THE CITY OF SAN DIEGO

REPORT TO THE CITY COUNCIL

DATE ISSUED: November 3, 2010 REPORT NO: 10-140

ATTENTION: Committee on Land Use and Housing

SUBJECT: Amendments to the Environmentally Sensitive Lands Ordinance Pertaining to Wetland Deviations

REFERENCES: CMR 04-046

REQUESTED ACTION:

Committee recommendation to the City Council that it adopt amendments to the Land Development Code and Land Development Manual – Biology Guidelines to address Wetland Deviations.

STAFF RECOMMENDATION:

Staff recommends that the Environmentally Sensitive Lands regulations be amended to:

1) Establish the three development scenarios under which a deviation from the sensitive biological resources regulations may be requested outside of the Coastal Zone (including vernal pools) - Essential Public Project Option (EPP), Economic Viability Option, and Biologically Superior Option and;

2) Revise the Land Development Manual – Biology Guidelines to establish criteria for each development scenario against which the already adopted deviation findings will be evaluated.

SUMMARY:

Background

The Environmentally Sensitive Land Regulations (ESL) housed in Chapter 14, Article 3, Division 1 of the Land Development Code (LDC) were adopted to assure that development occurs in a manner that protects the overall quality of the resources consistent with sound resource conservation principles and the rights of private property owners. Currently, impacts to sensitive biological resources wetlands are allowed per the Land Development Code only if an applicant obtains a Site Development Permit (SDP) and the

required findings can be made for approval as specified in Sections 126.0504 (a) (b) (c). Specifically, LDC Section 126.0504 (c) requires that two supplemental findings be made to allow for a deviation from the Sensitive Biological Resources regulations. The existing LDC language, however, provides only limited guidance to city staff, the applicant and the decision maker regarding the evaluation of impacts to these resources, under what circumstances it is reasonable to consider and to recommend approval of such a deviation.

The City Council first directed staff to examine the deviation findings in 1998 after determining that additional clarification was necessary to establish in what development situations impacts to wetlands may be allowed, and what criteria and analyses must be submitted to justify the decision to make the findings. As described in more detail below, the City has incorporated the input of several working groups over the past ten years to clarify the wetland deviation process for three scenarios: The Essential Public Project Option, the Economic Viability Option, and the Biologically Superior Option.

Working Group Process

Following initial efforts, the first of three working groups was formed. This working group included environmental and development industry stakeholders, including the Building Industry Association (BIA), the Southwest Center for Biological Diversity, Endangered Habitats League, and staff from the Mayor's office. The working group developed draft language to address the deviation process for the city's Wetland Advisory Board (WAB) to review. The WAB consists of nine members (appointed by the Mayor and confirmed by the City Council); it advises the Mayor and City Council on policy matters regarding the conservation of wetlands. In September 2000, the WAB submitted a letter to the City Manager outlining conditions under which a biologically superior result could be attained despite allowing the loss of certain low quality wetlands. Subsequently, work was halted on the project pending resolution of a lawsuit filed against the City related to vernal pools.

In 2001, a second working group was formed which included representatives from what is now the City Planning and Community Investment Department, the development industry and environmental groups not party to the vernal pool lawsuit, and the Mayor's office. The Land Use and Housing (LU&H) Council Committee directed this working group to work with a larger committee of stakeholders, including those affiliated with the lawsuit.

In January 2003, a third working group convened to continue working on the wetland deviation regulatory language. Membership was expanded to include: city staff, the Alliance for Habitat Conservation, San Diego Audubon Society, BIA, Center for Biological Diversity, McMillan Land Development, RMA consultants, Sheppard Mullin Attorneys at Law, and the Sierra Club. Based upon LU&H direction, this group met to develop language for incorporation into the LDC to specifically address the wetland deviation process. They were unable to reach consensus in three major issues areas: 1) limiting the Essential Public Projects Option to linear infrastructure; 2) precluding the Economic Viability Option when an offer at fair market value had been made; and 3)

allowing a perpetual management endowment (versus extraordinary mitigation) to be considered as mitigation for the Biologically Superior Option.

