

RESOLUTION NUMBER R- 312487

DATE OF FINAL PASSAGE MAY 22 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 349988/SCH NO. 2014041011 AND ADOPTING FINDINGS AND MITIGATION, MONITORING, AND REPORTING PROGRAM FOR THE MISSION TRAILS REGIONAL PARK MASTER PLAN UPDATE/NATURAL RESOURCES MANAGEMENT PLAN/COMMUNITY PLAN TECHNICAL AMENDMENTS – PROJECT NO. 349988.

ITEM # 334A  
5/21/19

WHEREAS, on December 3, 2013, the Planning Department submitted an application to Development Services Department for the Mission Trails Regional Park Master Plan Update, Natural Resource Management Plan, and Community Plan Technical Amendments (Project); and

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

WHEREAS, the issue was heard by the City Council on May 21, 2019; and

WHEREAS, the City Council considered the issues discussed in Environmental Impact Report No. 349988/SCH No. 2014041011 (Report) prepared for this Project; NOW, THEREFORE,

BE IT RESOLVED, by the City Council that it is certified that the Report 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 Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project.

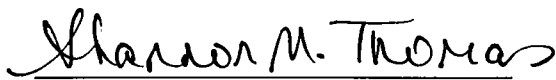
BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, the City Council hereby adopts the Findings made with respect to the Project, which are attached hereto as Exhibit A.

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

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that the City Clerk 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.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Shannon M. Thomas  
Senior Deputy City Attorney

SMT:als  
05/03/2019  
Or.Dept:Planning  
Doc. No.: 1990467

Attachments: Exhibit A – Findings  
Exhibit B – Mitigation, Monitoring, and Reporting Program

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 21 2019.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5/22/19  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

**EXHIBIT A**

**DRAFT CANDIDATE FINDINGS**

**REGARDING**

**FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE**

**MISSION TRAILS REGIONAL PARK MASTER PLAN UPDATE / NATURAL**

**RESOURCES MANAGEMENT PLAN / COMMUNITY PLAN AND PRECISE PLAN**

**TECHNICAL AMENDMENTS**

**PROJECT NUMBER 349988**

**SCH No. 2014041011**

**FEBRUARY 2019**

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**DRAFT**  
**CANDIDATE FINDINGS**  
**for the**  
**MISSION TRAILS REGIONAL PARK MASTER PLAN UPDATE / NATURAL**  
**RESOURCES MANAGEMENT PLAN / COMMUNITY PLAN TECHNICAL**  
**AMENDMENTS**  
**PROJECT NUMBER 349988**  
**SCH No. 2014041011**

**I. INTRODUCTION**

**A. Findings of Fact**

The following Candidate Findings are made for the Mission Trails Regional Park (MTRP) Master Plan Update (MPU) and Natural Resources Management Plan (NRMP). The MPU and NRMP (collectively, the Plans) have been developed as an integrated set of management guidelines for Mission Trails Regional Park (Park), with the MPU focusing on public access and recreation and the NRMP focusing on the natural resources. The proposed Plans and associated regulatory documents and actions form the “project,” and are referred to throughout this document as such. The environmental effects of the project are addressed in the Final Program Environmental Impact Report (Final PEIR) dated February 11, 2019 (State Clearinghouse No. 2014041011).

The California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000, et seq.) and the State CEQA Guidelines (Guidelines) (14 California Code of Regulations §§ 15000, et seq.) promulgated thereunder, require that the environmental impacts of a proposed project be examined before a project is approved. In addition, once significant impacts have been identified, CEQA and the CEQA Guidelines require that certain findings be made before project approval. It is the exclusive discretion of the decision maker certifying the EIR to determine the adequacy of the proposed candidate findings. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
  - 1. Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
  3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
  - (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
  - (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
  - (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
  - (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

These requirements also exist in Section 21081 of the CEQA statute. The “changes or alterations” referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Should significant and unavoidable impacts remain after changes or alterations are applied to the project, a Statement of Overriding Considerations must be prepared. The statement provides the lead agency's views on whether the benefits of a project outweigh its unavoidable adverse environmental effects. Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- (b) When the lead agency approves a project, which will result in the occurrence of significant effects, which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The project would not result in any significant and unavoidable impacts; therefore, a Statement of Overriding Considerations is not included herein.

Having received, reviewed, and considered the Final Program Environmental Impact Report Project No. 349988/State Clearinghouse No. 2014041011 (PEIR), as well as all other information in the record of proceedings on this matter, the following Findings of Fact (Findings) for the Plans are made and adopted by the City of San Diego (City) in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the project.

#### **B. Record of Proceedings**

For purposes of CEQA and these Findings, the Record of Proceedings for the project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP), dated April 2, 2014, and all other public notices issued by the City in conjunction with the project;
- The Draft PEIR for the project, dated September 2016;



- All written comments submitted by agencies or members of the public during the public review comment period on the Draft PEIR;
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft PEIR and included in the Final PEIR;
- The Mitigation Monitoring and Reporting Program (MMRP) for the project and associated discretionary actions;
- The reports and technical memoranda included or referenced in Responses to Comments and/or in the Final PEIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft PEIR and the Final PEIR;
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be included in the record of proceedings pursuant to Public Resources Code Section 21167.6(e).

### **C. Custodian and Location of Records**

The documents and other materials, which constitute the administrative record for the City's actions related to the project are located at the City of San Diego, Planning Department, 9485 Aero Drive, MS 413, San Diego, CA 92123. The City Planning Department is the custodian of the administrative record for the project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been, and will be available upon request at the offices of the City Planning Department. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

## **II. PROJECT SUMMARY**

### **A. Project Location**

The project area is located near the center of metropolitan San Diego, 8 miles northeast of Downtown San Diego, midway between the Pacific Ocean and the Cleveland National Forest. The Park is almost entirely within the City; however, it is within or near several jurisdictions, including the cities of La Mesa, Santee, and El Cajon to the east; the City of Poway to the north, and unincorporated San Diego County to the northeast. With the addition of the proposed expansion areas, the Park would be bisected by Marine Corps Air Station Miramar.

### **B. Project Background**

The MTRP Master Development Plan (MDP) was first prepared in 1976 after a collective effort by the City and County of San Diego (County) to create a large urban park, which linked a number of existing regional park areas. A MTRP task force was established in 1977, along with a Citizens' Advisory Committee (CAC) charged with the ongoing oversight and improvement of

the park complex, renamed at that time to “Mission Trails Regional Park.” The 1976 MDP was revised in 1985 to its most recent iteration. Since approval of the 1985 MDP, two expansion areas—the East Elliott and West Sycamore areas—have been identified for inclusion within the Park upon approval of the Project. Final PEIR Figure 3-2 shows the proposed boundaries of the Park. Additional details relating to the project’s planning background are discussed in Final PEIR Section 3.2.1.

The project, as set forth in the Plans, represents an accumulation of recommendations beginning in 2007 when a subcommittee of the CAC began a process to update the 1985 MDP. Public workshops were held throughout the years culminating in a plan presented at workshops and working meetings composed of the public and City staff. Ultimately, a draft plan was released for input in November 2013. A NOP scoping meeting was held in April 2014. Since the NOP scoping meeting in 2014, the City received additional input on the Plan recommendations from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (Wildlife Agencies) and other stakeholders. Additional meetings and site visits to the Park were conducted with the Wildlife Agencies to address their concerns regarding habitat fragmentation and wildlife corridors. During this process, appropriate revisions were incorporated into the Plans to address a variety of competing stakeholder concerns.

### **C. Project Description and Purpose**

The project analyzed in the Final PEIR is composed of the Plans, as well as several discretionary actions listed below. The Plans have been developed as an integrated set of management guidelines for the Park, with the MPU focusing on public access and recreation, and the NRMP focusing on natural resources. The Plans were prepared concurrently in order to coordinate the recommendations and management actions for the six areas that comprise the project area—Lake Murray, Cowles Mountain, Mission Gorge, Fortuna Mountain, East Elliott, and West Sycamore. The East Elliott and West Sycamore areas would be park expansion areas upon approval of the project.

The MPU provides updated recommendations to the 1985 Master Plan (Recommendations). The MPU recommendations range from broad overarching policy and management-related topics that affect the entire Park, to specific physical improvements within the areas. The recommendations are focused on improving overall land/resource management, the safety and sustainability of recreational trails, improving recreational access, and eliminating conflicts between recreational uses and natural habitat. Details of the Recommendations are discussed in Final PEIR Section 3.2.2.

The MPU identifies conceptual projects that may be implemented after adoption of the Plans. These are referred to as “subsequent projects” throughout the PEIR. Such projects recommended by the MPU include (but are not limited to) trail improvements, trailheads, picnic and shade areas, restrooms, parking areas, and interpretive overlooks. Subsequent projects also include recommendations for the proposed location of improved and additional parking areas; however,

specific project designs are not contained in the MPU. Subsequent projects would require further design and review for consistency with the environmental analysis contained in the PEIR.

The NRMP sets forth adaptive management actions to ensure long-term, viable populations of sensitive species and habitats within the Park. It also sets forth protocols (e.g., data collection methods, success criteria) to evaluate the effectiveness of these management actions. The NRMP fulfills a requirement identified in the City's Multiple Species Conservation Program (MSCP) Subarea Plan to set forth an adaptive management framework in order to protect sensitive biological resources in the Park. Details of the NRMP are discussed in Final PEIR Section 3.2.3. The PEIR recognizes that some NRMP management actions—such as monitoring, weeding, or restoration—may have the potential to result in environmental impacts. However, the NRMP details measures that would be required to minimize and avoid adverse impacts. Therefore, the NRMP would generally not result in environmental impacts, but is analyzed where necessary throughout the PEIR.

The project also includes technical amendments to the Navajo, Tierrasanta, and East Elliott Community Plans, as well as to the Rancho Encantada Precise Plan. The amendments are required to update or correct maps and community plan language where the Plans reference outdated information regarding the Park and the Master Plan. These amendments would ensure that the future facilities proposed under the MPU are consistent with the respective Community Plans and/or Precise Plan and that any policy recommendations with regards to the management of the Park are consistent with updated policies in the Plans.

#### **D. Statement of Objectives**

As described in Section 3.1 on Page 3-2 of the Final PEIR, the project has the following five objectives:

1. Provide a structure for ongoing land and resource management actions required to maintain the Park and protect its resources.
2. Identify unsafe or unsustainable sections of recreational trails and provide guidance for the types of management action required.
3. Identify missing or constrained linkages within the Park and provide new or alternative routes to improve the recreational connectivity while protecting the Park's natural and cultural resources.
4. Integrate the management actions identified in the NRMP with the recreational trails network throughout the Park.
5. Provide amenities that support the recreational uses that currently exist or are proposed as part of the Plans.

#### **E. Discretionary Actions**

Discretionary actions associated with approval of the Plans include the following:

Certification of the Program Environmental Impact Report
Adoption of Mission Trails Regional Park Master Plan Update
Adoption of Natural Resources Management Plan
Adoption of Community Plan and Precise Plan Technical Amendments:
<ul style="list-style-type: none"> <li>• Navajo Community Plan</li> </ul>
<ul style="list-style-type: none"> <li>• Tierrasanta Community Plan</li> </ul>
<ul style="list-style-type: none"> <li>• East Elliott Community Plan</li> </ul>
<ul style="list-style-type: none"> <li>• Rancho Encantada Precise Plan</li> </ul>

### III. SUMMARY OF IMPACTS

The project addressed in these findings is a comprehensive update to the Park’s Master Plan as described in Chapter 3.0 of the Final PEIR. The Plans address the long-term protection of natural resources and development goals in support of recreation and interpretation within the Park.

#### A. No Significant Impacts

The Final PEIR concludes that the project would have **no significant impacts** and requires no mitigation measures with respect to the following issues:

- Land Use (Land Use Plan Conflict; Development Regulations Consistency)
- Visual Effects and Neighborhood Character (Landform Alteration; Public Views; Neighborhood Character; Light and Glare)
- Air Quality (Air Quality Plans/Vehicle Trips; Ambient Air Quality/Sensitive Receptors)
- Greenhouse Gas Emissions (Greenhouse Gas Emissions; Conflicts with Plans or Policies)
- Human Health, Public Safety and Hazardous Materials (Hazardous Substances)
- Geology and Soils (Geologic Hazards; Erosion)
- Transportation/Circulation (Capacity; Parking; Alternative Transportation)
- Public Services (Public Facilities)

#### B. Significant Impacts (Mitigated)

Potentially **significant impacts of the proposed project would be mitigated** to below a level of significance with respect to the following issues:

- Land Use (Environmental Plan Consistency)
- Biological Resources (Sensitive Plant and Wildlife Species; Migratory Wildlife; Sensitive Habitat; Invasive Plants; Wetlands)

- Historical Resources (Prehistoric or Historical Resources; Religious or Sacred Uses; Human Remains; Tribal Cultural Resources)
- Human Health, Public Safety and Hazardous Materials (Health and Safety Hazards; Hazardous Sites)
- Hydrology and Water Quality (Runoff and Drainage Patterns; Natural Drainage System; Flow Alteration; Water Quality)
- Paleontological Resources (Paleontological Resources)
- Transportation/Circulation (Circulation and Access)
- Public Utilities (Utilities)

**C. Significant Impacts (Unmitigated)**

There are no issues which would remain **significant and unavoidable**.

**IV. FINDINGS REGARDING SIGNIFICANT IMPACTS**

**A. Findings Regarding Impacts That Will be Mitigated to Below a Level of Significance (CEQA §21081(a)(1) and CEQA Guidelines §15091(a)(1))**

The City, having independently reviewed and considered the information contained in the Final PEIR and the public record for the project, finds, pursuant to Public Resource Code §21081(a)(1) and State CEQA Guidelines §15091(a)(1), that changes or alterations have been required in, or incorporated into, the project and associated discretionary actions which would mitigate or avoid the significant effects on the environment related to:

**1. Land Use**

**Significant Effect**

*Environmental Plan Consistency*

When land is developed adjacent to the Multi-Habitat Planning Area (MHPA), there is a potential for secondary impacts that may degrade the habitat value or disrupt animals within the preserve area. These secondary effects of development may include habitat insularization, drainage/water quality impacts, lighting, noise, exotic plant species, nuisance animal species, and human intrusion and could be significant (Impact LU-1).

**Facts in Support of Finding**

*Environmental Plan Consistency*

Indirect effects can occur wherever development and human activity is adjacent to natural areas. These effects include those due to increased runoff, trampling and removal of plant cover due to hiking, biking, and other human activities, increased presence of toxins, redirection or blockage of wildlife movement, or increased levels of non-native and invasive plants. These indirect

effects could reduce the quality of the MHPA. Subsequent projects implemented in accordance with the Plans, which are within and/or adjacent to the MHPA, would be required to incorporate the MHPA Land Use Adjacency Guidelines into the design of projects. Absent the inclusion of these guidelines, impacts could be significant.

