, handle emergency or hazardous incidents, maintain supply pressure, inspect and adjust pressure regulators, operate valves, locate and mark facilities to help prevent damage to them and to provide for public safety.

(2) Install, replace, alter, relocate or remove piping and cathodic protection facilities as necessary due to corrosion, interference with other underground or surface construction, franchise requirements, mechanical damage, reinforcement to existing distribution systems to provide for increased usage (provided such usage is to provide service to development either exempted or approved under the Coastal Act). Isolation of piping segments or systems to provide emergency control and the restoration of service to a customer.

c. Production and Storage Facilities. Perform necessary maintenance, replacement, repair, relocation, abandonment and removal work to gas storage facilities, chilled water and/or steam plant facilities, mechanical equipment including prime movers and pumping equipment, chilled water and/or steam production facilities,

gas and oil processing facilities, pollution control facilities, cooling towers, electric equipment, controls, gas injection and withdrawal wells, and other miscellaneous plant and pipeline structures. Installation of any required new safety devices and pollution control facilities within existing structures or equipment or where land coverage, height, or bulk of existing structures will not be increased.

d. Miscellaneous. Perform necessary maintenance, repair, replacement, relocation, abandonment and removal work to pipeline roads, rights-of-way, fences and gates, sprinkler systems, landscaping, odorizing stations, telemetry equipment, lighting facilities, mechanical and electrical equipment, cathodic protection facilities and environmental control equipment.

e. Grading and Clearing. Maintenance activities shall not extend to the construction of any new roads to the site of the work. A permit is required for grading an undisturbed area of greater than 500 sq. ft., removal of trees exceeding 12 inches dbh or clearing more than 500 sq. ft. of brush or other vegetation unless the Executive Director of the Regional Commission determines the activity does not involve the removal of major vegetation.

2. Electric Utilities.

a. Generation Stations, Substations, Fuel Handling, Transportation and Storage Facilities and Equivalent Facilities. A coastal permit is not required for repairs, maintenance, and minor alterations which do not increase the capacity of the facility or work required to supply increased demand of existing customer's facilities in order to maintain the existing standard of service. A coastal permit is not required for installation of any required new safety devices and pollution control facilities within existing structures of equipment or where land coverage, height or bulk of existing structures will not be increased.

b. Transmission and Distribution and Communication Facilities. A coastal permit is not required to maintain, replace, or modify existing overhead facilities, including the addition of equipment and wires to existing poles or other structures, right-of-way maintenance, and minor pole and equipment relocations. A coastal

permit is not required to install, test and place in service power line extension facilities and supply points specifically required to provide service to development permitted or exempted under the Coastal Act, or work required to supply increased demand of existing customers' facilities in order to maintain the existing standard of service.

A coastal permit is not required to install, test, place in service, maintain, replace, modify or relocate underground facilities or to convert existing overhead facilities to underground facilities provided that work is limited to public road or railroad rights-of-way or public utility easements (P.U.E.).

c. Services. Electrical service and metering facilities may be installed and placed in service to any development permitted or exempted under the Coastal Act. A coastal permit is not required to maintain, replace, or relocate service or metering facilities for developments permitted or exempted under the Coastal Act.

d. Grading, Clearing and Removal of Vegetation. Excluded activities shall not extend to the construction of any new road to the site of the work. In cases involving removal of trees exceeding 12 inches dbh, grading of any undisturbed area of greater than 500 sq. ft. or clearing of more than 500 sq. ft. of brush or other vegetation, the utility shall consult with the Executive Director of the Regional Commission to determine whether the project involves removal of major vegetation such that a permit is required. A coastal permit is not required for removal of minor vegetation for maintenance purposes (tree trimming, etc.) for safety clearances.

e. Definitions.

(1) Line Extension. All facilities for permanent service excluding transformers, services and meters, required to extend electric service from the utility's existing permanent facilities to one or more supply points.

(2) Service. A single set of conductors and related facilities required to deliver electric energy from a supply point to the customer's facilities.

(3) Supply Point. Any transformer, pole, manhole, pull box or other such facilities at which the utility connects one or more sets of service conductors to the utility's permanent electric facilities.

3. Telephone. No permit or conditions are required for the activities of a telephone company that come within the following areas:

a. Repair and maintenance of existing damaged or faulty poles, wires, cables, terminals, load cases, guys and conduits, including the necessary related facilities, to restore service or prevent service outages.

b. Placement of existing telephone facilities underground, provided such undergrounding shall be limited to public road or railroad rights-of-way or public utility easements (P.U.E.) and provided there is no removal of major vegetation and the site is restored as close as reasonably possible to its original condition.

c. Placement of additional aerial facilities on existing poles.

d. Removal of existing poles and facilities thereon, where new, replacing facilities have been placed underground.

e. Performance of work in connection with or placement of facilities to expand service to existing customers or to serve new customers, including placement of underground service connections or aerial service connections from existing poles with any necessary clearance poles.

f. Removal of minor vegetation for maintenance purposes (tree trimming, etc.).

g. Maintenance activities shall not extend to the construction of any new roads to the site of the work. A permit is required for grading an undisturbed area of greater than 500 sq. ft., removal of trees exceeding 12 inches dbh or clearing more than 500 sq. ft. of brush or other vegetation unless the Executive Director of the Regional Commission determines the activity does not involve the removal of major vegetation.

4. Others, including Water, Sewer, Flood Control, City and County Public Works, Cable T.V. No permit is required for repair or maintenance of existing facilities that do not alter the service capacity, installation of new or increased service to development permitted or exempted under the Coastal Act, placement of additional facilities on existing poles, or placement of existing facilities under-

ground, provided such undergrounding shall be limited to public road or railroad rights-of-way or public utility easements (P.U.E.) and provided there is no removal of major vegetation and the site is restored as close as reasonably possible to its original condition. A permit is required for installation of service to vacant parcels or installation of capacity beyond that needed to serve developments permitted or exempted under the Coastal Act.

Maintenance activities shall not extend to the construction of any new roads to the site of the work. A permit is required for grading an undisturbed area of greater than 500 sq. ft., removal of trees exceeding 12 inches dbh or clearing more than 500 sq. ft. of brush or other vegetation unless the Executive Director of the Regional Commission determines the activity does not involve the removal of major vegetation. No permit is required for removal of minor vegetation (e.g., tree trimming) where it interferes with service pipes or lines.

