

(R-98-1423)

RESOLUTION NUMBER R- 290428

ADOPTED ON JUL 20 1998

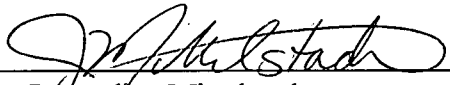
BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR No. 96-7928, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations 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 the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of Old Mission Dam Overlook.

BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or

avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: CASEY GWINN, City Attorney

By   
Jacqueline Mittelstadt  
Deputy City Attorney

JM:akw

6/22/98

Or.Dept:Contract Services

Bid No.: K98202C

Aud.Cert.: 9801373

R-98-1423

Form=mndr.frm

City of San Diego  
Development  
Services  
Department



## Mitigated Negative Declaration

Land Development  
Review Division

LDR No. 96-7928

(619) 236-6460

SUBJECT: Old Mission Dam Overlook. COUNCIL APPROVAL of Capital Improvement Project No. 329-448 and Resource Protection Ordinance Permit (LDR No. 96-7928) for the construction of a five to six foot retaining wall to prevent further erosion of the southern bank of the river and provide support for three mature sycamore trees at the Old Mission Dam in the northeast portion of Mission Trails Regional Park. A terrace is proposed to be integrated with the retaining wall for improved viewing of the dam. A concrete ring would surround the sycamore trees within the terraced area and an extension of the eastern wing wall to the retaining wall would be constructed, reducing erosion and preventing scouring in the vicinity of the retaining wall. The project is located North of Father Junipero Serra Trail, northeast of Mission Gorge Road, south of the Route 52 freeway, and west of Mast Boulevard. (APN # 383-010-03, Section 25 of Township 15 South, Range 2 West. SBBM). Applicant: City of San Diego Parks and Recreation Department.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

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

- IV. DOCUMENTATION:

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

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

As conditions of the Capital Improvement Project No. 329-448, the following measures are required to reduce potential adverse project impacts to biological resources.

A. Biological Resources

The City of San Diego EAS has determined that the project site is located in the Multiple Habitat Protection Area (MHPA). This would constitute a significant impact to biological resources. However, since all of these impacts can be mitigated to below a level of significance, it has been determined that a mitigated negative declaration should be prepared.

In order to ensure that site development would avoid adverse impacts to biological resources, a mitigation monitoring and reporting program will be required as a condition of project

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approval. Compliance with the mitigation measures would be the responsibility of the applicant. The mitigation measures are described below:

1. Construction should occur during the non-breeding season (September 15 to March 15) for the least Bell's vireo, and for the most part, other sensitive species. Individuals of migratory species, such as the vireo, yellow warbler, and yellow-breasted chat, will not be directly impacted by the project.
2. The direct loss of 0.004 acre of riparian forest should be minimized through the following measures:
  - a) Construction access through undisturbed riparian forest should be avoided to the maximum extent possible. A qualified biologist should, in conjunction with the contractor, determine and flag the least damaging feasible access route that adheres to the project goals and specifications. A qualified biologist should review and approve staking of the area of potential effect for the retaining wall prior to construction. The access road and APE for the wall shall be clearly shown on all improvement plans.
  - b) Construction staging and material storage areas will not occur within the park. The Contractor will be required to arrange for his own staging areas outside the park. The Contractor may transport necessary materials to the project site each day from his own property. The Contractor will provide full access around the construction area at all times for park and recreational uses.
  - c) Riparian forest disturbed as a result of the project should be mitigated through development and implementation of a revegetation plan. A specific revegetation construction plan shall be prepared by a qualified habitat restorationist prior to implementation. The general goal of the revegetation program should be to increase the overall functional biological value of riparian forest within the project area by restoring 0.012 acre of riparian forest (i.e. southern willow scrub).
  - d) The plan shall consist of restoration and enhancement measures in two basic components: revegetation of all areas disturbed temporarily during construction, accompanied by a minimum 3-year period of maintenance of a weed free zone; and restoration of additional riparian habitat. Riparian habitat enhancement shall occur within Mission Trails Park along the San Diego River, and shall consist of removal and subsequent monitoring of non-native vegetation. Non-native plants that should be targeted include: giant reed (*Arundo donax*), elm (*Ulmus sp.*), fan-palm (*Washington robusta*), Canary Island date palm (*Phoenix canariensis*), Brazilian-pepper (*Schinus terebinthifolius*), etc.
  - e) A brief letter report of the end of the 3-year period shall be prepared by a qualified biologist and made available upon request. An 80% revegetation success shall be attained. The report shall address additional remedial revegetation measures if the 80% success criteria is not met.
3. Prior to construction documents for bid and approval of final project improvement plans, site-specific erosion control measures shall be provided in construction specifications and improvement plans to the satisfaction of the Development Services Manager. The measures shall address both short and long-term erosion control. Based on existing information, it is expected that the following types of measures will be provided:
  - a) To the extent practical, the construction activities shall be sequenced to reduce the amount and duration of soil exposed to erosion by runoff.