Subsequent projects implemented under the MPU would introduce additional recreational uses within or adjacent to the MHPA. Future projects would be required to implement the Mitigation Framework detailed in Final PEIR Section 5.1.6. Specifically, the impacts identified as LU-1 would be mitigated to a less than significant level through enforcement of Mitigation Framework MM-LU-1. Mitigation Framework MM-LU-1 would require subsequent projects implemented in accordance with the MPU which are within or adjacent to designated MHPA areas to comply with Section 1.4 Land Use Considerations and Section 1.5 Framework Management Plan of the MSCP in terms of land use, drainage, access, toxic substances in runoff, lighting, noise, invasive plant species, grading, and brush management requirements. Implementation of the specific requirements (detailed in the mitigation measure) would ensure compatibility of land uses and protect the MHPA areas from indirect impacts resulting from off-site activity.

With the implementation of Mitigation Framework MM-LU-1, including site-specific environmental reviews, significant impacts related to consistency with the City's environmental plans (MSCP) would be reduced to less than significant.

## **2. Biological Resources**

### **Significant Effects**

#### ***Sensitive Plants and Wildlife Species***

##### ***a. Sensitive Plants***

Implementation of subsequent projects in accordance with the MPU could result in direct impacts to sensitive plant species known to occur within the project area. Impacts to these species would be significant (Impact BIO-1).

##### ***b. Direct Impacts to Sensitive Wildlife***

Implementation of subsequent projects in accordance with the MPU could result in direct impacts to sensitive wildlife species known to occur within the study area. Impacts to these species would be significant (Impact BIO-2).

##### ***c. Indirect Impacts to Sensitive Wildlife Species***

As discussed above (see Land Use), implementation of subsequent projects in accordance with the MPU developed adjacent to the MHPA could result in indirect impacts. These impacts could include degradation of habitat value or disruption of animals within the preserve area. Without

implementation of the MHPA Adjacency Guidelines, indirect impacts to sensitive wildlife species could be significant (Impact BIO-3).

### ***Migratory Wildlife***

Implementation of subsequent projects in accordance with the MPU could result in the impediment of on-site wildlife nesting, foraging, and movement. Impacts of this nature could be significant (Impact BIO-4).

### ***Sensitive Habitat***

Implementation of subsequent projects in accordance with the MPU could impact sensitive plant species known to occur within the project area. These habitats include native grassland, valley needlegrass grassland, wildflower field, Diegan coastal sage scrub, chamise chaparral, southern mixed chaparral, scrub oak chaparral, and non-native grassland. Impacts to these sensitive habitats would be significant (Impact BIO-5).

### ***Invasive Plants***

Although MSCP Subarea Plan and City regulations contain policies for control of invasive plant species, implementation of subsequent projects in accordance with the MPU could result in the introduction of non-native, invasive, plant species to the project area. These impacts could be significant (Impact BIO-6).

### ***Wetlands***

Although impacts to vernal pools and vernal pool species are not anticipated to occur, subsequent restoration efforts implemented in accordance with the MPU have the potential to impact covered species addressed in the Final Vernal Pool Habitat Conservation Plan (VPHCP). Impacts to these species would be significant (Impact BIO-7).

Additionally, although the Plans include policies intended to avoid impacts to wetlands and in some cases to restore existing disturbed wetland habitats, implementation of the Plans and associated discretionary actions could result in limited impacts to jurisdictional wetlands during activities such as wetland restoration and installation of trail/river crossing improvements. Impacts to jurisdictional wetlands would be significant (Impact BIO-8).

### **Facts in Support of Finding**

While all impacts to sensitive biological resources would be avoided to the maximum extent feasible and minimized when avoidance is not possible, the Mitigation Framework would be implemented where impacts cannot be avoided or minimized. As a programmatic document, the Mitigation Framework would apply to future projects implemented in accordance with the MPU. Specific mitigation measures would be determined and implemented at the project level.

## ***Sensitive Plants and Wildlife Species***

### ***a. Direct Impacts to Sensitive Plants***

The project site supports 23 sensitive plant species including seven federally, state, or City of San Diego listed species, as shown in Final PEIR Table 5.5-6. Subsequent projects contemplated within the MPU have the potential to impact these sensitive plant species because precise locations are not known. Site-specific analysis would be conducted for subsequent projects to determine the extent of impacts; however, at this program level of analysis, direct impacts to these sensitive plants could occur and would be considered significant.

The impact identified as BIO-1 would be mitigated to a less than significant level through enforcement of Mitigation Framework MM-BIO-1. Mitigation Framework MM-BIO-1 would require future projects implemented in accordance with the MPU to prepare site-specific biological resources surveys, conducted in accordance with City Biology Guidelines (2012, 2018b) and the location of sensitive plants and wildlife to be recorded and presented in a biological report. If required, focused presence/absence surveys shall be conducted in accordance with the City Biology Guidelines and applicable resource agency survey protocols to determine the potential for impacts resulting from the future projects on these species. Future projects would be designed to incorporate measures that minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with all relevant regulations. If subsequent projects result in impacts to sensitive upland Tier I, II, IIIA, or IIIB habitats, avoidance and minimization measures consistent with the City Biology Guidelines and MSCP Subarea Plan would be required, including application of mitigation ratios detailed in Final PEIR Table 5.5-8. Adhering to this Mitigation Framework would ensure that future projects locate and identify sensitive plants and implement avoidance and/or minimization measures, and, if necessary mitigate lost habitat in accordance with applicable ratios. Implementation of Mitigation Framework MM-BIO-1 would reduce potentially significant impacts to sensitive plants associated with future projects to less than significant.

### ***b. Direct Impacts to Sensitive Wildlife***

As shown in FEIR Table 5.5-7, the project site has the potential to support 18 federally listed endangered, federally listed threatened, state listed endangered, California Department of Fish and Wildlife species of special concern, and other species covered by the MCSP. Subsequent projects implemented in accordance with the project could result in loss of habitat from implementation of the MPU (trail construction, park amenities, parking areas, etc.). Site-specific analysis would be conducted for subsequent projects to determine the extent of impacts; however, at this program level of analysis, direct Impacts to these sensitive animals could occur and would be considered significant.

The impact identified as BIO-2 would be mitigated to a less than significant level through enforcement of Mitigation Framework MM-BIO-1, above. Adhering to this Mitigation Framework would ensure that future projects identify and locate sensitive animals and implement avoidance and/or minimization measures, and, if necessary mitigate lost habitat in



accordance with applicable ratios. Implementation of Mitigation Framework MM-BIO-1 would reduce potentially significant impacts to sensitive animals associated with future projects to less than significant.

***c. Indirect Impacts to Sensitive Wildlife Species***

In addition to direct loss of habitat from construction of amenities, additional impacts could result from implementation of the MPU recommendations, including habitat isolation, drainage or water quality impacts, noise, exotic plant species, nuisance animal species, and human intrusion. Also, short-term construction activities could result in disruption of nesting and breeding and could affect the population of sensitive species. Site-specific analysis would be conducted for subsequent projects to determine the extent of impacts; however, at this program level of analysis, indirect impacts to these sensitive animals could occur and would be considered significant.

The impact identified as BIO-3 would be mitigated to a less than significant level through enforcement of Mitigation Framework MM-BIO-1, above. Adhering to this Mitigation Framework would ensure that future projects identify and locate sensitive animals and implement avoidance and/or minimization measures, to protect against indirect impacts that could occur during construction and operation of future projects. Implementation of Mitigation Framework MM-BIO-1 would reduce potentially significant indirect impacts to sensitive wildlife associated with future projects to less than significant.

***Migratory Wildlife***

The Park is a core biological resource area and regional wildlife corridor. The Park's areas are separated by man-made and topographic boundaries, and as a result, have varying levels of urban edge and connectivity. The NRMP specifies management actions in order to increase connectivity within the Park, which would in turn increase regional connectivity. However, impacts to wildlife nesting, foraging, and movement have potential to occur during subsequent projects implemented in accordance with the MPU. For example, grading, removal of vegetated habitat, or conversion of open areas to developed uses could interfere with animal behaviors. Site-specific analysis would be conducted for subsequent projects to determine the extent of impacts; however, at this program level of analysis, direct Impacts to migratory wildlife could occur and would be considered significant.

The impact identified as BIO-4 would be mitigated to a less than significant level through enforcement of Mitigation Framework MM-BIO-2. Mitigation Framework MM-BIO-2 would require future projects implemented in accordance with the MPU to prepare site-specific biological resource surveys (see MM-BIO-1) to include results of protocol surveys and recommendations for additional measures to be implemented during construction-related activities. These measures would avoid or minimize the effects of construction activities on nesting, or foraging activities of identified on-site migratory wildlife. The specific mitigation measures are required to address recommendations for preconstruction protocol surveys to be conducted during established breeding seasons, construction noise monitoring and

implementation of any species-specific mitigation plans (such as a burrowing owl mitigation plan) in order to comply with all relevant regulations. Adhering to this Mitigation Framework would ensure that future projects locate and identify the existence and habits of nesting or foraging activities of on-site migratory wildlife and enforce avoidance and/or minimization measures. Implementation of Mitigation Framework MM-BIO-2 would reduce potentially significant impacts to migratory wildlife associated with future projects to less than significant.

### ***Sensitive Habitat***

Implementation of the MPU identifies subsequent projects—such as trails, recreational amenities, and facilities—that would have the potential to result in temporary and permanent impacts to sensitive vegetation communities as identified by the MSCP.

The impact identified as BIO-5 would be mitigated to a less than significant level through enforcement of Mitigation Framework MM-BIO-1, above. Adhering to this Mitigation Framework would ensure that future projects identify and locate sensitive habitat and implement avoidance and/or minimization measures, to protect against and implement avoidance and/or minimization measures, and, if necessary mitigate lost habitat in accordance with applicable ratios. Implementation of Mitigation Framework MM-BIO-1 would reduce potentially significant indirect impacts to sensitive habitat associated with future projects to less than significant

### ***Invasive Plants***

Invasive plants thrive in areas disturbed by activities such as grading, construction, trail usage, and fire. Implementation of the MPU includes projects, such as the creation and improvement of trails and construction of recreational amenities. Despite future adherence to all applicable regulations focused on the control of invasive plant species, implementation of the MPU could result in a significant impact associated with invasive plants.

The impact identified as BIO-6 would be mitigated to a less than significant level through enforcement of Mitigation Framework MM-LU-1. As discussed above, MM-LU-1 would require future projects implemented in accordance with the MPU to be consistent with the City MHPA Land Use Adjacency Guidelines. Implementation of the specific requirements (detailed in Final PEIR Section 5.1.6) would ensure compatibility of land uses and protect the MHPA areas from invasive plants. Implementation of Mitigation Framework MM-LU-1 would reduce potentially significant impacts resulting from invasive plants associated with future projects to less than significant.

### ***Wetlands***

Future projects implemented in accordance with the MPU have the potential to result in disturbances to habitat and drainages that are under the jurisdiction of other agencies, including the U.S. Army Corp of Engineers according to Section 404 of the Clean Water Act (CWA), Regional Water Quality Control Board (RWQCB) in accordance with Section 401 of the CWA,

and California Department of Fish and Wildlife (CDFW) under Section 1600 of the Fish and Game Code. Vernal pools and basins with fairy shrimp would require project-specific analysis to determine which agencies have regulatory authority over basins with fairy shrimp. In addition, impacts to wetlands and/or vernal pools would require a deviation from the City's ESL Regulations. Wetland, vernal pool, and jurisdictional impacts would be determined at the project level and would require subsequent environmental review. At this program level of analysis, impacts to wetland, vernal pools, and jurisdictional waters could occur and would be considered significant.

The impacts identified as BIO-7 and BIO-8 would be mitigated to less than significant levels through enforcement of Mitigation Framework MM-BIO-3. Mitigation Framework MM-BIO-3 would require future projects with potential impacts to wetlands, vernal pools, and/or jurisdictional waters to prepare site-specific jurisdictional wetlands delineations in accordance with the City's Biology Guidelines to determine the presence/absence and boundaries of any riparian areas. Potential vernal pool impacts would require assessments for the presence of vernal pool flora and fauna, information on hydrology, determination of habitat function, and restoration potential. In addition, protocol fairy shrimp surveys would be required for all vernal pools to determine the presence or absence of these species. Impacts to fairy shrimp would also require a Section 10(a)1(A) permit from the U.S. Fish and Wildlife Service (USFWS). Future projects would be designed to incorporate measures that minimize or eliminate impacts to wetlands, jurisdictional waters, riparian habitats, vernal pools, etc. consistent with all relevant regulations. If subsequent projects result in impacts to wetland habitat additional mitigation measures would be required to prevent any net loss of wetland functions and values of the impacted wetland, including application of mitigation ratios as detailed in Final PEIR Table 5.5-9a, as well as elements of wetland creation, restoration and enhancement. Adhering to this Mitigation Framework would ensure that future projects locate and identify wetlands, vernal pools, and jurisdictional waters and implement avoidance and/or minimization measures, and, if necessary mitigate lost habitat in accordance with applicable ratios and requirements to meet a no net loss standard. Implementation of Mitigation Framework MM-BIO-3 would reduce potentially significant impacts to wetlands, vernal pools, and jurisdictional waters associated with future projects to less than significant.

### **3. Historical Resources**

#### **Significant Effects**

##### ***Built-Environment, Prehistoric or Historic Archaeological Resources***

The project site could have areas containing historical resources. Implementation of subsequent projects in accordance with the MPU could result in an adverse effect or the destruction of a prehistoric or historic archaeological site or historical building. Impacts to these resources would be significant (Impact HIST-1).

### ***Religious or Sacred Uses***

The project site could have areas containing archaeological resources associated with religious and sacred uses. Implementation of subsequent projects in accordance with the MPU could result in an adverse effect or damage to prehistoric archaeological resources. Impacts to these resources would be significant (Impact HIST-2).

### ***Human Remains***

The project site could have areas containing archaeological resources associated with religious and sacred uses and could support human remains. Implementation of subsequent projects in accordance with the MPU could result in loss or damage to these remains, which would be considered significant (Impact HIST-3).

### ***Tribal Cultural Resources***

The project site has could have areas containing archaeological resources associated with tribal use of cultural significance. Implementation of subsequent projects in accordance with the MPU could result in loss or damage to objects with cultural value to a California Native American tribe. Impacts to these resources would be significant (Impact HIST-4).