C. Parks. No permit is required for routine maintenance of existing public parks including repair or modification of existing public facilities where the level or type of public use or the size of structures will not be altered.

D. Industrial Facilities. No permit is required for routine repair, maintenance and minor alterations to existing facilities, necessary for on-going production that do not expand the area or operation of the existing plant. No permit is required for minor modifications of existing structures required by governmental safety and environmental regulations, where necessary to maintain existing production capacity, where located within existing structures, and where height or bulk of existing structures will not be altered.

E. Other Structures. For routine repair and maintenance of existing structures or facilities not specifically enumerated above, no permit is required provided that the level or type of use or size of the structure is not altered.

(NOTE: See Section 13250 of the Commission Regulations for exclusions or additions to existing single-family houses.)

F. Dredging and Beach Alteration. (NOTE: Maintenance dredging of navigation channels is exempted by Section 30610 (b). Other dredging and sand movement projects, where part of an established program may be exempt from the permit requirements of the Coastal Act by reason of vested rights, where such rights have been reviewed and acknowledged by the Regional Commission. Contact the Regional Commission office for information and application forms.)

APPENDIX I .

Detailed description of activities included in road maintenance programs for which no coastal development permit is required.

1. Flexible Roadbed Program. This program covers the restoration and repair of both surface and base within the previously paved portion of the roadway. This includes previously paved asphalt concrete shoulders two feet or greater in width where the shoulder is designated by traffic marking, pavement delineation or traffic use. Paved shoulders less than two feet in width will be considered as included in the traveled way lanes.

2. Roadbed, Rigid. The Rigid Roadbed Program covers the restoration and repair of both surface and base within that paved portion of the roadway used for the movement of vehicles. This includes asphaltic concrete or oiled shoulders two feet or greater in width. Paved shoulders less than two feet in width will be considered as included in the traveled way lanes. This program does not include roadbed widening projects.

3. Roadside Maintenance Program. This program includes the repair, replacement, and cleaning of ditches, culverts, underdrains, horizontal drains, and miscellaneous headwalls and debris racks. Also included are fence repairs, roadside section restoration (e.g., drift removal, bench cleaning, slide removal, and fill slope replacement). In addition, repairs or replacement of retaining walls, sidewalks and curbs, bins, cattle guards and other such structures where there is no increase in size (or adding to what exists) is included in this program.

Installation of slope protection devices, minor drainage facilities. This program shall not include seawalls or other shoreline protective works, activities subject to review under Section 1601 of the Fish and Game Code, or excavation or disposal of fill outside of the roadway prism.

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4. Roadway Litter and Debris Program. This program includes all work concerning roadbed and roadside cleanup operations to insure that the highway presents a neat, clean and attractive appearance.

5. Vegetation Control Program. Vegetation control refers to the maintenance treatment of all vegetative material growing native within the highway rights of way. Included is cutting and trimming by hand and mechanical means.

6. Pavement Delineation Program. The pavement delineation program involves all work necessary to place and maintain distinctive roadway markings on the traveled way. This includes layout, removal of old stripes, painting of new or existing stripes including striping for bike lanes, installation and/or removal of raised pavement markers including cleaning of such markers and the use of thermoplastic, tape or raised bars for pavement markings. Changing of striping for more lanes is not included in this program.

7. Sign Program. The sign program includes all work performed on existing signs for the purpose of warning, regulating or guiding traffic including bicycle traffic using bike lanes. The work consists of manufacture, assembly and installation of new signs to replace existing signs and the repair, cleaning and painting of signs.

8. Electrical Program. This program includes all work performed on in-place highway electrical facilities used to control traffic with signal systems, provide safety and sign lighting, illuminate maintenance building and grounds, generate standby power, operate bridges, pumps and automatic watering systems. Certain navigational lighting installed on bridges and bridge fenders or piling are included in this program.

9. Traffic Safety Devices Program. Work performed under this program includes replacement of guide posts, markers, skid resistant grooves, and also replacement, cleaning and/or painting of guard rails. The repair of median barrier cable chain link fence and portland cement concrete walls; the repair and maintenance of energy

dissipators such as water type bumpers, sand traps or other devices installed for the purpose of absorbing vehicle energy are included in this program.

10. Public Service Facility Program. Public Service Facilities consist of roadside rests, vista points, map stops, historical monuments, roadside fountain areas and vehicle inspection stops. Work to be performed under this program consists of a wide variety of custodial maintenance in connection with existing restrooms, fountains and picnic areas.

11. Landscape Program. This program refers to the treatment maintenance and replacement of all vegetative material planted within the State Highway right of way. Work includes watering, fertilizing, plant replacement, weed control by hand and mechanical means and tree trimming.

12. Bridge and Pump Maintenance Program. The Bridge and Pump Maintenance Program includes work performed on all structures which provide for passage of highway traffic over, through or under obstacles and/or qualify for bridge numbers as assigned by the Division of Structures.

13. Tubes, Tunnel and Ferry Maintenance Program. The Tubes, Tunnel and Ferry Maintenance Program includes maintenance and repair of tunnels, tubes, ferries and docks or slips. Tunnel or tube maintenance includes washing, cleaning, tile repair and the maintenance of electro-mechanical equipment. Tunnel structural repairs will be performed under this program when covered by approved Division of Structures reports of work needed.

14. Bridge Painting Program. This program involves bridge maintenance painting performed in conformance with the requirements of air pollution control and water quality control agencies having jurisdiction.

15. Miscellaneous Safety Projects. Elimination of hazards within the operating areas or the operating right of way or projects modifying existing features such as curbs, dikes, headwalls, slopes, ditches, drop inlets, signals and lighting, etc., within the right of way to improve roadside safety.

16. Major Damage Maintenance, Repair and Restoration. Provides temporary road openings and related maintenance and returns highway facilities to serviceable states as rapidly as possible following major damage from storms; earthquakes; tidal waves; ship, train or vehicle collisions; gasoline truck fires; aircraft crashes, and all other kinds of physical violence. (NOTE: These items may be developments rather than repair or maintenance activities, but would be subject to the emergency permit provisions of the Coastal Act. Inquiries should be directed to the Regional Commission staff if at all possible, prior to commencement of construction.)