At the March 10, 2004, staff presented the draft wetland deviation language and the three major issues on which the working groups had been unable to reach resolution. The Committee directed staff to: 1) develop a list of essential public projects potentially qualifying for the Essential Public Project Option; 2) establish a definition for the term "Public Project"; 3) require extraordinary mitigation for the Biologically Superior Option and eliminate the option to provide standard mitigation with an endowment and; 4) complete the environmental review for the Project prior to returning to City Council.

Over the past few years, staff has continued to work, intermittently, on responding to City Council direction and completing all of the identified tasks to begin the public hearing process for the LDC amendments. In doing so, three versions of the proposed amendments, including the Biology Guidelines revisions, have evolved. They include: the Project as drafted by city staff, the Working Group alternative from 2004, and a Wildlife agency version that differs only slightly from the Project.

Project Description

Land Development Code Amendments

The Land Development Code, including Sections 143.0110 – Table 143-01A, 143.0141 and 143.0150 (Attachment 1 – Amendments to Land Development Code to Address Wetland Deviations) and the Land Development Manual – Biology Guidelines, is being amended to establish the three development scenarios under which a deviation from the sensitive biological resources regulations may be approved outside of the Coastal Zone (including vernal pools) - Essential Public Project Option (EPP), Economic Viability Option, and Biologically Superior Option.

The Essential Public Project Option (EPP) allows for a wetland deviation to enable the City to implement necessary public facilities and infrastructure projects including: a0specific design/construction projects identified in a community or implementing plan and identified on the Essential Public Projects List, b) linear infrastructure, c) maintenance of existing infrastructure, and d) projects initiated by the City to meet state and federal regulatory requirements.

The Economic Viability Option would allow a deviation to preserve an applicant's right to an economically viable use of property, only for circumstances not of the applicant's making. It provides criteria for the preparation of an economic analysis to determine the economic viability of a project with and without the deviation.

The existing wetland regulations do not allow consideration of a biologically superior option to mitigate impacts. This amendment would allow a deviation from the LDC under the Biologically Superior Option if an alternative project or design achieves a superior biological result through either project design or extraordinary mitigation.

It should be noted, that LDC amendments establish the only three situations in which a deviation from the sensitive biological resource regulations can be requested. **It does not establish any type of exemption.** Projects making application in these instances must still process a permit to allow for the deviation. This will require extensive analysis, environmental review, public participation, findings, and a public hearing.

Biology Guidelines

The Land Development Manual – Biology Guidelines are also being revised to establish criteria for each development scenario to assist in making the already adopted deviation findings.

Essential Public Projects Option

In the case of the EPP option, a deviation may be allowed when such projects serving basic infrastructure needs of the community or the region must be implemented and no feasible alternative exists which would comply with the ESL Regulations. The following four criteria must be met for a project to qualify under the EPP Option:

1. The project is an EPP as defined above. If the City has options on the location of an EPP, the City should not knowingly acquire property for an EPP, which would impact wetlands.

2. The proposed EPP and all biological options, both practicable and impracticable, are fully described and analyzed in an appropriate CEQA document.

3. The potential impacts to wetland resources have been minimized to the maximum extent practicable. Recognizing the wetland resources involved, minimization to the maximum extent practicable may include, but is not limited to, adequate buffers and/or designs that maintain full hydrologic function and wildlife movement (*e.g.*, pipeline tunneling, bridging, Arizona crossings, arch culverts).

4. The proposed project has fully mitigated its impacts in accordance with the Biology Guidelines.

Projects that would meet the definition of an EPP under category "a" but are not on the EPP List would not qualify for a deviation under the EPP Option. The only avenue for approval of wetland impacts from such projects would be under the Biologically Superior Option.