### **Facts in Support of Finding**

Cultural use of the Park by the Kumeyaay people has been well documented, both historically and prehistorically, and their story is told in a permanent exhibit in the Park Visitor's Center, which provides a window into the significance of the area to the tribal community. A majority of the project site was surveyed for cultural resources over 20 years ago; some areas have never been surveyed. The MPU contains management recommendations directed at the preservation and protection of historic, archaeological, and tribal cultural resources located within the Park. Despite these management recommendations, subsequent projects implemented in accordance with the project could result in impacts to historic and archaeological resources, religious or sacred uses, tribal cultural resources and human remains due to soil disturbance from construction activities, placement of exclusionary fencing, erosion control measures, weeding, and other projects identified in the MPU. Site-specific review of potential impacts and consultation in accordance with Assembly Bill 52 would be conducted for subsequent projects to determine the extent of impacts; however, at this program level of analysis, impacts to historic or archaeological resources, religious sites, human remains and/or tribal cultural resources could occur and would be considered significant.

The impacts identified as HIST-1 through HIST-4 would be mitigated to less than significant levels through enforcement of Mitigation Framework MM-HIST-1a and MM-HIST-1b. Mitigation Framework MM-HIST-1a requires detailed steps to occur prior to issuance of any development permit for subsequent projects that could directly affect historic and prehistoric archaeological resources, religious or sacred uses, tribal cultural resources and human remains. These steps would include a site-specific evaluation to determine whether sensitive resources are

present, and developing appropriate mitigation measures for resource collection, recordation, and/or preservation of resources. Additional requirements include the preparation of Archaeological Resource Management reports by qualified professionals to document the steps taken. Mitigation Framework MM-HIST-1b requires specific steps to be taken if future projects could affect historic buildings, structures, districts, or objects. These steps include identifying the age of buildings/structure and determining whether the affected building/structure meets specific criteria indicating the building/structure as a historic resource. If the resource meets the criteria, mitigation measures are required to be implemented which avoid, or minimize harm, to the resource. Potential measures that could be used for this purpose are listed in the Mitigation Framework MM-HIST-1b.

Adherence to Mitigation Framework MM-HIST-1a and MM-HIST-1b would ensure that steps are taken to identify, protect, and preserve historical resources, including archaeological resources, religious or sacred uses, tribal cultural resources and human remains. Regulatory compliance, consultation with Native American groups, and the enforcement of additional measures would reduce potentially significant impacts to tribal cultural resources associated with future projects to less than significant.

#### **4. Human Health, Public Safety and Hazardous Materials**

##### **Significant Effect**

##### ***Health and Safety Hazards***

The project site is located within a very high fire hazard zone. Wildfire events within the Park could expose both users of the Park and structures within the Park to risk from wildfire. Impacts associated with the exposure to wildfire hazards would be significant (Impact HAZ-1).

##### ***Hazardous Sites***

##### ***a. Formerly Used Defense Sites (FUDS)***

Several MPU recommendations within the Fortuna Mountain area contemplate localized improvements or rerouting sections of trails. Rerouting trails may be associated with land disturbance in areas with buried or uncovered unexploded ordnance (UXO), which would represent a significant impact during implementation of these subsequent projects (Impact HAZ-2).

##### ***b. Other Hazardous Material Sites***

Subsequent projects contemplated by the Plans would involve ground disturbance or grading, which could potentially disrupt hazardous substances below ground due to the presence of contaminated sites identified within or near the study area. Impacts associated with release of hazardous materials at hazardous sites would be a significant impact (Impact HAZ-3).

## **Facts in Support of Finding**

### ***Health and Safety Hazards***

While it is not expected that the structures contemplated by the MPU would necessarily increase the risk of wildfire within the project site, new structures would be subject to potential wildlife damage. Therefore, impacts associated with the exposure of structures to wildfire hazards would be significant (HAZ-1). This impact would be mitigated to less than significant through enforcement of Mitigation Framework MM-HAZ-1. Mitigation Framework MM-HAZ-1 requires projects within the very high fire hazard zone to demonstrate compliance with all applicable fire codes and regulations as identified in the Mitigation Framework detailed in Final PEIR Section 5.7.6. Adherence to the Mitigation Framework would ensure that brush management requirements are included in all subsequent project designs. Implementation of Mitigation Framework MM-HAZ-1 would reduce impacts associated with fire hazards to less than significant.

### ***Hazardous Sites***

#### ***a. Formerly Used Defense Sites (FUDS)***

The former Camp Elliott munitions training site, or Formerly Used Defense Site (FUDS), was identified in the record search of hazardous materials sites as being a source of contamination related to potential military munitions and UXO. The Camp Elliott FUDS is known or suspected to contain UXO and, therefore, may present an explosive hazard during implementation of subsequent projects contemplated by the MPU. The portions of Camp Elliott located within the study area correspond with the West Sycamore, Mission Gorge, East Elliott, and Fortuna Mountain areas. The United States Army Corps of Engineers (USACE) is responsible for monitoring and inventorying information related to the presence of UXO materials within the Camp Elliott FUDS area. Implementation of these USACE programs has served to reduce the risk of hazards to the public and would continue to be implemented within the study area on a long-term basis pursuant to USACE regulations. However, because specific locations of UXO are unknown, future plans could expose people to hazards associated with UXO. Therefore, at this program level of analysis, impacts related to military munitions/UXO/FUDS would be considered significant (HAZ-2). Impact HAZ-2 would be mitigated to less than significant through enforcement of Mitigation Framework MM-HAZ-2. Mitigation Framework MM-HAZ-2 requires that all projects that could involve subsurface disturbance within the former Camp Elliott FUDS are verified by the City that the USACE has completed subsurface UXO clearance of the entire site in accordance with relevant requirements and procedures. Details of those procedures are discussed in the Mitigation Framework included in Final PEIR Section 5.7.6.

#### ***b. Other Hazardous Material Sites***

The records search and site reconnaissance performed for the project found several hazardous materials listings within or near the project site. Several active Leaking Underground Storage Tank (LUST) sites were identified in addition to one hazardous waste handler listed in the

Resource Conservation and Recovery Act (RCRA) database. Although none of the sites identified through the regulatory databases is expected to present a human or environmental health hazard as a result of subsequent projects, unknown or buried hazardous substances could be encountered during ground-disturbing activities. Therefore, at this program level of analysis, impacts would be considered significant (HAZ-3). Impact HAZ-3 would be mitigated to less than significant through enforcement of Mitigation Framework MM-HAZ-3. Mitigation Framework MM-HAZ-3 requires subsequent projects in areas of known environmental concern (such as LUST sites or other potentially contaminated sites) and involve ground disturbance to demonstrate that proper steps are taken to remediate those areas prior to development. Adherence to Mitigation Framework MM-HAZ-3 includes compliance with regulatory requirements and consultation with appropriate regulatory agencies that would reduce potential impacts associated with hazardous sites to less than significant.

## **5. Hydrology and Water Quality**

### **Significant Effect**

#### ***Runoff and Drainage Patterns***

The MPU includes recommendations for future projects that could reduce water infiltration rates and change drainage patterns due to a reduction of permeable surfaces compared to the existing condition. Changes in runoff could result in a significant impact (Impact HYD/WQ-1).

#### ***Natural Drainage System***

The MPU includes recommendations for future projects that could increase downstream erosion downstream and affect stream habitats due to increases in runoff. Additionally, new impervious surfaces could adversely affect groundwater recharge capacity by reducing the area available for rainwater infiltration into the study area soils. This would result in a significant impact (Impact HYD/WQ-2).

#### ***Flow Alteration***

Subsequent projects implemented in accordance with the MPU would have the potential to result in an increase in impervious surfaces and runoff that could increase on- or off-site flooding hazards. In addition, subsequent projects located within Special Flood Hazard Areas (SFHA) and 100-year floodplains could increase flooding hazards. This would be a significant impact (Impact HYD/WQ-3).

#### ***Water Quality***

Various MPU recommendations generally intend to improve the water quality of the Park. However, some recommendations focused on revegetation and construction of amenities could result in increased pollutants released into natural streams and waterways. This would be a significant impact (Impact HYD/WQ-4).

## **Facts in Support of Finding**

### ***Runoff and Drainage Patterns***

The MPU recommendations contemplate subsequent projects such as trails, parking areas, shade structures, benches, and restrooms. Implementation of these future projects would entail the use of substances such as gravel or decomposed granite, which have the potential to reduce water infiltration rates resulting in increased runoff and alteration of drainage patterns. Subsequent projects implemented in accordance with the MPU would be required to maintain the same drainage characteristics in the post-project condition as compared to the pre-project condition and would be required to demonstrate compliance with the City's Municipal Storm Water Permit. Additionally, the requirements of the City's Drainage Design Manual and Storm Water Standards Manual include installation of Low Impact Development (LID) practices such as bioretention areas or pervious pavements to maintain or improve surface runoff. However, at this program level of analysis, because the amount and rate of runoff due to the subsequent project is unknown, impacts associated with runoff patterns would be considered significant.

The impacts identified as HYD/WQ-1 through HYD/WQ-3 would be mitigated to less than significant levels through enforcement of Mitigation Framework MM-HYD/WQ-1. Mitigation Framework MM-HYD/WQ-1 requires future projects implemented in accordance with the MPU that involve impervious surfaces creation, demonstrate site design measures that minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and RWQCB regulations detailed in the Mitigation Framework. Adherence to Mitigation Framework MM-HYD/WQ-1 would ensure compliance to the existing regulatory framework addressing drainage, runoff, and flooding. Through regulatory compliance, potentially significant impacts from increased runoff and drainage of future projects would be reduced to less than significant.

### ***Natural Drainage System***

The MPU recommendations have the potential to alter drainage patterns by introducing new impervious surfaces within the Park. An increase in impervious surfaces could increase runoff, resulting in increases in natural stream flow velocity and/or quantity. These changes could affect downstream properties and environmental resources in these downstream areas. While future projects implemented in accordance with the MPU would be required to adhere to applicable regulations addressing drainage and runoff and would be required to ensure runoff/flow rates not increase compared to pre-construction rates, at a program level of analysis, the details of future projects are unknown, and impacts would be considered significant.

Impacts identified as HYD/WQ-1 through HYD/WQ-3 would be mitigated to less than significant levels through enforcement of Mitigation Framework MM-HYD/WQ-1. Mitigation Framework MM-HYD/WQ-1 requires future projects implemented in accordance with the MPU that involve impervious surfaces creation to demonstrate site design measures that minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and RWQCB regulations detailed in the Mitigation Framework.



Adherence to Mitigation Framework MM-HYD/WQ-1 would ensure compliance to the existing regulatory framework addressing drainage, runoff, and flooding. Through regulatory compliance outlined in MM-HYD/WQ-1, potentially significant impacts from increased runoff and drainage alteration associated with future projects would be reduced to less than significant.

### ***Flow Alteration***

Portions of the project site are located within Federal Emergency Management Agency (FEMA) designated 100-year floodplains primarily within low-lying areas coinciding with drainage areas and water bodies. In addition, the San Diego River, several creeks, and SFHAs are located within the project site. Subsequent projects implemented in accordance with the MPU would have the potential to impact such areas. Some subsequent projects contemplated by the MPU also include guidelines to manage riparian crossings, which could impact flow patterns and potentially result in an increased risk of flooding. In order to reduce or avoid potential impacts related to flooding, subsequent projects implemented in accordance with the MPU would be required to maintain the same drainage characteristics in the post-project condition as compared to the pre-project conditions. All subsequent projects within the vicinity of a SFHA would be subject to applicable requirements and regulations of FEMA and regulations provided in Chapter 14, Article 3, Division 1 of the Land Development Code. However, at this program level of analysis, site-specific design measures are unknown, and impacts would be considered significant.

The impacts identified as HYD/WQ-1 through HYD/WQ-3 would be mitigated to less than significant levels through enforcement of Mitigation Framework MM-HYD/WQ-1. Mitigation Framework MM-HYD/WQ-1 requires future projects implemented in accordance with the MPU that involve impervious surfaces creation to demonstrate site design measures that minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and RWQCB regulations detailed in the Mitigation Framework. Adherence to Mitigation Framework MM-HYD/WQ-1 would ensure compliance to the existing regulatory framework addressing drainage, runoff, and flooding. Through regulatory compliance outlined in MM-HYD/WQ-1, potentially significant impacts related to flow alteration from increased runoff and drainage of future projects would be reduced to less than significant.

### ***Water Quality***

Subsequent projects implemented in accordance with the MPU would require grading and result in exposed soil, which could result in sedimentation, affecting downstream water quality, particularly where grading and/or land disturbance would occur on slopes over 25 percent grade. Future MPU recommendations would be required to include LID and Best Management Practices as needed to conform to the City water quality standards. Also, future projects would be subject to the requirements of the City's Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC) and other appropriate agencies. However, the runoff and potential pollutant and/or sedimentation load associated with specific future projects would depend on the actual design of a future project, including the topography and slopes in the project area, the quantity of pervious areas, and the manner of implementation of LID practices.

Therefore, at this program level of analysis, site-specific design measures are unknown, and impacts would be considered significant.

The impact identified as HYD/WQ-4 would be mitigated to less than significant levels through enforcement of Mitigation Framework MM-HYD/WQ-2. Mitigation Framework MM-HYD/WQ-2 requires subsequent projects implemented in accordance with the MPU to identify site-specific measures in accordance with the existing regulatory framework addressing drainage, storm water, and protection of water quality. Measures that could be implemented at the project level are identified in the Mitigation Framework detailed in Final PEIR Section 5.8.6. These measures would ensure that future projects consider and implement water quality protection measures as part of the site design and implementation of future projects. Implementation of Mitigation Framework MM-HYD/WQ-2 would reduce impacts to water quality to less than significant.

## **6. Paleontological Resources**

### **Significant Effect**

A significant impact could result from implementation of future projects in accordance with the MPU associated with grading activities that could disturb fossils and fossil remains buried within the excavation areas. Loss of these resources would be a significant impact (Impact PALEO-1).

### **Facts in Support of Finding**

A potentially significant impact would occur because future projects implemented in accordance with the Plans would have the potential to disturb geologic formations during grading that contain fossils. Direct impacts to paleontological resources occur when earthwork activities cut into the geologic deposits (formations) within which fossils are buried and fossil remains are destroyed during grading and/or excavation. Since fossils are the remains of prehistoric animal and plant life, they are considered to be nonrenewable, important scientifically, and significant under CEQA. The most sensitive areas for paleontological resources occur in the East Elliott and West Sycamore areas north of State Route 52, as well as along the western section of the study area. As the project site is primarily retained in its natural state and has been subject to limited grading and excavation compared to the surrounding developed areas, there have been limited fossil discoveries within its boundaries. While there are geologic formations within the Park with the potential for fossil discoveries, they remain buried and inaccessible, unless exposed by construction-related excavations. Various MPU recommendations identify subsequent projects that could result in excavation and grading resulting in potential impacts to these unknown resources. Damage or loss to these resources would be significant.