17. Miscellaneous Alterations.

a. Installation, modification or removal of regulatory, warning or informational signs, according to the standards of the State Department of Transportation Uniform Sign Chart.

b. Traffic channelization - improvements to local service and safety by delineation of traffic routes through the use of curbs, dikes, striping, etc., including turn pockets, where construction is performed by State Department of Transportation Maintenance Department or equivalent activities by local road departments.

c. Maintenance of existing bicycle facilities.

d. Modification of traffic control systems and devices including addition of new elements such as signs, signals, controllers, and lighting.

e. Devices such as glare screen, median barrier, fencing, guard rail, safety barriers, energy attenuators, guide posts, markers, safety cable, ladders, lighting, hoists, paving grooving.

f. Alteration or widening of existing grade separation structure where the primary function and utility remains unaltered.

g. Minor operational improvements such as median and side ditch drainage facilities, where not subject to review under Section 1601 of the Fish and Game Code or involving excavation or disposal of fill outside of the roadway prism.

h. Modification, upgrading, alteration, relocation, or removal of railroad grade crossings, railroad grade crossing protection, and the construction of bus and truck stop lanes at railroad grade crossings.

PLANNING COMMISSION RESOLUTION NO.
SITE DEVELOPMENT PERMIT NO. 824244
SEWER AND WATER GROUP 809 PROJECT NO. 230429 - [MMRP]

WHEREAS, CITY OF SAN DIEGO, Owner/Permittee, filed an application with the City of San Diego for a permit to remove sewer and water mains and install new sewer and water mains within portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way within the City of San Diego (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 824244);

WHEREAS, the project site is located within portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way in the LJSPD-SF, LJSPD-MF-1, LJSPD-MF-2, LJSPD-CC, LJSPD-V, LJSPD-PRF and LJSPD-OP-1-1 Zones of the La Jolla Community Plan;

WHEREAS, the project site is legally described as portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way within the City of San Diego;

WHEREAS, on V13 - DATE, the Planning Commission of the City of San Diego considered Site Development Permit No. 824244 pursuant to the Land Development Code of the City of San Diego;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated V19 - DATE.

FINDINGS:

Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The Sewer and Water Group 809 will remove sewer and water mains and install new sewer and water mains within portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way within the La Jolla Shores Planned District area of the La Jolla Community Plan area of the City of San Diego. The La Jolla Community Plan Community Facilities, Parks and Services Element identifies sewer and water infrastructure in the community at the trunk line level of service and supports the provision of all necessary main lines to serve the community, including to the

neighborhood of La Jolla Shores. As such the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The Sewer and Water Group 809 will remove sewer and water mains and install new sewer and water mains within portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way within the La Jolla Shores Planned District area of the La Jolla Community Plan area of the City of San Diego.

The proposed project will support the provision of public services; including and not limited to police, fire, medical, schools, public parks and libraries, and private services of local industry and commerce all of which would be severely limited without the provision of healthful sanitation and clean water to the neighborhood. The proposed project will directly support the public health, safety and welfare and will not be detrimental to the public health, safety, and welfare.

The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety, and welfare. The City Engineer will be responsible and use all care in the discharge of the duties of the office to assure the demolition, construction and installation for the project will be executed in a manner consistent with all professional standards for public works. In consideration of the foregoing, the proposed project will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code. The Sewer and Water Group 809 will remove sewer and water mains and install new sewer and water mains within portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way within the La Jolla Shores Planned District area of the La Jolla Community Plan area of the City of San Diego. Prior to making a decision the Planning Commission considered the recommendation provided by the La Jolla Shores Advisory Board. Further, the Planning Commission has determined the proposed public works utility project to remove sewer and water mains located below ground in the public right-of-way in the La Jolla Shores neighborhood will conform to the regulations of the La Jolla Shores Planned District. No deviations are necessary to approve the proposed project.

F. Supplemental Finding--Important Archaeological Sites and Traditional Cultural Properties

1. The site is physically suitable for the design and siting of the proposed development, the development will result in minimum disturbance to historical resources, and measures to fully mitigate for any disturbance have been provided by the applicant. The Sewer and Water Group 809 will remove sewer and water mains and install new sewer and water mains within portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La

Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way within the La Jolla Shores Planned District area of the La Jolla Community Plan area of the City of San Diego. The site is improved public right-of-way which contain underground sewer and water mains of such an age and condition the mains require removal, installation of new mains. The design of the new mains and techniques for installation will result in the minimum disturbance to historical resources, and measures to fully mitigate for any disturbance have been provided by the applicant. These measures are conditions of approval and requirements of the Mitigation Monitoring and Reporting Program to which the applicant has agreed to uphold and implement.

2. All feasible measures to protect and preserve the special character or the special historical, architectural, archaeological, or cultural value of the resource has been provided by the applicant. The Sewer and Water Group 809 will remove sewer and water mains and install new sewer and water mains within portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way within the La Jolla Shores Planned District area of the La Jolla Community Plan area of the City of San Diego. The design of the new mains and techniques for installation will result in the minimum disturbance to historical and paleontological resources, and measures to fully mitigate for any disturbance have been provided by the applicant. These measures are conditions of approval and requirements of the Mitigation Monitoring and Reporting Program to which the applicant has agreed to uphold and implement. These measures will, to the extent feasible, protect and preserve the special character or the special historical, architectural, archaeological, or cultural value of the resource.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 824244 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 824244, a copy of which is attached hereto and made a part hereof.

John S. Fisher
Development Project Manager
Development Services

Adopted on: V27 - DATE OF APPROVAL

Job Order No. WBS# B-00102.02.06

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: WBS# B-00102.02.06 & B-00416.02.06

SITE DEVELOPMENT PERMIT NO. 824244
SEWER AND WATER GROUP 809 PROJECT NO. 230429 - [MMRP]
PLANNING COMMISSION

This Site Development Permit No. 824244 is granted by the Planning Commission of the City of San Diego to CITY OF SAN DIEGO, a Municipal Corporation, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504 and 143.0360. The approximately 1.47 acre site is located within portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way in the LJSPD-SF, LJSPD-MF-1, LJSPD-MF-2, LJSPD-CC, LJSPD-V, LJSPD-PRF and LJSPD-OP-1-1 Zones of the La Jolla Community Plan. The project site is legally described as: portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way within the City of San Diego.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to remove aged sewer and water mains and install new sewer and water mains within portions of the aforementioned public right-of-ways described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

- a. Remove sewer and water mains and install new sewer and water mains within portions of the public right-of-ways of Avenida de la Playa, Paseo del Ocaso, El Paseo Grande, Vallecitos, Calle Frescota, Camino del Sol, Camino del Oro, Paseo Dorado, La Jolla Shores Drive, Avenida de la Ribera, La Jota Way, St. Louis Terrace and Hypatia Way;

- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by [ENTER DATE including the appeal time].
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

10. This Permit may be developed in phases.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 230429 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 230429 to the satisfaction of the Development Services Department and the City Engineer. Prior to the issuance of the "Notice to Proceed" with construction, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

**Historical Resources, and
Paleontological Resources**

ENGINEERING REQUIREMENTS:

14. The City Engineer shall ensure preparation of a Water Pollution Control Plan (WPCP) for the grading activity in accordance with the guidelines in Appendix G of the City's Storm Water Standards.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on [INSERT Approval Date] and [Approved Resolution Number].