Economic Viability Option

In the case of the Economic Viability Option, the Land Development Manual would also be revised to add criteria for preparation and review of the required economic analysis. Applicants are required to provide extensive information related to the site in question

including but not limited to: purchase price, date of acquisition, fair market value, land use/zoning at time of acquisition and any changes to such, development restrictions at time of acquisition, change in size, offers for purchase, a biological report, an ownership costs. The proposed amendments were modeled on and are consistent with the existing economic analysis requirements for projects within the Coastal Zone. One additional criterion is being proposed; applicants requesting a deviation under this scenario, with projects that provide less than full biological mitigation, will require concurrence from the Wildlife Agencies prior to project approval. No amendments are proposed to the regulations already in effect in the Coastal Overlay Zone.

Biologically Superior Option

Amendments related to the Biologically Superior Option include: the analysis to determine what a low quality wetland is, when impacts to fairy shrimp are allowed, and mitigation ratios and extraordinary mitigation ratios depending upon project design, and vernal pool buffer and wetland management and monitoring requirements. The proposed criteria to determine biological quality of all wetland types are extensive and include both general and habitat-specific factors related to vernal pools, salt marsh/salt panne/mudflats, and freshwater, riparian or brackish wetlands The general criteria covers: use of wetlands by species, diversity of native flora and fauna, enhancement or restoration potential, habitat function, connectivity, long-term viability, hydrologic function, status of watershed, and source and quality of water.

Environmental Review

A Supplemental to the Land Development Code Environmental Impact Report (No. 96-0333) was prepared that analyzed Land Use, Biological Resources, Hydrology and Water Quality. The environmental document determined that no additional impacts beyond those that were analyzed in the original environmental document would result. The original EIR anticipated that adoption of the Land Development Code could result in future development that could incrementally increase the potential for cumulatively significant Biological Resources impacts. The SEIR was distributed for a 45-day public review period beginning on September 15, 2009 ending October 30, 2010. During the public review period both the San Diego Canyon Lands and the Wetlands Advisory Board requested a 30-day extension on the comment period. Development Services Department granted a three week extension which ended on November 20, 2009. A total of five comment letters were received during the public review period. At the time of report preparation, environmental staff was preparing to final the document.

Analysis

Major Differences Between Project and Alternatives

Differences between the three are few, especially between the Project and the Wildlife Agencies; those that remain between the project and the Working Group are largely

attributable to the time that has elapsed since the amendment process began (see Attachment 2 – Comparison Table – Major Differences between Project and Alternatives.

Essential Public Projects

The list (Attachment 3 – Essential Public Project List) as revised contains 47 public facility projects organized as follows: General, Wetland Restoration and Wetland Buffers, and Projects Located on Graded Pads with Minor Potential Drainage Impacts. **All sites/projects on the Essential Public Project List were included if there was potential for wetlands to occur on-site. Project specific site design and analysis has not yet been conducted to determine if wetland impacts would even occur. All projects will be required to comply with the ESL Section 143.0150 – the deviation may only be requested where no feasible alternative exists that would avoid impacts to wetlands.** Staff proposes that the City Council adopt the Essential Public Project List by resolution. It is intended that this list be final. Please note, that the category of Essential Public Projects also includes linear facilities, maintenance of existing public infrastructure, and state and federally mandated projects. The Essential Public Project List identifies primarily non-linear type of facilities such as parks, libraries, and fire stations.

As previously described, in 2004, LU&H directed staff to establish a definition for Essential Public Projects and to compile a list of projects that would meet the definition. Originally, only projects identified in community plans (or other land use plans such as specific, subarea, park, or precise) and implementing documents (CIP, PFFPs, DIFs and FBAs) prior to January 1, 2000 (effective date of the Land Development Code) were to be included. The list however, was compiled over a multi-year period, and as the project timeline expanded, city staff began to look at all projects that were listed in plan documents, even those added as a result of a community plan amendment or projects added as policy implementation documents became more detailed (i.e. population and resource based park plans). This occurred with the preparation of General Development Plans for Neighborhood and Community Parks (i.e. Serra Mesa Community Park Community Park Recreation Building and the development of maintenance and oversight facilities for resource parks, such as the Otay Valley Regional Park- Beyer Way Equestrian and Regional Staging Area. City staff and Wildlife Agencies are in agreement with the list and the definition. The Working Group definition limits essential public projects to public projects identified in City land use plans adopted prior to January 1, 2000 and to linear infrastructure identified in adopted City land use plans.