An amendment to the Land Development Code (LDC) was recently adopted which incorporates Paleontological Resources Requirements for Grading Activities (SDMC §142.0151) associated with projects which could result in impacts to fossil-bearing formations when specific conditions are identified in accordance with the City of San Diego's CEQA Significance Determination Thresholds. As such, subsequent discretionary projects implemented in accordance with the

Plans would be reviewed to determine if impacts to paleontological resources would exceed established thresholds; and if so would be required to comply with the provisions set forth in SDMC §142.0151 to provide monitoring during grading activities. As such, potentially significant impacts to paleontological resources would be addressed during the subsequent discretionary review process and reduced to below a level of significance through regulatory compliance as a condition of project approval with implementation of the Paleontological Resources Requirements for Grading Activities (SDMC §142.0151). This does not change any current permitting or discretionary review associated with subsequent public project submittal processing pursuant to the provisions of CEQA and the City's LDC.

## **7. Transportation**

### **Significant Effect**

#### *Circulation and Access*

Several MPU recommendations are proposed that would provide for new or modified access points from area roads to provide access to proposed parking areas. These new access points could adversely affect circulation movements in the area representing a significant impact (Impact TRAF-1).

### **Facts in Support of Finding**

#### *Circulation and Access*

Specific MPU recommendations are proposed (CM-F1, CM-F2, CM-F3, MG-F6) that would provide for new or modified access points off area roads to provide access to proposed parking areas. These new access points could adversely affect circulation movements in the area. For example, implementation of the MPU would result in a new access point from Mission Gorge Road to access the recommended off-street parking area. As this parking area would take access off an arterial roadway, with high speeds (55 miles per hour), the access could adversely affect circulation on Mission Gorge Road. MPU recommendation CM-F3 would provide for improvements to the disturbed shoulder along Mesa Road near Big Rock Park, in collaboration with the City of Santee. These improvements would alter an existing parking area and would result in a new parking configuration that could affect existing circulation. In addition, the proximity of the parking area and the bike skills area could create conflicts affecting circulation in this area.

It cannot be determined whether these parking areas and access points would be designed in such a manner that they would not adversely affect existing circulation or access. Therefore, at this program level of analysis, impacts associated with access would be considered significant.

The impact identified as TRAF-1 would be mitigated to a less than significant level through enforcement of Mitigation Framework MM-TRAF-1. Mitigation Framework MM-TRAF-1 requires subsequent projects implemented in accordance with the MPU that would have the

potential to alter existing circulation or affect existing access points, including (but not necessarily limited to) MPU Facility Recommendations CM-F1, CM-F2, CM-F3, and MG-F6, to provide project-specific plans for review to ensure circulation and access is adequate and enhancements discussed in the Mitigation Framework (see Final PEIR Section 5.11.6) are implemented. Adherence to the Mitigation Framework would ensure that a site-specific analysis is completed for future projects to identify appropriate mitigation and enhancements to reduce potential pedestrian/bicyclist/vehicle conflicts. Implementation of this Mitigation Framework would reduce impacts associated with circulation and access to less than significant.

## **8. Public Utilities**

### **Significant Effect**

Subsequent projects implemented in accordance with the MPU could be located near water/wastewater utilities. Grading activities during these subsequent projects, though rather limited, would have the potential to disrupt existing utilities. This would be a significant impact (Impact UTIL-1). Additionally, subsequent projects identified by the MPU would have the potential to result in expanded storm water drainage facilities that could result in a significant impact (Impact UTIL-2).

### **Facts in Support of Finding**

Subsequent projects identified in the Plans, such as restroom facilities, may require water and sewer service. These projects would be required to connect to existing water or sewer lines or provide water through wells and sewage disposal through septic systems. Although there would be no trigger for new water or sewer systems, and there would be no associated physical impacts to the environment, at this program level of analysis, details of specific projects are unknown and impacts would be significant. Grading activities for subsequent projects have the potential for being located near water/wastewater utilities, and although rather limited, would have the potential to disrupt existing utilities. Similarly, several subsequent projects identified in the Plans may require storm water drainage facility improvements that could result in secondary impacts on biological, archaeological, or tribal cultural resources, and as such, impacts would be significant.

The impact identified as UTIL-1 would be mitigated to a less than significant level through enforcement of Mitigation Framework MM-UTIL-1. Mitigation Framework MM-UTIL-1 requires future projects requiring water/sewer to demonstrate site designs would not conflict with existing public utilities in accordance with the Plans and City of San Diego Public Utilities Department guidance. A discussion of the required guidelines is included in the Mitigation Framework detailed in Final PEIR Section 5.13.5. Adherence to the Mitigation Framework would ensure that measures are incorporated into future projects, which avoid conflicts with planned or existing utility access roads or necessitate the construction of new utility access roads.

Implementation of the Mitigation Framework outlined in MM-UTIL-1, MM-LU-1, MM-BIO-1 and MM-BIO-2, MM-HIST-1a and MM-HIST-1b, MM-HAZ-1 and MM-HAZ-2, MM-HYD/WQ-1 and MM-HYD/WQ-2 would reduce Impact UTIL-2 to less than significant (See section IV.A.5, Hydrology and Water Quality of these Findings) because it would ensure that future projects implemented in accordance with the Plans would adhere to the regulatory requirements contained in the City's Storm Water Runoff and Drainage Regulations of the Land Development Code and other applicable requirements. Implementation of this Mitigation Framework would ensure impacts associated with public utilities are reduced to less than significant.

**B. Findings Regarding Mitigation Measures, which are the Responsibility of Another Agency (CEQA §21081(a)(2)) and CEQA Guidelines §15091(a)(2))**

The City, having reviewed and considered the information contained in the Final PEIR and the Record of Proceedings, finds pursuant to CEQA §21081(a)(2) and CEQA Guidelines §15091(a)(2) that there are no changes or alterations, which could reduce significant impacts that are within the responsibility and jurisdiction of another public agency.

**C. Findings Regarding Infeasible Mitigation Measures and Alternatives (CEQA §21081(a)(3) and CEQA Guidelines §15091(a)(3))**

The City, having reviewed and considered the information contained in the Final PEIR and the Record of Proceedings, finds pursuant to CEQA §21081(a)(3) and CEQA Guidelines §15091(a)(3) that there are no significant impacts that would remain significant and unavoidable.

**D. Findings Regarding Alternatives (CEQA § 21081(a)(3) and CEQA Guidelines §15091(a)(3))**

Generally, when a project would cause one or more unavoidable significant environmental effects, findings are required with respect to project alternatives evaluating whether any alternatives included in the EIR could feasibly avoid or substantially lessen the unavoidable significant environmental effects. The project would not result in any unavoidable significant impacts; all impacts would be mitigated to less than significant levels through the adoption of a Mitigation Framework. Although findings regarding project alternatives need not be adopted here, the City is nevertheless providing the following Findings Regarding Alternatives.

The alternatives considered in the Final PEIR constitute a reasonable range of alternatives that would feasibly attain most of the basic project objectives and would avoid or substantially lessen one or more of the significant effects of the project. The alternatives would permit a reasoned choice among the options available to the City and/or the project proponent. The project objectives are presented above. "Feasible" is defined in Section 15364 of the CEQA Guidelines to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The CEQA statute (Section 21081) and Guidelines (Section 15091(a)(3)) also provide that "other" considerations may form the basis for a finding of infeasibility. Case law makes clear that a

mitigation measure or alternative can be deemed infeasible on the basis of its failure to meet project objectives or on related public policy grounds.

The impacts of each alternative are analyzed in Chapter 10.0 of the Final PEIR. The review of alternatives includes an evaluation to determine if any specific environmental characteristic would have an effect that is “substantially less” than the project. The significant impacts that apply to this project are: Land Use (Environmental Plan Consistency); Biological Resources (Sensitive Plant and Wildlife Species; Sensitive Habitat; Invasive Species; Wetlands); Historical Resources (Built-Environment, Prehistoric or Historic Archaeological Resources; Religious or Sacred Uses; Human Remains; Tribal Cultural Resources); Health and Safety (Health and Safety Hazards; Hazardous Sites); Hydrology and Water Quality (Increase runoff and Drainage Patterns; Natural Drainage Systems; Flow Alteration; Water Quality); Paleontological Resources (Paleontological Resources); Transportation (Circulation and Access); and Public Utilities. These impacts would be mitigated to less than significant by the Mitigation Framework described above and in the Final PEIR, or through regulatory compliance as is the case for Paleontological Resources.

Alternatives to the project discussed in the Final PEIR include the No Project Alternative that is mandated by CEQA and the Reduced Project Alternative. These project alternatives are summarized below, along with the findings relevant to each alternative.

## **1. No Project Alternative**

### **Description**

The No Project Alternative would include limited implementation of the 1985 Master Plan, which provides guidance for the development of an urban regional park to meet current and future recreational, educational, and cultural needs of the San Diego region. The No Project Alternative represents limited implementation of the 1985 Master Plan because a number of proposals in the 1985 Master Plan for construction of structures and amenities would no longer be feasible under the existing regulatory framework since current regulations provide additional protections for biological resources compared to when the 1985 Master Plan was adopted.

### **Potentially Significant Effects**

Potentially significant effects associated with the No Project Alternative are discussed in detail in Final PEIR Section 10.2. For purposes of these Findings, they are summarized below.

### ***Impacts Similar to the Project***

As detailed in Final PEIR Section 10.2, when compared to the project, the No Project Alternative would result in similar impacts to the following:

- Air Quality and Greenhouse Gas (GHG) emissions. Like the project, there would be limited sources of air or GHG emissions associated with continued implementation and management of trails and park amenities.
- Historical and Paleontological Resources: Implementation of the No Project Alternative would result in similar impacts compared to the project due to required conformance with existing regulations and the application of mitigation measures included in the 1985 Master Plan EIR.
- Human Health, Public Safety, and Hazardous Materials: Impacts under the No Project Alternative would be similar to the project because construction activities would be subject to existing regulations regarding handling and disposing of hazardous materials and would implement applicable safety procedures where ground disturbance is required in areas with potential UXO.
- Public Services and Utilities: Similar to the project, the No Project Alternative would not require new public services, but could require alteration of existing utilities and access if projects are located within the alignment of planned utilities and access roads. Development of the Park under the existing 1985 Master Plan would be subject to City review to evaluate potential conflicts with existing and planned utilities. Thus, impacts would be similar.

### ***Impacts Greater than the Project***

As detailed in Final PEIR Section 10.2, when compared to the project, the No Project Alternative would result in greater impacts to the following:

- Land Use – Environmental Plan Consistency/Land Use Adjacency Guidelines: In the absence of NRMP management actions that would provide biological enhancements to the Park and ensure consistency with the MHPA, the No Project Alternative would result in slightly greater impacts related to environmental plan consistency compared to the project. The No Project Alternative would not ensure reduced preserve-level threats to sensitive habitats and their species. Impacts associated with MHPA Land Use Adjacency issues would be slightly greater under the No Project Alternative.
- Visual Effects and Neighborhood Character: Impacts would be greater under the No Project Alternative because the 1985 Master Plan does not include MPU recommendations intended to increase access to public vantage points and preserve significant viewsheds within the Park. Management actions under the project may slightly improve the aesthetics of the Park by restoring natural areas.
- Biological Resources: Similar to the project, implementation of the No Project Alternative would result in impacts associated with construction of trails and associated amenities. Although required to adhere to the MSCP, ESL Regulations, and appropriate mitigation measures consistent with the City's Biology Guidelines contained in the Land Development Manual, the No Project Alternative would not benefit from the policies and recommendations included in

the Plans that would improve biological conditions compared to the existing condition. The No Project Alternative would not benefit from proposed trail closures or the management recommendations contained in the NRMP.

- Hydrology/Water Quality and Geology/Soils: The No Project Alternative would also not benefit from the various MPU recommendations and management actions under the NRMP generally intend to improve hydrology (e.g., rerouting trails with erosional issues) and geological conditions (e.g., reduce Park user encroachment into landslide susceptible areas). Although the No Project Alternative would be required to adhere to applicable storm water regulations including Municipal Separate Storm Sewer System requirements and regulations addressing geologic conditions contained in the San Diego Municipal Code, the No Project Alternative would result in greater impacts related to hydrology, water quality, and geologic conditions, compared to the project because specific policies addressing these issues would not be identified and implemented.
- Transportation/Circulation (Circulation and Access): The project contains numerous policies that generally intend to improve recreational circulation and access within the Park. Under the No Project Alternative, trail improvements and associated access improvements could also occur, but would not provide the same level of connectivity and access as the project.

### **Finding and Supporting Facts**

Implementation of the No Project Alternative would not avoid any of the identified significant and mitigated impacts associated with the project, nor would it reduce any impacts associated with the project. Overall, as shown in the Final PEIR, Table 10-1, impacts of the No Project Alternative would be similar to or greater than the project.

This alternative would not meet any of the project objectives, as the existing Master Plan does not include the MPU recommendations that provide a structure for ongoing land and resource management actions and establish a framework for identifying unsafe or unsustainable sections of recreational trails. The existing Master Plan does not include an NRMP, which includes management actions necessary to improve biological resource conditions and comply with the City's MSCP Subarea Plan.

The No Project Alternative is rejected as infeasible because it does not reduce any significant impacts compared to the project and fails to meet project objectives, and failure to meet even a single objective would be sufficient for rejection of the alternative and a conclusion that the alternative is infeasible.



## **2. Reduced Project Alternative**

### **Description**

Under the Reduced Project Alternative, the proposed trail plan would be modified within the East Elliot area, specifically Recreation Recommendation R4 would not be implemented as shown on Figure 3-8 of the Final PEIR. The proposed trail plan for all other areas would remain the same. Adoption of the NRMP would occur under this alternative, similar to the project. The Reduced Project Alternative would include Wildlife Agency recommendations to remove trails connections as detailed in Final PEIR Section 10.3.1. The smaller footprint of the Reduced Project Alternative would reduce the amount of recreational use areas that would be constructed compared to the project and increase the amount of land preserved as natural habitat.

As with the project, subsequent projects implemented under the Reduced Project Alternative would be required to demonstrate consistency with biological resources regulations such as MHPA Land Use Adjacency Guidelines, or the Historical Resources Regulations for the built-environment, archaeological sites, and tribal cultural resources.

### **Potentially Significant Effects**

Potentially significant effects associated with the Reduced Project Alternative are discussed in detail in Final PEIR Section 10.3. For purposes of these Findings, they are summarized below.

