

RESOLUTION NUMBER R- 294907

ADOPTED ON MAY 29 2001

BE IT RESOLVED, by the Council of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR No. 96-7561, 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 Construction of Mission Bay Park - Ski Beach Improvement Project..

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 *Cristie C. McGuire*  
Cristie C. McGuire, Deputy

CCM:aw:mr

03/09/01

Or.Dept: Contract Serv.

Bid No: K01058C

R-2001-821

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City of San Diego  
Development  
Services  
Department



Land Development  
Review Division  
(619) 236-6460

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FINAL

## Mitigated Negative Declaration

LDR No. 96-7561  
SCH No. 97081010

SUBJECT:

SKI BEACH (MISSION BAY) BOAT LAUNCHING RAMP AND PARKING AREA IMPROVEMENTS : CITY COUNCIL APPROVAL for the removal of the existing boat ramp, its replacement, and repaving and restriping of the existing parking area. The existing 60-feet by 120 feet, four-lane ramp would be widened by fifteen feet to the north. The ramp is located on Vacation Isle, east of Ingraham Street, and slopes into Fiesta Bay portion of Mission Bay Regional Park. In addition, the parking lot would be restriped for disabled parking spaces and new parking lot lights would be installed.

I. PROJECT DESCRIPTION: See attached Initial Study.

II. ENVIRONMENTAL SETTING: See attached Initial Study

III. DETERMINATION:

The City of San Diego has conducted an Initial Study and determined that the proposed project as mitigated/designed will not have a significant environmental effect and the preparation of an Environmental Impact Report will not be required.

Previous Environmental Impact Report (DEP No.91-0898; SCH No.93041010; dated May 10, 1994) and the Mission Bay Natural Resources Management Plan (1990) are thereby incorporated by reference.

IV. DOCUMENTATION:

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

V. MITIGATION MEASURES:

Biological Resources - Eelgrass Beds

Eelgrass (*Zostera marina*) vegetated areas function as important habitat to a variety of fish and other wildlife. The proposed construction of the boat ramp and placement of rip-rap will directly impact approximately 1200 square-feet of eelgrass. (See attached Figures 2 & 4.) The exact areal impact will be mapped, assessed, and mitigated as outlined below. The project proponent, the City Park and Recreation Department has agreed to mitigate the permanent loss of eelgrass due to the boat ramp construction/widening by strict adherence to the "Southern California Eelgrass Mitigation Policy" (as revised on August 25, 1992). This policy has been developed by

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the Federal and State resource agencies (National Marine Fisheries Service and the California Department of Fish and Game). In addition, the funding of the mitigation effort has Draft ND No.96-7561 been included in the proposal. This state/federal policy outlining eelgrass mitigation measures, was adopted into the both the 1990 Mission Bay Natural Resources Management Plan and the Mission Bay Master Plan Update and included as mitigation measures in the associated previous Final Environmental Impact Report (DEP EIR No.91-0898; SCH No.93041010; Appendix E-2). The updated master plan anticipates park development proposals which would impact eelgrass and their mitigation and designates areas suitable for this eelgrass revegetation/habitat restoration. (See attached Figures 3 & 4.)

The applicable requirements of the "Southern California Eelgrass Mitigation Policy" are listed/summarized below. (The policy in its entirety is attached to this document.)

- o Mitigation Map. City Park and Recreation shall map thoroughly the area, distribution, density and relationship to depth contours of any eelgrass beds likely to be impacted by proposed boat ramp construction and rip-rap placement and areas immediately adjacent which have the potential to be indirectly or inadvertently impacted as well as areas having the proper depth and substrate requirements for eelgrass but which currently lack vegetation. All mapping efforts must be completed during the active growth phase for the vegetation (typically March through October). A post-construction survey will be completed within 14 days after the completion of construction. The actual area of impact will be determined from this survey.
- o Mitigation Site. Siting of eelgrass transplant mitigation projects will be in areas within Mission Bay Park, similar where the initial impact occurs.
- o Mitigation Size. In case of transplant projects that occur concurrent to the action resulting in damage to the existing eelgrass resource, a ratio of 1.2 to 1 will apply. That is, for each square foot adversely impacted, 1.2 square feet of suitable habitat, vegetated with eelgrass, must be created.
- o Mitigation Technique. Techniques for the construction and planting of the eelgrass mitigation site will be consistent with the best available technology. Donor material will be taken from the area of impact whenever possible. Plantings should consist of bare-root-bundles consisting of 8-12 individual turions.
- o Mitigation Timing. For the permanent loss due to the widened boat ramp, transplanting must start prior to or concurrent to the start-up of the actual activity resulting in the impact to the eelgrass bed. For on-site mitigation for temporary construction impacts adjacent to the widened ramp, transplanting should be postponed when construction work is likely to impact the mitigation. However, transplanting of on-site mitigation projects shall started no later than 30 days after completion of in-water ramp construction activities.
- o Mitigation Monitoring. Monitoring the success of eelgrass mitigation projects will be required for a period of five years. Monitoring activities will determine the percent coverage and density of plants at the transplant site and will be conducted during the active vegetative growth period and will avoid the winter months of November through February.

The monitoring of an adjacent or other acceptable control area (subject to approval of the resource agencies) to account for any natural changes or fluctuations in bed width

or density must be included as an element of the overall program.

Monitoring reports will be provided to the resource agencies within 30 days after the completion of each required monitoring period.