The proposed Essential Public Project List limits essential public projects that may be considered under this deviation and would still allow the City to utilize land currently identified for public facilities. Property currently owned by the City for fire stations, libraries, and parks is limited. Locations for fire and police stations are further restricted due to service area requirements including response times. Additionally, purchase of replacement lands could cause additional fiscal hardships to the City.

In response to public comment and input from the Agencies, City staff reexamined the proposed list to determine if revisions were possible. After research and review, staff was

able to eliminate 12 projects after determining that the projects in question were: already built (with no impacts or required mitigation was provided), project design had proceeded to the point that staff could determine that no impacts would occur, or a specific site had not yet been identified or acquired for a particular project.

Mitigation

Differences between the Project and Alternatives concern the Biologically Superior mitigation ratios, management and monitoring, and buffer requirements. As described earlier in this report, the Project allows applicants to apply for a deviation from the wetland regulations under this option if providing either a biologically superior project design with standard mitigation for wetland impacts, or by providing extraordinary mitigation at higher mitigation ratios. Applicants must demonstrate that the vernal pool buffer provided is based upon an analysis of functions and values. If such an analysis is not conducted, the Project requires a default of a 100-foot buffer from the watershed. Additionally, all public and private projects include a standard permit condition, which requires the applicant to adhere to all State and Federal requirements, which may include any obligations for in-perpetuity management, and monitoring deemed necessary by the permitting agencies. Further, the Project requires the applicant to provide funding for all required in-perpetuity management and monitoring if the applicant requests that the City take a mitigation site in fee title.

The Wildlife Agencies concur with the mitigation ratios identified in the Project. They would require, however, that all projects preserve the entire watershed plus a 100-foot biological buffer from the boundary of the watershed of each vernal pool preserved. Additionally, the agencies have asked that the City require in-perpetuity monitoring and management to ensure in all cases the future health of the wetland habitat that is being preserved. The Working Group alternative is silent upon monitoring and buffer requirements but requires extraordinary mitigation for all impacts to wetland resources.

In order to impact wetlands within the City of San Diego, an applicant must obtain and provide to the City all appropriate State and Federal permits which authorize the "take" of impacted wetland habitat and/or species. The City does not have authority to issue "take" within wetland areas as defined by the Army Corps of Engineers. Therefore, as described above, all public and private projects include a standard permit condition, which requires the applicant to adhere to all State and Federal requirements, which may include any obligations for in-perpetuity management, and monitoring deemed necessary by the permitting agencies. Additionally, the Biologically Superior Option requires review and concurrence by the Wildlife Agencies. Mitigation measures determined through this process will include all conditions identified by the Wildlife Agencies that will be required to obtain State and Federal permits. Therefore, if the Wildlife Agencies determine the project would require in-perpetuity management and monitoring, the City's project mitigation would include this requirement. It should also be noted, that the existing Biology Guidelines also require that all known State and Federal requirements must be incorporated into the project.

Based upon this information, and in response to public comment and discussions with Wildlife Agencies, staff has revised the Project to require in-perpetuity monitoring and management regardless of whether the site is dedicated to the city or retained by the applicant. The City concurred that such a measure would ensure a more successful mitigation program.

Regarding the vernal pool buffer issue, on March16, 2010, the City Council authorized staff to proceed with preparation of a vernal pool habitat conservation plan (HCP). As part of the vernal pool HCP, hard-line vernal pool conservation areas will be established which will include vernal pool basins, their watersheds, functional buffers and areas necessary to maintain vernal pool ecosystem function and species viability. The Wildlife Agencies will be aiding in the identification of the vernal pool conservation areas that will be analyzed as part of the HCP process. Furthermore, approval of the HCP including the conservation areas will require approval by the Wildlife Agencies. Based upon this, and the Project requirement for an analysis to demonstrate the efficacy of a reduced buffer (from 100-feet) based upon functions and values, staff continues to recommend the buffer requirement as drafted.