#### ***Impacts Less than the Project***

As detailed in Final PEIR Section 10.3, when compared to the project, the Reduced Project Alternative would result in reduced impacts to the following:

- **Land Use – Environmental Plan Consistency/Land Use Adjacency Guidelines:** Similar to the project, implementation of the Reduced Project Alternative could result in potential conflicts with the MHPA Land Use Adjacency Guidelines. As there would be fewer subsequent projects implemented under the Reduced Project Alternative, it would slightly reduce MHPA land use adjacency conflicts compared to the project.
- **Visual Effects and Neighborhood Character:** The Reduced Project Alternative proposes fewer trails compared to the project, which would result in less land disturbance and preserve the existing visual character to a greater degree.
- **Air Quality and GHG:** The Reduced Project Alternative would reduce air quality and GHG emissions slightly, primarily due to reduced construction equipment emissions associated with fewer trails and associated amenities. Therefore, when compared to the project, the Reduced Project Alternative would slightly reduce air quality and GHG emissions.
- **Biological Resources:** Under this Alternative, construction of fewer trails and associated amenities would in turn decrease the potential for impacts on sensitive

species. Additionally, the reduction in trails would reduce potential impacts associated with habitat fragmentation and disruption of wildlife movement.

- **Historical and Paleontological Resources:** Fewer trails and recreational amenities proposed under the Reduced Project Alternative would in turn reduce the amount of soil disturbance and potential to encounter historical (built-environment, archaeological, and tribal cultural) and paleontological resources.
- **Human Health, Public Safety, and Hazardous Materials:** Implementation of the Reduced Project Alternative would reduce the extent of grading and potential disturbance of UXO or other hazardous material sites compared to the project, due to the construction of fewer trails and associated amenities.
- **Hydrology/Water Quality and Geology/Soils:** Various MPU recommendations and policies proposed for the project generally intended to improve hydrology and geological conditions within the Park would likewise be included under the Reduced Project Alternative. Fewer trails and associated amenities would also slightly reduce potential impacts by reducing the extent of grading.
- **Public Services and Utilities:** Like the project, construction and grading for amenities such as trails, parking areas, and other subsequent projects under the Reduced Project Alternative could be in areas with underlying utilities or within an existing or planned City utility access paths. Implementation of the Reduced Project Alternative would slightly reduce these impacts, as it would reduce the extent of grading due to fewer trails and associated amenities.

### ***Impacts Similar to the Project***

As detailed in Final PEIR Section 10.3, when compared to the project, the Reduced Project Alternative would result in similar impacts to the following:

- **Transportation (Access):** Traffic volumes associated with the Reduced Project Alternative would be similar to those anticipated for the project. Policies that generally intend to improve circulation and access within the Park would be included under the Reduced Project Alternative. Similarly, the Reduced Project Alternative would include all of the parking areas proposed under the project, and impacts would be similar.

### **Finding and Supporting Facts**

Implementation of the Reduced Project Alternative would not avoid any of the identified significant and mitigated impacts associated with the project; however, the Reduced Project Alternative would slightly reduce impacts associated with land use, visual effects, air quality, greenhouse gases, biological resources, historical resources, human health/public safety/hazardous materials, hydrology and water quality, geology and soils, paleontological resources, public services, and public utilities, as shown in Table 10-1 of the Final PEIR.

This alternative would likely result in less usable areas of the Park, which would not fully meet the objective of providing new or alternative routes to improve the recreational connectivity of

the region. Therefore, while this alternative would slightly reduce the severity of potential impacts, it would not fully meet the objectives of the project.

Although the Reduced Project Alternative would be considered the Environmentally Superior Alternative pursuant to CEQA Guidelines Section 15126.6(e)(2), it is rejected as infeasible because it does not reduce any significant impacts compared to the project and fails to meet critical project objectives relating to trail connectivity.

**EXHIBIT B**

**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**

**FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)**

**FOR THE**

**MISSION TRAILS REGIONAL PARK MASTER PLAN UPDATE / NATURAL  
RESOURCES MANAGEMENT PLAN/COMMUNITY PLAN AND PRECISE PLAN  
TECHNICAL AMENDMENTS**

**PROJECT NUMBER 349988**

**SCH No. 2014041011**

**APRIL 2019**

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**EXHIBIT B**  
**MITIGATION MONITORING AND REPORTING PROGRAM FOR THE**  
**MISSION TRAILS REGIONAL PARK MASTER PLAN UPDATE**  
**PROJECT NUMBER 349988**  
**SCH No. 2014041011**

This Mitigation, Monitoring, and Reporting Program (MMRP) 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 Planning Department, 9485 Aero Drive, MS 413, San Diego, California, 92123. All applicable mitigation measures contained in the Final Program Environmental Impact Report (PEIR) Project Number 349988/SCH No. 2014041011 shall be made conditions of future projects located within the project area as further described below.

**I. Land Use**

**Environmental Plan Consistency**

**a. Impacts**

Subsequent projects implemented in accordance with the Master Plan Update (MPU) for the Mission Trails Regional Park (MTRP; project area) would introduce additional recreational uses within or adjacent to the City of San Diego (City) Multi-Habitat Planning Area (MHPA), which could result in conflicts with the MHPA Land Use Adjacency Guidelines (Impact LU-1).

**b. Mitigation Framework**

Implementation of the following mitigation framework would reduce Impact LU-1 to less than significant:

**MM-LU-1:** Subsequent projects implemented in accordance with the Plans which are within or adjacent to the designated MHPA areas shall comply with Section 1.4 Land Use Considerations and Section 1.5 Framework Management Plan of the MSCP Subarea Plan in terms of land use, drainage, access, toxic substances in runoff, lighting, noise, invasive plant species, grading, and brush management requirements. Mitigation measures include, but are not limited to: sufficient buffers and design features, barriers (rocks, boulders, signage, fencing, and appropriate vegetation) where necessary, lighting directed away from the MHPA. The project biologist for each subsequent project would identify specific mitigation measures needed to reduce impacts to below a level of significance. Subsequent environmental review would be required to determine the significance impacts from land use adjacency and compliance with the Land Use Adjacency Guidelines of the MSCP Subarea Plan. Prior to approval of subsequent projects in an area adjacent to a designated MHPA, the City's Environmental Designee (ED) shall identify specific conditions of approval in order to avoid or to reduce potential impacts adjacent to the MHPA.

Specific requirements shall include:

- **Drainage:** All new and proposed parking areas and developed areas in and adjacent to the preserve would not drain directly into the MHPA. All developed and paved areas would prevent the release of toxins, chemicals, petroleum products, exotic plant materials, and other elements that might degrade or harm the natural environment or ecosystem processes within the MHPA. This can be accomplished using a variety of methods including natural detention basins, grass swales, or mechanical trapping devices. These systems would be maintained approximately once a year, or as often as needed, to ensure proper functioning. Maintenance would include dredging out sediments if needed, removing exotic plant materials, and adding chemical-neutralizing compounds (e.g., clay compounds) when necessary and appropriate.
- **Toxics:** Land uses, such as recreation and agriculture, that use chemicals or generate byproducts such as manure, that are potentially toxic or impactful to wildlife, sensitive species, habitat, or water quality need to incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. Such measures would include drainage/detention basins, swales, or holding areas with non-invasive grasses or wetland-type native vegetation to filter out the toxic materials. Regular maintenance would be provided. Where applicable, this requirement would be incorporated into leases on publicly owned property as leases come up for renewal.
- **Lighting:** Proposed lighting of all developed areas adjacent to the MHPA would be directed away from the MHPA. Where necessary, development would provide adequate shielding with non-invasive plant materials (preferably native), berming, and/or other methods to protect the MHPA and sensitive species from night lighting.
- **Noise:** Uses in or adjacent to the MHPA would be designed to minimize noise impacts. Berms or walls would be constructed adjacent to commercial areas, recreational areas, and any other use that may introduce noises that could impact or interfere with wildlife utilization of the MHPA. Excessively noisy uses or activities adjacent to breeding areas would incorporate noise reduction measures and be curtailed during the breeding season of sensitive species. Adequate noise reduction measures would also be incorporated for the remainder of the year.
- **Barriers:** New development adjacent to the MHPA may be required to provide barriers (e.g., non-invasive vegetation, rocks/boulders, fences, walls, and/or signage) along the MHPA boundaries to direct public access to appropriate locations and reduce domestic animal predation.
- **Invasives:** No invasive nonnative plant species would be introduced into areas adjacent to the MHPA.
- **Brush Management:** New residential development located adjacent to and topographically above the MHPA (e.g., along canyon edges) would be set back from

slope edges to incorporate brush management areas on the development pad and outside of the MHPA. No residential development would occur specifically under the Plans; therefore, this would not be required.

- **Grading/Land Development:** Manufactured slopes associated with site development would be included within the development footprint for projects within or adjacent to the MHPA. c. Mitigation Funding, Timing, and Responsibility.

**c. Mitigation Funding, Timing, and Responsibility**

Funding for the described land use mitigation would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for land use-related mitigation monitoring, enforcement, and reporting would be with the City.

**II. Biological Resources**

**Sensitive Plants and Wildlife Species**

**a. Impacts**

Implementation of subsequent projects in accordance with the project could result in direct impacts to sensitive plant and wildlife species known to occur within the project area. Impacts to these species would be significant (Impact BIO-1 and Impact BIO-2).

Implementation of subsequent projects in accordance with the MPU developed adjacent to the MHPA could result in indirect impacts. These impacts could include degradation of habitat value or disruption of animals within the preserve area. Without implementation of the MHPA Adjacency Guidelines, indirect impacts to sensitive wildlife species could be significant (Impact BIO-3).

**b. Mitigation Framework**

In order to mitigate impacts related to sensitive plants and wildlife species, the following mitigation framework (MM-BIO-1 and MM-BIO-2) would be implemented. In addition, MM-LU-1 would reduce impacts to sensitive plants and wildlife species to less than significant.

**MM-BIO-1:** To reduce potentially significant impacts that would cause a reduction in the number of unique, rare, endangered, sensitive, or fully protected species of plants or animals, if present within the study area, subsequent projects that are proposed in any location in the Plan areas with the potential to support sensitive biological resources, whether the area is disturbed or not disturbed shall be analyzed in accordance with the CEQA Significance Thresholds, which require that site-specific biological resources surveys be conducted in accordance with City of San Diego Biology Guidelines (2012, 2018b). The locations of any sensitive plant species, including listed, rare, and narrow endemic species, as well as the potential for occurrence of any



listed or rare wildlife species shall be recorded and presented in a biological resources report. Based on available habitat within the study area, focused presence/absence surveys shall be conducted in accordance with the Biology Guidelines and applicable resource agency survey protocols to determine the potential for impacts resulting from the future projects on these species. Engineering design specifications based on project-level grading and site plans shall be incorporated into the design of future projects to minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with the NRMP, Federal Endangered Species Act (FESA), Migratory Bird Treaty Act (MBTA), Bald and Golden Eagle Protection Act, California Endangered Species Act, MSCP Subarea Plan, and Environmentally Sensitive Lands Regulations.

#### Mitigation for Impacts to Sensitive Upland Habitats

Subsequent projects implemented in accordance with the Plans resulting in impacts to sensitive upland Tier I, II, IIIA, or IIIB habitats shall implement avoidance and minimization measures consistent with the City Biology Guidelines and MSCP Subarea Plan and provide suitable mitigation in accordance with the City's Biology Guidelines and MSCP Subarea Plan (see Table 5.5-8 of this PEIR). Future project-level grading and site plans shall incorporate project design features to minimize direct impacts on sensitive vegetation communities shown in Table 5.5-6 of this PEIR, consistent with federal, state, and City guidelines. Any required mitigation for impacts on sensitive vegetation communities shall be outlined in a conceptual mitigation plan following the outline provided in the City's Biology Guidelines.

Mitigation for impacts to sensitive vegetation communities shall be implemented at the time future development projects are proposed. Project-level analysis shall determine whether the impacts are within or outside of the MHPA. Any MHPA boundary adjustments shall be processed by the individual project applicants through the City and Wildlife Agencies during the early project planning stage.

Mitigation for impacts to sensitive upland habitats shall occur in accordance with the MSCP mitigation ratios as specified within the City's Biology Guidelines (City of San Diego 2012, 2018b). These mitigation ratios are based on tier level of the vegetation community, the location of the impact, and the location of the mitigation site(s). For example, impacts to lands inside of the MHPA and mitigated outside the MHPA would have the highest mitigation ratio whereas impacts to lands outside the MHPA and mitigated inside the MHPA would have the lowest mitigation ratio.

Mitigation for short-term impacts to sensitive species from project construction would be addressed through implementation of MM-LU-1 (above) and MM-BIO-2 (below).

Measures that shall be incorporated into project-level construction documents to minimize direct impacts on wildlife movement, nesting, or foraging activities shall be addressed in the biology report and shall include recommendations for preconstruction protocol surveys to be conducted during established breeding seasons, construction noise monitoring and implementation of any species-specific mitigation plans (such as a burrowing owl mitigation plan) in order to comply with the FESA, MBTA, Bald and Golden Eagle Protection Act, State Fish and Game Code, and/or the Environmentally Sensitive Lands (ESL) Regulations.

**c. Mitigation Funding, Timing, and Responsibility**

Funding for implementation of MM-BIO-1 would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for mitigation monitoring, enforcement, and reporting would be with the City.

**Migratory Wildlife**

**a. Impacts**

Implementation of subsequent projects in accordance with the MPU could result in the impediment of on-site wildlife nesting, foraging, and movement. Impacts of this nature could be significant (Impact BIO-4).

**b. Mitigation Framework**

Implementation of Mitigation Framework MM-BIO-2 would reduce potentially significant impacts to migratory wildlife associated with future projects to less than significant.

**MM-BIO-2:** Mitigation for future projects to reduce potentially significant impacts that would interfere with the nesting, foraging, or movement of wildlife species within the study area, shall be identified in site-specific biological resources surveys prepared in accordance with City of San Diego Biology Guidelines as further detailed in MM-BIO-1 during the discretionary review process. The biology report shall include results of protocol surveys and recommendations for additional measures to be implemented during construction-related activities; shall identify the limits of any identified local-scale wildlife corridors or habitat linkages and analyze potential impacts in relation to local fauna, and the effects of conversion of vegetation communities to minimize direct impacts on sensitive wildlife species and to provide for continued wildlife movement through the corridor.

**c. Mitigation Funding, Timing, and Responsibility**

Funding for implementation of MM-BIO-2 would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for mitigation monitoring, enforcement, and reporting would be with the City.

## **Sensitive Habitat**

### **a. Impacts**

Implementation of subsequent projects in accordance with the MPU could impact sensitive plant species known to occur within the Project area. These habitats include native grassland, valley needlegrass grassland, wildflower field, Diegan coastal sage scrub, chamise chaparral, southern mixed chaparral, scrub oak chaparral, and non-native grassland. Impacts to these sensitive habitats would be significant (Impact BIO-5).

### **b. Mitigation Framework**

Implementation of Mitigation Framework MM-BIO-1 would reduce potentially significant impacts to sensitive habitat to less than significant.