- b) Short-term placement of sediment trapping facilities such as sand bags, matting, mulch, brush barriers, filters, berms, hay bales, silt fences and/or sediment pools (or other similar devices) shall be provided along all pertinent graded areas to minimize off-site sediment transport. Such facilities would likely be required for the base of manufactured slopes as well as all areas adjacent to or upstream of major drainage courses and wetlands.
  - c) Silt fencing, straw bales, rocks, or sand bags shall be placed to control sheet flow across disturbed areas. Silt fencing shall be placed in all locations along the corridor where the road is higher than adjacent natural areas. The silt fence shall be installed manually. No mechanical trenching shall be used. The fabric that lays on the ground shall be held in place by sand bags. The silt fence stakes shall be driven to a depth not greater than 12 inches. A sandbag shall be placed on the horizontal portion of the silt fence every five feet, preferably at each stake and at a midpoint between stakes, for most lengths. A solid line of sandbags shall be placed on the silt fencing adjacent to the river channel.
  - d) Rubber hyplon liners shall be used to eliminate the potential for silt migration, which might be caused by precipitation, from construction areas where there is bare soil. The liners shall be placed on bare soil disturbed by construction activities when weather conditions indicated any possibility of rain and the activities are temporarily suspended for any reason.
  - e) Specified vehicle fueling and maintenance procedures and hazardous materials storage areas shall be designated to preclude the discharge of hazardous materials used during construction (e.g., fuels, lubricants, and solvents). Such designations shall include specific measures to preclude spills or contain hazardous materials, including proper handling and disposal techniques, and the use of temporary impervious liners and/or barriers to prevent soil and water contamination. The described program to control and contain construction-related hazardous materials shall be subject to review and approval by the Development Services Manager.
  - f) Proper fill materials, placement methodology, and compaction shall be used to increase the stability of fill slopes.
4. Prior to approval of final project plans, the Development Services Manager shall verify that the above measures have been provided in the project plans and contractor specifications for the Old Mission Dam Overlook Project to the satisfaction of the Development Services Manager.

#### VI. PUBLIC REVIEW DISTRIBUTION:

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

U.S. Fish & Wildlife Service  
 California Department of Fish and Game  
 State Clearinghouse  
 San Diego County Department of Planning and Land Use  
 County Clerk  
 City of San Diego  
 Councilmember McCarty, District 7  
 Community & Economic Development Department  
 Development Services Center  
 Parks and Recreation Department- D. Sharpe

R-290428

The City of San Diego  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9801373

ORIGINATING  
 DEPT. NO.: 441

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 163,500 Fund 30244, 10580  
 Purpose Authorizing the transfer and expenditures of \$163,500 from Mission Trails Antenna Fund, Fund No. 10580 to CIP No. 294480, Old Mission Dam Overlook.

Date 06/03/98 By: *Douglas R. Cady*  
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	10580			9544					\$163,500.00
TOTAL AMOUNT										\$163,500.00

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ \_\_\_\_\_  
 Vendor \_\_\_\_\_  
 Purpose \_\_\_\_\_  
 Date \_\_\_\_\_ By: \_\_\_\_\_  
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT

AC 9801373

*Original Aud. Cert. filed with  
 R-290427.*

*R-290428*

**JUL 20 1998**