DRAFT

Permit Type/PTS Approval No.:
Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

John S. Fisher
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

CITY OF SAN DIEGO,
a Municipal Corporation
Owner/Permittee

By _____
Rania Amen,
Senior Civil Engineer
Public Works Department
City of San Diego

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

PLANNING COMMISSION RESOLUTION NO.
ADOPTED ON September 20, 2012
SEWER AND WATER GROUP 809 PROJECT NO. 230429 - [MMRP]

WHEREAS, on September 20, 2012, City of San Diego, Public Works-Engineering and Capital Projects Department, Right-of-Way Design Division submitted an application to Development Services Department for a Site Development Permit for the Sewer and Water Group 809; and

WHEREAS, the matter was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on September 20, 2012; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the Planning Commission considered the issues discussed in Mitigation Negative Declaration No. 230429 prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission that it is certified the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Planning Commission finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, said Declaration is hereby adopted.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Planning Commission in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the DEVELOPMENT SERVICES DEPARTMENT, 1222 FIRST AVENUE, SAN DIEGO, CA 92101

BE IT FURTHER RESOLVED, that DEVELOPMENT SERVICES STAFF is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

By: _____
John S. Fisher
Development Project Manager

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

DRAFT

EXHIBIT A**MITIGATION MONITORING AND REPORTING PROGRAM****SEWER AND WATER GROUP 809 PROJECT NO. 230429
Site Development Permit No. 824244**

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 230429 shall be made conditions of Site Development Permit as may be further described below.

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

1. Prior to the issuance Bid Opening/Bid Award or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements have been incorporated.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

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

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

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

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION

(MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

Archaeologist, Native American Monitor, and Paleontologist.

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

CONTACT INFORMATION:

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

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) 230429, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED, MMC and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc)

Note:

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

3. **OTHER AGENCY REQUIREMENTS:** Evidence that any other agency requirements or permits have been obtained or are in process shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

Not Applicable for this project.

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

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

Document Submittal/Inspection Checklist

| <i>Issue Area</i> | <i>Document submittal</i> | <i>Associated Inspection/Approvals/Note</i> |
|-------------------|--|---|
| General | Consultant Qualification Letters meeting | Prior to Pre-construction |
| General | Consultant Const. Monitoring | Prior to or at the Pre-Construction meeting |
| Archaeology | Archaeological Reports | Archaeological observation |
| Paleontology | Paleontology Reports | Paleontology observation |
| Final MMRP | | Final MMRP Inspection |

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS:

Historical Resources (Archaeological Data Recovery Program)

This project requires implementation of an Archaeological Data Recovery Program (ADRP) to mitigate impacts to archaeological site (CA-SDI-39, CA-SDI-20, 129, and CA-SDI-20, 130) prior to the issuance of ANY construction permits or the start of ANY construction if no permits are required. The ADRP with Native American participation shall provide the maximum opportunity to recover human remains and repatriate these remains with the Native American community. All human remains shall be repatriated to the Kumeyaay representatives or MLD. The ADRP with Native American participation consists of a statistical sample and shall be implemented as described below after consultation with DSD ED in accordance with the Cultural Resources Report prepared by (RECON Environmental, November 4, 2011)

Specific Mitigation Requirements

Southern Portion (CA-SDI-39)

- A. 8 1x1-meter units within the intact, portion of each main line pit shall be hand-excavated to the bottom of the pit (assumed to be 5 feet or 150 cm) and 24 50x100-cm units within each service pit based on the methods outlined in the ADRP; for a proposed project sample size of 15% with a total impact of the site of less than 1%.
- B. Laboratory Analysis in the form of specialized studies shall be conducted in accordance with the ADRP for the units identified;
- C. Curation of all materials recovered during the ADRP with the exception of human remains and any associated burial goods, shall be prepared in compliance with local, state

and federal standards and be permanently curated at an approved facility that meets City standards;

- D. ADRP provision for the discovery of human remains shall be invoked in accordance with the California Public Resources Code, the Health and Safety Code. In the event human remains are encountered during the ADRP, soil shall only be exported from the project site after it has been cleared by the Most Likely Descendant (MLD) and the Project Archaeologist;
- E. Archaeological and Native American Monitoring shall be conducted during the remaining grading activities after completion of the ADRP and acceptance of a draft progress report for the program. The detailed Mitigation Monitoring and Reporting Program is identified in below; and
- F. Upon completion of the ADRP the qualified archaeologist and Native American Monitor shall attend a second preconstruction meeting to make comments and/or suggestions concerning the proposed grading process.

Northern Portion (CA-SDI-20, 129 and CA-SDI-20,130)

- A. 10 50x100-cm units within the ten 5-by-5-foot designated lateral pits shall be hand-excavated based on the methods outlined in the ADRP; for a proposed sample size of 21.5%, with a total impact of the site of less than 1%. In addition, 3 50-by-100-cm units will be hand-excavated in 20-cm levels in each of the three 10-by-10-foot main pits located along the reconstructed boundary of SDI-20,130. If human remains are found, additional work would be needed based on the ADRP. If no human remains are found, the artifact collection shall be curated. All 3 10x10-foot main line pits (in their entirety) shall be hand-excavated and the excavation does not need to be controlled. All excavations shall be treated based on the methods outlined in the ADRP.
- B. Laboratory Analysis in the form of specialized studies shall be conducted in accordance with the ADRP for the units identified;
- C. Curation of all materials recovered during the ADRP with the exception of human remains and any associated burial goods, shall be prepared in compliance with local, state and federal standards and be permanently curated at an approved facility that meets City standards;
- D. ADRP provision for the discovery of human remains shall be invoked in accordance with the California Public Resources Code, the Health and Safety Code. In the event human remains are encountered during the ADRP, soil shall only be exported from the project site after it has been cleared by the Most Likely Descendant (MLD) and the Project Archaeologist;
- E. Archaeological and Native American Monitoring shall be conducted during the remaining grading activities after completion of the ADRP and acceptance of a draft progress report

for the program. The detailed Mitigation Monitoring and Reporting Program is identified in below; and

- F. Upon completion of the ADRP the qualified archaeologist and Native American Monitor shall attend a second preconstruction meeting to make comments and/or suggestions concerning the proposed grading process.