## **Invasive Plants**

### **a. Impacts**

Although Multiple Species Conservation Program (MSCP) Subarea Plan and City regulations contain policies for control of invasive plant species, implementation of subsequent projects in accordance with the Plans could result in the introduction of non-native, invasive, plant species to the project area. These impacts could be significant (Impact BIO-6).

### **b. Mitigation Framework**

Implementation of Mitigation Framework MM-LU-1 would reduce potentially significant impacts related to invasive plants to less than significant.

## **Wetlands**

### **a. Impacts**

Although impacts to vernal pools and vernal pool species are not anticipated to occur, subsequent restoration efforts implemented in accordance with the Plans have the potential to impact covered species addressed in the Vernal Pool Habitat Conservation Plan (VPHCP). Impacts to these species would be significant (Impact BIO-7).

Additionally, although the MPU includes recommendations intended to avoid impacts to wetlands and in some cases to restore existing disturbed wetland habitats, implementation of the Plans and associated subsequent discretionary actions could result in limited impacts to jurisdictional wetlands during activities such as wetland restoration and installation of trail/river crossing improvements. Impacts to jurisdictional wetlands would be significant (Impact BIO-8).

### **b. Mitigation Framework**

In order to mitigate impacts related to City, state, and federally regulated wetlands, the following mitigation framework (MM-BIO-3) would be implemented. Implementation of Mitigation

Framework MM-BIO-3, would reduce potentially significant impacts to wetlands and vernal pools to less than significant.

**MM-BIO-3:** To reduce the potential direct impacts to City, state, and federally regulated wetlands, all subsequent projects developed in accordance with the Plans shall be required to comply with Clean Water Act (CWA) Section 404 requirements and special conditions, Regional Water Quality Control Board (RWQCB) in accordance with Section 401 of the CWA, California Department of Fish and Wildlife (CDFW) Section 1602 Streambed Alteration Agreement requirements and special conditions, and the City of San Diego ESL Regulations for minimizing impacts to wetlands. Achieving consistency with these regulations for impacts on wetlands and special aquatic sites would reduce potential impacts to regulated wetlands and provide compensatory mitigation (as required) to ensure no net loss of wetland habitats.

Prior to obtaining discretionary permits for future actions implemented in accordance with the Plans, a site-specific biological resources survey shall be completed in accordance with City of San Diego Biology Guidelines. Any required mitigation for impacts shall be outlined in a conceptual wetland mitigation plan prepared in accordance with the City's Biology Guidelines (2012, 2018b). In addition, a preliminary or final jurisdictional wetlands delineation of the project site shall be completed following the methods outlined in the U.S. Army Corps of Engineers (USACE) 1987 *Wetlands Delineation Manual* and the 2008 *Regional Supplement to the Corps of Engineers Delineation Manual for the Arid West Region*. A determination of the presence/absence and boundaries of any waters of the U.S. and waters of the state shall also be completed following the appropriate USACE guidance documents for determining the Ordinary High Water Mark boundaries. The limits of any riparian habitats on-site under the sole jurisdiction of CDFW shall also be delineated, as well as any special aquatic sites (excluding vernal pools) that may not meet federal jurisdictional criteria but are regulated by the RWQCB. Engineering design specifications based on project-level grading and site plans shall be incorporated into the project design to minimize direct impacts to wetlands, jurisdictional waters, riparian habitats, vernal pools, etc. consistent with federal, state, and City guidelines.

Additionally, any impacts to wetlands in the City of San Diego would require a deviation from the ESL wetland regulations. Under the wetland deviation process, development proposals that have wetland impacts shall be considered only pursuant to one of three options: Essential Public Projects, Economic Viability Option, or Biologically Superior Option. ESL Regulations require that impacts to wetlands be avoided. Unavoidable impacts to wetlands shall be minimized to the maximum extent practicable and mitigated as follows:

- As part of the project-specific environmental review pursuant to CEQA, all unavoidable wetland impacts shall be analyzed, and mitigation shall be required in accordance with ratios shown in Tables 5.5-9a and b of this PEIR. Mitigation shall be based on the impacted type of wetland and project design. Mitigation shall prevent any net loss of wetland functions and values of the impacted wetland.
- For the Biologically Superior Option, the project and proposed mitigation shall include avoidance, minimization, and compensatory measures, which would result in a biologically superior net gain in overall function and values of (a) the type of

wetland resource being impacted and/or (b) the biological resources to be conserved; and the biologically superior mitigation shall include either: (1) standard mitigation per Table 5.5-9a of this PEIR, including wetland creation or restoration of the same type of wetland resource that is being impacted that results in high quality wetlands; and a biologically superior project design whose avoided area(s) (i) is in a configuration or alignment that optimizes the potential long-term biological viability of the on-site sensitive biological resources, and/or (ii) conserves the rarest and highest quality on-site biological resources; or (2) for a project not considered consistent with "1" above, extraordinary mitigation per Table 5.5-9b of this PEIR is required.

As part of any future project-specific environmental review pursuant to CEQA, all unavoidable wetlands impacts (both temporary and permanent) shall be analyzed and mitigation required in accordance with the City's Biology Guidelines; mitigation shall be based on the impacted type of wetland habitat. Mitigation shall prevent any net loss of wetland functions and values of the impacted wetland. The following provides operational definitions of the four types of activities that constitute wetland mitigation under the ESL Regulations:

- Wetland creation is an activity that results in the formation of new wetlands in an upland area. An example is excavation of uplands adjacent to existing wetlands and the establishment of native wetland vegetation.
- Wetland restoration is an activity that re-establishes the habitat functions of a former wetland. An example is the excavation of agricultural fill from historic wetlands and the re-establishment of native wetland vegetation.
- Wetland enhancement is an activity that improves the self-sustaining habitat functions of an existing wetland. An example is removal of exotic species from existing riparian habitat.
- Wetland acquisition may be considered in combination with any of the three mitigation activities above.

Wetland enhancement and wetland acquisition focus on the preservation or the improvement of existing wetland habitat and function and do not result in an increase in wetland area; therefore, a net loss of wetland may result. As such, acquisition and/or enhancement of existing wetlands shall be considered as partial mitigation only for any balance of the remaining mitigation requirement after restoration or creation if wetland acreage is provided at a minimum of a 1:1 ratio.

For permanent wetland impacts that are unavoidable and minimized to the maximum extent feasible, mitigation shall consist of creation of new in-kind habitat to the fullest extent possible and at the appropriate ratios. If on-site mitigation is not feasible, then at least a portion of the mitigation must occur within the same watershed. The City's Biology Guidelines and MSCP Subarea Plan require that impacts on wetlands, including vernal pools, shall be avoided, and that a sufficient wetland buffer shall be maintained, as appropriate, to protect resource functions/values. The project specific biology report shall include an analysis of on-site wetlands (including City, state, and federal jurisdiction analysis) and, if present, include project alternatives that fully/substantially avoid wetland impacts. Detailed evidence supporting why

there is no feasible less environmentally damaging location or alternative to avoid any impacts must be provided for City staff review, as well as a mitigation plan that specifically identifies how the project is to compensate for any unavoidable impacts. A conceptual wetland mitigation plan (which includes identification of the mitigation site) shall be approved by City staff prior to the release of the draft environmental document. Avoidance shall be the first requirement; mitigation shall only be used for impacts clearly demonstrated to be unavoidable.

Prior to the commencement of any construction-related activities on-site for projects impacting wetland habitat (including earthwork and fencing) the applicant shall provide evidence of the following to the Assistant Deputy Director/ED prior to any construction activity:

- Compliance with USACE Section 404 nationwide permit;
- Compliance with the RWQCB Section 401 Water Quality Certification; and
- Compliance with the CDFW Section 1601/1603 Streambed Alteration Agreement.

***Vernal Pools and Vernal Pool Species:*** Impacts to vernal pools shall require assessments of vernal pool flora and fauna, hydrology, habitat function, and restoration potential and protocol fairy shrimp surveys, in addition to the requirements listed above. Impacts to fairy shrimp shall require either a Section 10(a)1(A) permit or Section 7 consultation Biological Opinion from USFWS. On January 22, 2018, the San Diego City Council adopted the VPHCP, which provides a framework to protect, enhance, and restore vernal pool resources within the City's jurisdiction. The VPMMP was also adopted in conjunction with the VPHCP. In June 2018, the USFWS issued a Biological Opinion in accordance with Section 7 of the FESA regarding issuance of an ITP for implementation of the City's VPHCP pursuant to section 10(a)(1)(B) of the act. Subsequently on August 3, 2018, the USFWS made findings and recommendations for issuance of Section 10(a)(1)(B) Permit number TE-97791C to the City in accordance with the VPHCP, which will cover incidental take for two federally endangered animal species (San Diego fairy shrimp and Riverside fairy shrimp) along with five listed plant species.

Mitigation for projects impacting vernal pools shall include salvage of sensitive species from vernal pools to be impacted, introduction of salvaged material into restored vernal pool habitat where appropriate (e.g., same pool series), and maintenance of salvaged material pending successful restoration of the vernal pools. Salvaged material shall not be introduced to existing vernal pools containing the same species outside the vernal pool series absent consultation with and endorsement by vernal pool species experts not associated with the project (e.g., independent expert). The mitigation sites shall include preservation of the entire watershed and a buffer based on functions and values; however, if such an analysis is not conducted, there shall be a default of a 100-foot buffer from the watershed.

#### **c. Mitigation Funding, Timing, and Responsibility**

Funding for implementation of MM-BIO-3 would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior

to or during construction. Responsibility for mitigation monitoring, enforcement, and reporting would be with the City.

### **III. Historical Resources**

#### **Prehistoric or Historical Resources**

##### **a. Impacts**

The project site could have areas containing historical resources. Implementation of subsequent projects in accordance with the Plans could result in an adverse effect or the destruction of a prehistoric or historic archaeological site or historical building. Impacts to these resources would be significant (Impact HIST-1).

##### **b. Mitigation Framework**

#### **MM-HIST-1a: Archaeological and Tribal Cultural Resources**

Prior to issuance of any development permit for a subsequent project tiering off the Plans that could directly affect an archaeological or tribal cultural resource; the City shall require the following steps be taken to determine: (1) the presence of archaeological or tribal cultural resources and (2) the appropriate mitigation for any significant resources which may be impacted by a development activity. Sites may include, but are not limited to, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socioeconomic and ethnic backgrounds. Resources may also include resources associated with prehistoric Native American activities.

#### **Initial Determination**

The environmental analyst shall determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g., Archaeological Sensitivity Maps, the Archaeological Map Book, and the California Historical Resources Inventory System and the City's "Historical Inventory of Important Architects, Structures, and People in San Diego") and may conduct a site visit. An archaeological sensitivity map was created from the record search data as a management tool to aid in siting of future projects. There are three levels of sensitivity (see Figure 5.6-1). The levels are not part of any federal or state law. The levels are described below.

- **High Sensitivity:** These areas contain known significant cultural resources and have a potential to yield information to address a number of research questions. These areas may have buried deposits, good stratigraphic integrity, and preserved surface and subsurface features. If a project were to impact these areas, a survey and testing program would be required to further define resource boundaries subsurface pressure or absence and determine level of significance. Mitigation measures such as ADRP and construction monitoring shall also be required.

- **Medium Sensitivity:** These areas contain recorded cultural resources or have a potential for resources to be encountered. The significance of the cultural resources within these areas is not known. If a project were to impact these areas, a survey and significance evaluation would be required if cultural resources were identified during the survey. Mitigation measures may also be required.
- **Low Sensitivity:** These areas have slopes greater than 25 degrees. Steep slopes have a low potential for archaeological deposits because they were not occupied by prehistoric peoples but rather used for gathering and other resource procurement activities. The majority of these activities do not leave an archaeological signature. If a project were to impact these areas, a survey would be needed to confirm the lack of cultural resources. Should cultural resources be identified, a significance evaluation would be required followed by mitigation measures.

Review of this map should be done at the initial planning stage of a specific project to ensure that cultural resources are avoided and/or impacts are minimized in accordance with the Historical Resources Guidelines. If there is any evidence that the project area contains archaeological or tribal cultural resources, then an archaeological evaluation consistent with City Guidelines would be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City's Historical Resources Guidelines.

### Step 1

Based on the results of the initial determination, if there is evidence that the project area contains archaeological resources, preparation of an evaluation report is required. The evaluation report could generally include background research, field survey, archaeological testing, and analysis. Before actual field reconnaissance would occur, background research is required that includes a record search at the South Coastal Information Center at San Diego State University. A review of the Sacred Lands File maintained by the NAHC must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums.

Once the background research is complete, a field reconnaissance must be conducted by individuals whose qualifications meet City standards. Consultants are encouraged to employ innovative survey techniques when conducting enhanced reconnaissance including, but not limited to, remote sensing, ground penetrating radar, human remains detection canines, LiDAR, and other soil resistivity techniques as determined on a case-by-case basis by the tribal representative during the project-specific AB 52 consultation process. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or tribal cultural resources. If, through background research and field surveys, resources are identified, then an evaluation of significance, based on the City Guidelines, must be performed by a qualified archaeologist.



## Step 2

Where a recorded archaeological site or tribal cultural resource (as defined in the Public Resources Code) is identified, the City shall initiate consultation with identified California Indian tribes pursuant to the provisions in Public Resources Code Sections 21080.3.1 and 21080.3.2, in accordance with Assembly Bill 52 (AB 52). It should be noted that during the consultation process, tribal representative(s) will be involved in making recommendations regarding the significance of a tribal cultural resource which also could be a prehistoric archaeological site. A testing program may be recommended which requires reevaluation of the proposed project in consultation with the Native American representative, which could result in a combination of project redesign to avoid and/or preserve significant resources, as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). The archaeological testing program, if required, shall include evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A thorough discussion of testing methodologies including surface and subsurface investigations can be found in the City of San Diego's Historical Resources Guidelines. Results of the consultation process will determine the nature and extent of any additional archaeological evaluation or changes to the proposed project.

The results from the testing program will be evaluated against the Significance Thresholds found in the Guidelines. If significant historical resources are identified within the area of potential effects, the site may be eligible for local designation. However, this process would not proceed until such time that the tribal consultation has been concluded and an agreement is reached (or not reached) regarding significance of the resource and appropriate mitigation measures are identified. The final testing report must be submitted to Historical Resources Board (HRB) staff for eligibility determination and possible designation. An agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. If no significant resources are found and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate Department of Parks and Recreation site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found, but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required. The final testing report and supporting documentation are used by HRB staff in consultation with qualified City staff with technical expertise in archaeology or cultural resources management to ensure that adequate information is available to demonstrate eligibility for designation under the applicable criteria. This process is completed prior to distribution of a draft environmental document.