Concurrence

All three alternatives require concurrence from the Wildlife Agencies for a project to proceed under the deviation process for the Biologically Superior Option. All require that the concurrence is in writing and is provided prior to or during public review of the CEQA document in which project design has been fully described and analyzed. The Project and the Working Group, however, provide that lack of an unequivocal response from the Wildlife Agencies during the CEQA review period is deemed to be concurrence. The Wildlife Agencies have objected to the concurrence by default based upon their own staffing and workload constraints.

City staff recognizes the staffing and workload constraints. Projects, however, must be processed in a reasonable timeframe. As part of this process, staff from both the City and the Wildlife Agencies will be meeting on a regular basis to review projects with potential wetland impacts. City staff has accepted responsibility for maintaining minutes regarding project design and proposed mitigation. This will be provided in a timely fashion to the Wildlife Agencies for review and concurrence. This will be in addition to the CEQA public review period. If, the Agencies are unable provide concurrence prior to the end of the CEQA public review, projects can still precede to a public hearing. If the project is approved, the City will still include the standard permit condition requiring the applicant to obtain all applicable State and Federal permits prior to the issuance of a grading permit. The goal is for the applicant, City and Agencies to work together early on in the project design and permit process to ensure good project design and a more predictable and successful outcome.

Public Outreach and Comment

Public review of the proposed amendments began on September 17, 2009 with an e-blast to a list with over 2000 contacts. The e-blast is an e-mail which briefly describes the project and provides links to the entire project document list and also provides contact information and information regarding how to provide public comment. Additionally, staff provided formal presentations to the Community Planners Committee (CPC) on September 22, 2009, the Wetland Advisory Board (WAB) on November 12, 2009 and January 14, 2010 and the Open Space Citizens Advisory Committee (OSCAC) on April 8, 2010.

Comments provided during these forums were at both ends of the spectrum. CPC approved a motion 17-5-1 directing staff to return with revised regulations that provided "appropriate trail and public access language." The regulations are focused upon the preservation of wetland resources. Increasing public trail and public access is not the purview of the regulations or this project. Addition of such language would be contrary to the City Council direction and the project purpose. Additionally, staff would be required to revise the SEIR and recirculate the document because analysis of revised LDC language would likely conclude potential environmental impacts. Staff, therefore, declined to revise the language. The Wetland Advisory Board voted to send a letter, received on June 27, 2010, objecting to the Economic Viability Option, types of projects on the Essential Public Projects List, the criteria used to determine wetland quality in the Biologically Superior Option, and the SEIR conclusions. As explained earlier in the report (Biology Guidelines section), the criteria added to address economic viability are modeled upon already adopted criteria implemented in the Coastal Zone. As noted, the Essential Public Projects list was reexamined and revised in response to this and other public comments. Also, staff worked closely with the Wildlife Agencies to develop the criteria to assess quality of wetlands. The added language will greatly assist staff and the decision maker in determining if permit findings can be made to allow impacts to wetlands to occur.

A total of ten comment letters were received via mail and e-mail. Comment was received from the: Department of Cal Fish and Game, San Dieguito Regional Open Space Park, Rancho Bernardo Community Planning Group, California Native Plant Society, San Diego Mountain Biking Association, Allied Climbers, and concerned members of the public. Comment focused upon primarily five areas: concerns regarding whether the adoption of the regulations would further limit access to trails in the City's open space areas, objections to the proposed Economic Viability Option and the impact analysis related to the application of this option, the criteria used to determine the quality of a wetland, number and type of projects included on the Essential Public Projects List, and the lack of a requirement for in-perpetuity management and monitoring.