HISTORICAL RESOURCES (ARCHAEOLOGICAL MONITORING PROGRAM)

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 1/4 mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)
The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.
3. Identify Areas to be Monitored
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.
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).
MMC shall notify the PI that the AME has been approved.
4. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.
5. Approval of AME and Construction Schedule
After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.**
 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil

formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume. **Note: If a unique archaeological site is also an historical resource as defined in CEQA Section 15064.5, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**
 - (1). Note: For pipeline trenching and other linear projects in the public Right-of-Way, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
 - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.
 - (1). Note: For Pipeline Trenching and other linear projects in the public Right-of-Way, if the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.
 - (2). Note, for Pipeline Trenching and other linear projects in the public Right-of-Way, if significance can not be determined, the Final Monitoring Report

and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.

D. Discovery Process for Significant Resources - Pipeline Trenching and other Linear Projects in the Public Right-of-Way

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities or for other linear project types within the Public Right-of-Way including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:

1. Procedures for documentation, curation and reporting
 - a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.
 - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
 - c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.
 - d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains ARE determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission, OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN
 - c. To protect these sites, the landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement; or
 - (3) Record a document with the County.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures, the human remains and burial with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are **NOT Native American**

1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract**
1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.

- b. Discoveries
 - All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
 - c. Potentially Significant Discoveries
 - If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.
 - d. The PI shall immediately contact the RE and MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
 - C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe as a result of delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation
 - The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 2. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection C.
 3. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
 4. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
 5. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

Paleontological Resources

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 Paleontological Monitoring have been noted on the appropriate construction documents.

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 paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain 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 has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution 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.

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, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the paleontological monitoring program.
3. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits. Monitoring shall begin at depths below 10 feet from existing grade or as determined by the PI in consultation with MMC. The determination shall be based on site specific records search data which supports monitoring at depths less than ten feet.
 - b. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
 - c. MMC shall notify the PI that the PME 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 depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.
5. Approval of PME and Construction Schedule
After approval of the PME by MMC, the PI shall submit to MMC written authorization of the PME and Construction Schedule from the CM.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the PME that could result in impacts to formations with high and/or moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
3. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - 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. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval of the program

from MMC, MC and/or RE. PRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.

- (1). Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
- c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.
 - (1). Note: For Pipeline Trenching Projects Only. If the fossil discovery is limited in size, both in length and depth; the information value is limited and there are no unique fossil features associated with the discovery area, then the discovery should be considered not significant.
 - (2). Note, for Pipeline Trenching Projects Only: If significance cannot be determined, the Final Monitoring Report and Site Record shall identify the discovery as Potentially Significant.

D. Discovery Process for Significant Resources - Pipeline Trenching Projects

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities 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 fossil resources within the trench alignment and width shall be documented in-situ photographically, drawn in plan view (trench and profiles of side walls), recovered from the trench and photographed after cleaning, then analyzed and curated consistent with Society of Invertebrate Paleontology Standards. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact and so documented.
 - 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 forms for the San Diego Natural History Museum) the resource(s) encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines. The forms shall be submitted to the San Diego Natural History Museum 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. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract

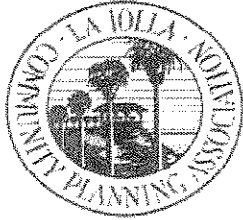
1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via the RE via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact the RE and MMC, or by 8AM on 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.

V. Post Construction

- A. Preparation and 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 Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
- C. Curation of artifacts: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall submit the Deed of Gift and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
 3. The RE or BI, as appropriate shall obtain signature on the Deed of Gift and shall return to PI with copy submitted to MMC.
 4. 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 two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC of the approved report.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

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



PO Box 889, La Jolla, CA 92038
<http://www.LaJollaCPA.org>
 Voicemail: 858.456.7900
info@LaJollaCPA.org

President: Tony Crisafi
 Vice President: Rob Whittemore
 Treasurer: Jim Fitzgerald
 Secretary: Dan Allen

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month
 La Jolla Recreation Center, 615 Prospect Street

Thursday, 19 May 2011

FINAL MINUTES – RESCHEDULED REGULAR MEETING

Present: Cynthia Bond, Devin Burstein, Laura Ducharme Conboy, Michael Costello, Dan Courtney, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, Tim Lucas, Nancy Manno, Ray Weiss, Rob Whittemore.
 Absent: Dan Allen, Tom Brady, David Little, Phil Merten, Greg Salmon.

1. Welcome and Call To Order: **Tony Crisafi**, President @ 6:09 PM.

President Crisafi invited newly elected **Trustee Cynthia Bond** to come forward and to be sworn in as a Trustee of the La Jolla Community Planning Association. **President Crisafi** administered the Oath of Office and offered congratulations to **Trustee Bond**.

2. **Adopt the Agenda: Approved Motion to adopt the Agenda, (LaCava/Courtney 11/0/1)**

In favor: Bond, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Weiss, Whittemore.
 Abstain: Crisafi.

3. **Meeting Minutes Review and Approval: 07 April 2011**

Approved Motion: Motion to approve the Minutes of April 07, 2011, (Courtney/Weiss 9/0/3).

In favor: Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Weiss.
 Abstain: Bond, Crisafi, Whittemore.

4. **Elected Officials Report – Information Only**

A. Council District 2 – Councilmember Kevin Faulconer
 Rep: **Thyme Curtis**, 619.236.6622, tcurtis@sandiego.gov
 Ms. Curtis was not present.