## Step 3

Preferred mitigation for archaeological resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program is required, which includes a Collections

Management Plan for review and approval. When tribal cultural resources are present and also cannot be avoided, appropriate and feasible mitigation will be determined through the tribal consultation process and incorporated into the overall data recovery program, where applicable, or project-specific mitigation measures incorporated into the project. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA Section 21083.2. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to distribution of a draft CEQA document and shall include the results of the tribal consultation process. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as, but not limited to, existing development or dense vegetation.

A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground disturbing activities whenever a tribal cultural resource or any archaeological site located on City property, or within the area of potential effects of a City project, would be impacted. In the event that human remains are encountered during data recovery and/or a monitoring program, the provisions of California Public Resources Code Section 5097 must be followed. In the event that human remains are discovered during project grading, work shall halt in that area and the procedures set forth in the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5), and in the federal, state, and local regulations described above shall be undertaken. These provisions would be outlined in the Mitigation Monitoring and Reporting Program included in a subsequent project-specific environmental document. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored.

#### **Step 4**

Archaeological Resource Management reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of the Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation. Specific types of historical resource reports are required to document the methods (see Section III of the Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources; to document the appropriate curation of archaeological collections (e.g., collected materials and the associated records); in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that would reduce the impacts to below a level of significance; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation "Archaeological Resource Management Reports: Recommended Contents and Format" (see Appendix C of the Historical Resources Guidelines), which will be used by Environmental staff in the review of archaeological resource reports.

Consultants must ensure that archaeological resource reports are prepared consistent with this checklist. This requirement will standardize the content and format of all archaeological technical reports submitted to the City. A confidential appendix must be submitted (under separate cover), along with historical resource reports for archaeological sites and tribal cultural resources, containing the confidential resource maps and records search information gathered during the background study. In addition, a Collections Management Plan shall be prepared for projects that result in a substantial collection of artifacts, which must address the management and research goals of the project, the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City of San Diego. Appendix D (Historical Resources Report Form) may be used when no archaeological resources were identified within the project boundaries.

### **Step 5**

**For Archaeological Resources:** All cultural materials, including original maps, field notes, non-burial related artifacts, catalog information and final reports recovered during public and/or private development projects must be permanently curated with an appropriate institution, one which has the proper facilities and staffing for insuring research access to the collections consistent with state and federal standards unless otherwise determined during the tribal consultation process. In the event that a prehistoric and/or historical deposit is encountered during construction monitoring, a Collections Management Plan would be required in accordance with the project Mitigation Monitoring and Reporting Program. The disposition of human remains and burial-related artifacts that cannot be avoided or are inadvertently discovered is governed by state (i.e., Assembly Bill 2641 [Coto] and California Native American Graves and Repatriation Act [NAGPRA] of 2001 [Health and Safety Code 8010-8011]) and federal (i.e., federal NAGPRA [U.S.C. 3001-3013]) law, and must be treated in a dignified and culturally appropriate manner with respect for the deceased individual(s) and their descendants. Any human bones and associated grave goods of Native American origin shall be turned over to the appropriate Native American group for repatriation.

Arrangements for long-term curation of all recovered artifacts must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance. When tribal cultural resources are present, or non-burial-related artifacts associated with tribal cultural resources are suspected to be recovered, the treatment and disposition of such resources will be determined during the tribal consultation process. This information must then be included in the archaeological survey, testing, and/or data recovery report submitted to the City for review and approval. Curation must be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collections (dated May 7, 1993) and, if federal funding is involved, Title 36 of the Code of Federal Regulations Part 79. Additional information regarding curation is provided in Section II of the Historical Resources Guidelines.

### **MM-HIST-1b: Built Environment Resources**

Prior to issuance of any development permit for a subsequent project tiering off the MPU that could directly affect historic buildings, structures, districts, or objects, the City shall require the following steps be taken to determine: (1) the presence of built environment resources and (2)

the appropriate mitigation for any significant resources which may be impacted by a development activity. The mitigation would be the same as for HIST-1a. The mitigation framework shall include an evaluation following the requirements in the Historical Resources Regulations and Guidelines as indicated below.

Prior to issuance of any permit that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure meets any of the following criteria: (1) National Register-Listed or formally determined eligible, (2) California Register-Listed or formally determined eligible, (3) San Diego Register-Listed or formally determined eligible, or (4) meets the CEQA criteria for a historical resource. The evaluation of historic architectural resources would be based on criteria such as: age, location, context, association with an important person or event, uniqueness, or structural integrity as indicated in the Historical Resources Guidelines and Historic Resources Regulations (San Diego Municipal Code Sections 143.0201–143.0280).

Preferred mitigation for historic buildings or structures is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures can include, but are not limited to, the following:

- a. Preparing a historic resource management plan.
- b. Designing new construction that is compatible in size, scale, materials, color, and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric).
- c. Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation.
- d. Screening incompatible new construction from view through the use of berms, walls, and landscaping in keeping with the historic period and character of the resource.

Specific types of historical resource reports are required to document the methods (see Section III of the Historical Resources Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources. If potentially significant impacts to an identified historical resource are identified, these reports will also recommend appropriate mitigation to reduce the impacts to below a level of significance, where possible. If required, mitigation programs can also be included in the report.

**c. Mitigation Funding, Timing, and Responsibility**

Funding for the implementation of MM-HIST-1a and MM-HIST-1b would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for all

cultural resource-related mitigation monitoring, enforcement, and reporting would be with the City.

### **Religious or Sacred Uses**

#### **a. Impacts**

The project site could have areas containing archaeological resources associated with religious or sacred uses. Implementation of subsequent projects in accordance with the Plans could result in an adverse effect or damage to archaeological religious or sacred uses of the Park. Impacts to these resources would be significant (Impact HIST-2).

#### **b. Mitigation Framework**

Implementation of Mitigation Framework MM-HIST-1a and MM-HIST-1b would reduce potential impacts related to religious or sacred uses to less than significant.

### **Human Remains**

#### **a. Impacts**

The project site could have areas containing archaeological resources associated with religious and sacred uses and could support human remains. Implementation of subsequent projects in accordance with the Plans could result in loss or damage to these remains which would be considered significant (Impact HIST-3).

#### **b. Mitigation Framework**

Implementation of Mitigation Framework MM-HIST-1a would reduce potential impacts related to human remains to less than significant.

### **Tribal Cultural Resources**

#### **a. Impacts**

The project site could have areas containing archaeological resources associated with tribal use of cultural significance. Implementation of subsequent projects in accordance with the Plans could result in loss or damage to objects with cultural value to a California Native American tribe. Impacts to these resources would be significant (Impact HIST-4).

#### **b. Mitigation Framework**

Implementation of Mitigation Framework MM-HIST-1a would reduce potential impacts related to tribal cultural resources to less than significant.

#### **IV. Human Health, Public Safety and Hazardous Materials**

##### **Health and Safety Hazards**

###### **a. Impacts**

Certain MPU recommendations contemplate subsequent projects, such as offices for Park rangers, shade structures, and picnic areas that could be subject to wildfire damage. Therefore, impacts associated with the exposure of structures to wildfire hazards would be significant (Impact HAZ-1).

###### **b. Mitigation Framework**

The following Mitigation Framework would reduce project-level impacts related to wildfire (Impact HAZ-1):

**MM-HAZ-1:** Specific regulations associated with fire prevention are provided in Section 55.0101 (Adoption of the California Fire Code), Section 55.0901 (Fire Department Access and Water Supply), and Section 55.1001 (Fire Protection Systems and Equipment) of the Municipal Code.

The Municipal Code provides fire safety regulations in Municipal Code Section 142.0412 (Brush Management Regulations). Individual projects implemented pursuant to the Master Plan would be required to demonstrate compliance with applicable fire codes and would be required to implement applicable Brush Management Regulations under Section 142.0412 of the Municipal Code. These regulations include the following:

- Brush management is required in all base zones on publicly or privately-owned premises that are within 100 feet of a structure and contain native or naturalized vegetation.
- Brush management activity is permitted within ESL (except for wetlands) that are located within 100 feet of an existing structure in accordance with Section 143.0110(c)(7). Brush management in wetlands shall be requested with a development permit in accordance with Section 143.0110 where the Fire Chief deems brush management necessary in accordance with Section 142.0412(i). Where brush management in wetlands is deemed necessary by the Fire Chief, that brush management shall not qualify for an exemption under ESL Regulations, Section 143.0110(c)(7).
- Brush Management Zones. Where brush management is required, a comprehensive program shall be implemented that reduces fire hazards around structures by providing an effective fire break between all structures and contiguous areas of native or naturalized vegetation. This fire break shall consist of two distinct brush management areas called “Zone One” and “Zone Two.”
- Brush Management Zone Two is the area between Zone One and any area of native or naturalized vegetation and typically consists of thinned, native, or naturalized non-irrigated vegetation.

- Brush management activities are prohibited within coastal sage scrub, maritime succulent scrub, and coastal sage-chaparral habitats from March 1 through August 15 (bird nesting season), except where documented to the satisfaction of the City Manager that the thinning would be consistent with conditions of species coverage described in the Multiple Species Conservation Program Subarea Plan.

**c. Mitigation Funding, Timing, and Responsibility**

Funding for the described mitigation would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for mitigation monitoring, enforcement, and reporting would be with the City.

**Hazardous Sites**

**a. Impacts**

The study area currently represents an ongoing hazard due to the potential presence of unexploded ordnance (UXO). As a result, subsequent projects contemplated by the Plans could expose people to hazards associated with UXO resulting in a significant impact (Impact HAZ-2).

The presence of other sites compiled pursuant to Government Code Section 65962.5 would result in potentially significant human health and environmental hazard impacts associated with implementation of subsequent projects contemplated by the Plans resulting in a significant impact (Impact HAZ-3).

**b. Mitigation Framework**

The following Mitigation Framework includes standard requirements and procedures that shall be implemented to ensure the proper handling of the removal of UXO. This Mitigation Framework would reduce impact HAZ-2 to less than significant:

**MM-HAZ-2:** Prior to initiating subsequent projects contemplated by the Plans that could involve subsurface disturbance within the former Camp Elliott FUDS, the City shall verify that the U.S. Army Corps of Engineers (USACE) has completed subsurface UXO clearance of the entire site, or a Remedial Action Work Plan (RAWP) shall be prepared and implemented in accordance with requirements and procedures of the Department of Toxic Substances Control (DTSC), in consultation with the USACE.

The RAWP, including a Health and Safety Plan, shall be prepared prior to grading or ground disturbance in accordance with requirements and procedures of the DTSC. The RAWP shall thoroughly describe investigations and disposal activities. The draft RAWP shall be reviewed and approved by City Local Enforcement Agency (LEA) staff and the DTSC, in consultation with the USACE.

At a minimum, the RAWP shall include the following performance criteria:

- Prior to initiation of UXO clearance activities, all Park personnel and adjacent property owners shall be notified.
- Implementation of the RAWP shall be performed by a qualified contractor.
- Access into the work sites shall be limited to the contractor personnel specifically authorized to enter the work site.
- Prior to initiation of detonation operations, all nonessential personnel shall be evacuated to a distance outside the fragmentation zone of the UXO to be detonated; radio communication shall be maintained between all concerned parties.
- Where detonation activities in proximity to schools are needed, they shall occur outside of typical school hours, as feasible.
- Affected areas shall be secured prior to authorizing detonation of explosive charges. Signs shall be posted announcing blasting danger and guards shall be stationed at all likely pedestrian/recreational user entrances.
- When a detonation-in-place is to occur, contractor personnel shall be posted in a 360-degree radius around the detonation site, at a safe distance.
- No disposal procedures shall be applied until the item has been positively identified. After the inspection has been completed, and providing there are no residual hazards, the UXO Senior Supervisor shall authorize the resumption of site operations. In the event that an UXO cannot be destroyed on-site, or if an unidentified UXO is located, the Safety Representative shall be notified for appropriate assistance.

The RAWP shall detail the environmental investigations and define the procedures for disposing of UXO determined unsafe to move or handle (e.g., detonation-in-place disposal). Also to be included as part of the RAWP is an Explosive Safety Submission Report that outlines the safety aspects associated with investigating and removing UXO. The potential for encountering UXO during the removal action poses a risk to on-site workers, nearby populations, and the environment. The Health and Safety Plan is an integral component of the RAWP and shall include safety precautions that all personnel must adhere to during implementation of the work plan. Violation of UXO-related safety precautions shall be grounds of dismissal.

The Health and Safety Plan shall also provide instructions for workers on standard work practices, hazard communication, identification, handling, removal, transportation, and detonation. These precautions may include, but are not limited to, the following:

- Prior to detonation of an UXO, sandbags filled with construction grade sand shall be utilized to tamp the detonation and minimize damage to nearby trees and shrubs. The preparation shall be thoroughly soaked with water and the immediate area watered well to minimize the possibility of secondary fires.
- Carry blasting caps in approved containers and keep them out of the direct rays of the sun.
- Do not use explosives or accessory equipment that are obviously deteriorated or damaged. They may detonate prematurely or fail completely.



- Disposal operations shall not be initiated until at least one-half hour after sunrise and shall be concluded by at least one-half hour prior to sunset.
- Restrict and control access to the disposal site to a minimum of authorized personnel necessary for safe conduct of the disposal operations.
- Do not carry fire- or spark-producing devices into a disposal site except as specifically authorized.

The procedure for completing subsurface investigations and clearance is described below:

- The project site shall be surveyed and marked out in 100-by-100-square-foot grids.
- A Schonstedt detector shall be used to locate surface and subsurface anomalies.
- Motor vehicles shall be restricted to existing, actively used roads, during normal operations.
- Personnel shall drive as near as practical to the work site and walk into and out of the grid(s).
- In the event of a medical or fire emergency, vehicles shall be utilized wherever necessary.

Depending on the terrain at the project location, different sweep techniques shall be used. Varying sweep line intervals may be required. If the terrain is too steep to sweep safely, that portion of the grid not swept shall be mapped; and it would become the team leader's responsibility to devise the clearance method(s) suitable to the specific grid to assure complete clearance.

During the removal, all personnel shall receive highly specialized training. Personnel shall be briefed of safety regulations every day. Hazards of unexploded munitions shall be explained at each briefing, including other risks, such as those posed by rattlesnakes and poison oak, etc. Should UXO items be discovered during removal actions, proper procedures (as detailed in the RAWP) shall be followed to ensure safe disposal. For example, a metal containment system may be placed around the item and then detonated by remote control from a safe distance. All UXO shall undergo an initial assessment to identify the ordnance. No disposal procedures shall be applied until the item has been positively identified. In the event that an UXO cannot be destroyed on-site, or if an unidentified UXO is located, a Safety Representative shall be notified for appropriate assistance in accordance with applicable regulations.