Additionally, the San Dieguito Regional Open Space Park staff objected to the time and expense that processing wetland deviations incurs. They further recommended that the deviation process be lowered from a Process Level Four (Planning Commission decision with appeal to City Council) to a Process Level Three (Hearing Officer decision with appeal to Planning Commission) to reduce those costs. The permit process level for deviations from the wetland regulations was established with the adoption of the Land

Development Code. Proposing to lower the process level was not part of the City Council direction on this package of amendments. Also, it is intended that the proposed amendments will simplify the type and level of analysis involved in processing deviation requests. That could potentially reduce processing time and costs.

CONCLUSION

For the reasons described in the body of this report, staff recommends adoption of the amendments to LDC Sections 143.0110 – Table 143-01A, 143.0141 and 143.0150 and the Land Development Manual – Biology Guidelines as proposed. The amendments are a result of an open public process and have received a thorough review. The proposed amendments will clarify for city staff, the applicant, and the decision maker how to evaluate impacts to wetland resources, and most importantly, under what circumstances it is reasonable to consider and to recommend approval of a deviation to the regulations to allow impacts. Staff believes that adoption of the amendments will further the purpose of the Environmentally Sensitive Lands Ordinance, to assure that development occurs in a manner that protects the overall quality of the resources consistent with sound resource conservation principles and the rights of private property owners.

Respectfully submitted,

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Attachments:

1. Amendments to Land Development Code to Address Wetland Deviations
2. Comparison Table – Major Differences Between Project and Alternatives
3. Essential Public Project List

ATTACHMENT 1 – AMENDMENTS TO THE LAND DEVELOPMENT CODE TO ADDRESS WETLAND DEVIATIONS

§143.0141 Development Regulations for Sensitive Biological Resources

Development that proposes *encroachment* into *sensitive biological resources* or that does not qualify for an exemption pursuant to Section 143.0110(c) is subject to the following regulations and the Biology Guidelines in the Land Development Manual.

(a) General Regulations for Sensitive Biological Resources

(1) ~~(i)~~ All *development* occurring in *sensitive biological resources* is subject to a site-specific impact analysis conducted by a qualified Biologist ~~the City Manager~~, in accordance with the Biology Guidelines in the Land Development Manual. The impact analysis shall evaluate impacts to *sensitive biological resources* and CEQA sensitive species. The analysis shall determine the corresponding mitigation, where appropriate, and the requirements for protection and management. Mitigation may include any of the following, as appropriate to the nature and extent of the impact.

(A) Dedication in fee title to the City of San Diego; or

(B) Dedication of a covenant of easement in favor of the City of San Diego and the Wildlife Agencies either:

~~(1)~~(i) ~~Acquisition or *dedication of* another site that can serve to mitigate project impacts,~~ For an off-site location with long-term viability and biological values equal to or greater than the impacted site, and with limited right of entry for habitat management, as necessary~~, if the site is not dedicated. This site must have long-term viability and the biological values must be equal to or greater than the impacted site~~; or

~~(2)~~ (ii) ~~Preservation or *dedication of*~~ For on-site ~~*sensitive biological resources,*~~ creation of new habitat, or enhancement of existing degraded habitat, with limited right of entry for habitat management, as necessary~~, if the site is not dedicated.~~ The site must have long-term viability and the biological values ~~must be~~ equal to or greater than the impacted area.

~~(3)~~(C) In circumstances where the area of impact is small, monetary payment of compensation into a fund may be accepted in lieu of other forms of mitigation. The City shall use the fund to acquire, maintain and administer habitat areas pursuant to City Council Resolution No. R-275129, adopted February 12, 1990. Where appropriate, the City Manager is authorized to enter into agreements with public agencies or private non-profit conservancies or foundations to administer the funds

and acquire or maintain habitat preservation areas.

(2) ~~(j)~~ *Grading* during wildlife breeding seasons shall be consistent with the requirements of the City of San Diego *MSCP Subarea Plan*.

