

RESOLUTION NUMBER R-294527

ADOPTED ON FEBRUARY 6, 2001

WHEREAS, on August 30, 2000, the San Dieguito River Joint Powers Authority submitted an application to the City of San Diego for a site development permit for the San Pasqual Mule Hill project; and

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

WHEREAS, the issue was heard by the City Council on February 6, 2001; and

WHEREAS, the City Council as a Responsible Agency under the California Environment Quality Act of 1970, as amended [CEQA], considered the issues discussed in the San Dieguito River Park Coast to Crest Trail; Mule Hill/San Pasqual Valley Trail Segments Final Mitigated Negative Declaration, prepared by the San Dieguito River Joint Powers Authority; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the information contained in the final document, including any comments received during the public review process, has been reviewed and considered by this Council in connection with the San Pasqual Mule Hill project.

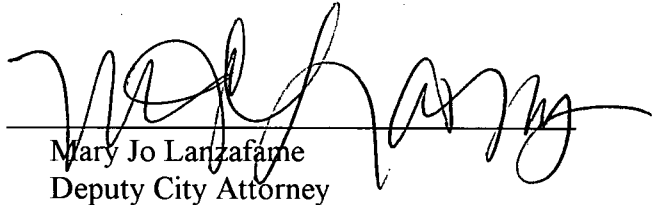
BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or

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

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: CASEY GWINN, City Attorney

By



Mary Jo Lanzafame
Deputy City Attorney

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8/22/02
Or.Dept:DSD
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**SAN DIEGUITO RIVER PARK COAST TO CREST TRAIL: MULE HILL/SAN
PASQUAL VALLEY TRAIL SEGMENTS
MITIGATION MONITORING AND REPORTING PROGRAM**

This Mitigation, Monitoring, and Reporting Program (MMRP) has been prepared in accordance with the California Environmental Quality Act (CEQA) Section 21081.6. The following mitigation measures have been incorporated into the project to avoid and reduce potential impacts to below a level of significance. The JPA shall be responsible for all mitigation and monitoring.

Agricultural Resources

1. The JPA staff shall work with each agriculture lessee and City of San Diego Real Estate Assets staff to finalize trail design details through each leasehold and these details shall be stipulated in the lease agreements with the City. Trail design details include drainage, fencing, gates, and farm access.
2. The lease agreements between the City of San Diego and the agricultural operators shall include an indemnity policy agreed to by the leaseholders and the JPA.
3. The JPA shall reimburse lessee for cost of any crops or trees that would have to be removed to accommodate the trail on the agricultural leaseholds. The cost of the crops and trees shall be determined by the market value as determined by the lessees and the JPA.

Biological Resources

1. Prior to the issuance of a site development permit from the City of San Diego, impacts to approximately 0.22 acre of coast live oak woodland (mitigation ratio of 2:1); 0.56 acres of coastal sage scrub; 0.03 acre of native grassland (mitigation ratio of 2:1); 0.44 acre of non-native grassland (mitigation ratio of 1:1) shall be mitigated to the satisfaction of the City Manager through a payment of fees for off-site acquisition of 1.5 acres of habitat in the MHPA. A contribution shall be made to the City of San Diego's Habitat Acquisition Fund for the off-site acquisition of upland habitat within the MHPA.
2. Prior to the issuance of a site development permit from the City of San Diego, the San Dieguito River Park Joint Powers Authority shall enter into an agreement with the City of San Diego Water Department to restore southern willow scrub habitat on property owned by the Water Department. This agreement shall require the River Park to restore 6 acres of southern willow scrub and mule fat scrub, of which 2.8 acres would be provided as mitigation for project impacts resulting from the proposed trail project. Restoration shall occur in accordance with the location and procedures described in the *Wetland Mitigation Plan for the San Pasqual Exotic Plant Removal and Sand Extraction Project*.
3. Prior to construction of the trail, a pre-construction survey shall be conducted to ensure that there are no ground nesting birds covered by the Migratory Bird Act, as well as other wildlife

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species, that could be impacted by construction. Construction in sensitive habitats shall be conducted outside the breeding season of most bird species (roughly September to March). However, construction may continue in ruderal habitats and along existing roads flanked by ruderal habitat during March through August in order to construct the trail within one continuous time period. If ground-nesting birds are observed within the project footprint, construction would be halted at that site until such time as the brood is fledged or the nest moved following consultation with the resource agencies.