B. Council District 1 – Councilmember Sherri Lightner
 Rep: **Erin Demorest**, 619.236.7762, edemorest@sandiego.gov

Ms. Demorest was present: noted Mayor Sanders released a revised budget for fiscal 2012: proposed restoring Recreation Center hours of operation. Councilmember Lightner is working on restoration of Library hours and elimination of Fire Engine "Brownouts." **Ms. Demorest**, noting Councilmember Lightner's ongoing commitment to repair La Jolla streets, requested that community members continue to report potholes. **Trustee LaCava** requested information on Fire Engine "Brownouts," per Ms. Demorest: there are none in La Jolla. **Trustee Costello** requested information on update to the La Jolla PDO. **Trustee Fitzgerald** requested information re funds for Code Enforcement: **Ms. Demorest** responded funds were not available. LJCPA Member **Ms. Carol Hernstad** noted the landscape at the entrance to La Jolla was not welcoming: **Ms. Demorest** noted her concern/will meet with **Ms. Hernstad** for follow-up. **Trustee Courtney** noted additional landscape/trash problems. LJCPA Member **Melinda Merryweather** requested information on Princess Street Beach access: Councilmember Lightner will prepare letter addressed to the Coastal Commission.

5. **Non-Agenda Public Comment**

Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.

A. UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>

Ms. Delouri was present, reported: there are "Updates for Community Groups" bulletins available at the meeting and on line. There are currently twelve projects under construction, additional information: UCSD Community Planning website.

Community Member **Robert Thiele**, re the Torrey Pines Road Project, requested the LJCPA ask the City to divide this Project into eight segments, rather than the currently scheduled four segments. **Trustee Weiss**, with **President Crisafi's** concurrence requested Mr. Thiele's request be put on the June LJCPA Agenda.

Trustee Orrin Gabsch, speaking as the LJCPA representative to the Planned District Ordinance Committee, reported his concerns regarding "clear paths" on sidewalks, in terms of encroachment and intensification of use that requires a new "Shared Parking Agreement." The City code re "Shared Parking Agreements" is not being enforced: **Trustee Gabsch** finds the current situation very troubling, unsustainable and will require code enforcement as well as serious community involvement.

Trustee Michael Costello announced he would present an alternate approach to the Appeals Procedure currently being studied by the LJCPA Ad Hoc Committee on Procedures.

6. Officer's Reports

A. Secretary: Nancy Manno

Presented by **President Crisafi**, for secretary Nancy Manno: If you want your attendance recorded today, please sign-in at the back of the room. You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become a Trustee. If you want your attendance recorded without signing-in at the back, then hand to me before the end of the meeting a piece of paper with your printed full name, signature and a statement that you want your attendance recorded. Eligible non-members wishing to join the LJCPA must have recorded attendance for one meeting and must submit an application, which is available at the membership table and on-line.

B. Treasurer

Beginning Balance: \$229.00 + Income \$169.02 – (Expenses \$89.15)= Ending Balance: \$308.87.
Expenses include: Printing, telephone. **Trustee Fitzgerald** commented on the special generosity of the Membership and Trustees and reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees. All donations must be in cash to preserve anonymity

7. President's Report – Action Items Where Indicated

A. Community Planners Committee *Reference:* <http://www.sandiego.gov/planning/community/cpc/index.shtml>

Trustee LaCava reported no actions.

B. Whitney Mixed Use – City Council Hearing May 3.

President Crisafi reported the San Diego City Council, on May 03, 2011, approved LJCPA appeal requiring an EIR for the Whitney Mixed Use project.

C. Palazzo - City Council appeal hearing June 28th.

President Crisafi reported LJCPA would be represented at the City hearing/copy of Appeal Document is available for review.

D. Princess Street/Beach Access – Coastal Commission hearing in June.

President Crisafi reported there would be a Coastal Commission hearing on the Princess Street/Beach Access in June 2011/Agenda has not been published.

E. Committee Appointments— For Ratification (see attached) – action item

**La Jolla Community Planning Association
Joint Committees and Boards
2011 – 2012 Appointees
DRAFT 5-18-11**

Development Permit Review

LJCPA Appointees

Laura Duchacane Conboy
Mike Costello
Paul Benton, Chair
Lynne Hayes
Phil Meren

LJTC Appointees

Angeles Feira
Diane Kane
Bob Collins
Beth Gaenzle
Cindy Thorsen

La Jolla Shores Permit Review Committee

LJCPA Appointees

Michael Morton
John Schenk
Phil Meren

LJSA Appointees

Helen Royden, Chair
Dale Naegle
Janie Ericson
Tom Lucas
Dolores Donovan

La Jolla Planned District Ordinance Committee

LJCPA Appointees

Orrin Gabsch
Glen Rasmussen
David Little

Appointees By Others

Jim Fitzgerald, LJTC
Jennifer Van Galder, LJTC
Michael Dershowitz, LJTC
Sofia Fortune, LJBID
Deborah Marango, LJ BID
Bill Berwin, LJBID
Joe Parker, BRCC
Anne Slegler, BRCC, Chair

Traffic & Transportation Board

LJCPA Appointees

Dan Courtney
Orrin Gabsch

Appointees By Others

BRCC – Ryan, Patrick
BRCC - Sutton, George
LJSA - Dick, Joe
LJSA - Lessor, Todd
LJTC - Hildt, Robert
LJTC - Van Inwegen, Earl
LJ BID - Brady, Tom
LJ BID - Kelman, Keith

**La Jolla Community Planning Association
Joint Committees and Boards
2011 – 2012 Appointees
DRAFT 5-18-11**

Coastal Access & Parking Board

LJCPA Appointees

Tom Brady
Orrin Gabsch
Joe LaCava

Appointees By Others

LJTC - Ed Ward
LJTC - Ray Weiss
LJTC - VACANT
LJBID - Deborah Marengo
LJBID - Michelle Leraach
LJBID - Egon Kasika

Community Planner's Committee

Joe LaCava, Representative
Tony Crisafi, Alt.

Ad Hoc Committee on LJCPA Policies

LJCPA Appointees

Joe LaCava
Laura DuCharme Conboy
Rob Whittemore
Devin Burnstein
Helen Hayden

There was a general discussion among **Trustees Costello, LaCava** and **Whittemore** regarding the eligibility of appointees and City policies regarding indemnification of sub-committee appointees.

Approved Motion: Motion to approve La Jolla Community Planning Association Joint Committees and Boards Appointees as listed on the draft document dated 05/18/2011, with the exception of Development Permit Review Committee appointee Paul Benton.

(La Cava/Manno 12/0/1).

In favor: Bond, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Weiss, Whittemore.

Abstain: Crisafi.