The following Mitigation Framework includes standard requirements and procedures that shall be implemented to minimize risk to human health and the environment (Impact HAZ-3):

**MM-HAZ-3:** Subsequent projects contemplated by the Plans that involve ground disturbance may occur in areas of known environmental concern such as LUST sites or other potentially contaminated sites. Regulations within the Municipal Code require that future projects shall demonstrate that the site is suitable for the proposed use. For sites with recorded hazardous material concerns, the City or project applicant shall obtain confirmation from the County Department of Environmental Health (DEH) that the site has been remediated to the extent required for the proposed use. Clearance may be provided by County DEH when no hazardous materials are known, or expected to be present, or when remediation is required to be completed

prior to clearance. Only upon receipt of DEH clearance would projects be recommended for approval.

**c. Mitigation Funding, Timing, and Responsibility**

Funding for the described hazards-related mitigation would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for mitigation monitoring, enforcement, and reporting would be with the City.

**V. Hydrology and Water Quality**

**Runoff and Drainage Patterns**

**a. Impacts**

Subsequent projects contemplated by the MPU, such as parking areas, would have the potential to increase the amount of impervious surfaces, which could result in additional runoff to a point that would change drainage patterns from the additional flow rate or volume, resulting in a significant impact (Impact HYD/WQ-1).

**b. Mitigation Framework**

Implementation of the following mitigation framework would reduce impact HYD/WQ-1 to below a level of significance:

**MM-HYD/WQ-1:** Prior to approval of subsequent projects implemented in accordance with the Plans that involve impervious surfaces creation, the applicant shall demonstrate to the satisfaction of the City Engineer, that future projects are sited and designed to minimize impacts on absorption rates, drainage patterns, and surface runoff rates and floodwaters in accordance with current City and Regional Water Quality Control Board (RWQCB) regulations identified below. Future design of projects shall incorporate all applicable and practicable measures outlined below in accordance with the storm water construction requirements of the State Construction General Permit, Order No. 2009-00090DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order, RWQCB, the City Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the Land Development Code [LDC]), and the LDC, and shall be based on the recommendations of a detailed water quality and hydraulic analysis. The applicant shall also coordinate with the Storm Water Division when considering elements such as proposed roadway redesign, curbs and gutters, or additions to or modification of other storm water infrastructure, and to ensure that potential impacts to storm water infrastructure are addressed, including drainage facility capacity and operation and maintenance.

- a. San Diego RWQCB
  - Comply with all National Pollutant Discharge Elimination System (NPDES) permit(s) requirements, including the development of a storm water pollution prevention plan (SWPPP) if the disturbed soil area is one acre or more, or a Water Quality Control Plan if less than one acre, in accordance with the City's Storm Water Standards.
  - If a future project includes in-water work, a Section 404 Permit (from USACE) and a Streambed Alteration Agreement (from California Department of Fish and Wildlife) shall be required.
  - Comply with the San Diego RWQCB water quality objectives and bacteria Total Maximum Daily Load (TMDL) and Los Peñasquitos Lagoon Sediment TMDL.
- b. City of San Diego

To prevent flooding, subsequent projects implemented in accordance with the Plans shall be designed to incorporate any applicable measures from the City of San Diego LDC, ESL Regulations (Ch. 14, Art. 03, Div. 01, Sec. 143.0145 and 143.0146). Flood control measures that shall be incorporated into future projects within a Special Flood Hazard Area (SFHA), or within a 100-year floodway, include but are not limited to the following:

- Prior to issuance of building permits or approval of any project within or in the vicinity of a floodway or SFHA, all proposed development within a SFHA is subject to the following requirements and all other applicable requirements and regulations of the Federal Emergency Management Agency (FEMA) and those provided in Chapter 14, Article 3, Division 1 of the LDC.
- In all floodways, any encroachment, including fill, new construction, significant modifications, and other development, is prohibited unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge except as allowed under Code of Federal Regulations Title 44, Chapter 1, Part 60.3(c) (13).
- If the engineering analysis shows that development will alter the floodway or floodplain boundaries of the SFHA, a Conditional Letter of Map Revision (CLOMR) from FEMA shall be obtained.
- Fill placed in the SFHA for the purpose of creating a building pad shall be compacted to 95 percent of the maximum density obtainable with the Standard Proctor Test Fill method issued by the American Society for Testing and Materials. Granular fill slopes shall have adequate protection for a minimum flood water velocity of five feet per second.
- Improvement plans shall note "Subject to Inundation" for all areas lower than the base elevation plus two feet.
- If structures will be elevated on fill such that the lowest adjacent grade is at or above the base flood elevation, a Letter of Map Revision based on Fill (LOMR-F) must be obtained prior to occupancy. The developer or applicant shall provide all

documentation, engineering calculations, and fees required by FEMA to process and approve the LOMR-F.

- In accordance with Chapter 14, Article 3, Division 1 of the LDC channelization or other substantial alteration of rivers or streams shall be limited to essential public service projects, flood control projects, or projects where the primary function is the improvement of fish and wildlife habitat. The channel shall be designed to ensure that the following occur:
  - Stream scour is minimized.
  - Erosion protection is provided.
  - Water flow velocities are maintained as specified by the City Engineer.
  - There are neither significant increases nor contributions to downstream bank erosion and sedimentation of sensitive biological resources; acceptable techniques to control stream sediment include planting riparian vegetation in and near the stream and detention or retention basins.
  - Wildlife habitat and corridors are maintained.
  - Groundwater recharge capability is maintained or improved.
- Within the flood fringe of a SFHA or floodway, permanent structures and fill for permanent structures, roads, and other development are allowed only if the following conditions are met:
  - The development or fill shall not significantly adversely affect existing sensitive biological resources on-site or off site.
  - The development is capable of withstanding flooding and does not require or cause the construction of off-site flood protective works including artificial flood channels, revetments, and levees nor shall it cause adverse impacts related to flooding of properties located upstream or downstream, nor shall it increase or expand a FIRM Zone A.
  - Grading and filling are limited to the minimum amount necessary to accommodate the proposed development, harm to the environmental values of the floodplain is minimized including peak flow storage capacity, and wetlands hydrology is maintained.
  - The development neither significantly increases nor contributes to downstream bank erosion and sedimentation nor causes an increase in flood flow velocities or volume.
  - There shall be no significant adverse water quality impacts to downstream wetlands, lagoons, or other sensitive biological resources, and the development is in compliance with the requirements and regulations of the NPDES as implemented by the City of San Diego.

**c. Mitigation Funding, Timing, and Responsibility**

Funding for the described mitigation would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for mitigation monitoring, enforcement, and reporting would be with the City.

## **Natural Drainage Systems**

### **a. Impacts**

Subsequent projects contemplated by the MPU, such as parking areas, would have the potential to adversely affect natural drainage patterns resulting in a significant impact (Impact HYD/WQ-2).

### **b. Mitigation Framework**

Implementation of mitigation framework MM-HYD/WQ-1 would reduce impact HYD/WQ-2 to below a level of significance.

## **Flow Alteration**

### **a. Impacts**

Subsequent projects implemented in accordance with the MPU would have the potential to impact FEMA-designated 100-year floodplains, the San Diego River, several creeks, and other SFHAs that are within the study area. Because the drainage characteristics and the specific location of each subsequent project is dependent upon future project design, impacts associated with subsequent projects implemented in accordance with the MPU would be significant (Impact HYD/WQ-3).

### **b. Mitigation Framework**

Implementation of mitigation framework MM-HYD/WQ-1 would reduce impact HYD/WQ-3 to below a level of significance.

## **Water Quality**

### **a. Impacts**

Although various MPU recommendations generally intend to protect water quality, other subsequent projects implemented in accordance with the MPU would have the potential to result in water quality impacts. Because each subsequent project is dependent upon future project design, impacts associated with subsequent projects implemented in accordance with the MPU would be significant (Impact HYD/WQ-4).

### **b. Mitigation Framework**

The following Mitigation Framework would reduce Impact HYD/WQ-4 to below a level of significance:

**MM-HYD/WQ-2:** Subsequent projects implemented in accordance with the Plans shall identify site-specific measures that reduce significant project-level water quality impacts to less than significant levels in accordance with the existing regulatory framework addressing drainage,

storm water, and protection of water quality. Where mitigation is determined to be necessary and feasible, measures shall be included in an MMRP for the project.

The following general measures would be implemented for future projects within the scope of the Plans. These measures would be updated, expanded, or refined when applied to specific future projects based on project-specific design and changes in existing conditions in order to demonstrate compliance with local, state, and federal laws in place at the time future projects are proposed.

Future projects shall be sited and designed to minimize impacts on receiving waters, in particular the discharge of identified pollutants to an already impaired water body. Prior to approval of any entitlements for any future project, the City shall require measures to ensure that impacts to receiving waters are fully mitigated in accordance with the requirements of the City's Storm Water Runoff and Drainage Regulations (Chapter 14, Article 2, Division 2 of the LDC) and other appropriate agencies (e.g., RWQCB). To prevent erosion, siltation, and transport of urban pollutants, all future projects shall be designed to incorporate any applicable storm water improvement, both off- and on-site, in accordance with the City of San Diego Storm Water Standards Manual. The applicant shall also coordinate with the Storm Water Division when considering elements such as proposed roadway redesign, curbs and gutters, or additions to or modification of other storm water infrastructure, and to ensure that potential impacts to storm water infrastructure are addressed, including drainage facility capacity and operation and maintenance.

Storm water improvements and water quality protection measures that shall be required for future projects include:

- Increasing on-site filtration;
- Preserving, restoring, or incorporating natural drainage systems into site design;
- Directing concentrated flows away from MHPA and open space areas. If not possible, drainage shall be directed into sediment basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA or open space areas;
- Reducing the amount of impervious surfaces through selection of materials, site planning, and narrowing of street widths where possible;
- Increasing the use of vegetation in drainage design;
- Maintaining landscape design standards that minimize the use of pesticides and herbicides; and
- To the extent practicable, avoiding development of areas particularly susceptible to erosion and sediment loss.

## San Diego RWQCB

- The requirements of the RWQCB for storm water quality are addressed by the City in accordance with the City NPDES requirements and the participation in the regional permit with the RWQCB.
- Prior to permit approval, the City shall ensure any impacts on receiving waters are precluded or mitigated in accordance with the City of San Diego Storm Water Regulations.
- In accordance with the City of San Diego Storm Water Standards Manual, development shall be designed to incorporate on-site storm water improvements satisfactory to the City Engineer and shall be based on the adequacy of downstream storm water conveyance.

### **c. Mitigation Funding, Timing, and Responsibility**

Funding for the described water quality mitigation would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for land use-related mitigation monitoring, enforcement, and reporting would be with the City.

## **VI. Transportation**

### **Circulation and Access**

#### **a. Impacts**

Subsequent projects implemented in accordance with the MPU could create alterations to present circulation movements due to the creation of new access points from area roads to provide for new off-street parking areas. Impacts related to circulation and access would be significant (Impact TRAF-1).

#### **b. Mitigation Framework**

Subsequent projects implemented in accordance with the Plans and associated discretionary actions would require further evaluation at the project-level to determine project-specific impacts and mitigation. The following Mitigation Framework would be applied to address Impact TRAF-1:

**MM-TRAF-1:** Subsequent projects implemented in accordance with the Plans that would have the potential to alter existing circulation or affect existing access points, including (but not necessarily limited to) MPU Facility Recommendations CM-F1, CM-F2, CM-F3, and MG-F6 shall be designed in accordance with the City's Street Design Manual, and shall include measures, determined by the City Engineer in accordance with the Street Design Manual, which may include:

- Appropriate signage
- Adequate sight distance
- Road striping
- Crosswalks
- Sidewalks/pathways for pedestrian access
- Bollards

**c. Mitigation Funding, Timing, and Responsibility**

Funding for the described transportation mitigation would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for mitigation monitoring, enforcement, and reporting would be with the City.

**VII. Public Utilities**

**a. Impacts**

Subsequent projects implemented in accordance with the MPU would have the potential to be located near water/wastewater utilities. Grading activities during these subsequent projects, though rather limited, would have the potential to disrupt existing utilities. Therefore, impacts would be significant (Impact UTIL-1). Some subsequent projects identified by the MPU would have the potential to result in expanded storm water drainage facilities. These impacts would be significant (Impact UTIL-2).

**b. Mitigation Framework**

MM-HYD/WQ-1 and MM-HYD/WQ-2 would mitigate impacts related to expanded storm water drainage facilities (Impact UTIL-2). Additionally, in order to mitigate potential impacts related to water/wastewater utilities, the following mitigation measure would be implemented:

**MM-UTIL-1:** Prior to approval of subsequent projects implemented in accordance with the Plans, the Public Utilities Department shall determine, based on review of detailed plans, that future projects are sited and designed to avoid conflicts with existing public utilities in accordance with the Master Plan and City of San Diego Public Utilities Department guidance identified below. Future design of projects shall be based on the recommendations of an anticipated detailed grade and alignment study that addresses potential conflicts with existing utilities and access road realignments implemented in accordance with Council Policies 400-13 and 400-14. The realignments of utilities or access roads implemented in compliance with Council Policies 400-13 and 400-14 could res

The following measures shall be incorporated into future projects to minimize potential conflicts with utilities coordination regarding the location of the trails and pathways with the Park Planning Section of the Planning Department or the Public Utilities Department designee to determine compliance with the Sewer Design Guidelines and other utility agencies that require



access to the facilities. Access to the sewer facilities shall also be coordinated to provide combined access to storm water pollution facilities in order to minimize the impact on open space and canyons by having common access. The access shall be proposed in a location that will facilitate Council Policies 400-13 and 400-14. If future trail alignments are coordinated with planned or existing utility access roads then the following shall be required:

- Areas within 10 feet of sewer mains shall be kept clear of trees.
- Locate future access in accordance with the Sewer Design Guide requirement for access roads.
- Design trails and pathways to also serve as a sewer access road centered over the ultimate sewer location if determined feasible at the project level.
- Incorporate the sewer depth, slope, and location requirements of the Sewer Design Guide (February 2013).
- Any grade or alignment study shall include cross sections showing existing and proposed utilities and access roads.

**c. Mitigation Funding, Timing, and Responsibility**

Funding for utilities-related mitigation would be provided on a project-specific basis as specific projects are funded and implemented by the City. Mitigation timing would be driven by the implementation schedule of individual (project-level) development related to specific impacts within the project area, with mitigation for individual projects generally to be implemented prior to or during construction. Responsibility for mitigation monitoring, enforcement, and reporting would be with the City.

## References Cited

- 2018 City of San Diego Biology Guidelines for the Environmentally Sensitive Lands Regulations (ESL), the Open Space Residential (OR-1-2) Zone, and the California Environmental Quality Act (CEQA).
- 2016 California Environmental Quality Act; Significance Determination Thresholds. Development Services Department. July.

Passed by the Council of The City of San Diego on MAY 21 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 22 2019.

**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Aty Beach*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312487