(3) ~~(k)~~ *Sensitive biological resources* that are outside of the allowable development area on a *premises*, or are acquired as off-site mitigation as a condition of permit issuance, are to be left in a natural state and used only for those passive activities allowed as a condition of permit approval. If the land is not dedicated in fee to the City, identification of permissible passive activities and any other conditions of the permit shall be incorporated into a covenant of easement that shall be recorded against title to the property, in accordance with procedures set forth in Section 143.0152. The U.S. Fish and Wildlife Service and the California Department of Fish and Game are to be named as third party beneficiaries to any covenant of easement recorded pursuant to this section.

(4) ~~(e)~~ Inside and adjacent to the *MHPA*, all *development* proposals shall be consistent with the City of San Diego *MSCP Subarea Plan*.

(5) Projects located Inside the MHPA

~~(d)~~ (A) ~~Inside the MHPA, *d*~~*Development* is permitted only if necessary to achieve the allowable development area in accordance with the regulations set forth in the OR-1-2 zone, pursuant to Section 131.0250(b), unless exempted from the development area regulations pursuant to Section 143.0111.

~~(f)~~ (B) ~~Inside the MHPA, a~~Any change of an agricultural use to a non-agricultural use is subject to the development area regulations of Section 143.0141 ~~(d)~~ (a)(5)(A). Existing agricultural operations that exceed the allowable development area may remain as agricultural use only and do not count as part of the allowable development area.

(6) Projects Located Outside of the MHPA

~~(g)~~ (A) ~~Outside the MHPA, *d*~~*Development* of lands that are designated as open space in the applicable *land use plan* and zoned OR-1-1 is permitted only if necessary to achieve the allowable development area, in accordance with Section 131.0250 (a).

~~(h)~~ (B) ~~Outside the MHPA, *e*~~*Encroachment* into *sensitive biological resources* is not limited, except as set forth in Section 143.0141 (a)(6)(A) and (b) ~~and (g).~~

(7) Narrow Endemic Species

Inside the *MHPA*, *development* shall avoid impacts to narrow endemic species. Outside the *MHPA*, measures for protection of narrow endemic species shall be

required such as management enhancement, restoration and/or transplantation. A list of narrow endemic species is included in the Biology Guidelines in the Land Development Manual.

(b) Wetland Regulations

~~(a)~~ (1) State and federal law ~~precludes~~ regulates adverse impacts to *wetlands* ~~or~~ and listed ~~non-covered~~ species habitat. The *applicant* shall confer, when ~~as~~ applicable, with the U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service and/or California Department of Fish and Game before any public hearing for the *development* proposal.

(2) The applicant shall solicit input from the Resource Agencies on impact avoidance, minimization, mitigation and buffer requirements, including the need for upland transitional habitat.

(3) The applicant shall, to the maximum extent feasible, incorporate the Resource Agencies' recommendations prior to the first public hearing.

(4) *Grading* or *construction permits* shall not be issued for any project that impacts *wetlands* or listed ~~non-covered~~ species habitat until all necessary federal and state permits have been obtained.

~~(b)~~ (5) ~~Outside and inside the *MHPA*, i~~Impacts to *wetlands*, including vernal pools in naturally occurring complexes, shall be avoided. A *wetland buffer* shall be maintained around all *wetlands* as appropriate to protect the functions and values of the *wetland*. In the Coastal Overlay Zone the applicant shall provide a minimum 100-foot buffer, unless a lesser or greater buffer is warranted as determined through the process described in 143.0141(a). ~~Mitigation for impacts associated with a deviation shall achieve the goal of no-net-loss and retain in-kind functions and values.~~

§143.0150 Deviations from Environmentally Sensitive Lands Regulations

Plans submitted in accordance with this section shall, to the maximum extent feasible, comply with the regulations of this division. If a proposed *development* does not comply with all applicable development regulations of this division and a deviation is requested as indicated in Table 143-01A, the Planning Commission may approve, conditionally approve, or deny the proposed Site Development Permit in accordance with Process Four, subject to the following:

(a) (No Change)

(b) (No Change)

(c) (No Change)

(d) Deviations to the wetland regulations of this division for *development* located outside of the Coastal Overlay Zone may be granted only if the *development* qualifies to be processed as one of the three options set forth in the following regulations and in accordance with the Biology Guidelines in the Land Development Manual:

(1) Essential Public Projects Option

(A) A deviation may only be requested for an Essential Public Project where no feasible alternative exists that would avoid impacts to wetlands.