Approved Motion: Motion: In the La Jolla Community Planning Association's continuing commitment to the Joint Committees and Boards Process: to ratify the recommendations made by the LJCPA's Sister organizations, as shown on the draft document dated 05/18/2011, with a correction: those appointees designated "LJBID" are now correctly listed as "La Jolla Village Merchants Association" appointees, (LaCava/Burstein 10/1/2).

In favor: Bond, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Manno, Weiss.

Oppose: Whittemore.

Abstain: Crisafi, Lucas.

Addition to Presidents comments: **President Crisafi** acknowledged the difficulties encountered by Trustees regarding this rescheduled regular meeting and thanked Trustees for their courtesy in rearranging schedules.

F. Ad Hoc Committee on Policies – 1st meeting was Wed, May 18th, 5:30p (see attached draft appeals bylaws).

Trustee Burstein reported: the initial meeting was 05/18/2011. The next meeting will be scheduled and noticed in June. Trustees and LJCPA Members are encouraged to participate.

8. CONSENT AGENDA – Ratify or Reconsider Committee Action

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items.

→ Anyone may request that a consent item be pulled for reconsideration and full discussion.

→ Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, Chair Tony Crisafi, 2nd & 3rd Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

A. La Jolla Foundation

PDO ACTION: The committee moved to endorse the applicant requesting the Mayor to approve the La Jolla Foundation's Art Program, (Various Sites in La Jolla - Placement of privately funded art), as outlined in the letter with the additional criteria of: 1) incorporating the City Municipal Code signage maintenance language; and 2) limiting the acknowledgement plaques to a maximum size of one square foot. 6-0-1

B. EAST CLIFF / GABLES / JACK O'LANTERN TOWNHOMES (formerly Green Dragon)

DPR ACTION: Motion to approve a Coastal Development Permit to construct 3 for rent single family residences: 1241, 1245, 1249 Coast Blvd., and findings can be made for Variance requests (two issues) from: 1) the PDO requirements of 75% minimum of structure's street frontage length and a 50% minimum of the Gross Ground Floor Area be retail, and 2) the LJ PDO 159.0405(c) and LDC 14 02 05 page 40(8) (A) to allow three driveway curb cuts. 6-0-0

C. BENSON 5970 RESIDENCE

DPR ACTION: Motion to approve a Coastal Development Permit and Site Development Permit to demolish existing residence, (5970 Camino de la Costa), and construct a 7,689 SF single-family residence on a .65 acre lot. 6-0-0

D. BENSON 5950 / 5960 RESIDENCE

DPR ACTION: Motion to approve a Coastal Development Permit and Site Development Permit for Environmentally Sensitive Lands to demolish existing residence, (5950-5960 Camino de la Costa), and construct an 11,717 SF single-family residence on a 1.32 acre lot. 5-0-0

E. Sewer and Water Group

PRC ACTION: Findings can be made for an SDP 4-0-2.

Avenida De La Playa; Paseo Del Ocaso; El Paseo Grande; Vallecitos; Calle Frescota; Camino Del Sol; Camino Del Oro; Paseo Dorado and Avenida De La Ribera - Public utility project for the replacement and installation of sewer and water mains along some portions of the noted streets.

F. AT&T Gilman Court

PRC ACTION: Findings can be made for a NUP as presented 5-0-1

7660 Gilman Court (adjacent to freeway onramp) - Wireless Communication Facility (WCF) designed to resemble a faux shrub.

G. 4th of July Fireworks-

T&T ACTION: Motion to approve 6-0-0

Street closures for the 4th of July fireworks at the cove.

H. Nottingham 2 hour parking: *Pulled: Ms. Helen Boyden*

T&T ACTION: Motion to approve 6-0-0

Request is to extend the 2-hour parking

Approved Motion: Motion:

To accept the recommendation of the Planned District Ordinance Committee (A): To endorse the Applicants request of the Mayor to approve the La Jolla Foundation's Art Program, (Various Sites in La Jolla - Placement of privately funded art), as outlined in Applicants letter with the additional criteria of: 1) incorporating the City Municipal Code signage maintenance language; and 2) limiting the acknowledgement plaques to a maximum size of one square foot, and forward the recommendation to the City.

To accept the recommendation of the Development Permit Review Committee (C): To approve a Coastal Development Permit and Site Development Permit to demolish existing residence, (5970 Camino de la Costa), and construct a 7,689 SF single-family residence on a .65 acre lot. (D): To approve a Coastal Development Permit and Site Development Permit for Environmentally Sensitive Lands to demolish existing residence, (5950-5960 Camino de la Costa), and construct an 11,717 SF single-family residence on a 1.32 acre lot, and forward the recommendation to the City.

To accept the recommendation of the La Jolla Shores Permit Review Committee (E): Findings can be made for an SDP: Avenida De La Playa; Paseo Del Ocaso; El Paseo Grande; Vallecitos; Calle Frescota; Camino Del Sol; Camino Del Oro; Paseo Dorado and Avenida De La Ribera - Public utility project for the replacement and installation of sewer and water mains along some portions of the noted streets, and forward the recommendation to the City.

To accept the recommendation of the La Jolla Shores Permit Review Committee (F): Findings can be made for a NUP as presented: 7660 Gilman Court (adjacent to freeway onramp) - Wireless Communication Facility (WCF) designed to resemble a faux shrub, and forward the recommendation to the City.

To accept the recommendation of the Traffic & Transportation Committee (G): To approve Street closures for the 4th of July fireworks at La Jolla Cove, and forward the recommendation to the City.

(Burstein/Weiss 12/0/1).

In favor: Bond, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Weiss, Whittemore.

Abstain: Crisafi.

Prior to the Motion on Consent Agenda B: EAST CLIFF / GABLES / JACK O'LANTERN TOWNHOMES (formerly Green Dragon): Trustee Gabsch expressed concern regarding parking. Project Architect James Alcorn responded, Trustees Costello and Conboy responded. Trustee LaCava noted that the findings for a Variance cannot be made and the application should be processed as a Planned Development Permit. He did not feel the LJCPA should oppose this project and thus did not want to delay the applicant by pulling the item."