4. Prior to use of the trail, portable toilets shall be installed by the JPA at the Sunset Drive staging area and the new staging area at the eastern end of the trail (one toilet at each location). The toilets shall be maintained by the JPA.

Mitigation measures to avoid or minimize impacts to sensitive species observed during the field surveys include:

1. Construction shall be timed to avoid the breeding season of the least Bell's vireo, southwestern willow flycatcher, yellow-breasted chat and arroyo toad (construction to occur between September 15 and March 1).
2. Sections of trails that traverse sensitive areas, as specified in the *Biological Resources Report for the Mule Hill/San Pasqual Segment of the Coast to Crest Trail Project*, shall be constructed to the greatest extent possible using hand tools.
3. Prior to use of the trail, fencing and signage shall be provided in appropriate locations, as specified in the *Biological Resources Report for the Mule Hill/San Pasqual Segment of the Coast to Crest Trail Project*, to protect sensitive habitats and species from direct disturbance by trail users.
4. Prior to construction of the trail, a biological monitor shall be retained by the JPA to (1) flag sensitive areas, (2) ensure that breeding has been completed prior to initiating construction, and (3) monitor sensitive biological areas during construction.

Cultural Resources

1. The JPA shall retain a qualified historic/archaeological monitor prior to commencement of trail construction. This monitor will be responsible for overseeing all subsurface disturbance associated with trail construction in proximity to archaeological sites as documented in the *Cultural Resources Survey for the Coast to Crest Trail Mule Hill/San Pasqual Segment*. The monitor shall ensure that (1) the proposed trail alignment or site disturbance avoids cultural resources as designed; (2) construction provides fill and fencing for midden areas; and (3) unanticipated finds are handled properly. If a subsurface deposit is encountered then it shall be capped in accordance with the mitigation measure described below.
2. Where the trail surface will be covered with an impervious surface, fabric and 6" of culturally

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sterile soil will be installed between the native soil and the hardened surface as necessary to cap affected sites. If it is necessary to cap a site along subsequent sections of the trail that would not have a hardened surface, the procedures described in the Concept Plan for the San Dieguito River Park will be followed. Where secondary impacts could occur to a site off the trail as a result of trail users, the trail will be fenced with lodgepole or post and cable fencing.

Hazards and Hazardous Materials

To mitigate potential impacts from agricultural pesticide spraying adjacent to the trail, the following measure has been incorporated into the project:

1. Prior to opening the trail for users, the JPA shall install signs where the trail is adjacent to farming operations warning trail users to stay on the trail and that they are entering a farming area where pesticides and heavy equipment are used during certain times of the year.
2. The JPA shall prepare and implement a trail closure protocol in consultation with the affected leaseholders, City of San Diego, County of San Diego Agricultural Commissioner, and County of San Diego County Farm Advisor. The trail closure protocol will be included in the agricultural lease amendments with the City of San Diego and shall specify the protocol for closing the trail during agricultural chemical application.

Traffic/Transportation

1. Prior to trail opening, the JPA shall construct a Jersey Barrier along the Santa Maria Creek Bridge to separate trail users from the vehicles using the bridge. In the event that the JPA receives the grant for the cantilever trail, the JPA will install the cantilever trail along the bridge instead of the Jersey Barrier. Additional barriers shall also be installed along the trail where it travels in the right-of-way of Bandy Canyon Road, as determined necessary by City of San Diego traffic engineers.
2. The JPA will pursue with the City of San Diego the posting of additional speed limit signs along Bandy Canyon Road and the addition of signs warning drivers of trail users in the area.

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Planning Commission to the referenced Owner/Permittee in the form and with the terms and conditions as set forth in SDP Permit No. 40-0711, a copy of which is attached hereto and made a part hereof.

Adopted by the Planning Commission on January 4, 2001.

Morris E. Dye
Development Project Manager

Linda Lugano

Adopted on: January 4, 2001
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