- o Mitigation Success. Criteria for determination of transplant success will be based upon a comparison of vegetation coverage (area) and density (turions per square meter) between the project and mitigation sites. Specific criteria are as follows:
  - a. A minimum of 70% areal coverage and 30% density after the first year.
  - b. A minimum of 85% areal coverage and 70% density after the second year.
  - c. A sustained 100% areal coverage and at least 85% density for the third, fourth, and fifth years.

In addition to the mitigation measures contained in the "Southern California Eelgrass Mitigation Policy", the following requirements and guidelines pursuant to the adopted master plan and the City's biological resources guidelines have been incorporated into the proposal:

No in-water construction or dredging shall occur during the breeding season of the California least tern (a federally listed, endangered bird) from April 1 through September 15. This construction timing limit has been agreed to by the project proponent.

A 1.2 to 1 replacement ratio shall be implemented for any project caused impacts (including inadvertent impacts) to eelgrass habitat.

The in-water construction area shall be buoyed off prior to the start of activity to limit the extent of direct and indirect impacts to the existing eelgrass.

Replanting (mitigation) of eelgrass shall occur during low energy tides (late summer to early fall).

Any construction or dredging disturbing the substrate in the bay shall use silt curtains or similar devices around the disturbance area to limit any adverse water quality impacts to the immediate construction area, thereby, reducing impacts to eelgrass and foraging birds.

All dredging activities shall comply with permit conditions of the U.S. Army Corps of Engineers, Regional Water Quality Control Board, State Lands Commission, and California Coastal Commission.

Barges or temporary docks, if necessary, shall not be permitted to shade an eelgrass bed for more than five consecutive days. In addition, construction contractors shall avoid anchoring impacts to eelgrass beds. Any inadvertent anchoring impacts to eelgrass shall be mitigated.

Estimated impacts to eelgrass created by turbidity and anchor placement resulting from dredging and/or rip-rap placement shall be validated by a dive before dredging and a dive after dredging is complete. Impacts shall be mitigated per the requirements of the Southern California Eelgrass Mitigation Policy. (See previous discussion and attached mitigation policy.) Monitoring and periodic reporting the success of the proposed eelgrass mitigation effort shall be conducted for five years. Monitoring activities shall determine the percent coverage and

density of transplanted eelgrass at the mitigation site and shall be conducted at 3, 6, 12, 24, 36, 48, and 60 months after completion of the initial transplant effort.

Written reports on the results of the monitoring effort and if appropriate, any remediation recommendations shall be prepared and made available at 6, 12, 24, 36, 48, and 60 months after completion of the initial transplant effort. This reporting requirement will become unnecessary if and only if, the ultimate mitigation criteria of 100% areal coverage and 85% transplant density are achieved after 36 months; the monitoring effort shall continue to its full term of five years to ensure that the ultimate mitigation criteria is attained and maintained.

Criteria for determination of eelgrass transplant/mitigation success shall be based upon a comparison of the vegetative coverage (area) and density (turions per square meter) between the project and mitigation sites.

#### VI. PUBLIC REVIEW DISTRIBUTION

Draft copies and notice of this Mitigated Negative Declaration (LDR No.96-7561) were distributed to:

##### City of San Diego

- Mayor's Office
- Councilmember Wear, District 2
- Councilmember Mathis, District 1
- Councilmember Warden, District 5
- Councilmember Stallings, District 6
- Park and Recreation/Coastal - Terri Williams (MS 32)
- Wetlands Advisory Council - Robin Stribley (MS 37C)
- Park and Recreation - Stacey Lomedico (MS 37C)
- Engineering & Capital Projects - Gus Button (MS 611)

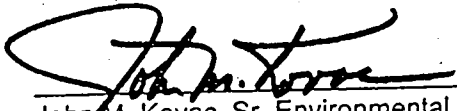
- State Clearinghouse (46)
- Environmental Protection Agency (19)
- Regional Water Quality Control Board (44)
- Calif. Fish and Game (33)
- U.S. Army Corps of Engineers (18)
- U.S. Fish and Wildlife Service/Carlsbad (23)
- SANDAG (108)
- Sierra Club (165)
- Audubon Society (167)
- Calif. Coastal Commission (48)
- Peninsula Community Planning Board (380)
- Mission Bay Lessees (323)
- Mission Bay Park Committee (324A)
- Mission Beach Precise Planning Committee(325)
- Park and Recreation Board - Coastal (186)
- Peninsula Community Planning Board (390)
- Pacific Bch Community Planning Committee (375)
- Ocean Bch Planning Board (367)
- Linda Vista Community Planning Group (267)
- Jim Peugh (324)
- State Lands Commission (62)

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VII. RESULTS OF PUBLIC REVIEW:

- (✓) No comments were received during the public input period.
- ( ) Comments were received but they did not address the Negative Declaration finding and/or accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- ( ) Comments addressing the findings of the draft Negative Declaration and/or accuracy/completeness of the Initial Study were received. The comment letters received and associated staff responses follow.

Copies of the Mitigated Negative Declaration and any Initial Study material and referenced previous documents are available in the office of Land Development Review for review, or available for purchase at the cost of reproduction.

  
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John M. Kovac, Sr. Environmental Planner  
City Development Services

July 31, 1997  
Date of Draft Report

September 17, 1997  
Date of Final Report

Analyst: John Kovac

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