Approved Motion: Motion: To accept the recommendation of the Development Permit Review Committee (B): EAST CLIFF / GABLES / JACK O'LANTERN TOWNHOMES (formerly Green Dragon). To approve a Coastal Development Permit to construct 3 for rent single family residences: 1241, 1245, 1249 Coast Blvd: findings can be made for Variance requests (two issues) from: 1) the PDO requirements of 75% minimum of structure's street frontage length and a 50% minimum of the Gross Ground Floor Area be retail, and 2) the LJ PDO 159.0405(c) and LDC 14 02 05 page 40(8)(A), to allow three driveway curb cuts, and forward the recommendation to the City. (Costello/Fitzgerald 10/2/1)

In favor: Bond, Burstein, Conboy, Costello, Courtney, Fitzgerald, Lucas, Manno, Weiss, Whittemore.

Oppose: Gabsch, LaCava.

Abstain: Crisafi.

9. REPORTS FROM OTHER ADVISORY COMMITTEES - Information only

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – Inactive

B. COASTAL ACCESS AND PARKING BOARD – Meets 1st Tues, 4pm, Rec. Center

10. 2010 City Redistricting – Possible Action Item: See below

Commission Chief of Staff Midori Wong will offer a briefing about the redistricting process and how to participate. A proposal for the new Council District 1 will be offered for consideration by the trustees.

11. Avenida de la Playa Sewer Project – Information Only Update: *Presentation cancelled*

The city will provide a brief update on this project in La Jolla Shores.

12. Aron Residence

8435 La Jolla Scenic Drive North - Demolish existing residence (3,860 sf plus garage) and construct a 2-story 7,532 sf residence plus 966 sf garage on a 0.49 acre site.

Previous LJCPA ACTION: Pulled from the March 2011 consent agenda.

Previous PRC ACTION: The plans presented March 22, 2011, with the hydrology reports dated 2/28/11 (page 5 dated March 2, 2011) as presented with Finished Floor Elevation (414.46) as shown on Sheet A-2 Site Plan, dated March 15, 2011 are compatible with the LIS PDO and meet the requirements for a SDP. 4-3-0.

Presented: **Colin Hernstad** for the Applicant: **Mr. Hernstad** discussed and clarified the neighbors concerns regarding water drainage and the overall size of the proposed residence. The drainage problems have been solved to the satisfaction of the City and of the neighbors on Sugarman Drive. The size of the residence, while still large, has been reduced and landscaping and site placement of the residence has alleviated neighbors concerns.

Trustees LaCava, Courtney, Fitzgerald, Lucas and President Crisafi commented/questioned: La Jolla Shores Permit Review Committee Chair **Helen Boyden** and **Mr. Hernstad** responded. **Ms. Boyden** acknowledged the effort expended by **Mr. Hernstad** in accommodating neighbors concerns.

Trustee Lucas will support the Motion/continues to have concern re size of residence/noted the exemplary conduct of the Applicant and Applicants representative, **Colin Herndon**, in dealing with neighborhood concerns. **Trustee Gabsch** will support the Motion, noting his pleasure with the 80' setback of the residence.

Approved Motion: Motion: Findings can be made for Aron Project plans dated May 05, 2011 showing house plus garage at 8,079 square feet, (LaCava/Fitzgerald 11/0/1).

In favor: Bond, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Weiss, Whittemore.
Abstain: Crisafi.

Agenda item 10: Heard out of sequence: Chief of Staff Wong was not present

10. 2010 City Redistricting – Possible Action Item

Commission Chief of Staff Midori Wong will offer a briefing about the redistricting process and how to participate. A proposal for the new Council District 1 will be offered for consideration by the trustees.

In the absence of Chief of Staff Midori Wong: **Trustee LaCava presented:** Explained the reasons for Redistricting and the Redistricting process, particularly in regard to the required addition of a ninth district in San Diego. **Trustee LaCava** has developed a plan specific to District One: The Coast & Canyons 2010 Redistricting Plan, Council District One. **Trustee LaCava's** Coast & Canyon Plan adheres to the criteria established by the Redistricting Commissioners: Geographically contiguous territory, compatible with natural boundaries and encompasses "Communities of Interest." These community groups have endorsed the Coast & Canyons Plan: Carmel Valley Planning Board, Torrey Pines Planning Board, Del Mar Mesa Planning Board, Torrey Hills Planning Board, University City Planning Group, La Jolla Town Council, Bird Rock Community Council, La Jolla Historical Society. **Trustee Fitzgerald** thanked **Trustee LaCava** for his foresight and diligence in constructing a plan that will ultimately be of great benefit to La Jolla and Council District One.

Approved Motion: Motion: La Jolla Community Planning Association endorses and approves the Coast & Canyons 2010 Redistricting Plan for Council District One, (Weiss/Fitzgerald 11/0/1).

In favor: Bond, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Weiss, Whittemore.
Abstain: Crisafi.

13. Consideration of revision of Item 33 proposed in the 7th update to the LDC- Possible Action Item

LJCPA Member and Permit Review Committee Chair **Helen Boyden** presented: **Ms. Boyden** discussed her concerns relative to the proposed 7th Update to the Land Development Code, specific to the La Jolla Shores Planned District Ordinance. **Trustees Courtney, Fitzgerald, LaCava, Lucas, LJCPA Member Marengo,** discussed, at length, the Land Development Code, and addressed **Ms. Boyden's** concerns.

Failed Motion: Motion to endorse proposed revisions to Issue 33: Separately Regulated Uses in Planned Districts: Land Development Code, (Fitzgerald). Motion failed for lack of second.

President Crisafi requested Ms. Boyden place the revision of Item 33 proposed in the 7th Update to the Land Development Code on the La Jolla Shores Permit Review Committee Agenda for continued discussion

14. Adjourned @ 8:30 PM to next Regular Monthly Meeting, June 2, 2011, 6:00 pm

DEVELOPMENT SERVICES
Project Chronology
Sewer & Water Group 809 - PTS# 230429

| Date | Action | Description | City Review Time | Applicant Response |
|-----------------------------------|-------------------------|---|------------------------------|---------------------------|
| 02/03/11 | First Submittal | Project Deemed Complete | | |
| 04/07/11 | First Assessment Letter | | 45 days | |
| 11/14/11 | Second Submittal | | | 156 days |
| 12/23/11 | Second Review Complete | | 24 days | |
| 12/23/11 | Issues Complete | | 0 days | |
| 09/20/12 | Public Hearing | | 31 days | |
| TOTAL STAFF TIME | | | 194 days | |
| TOTAL APPLICANT TIME | | | | 156 days |
| TOTAL PROJECT RUNNING TIME | | From Deemed Complete to Planning Commission | 11 months and 19 days | |