(B) For the purpose of this section, Essential Public Projects shall include:

(i) Any public project identified in an adopted l*and use plan* or implementing document and identified on the Essential Public Projects List adopted by Resolution No.[insert No.] as Appendix III to the Biology Guidelines; or

(ii) Linear infrastructure, including but not limited to major roads and l*and use plan* circulation element roads and facilities including bike lanes, water and sewer pipelines including appurtenances, and stormwater conveyance systems including appurtenances; or

(iii) Maintenance of existing public infrastructure; or

(iv) State and federally mandated projects.

(2) Economic Viability Option

A deviation may be requested to preserve economically viable use of a property that would otherwise be deprived by a strict application of the regulations. Such a deviation shall be the minimum necessary to achieve economically viable use of the property and shall avoid wetland resources to the maximum extent practicable.

(3) Biologically Superior Option

(A) A deviation may be requested to achieve a superior biological result which would provide a net increase in

quality and viability (functions and value), relative to existing conditions or the project originally proposed by the applicant, and long term biological benefit.

(B) Wetland resources that would be impacted by the project shall be demonstrated to be of low biological quality.

§143.0110 When Environmentally Sensitive Lands Regulations Apply

Table 143-01A
Applicability of Environmentally Sensitive Lands Regulations

		Environmentally Sensitive Lands Potentially Impacted by Project				
Type of *Development* Proposal		***Wetlands*, listed ~~non-covered~~ species habitat[1]**	**Other *Sensitive Biological Resources* other than *Wetlands* and listed ~~noncovered~~ species habitat**	***Steep Hillsides***	***Sensitive Coastal Bluffs* and *Coastal Beaches***	**Floodplains**
1. *Single dwelling units* on individual *lots* equal to or less than 15,000 square feet[2]	R	143.0141(a),(b)	143.0141	143.0142 except (a)[5]	143.0143, 143.0144	143.0145 143.0146
	P	NDP/ Process Two	NDP/ Process Two	NDP/ Process Two	SDP/ Process Three	NDP/ Process Two
	U	143.0130(d),(e)	--	--	143.0130(a), (b)	143.0130(c)
2. *Single dwelling units* on *lots* or multiple *lots* totaling more than 15,000 square feet	R	143.0141(a),(b)	143.0141	143.0142	143.0143, 143.0144	143.0145
	P	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three
	U	143.0130(d),(e)	--	--	143.0130(a), (b)	143.0130(c)
3. *Multiple dwelling unit* and non-residential *development* and public works projects	R	143.0141(a),(b)	143.0141	143.0142	143.0143, 143.0144	143.0145 143.0146
	P	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three	SDP Process Three
	U	143.0130(d),(e)		--	143.0130(a), (b)	143.0130(c)
4. Any *subdivision* of a *premises*	R	143.0141(a),(b)	143.0141	143.0142[3]	143.0143, 143.0144	143.0145 143.0146
	P	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four
	U	143.0130(d),(e)	--	--	143.0130 (a), (b)	143.0130 (c)
5. Project-specific *land use plans*	R	143.0141(a),(b), 143.0115	143.0141, 143.0115	143.0142, 143.0115	143.0143, 143.0144, 143.0115	143.0115, 143.0145 143.0146
	P	SDP/Process Four/Five	SDP/ Process Four/Five	SDP/Process Four/Five	SDP/ Process Four/Five	SDP/Process Four/Five
	U	143.0130(d),(e)	--	--	143.0130(a), (b)	143.0130(c)
6. Any *development* that proposes deviations from any portion of the *Environmentally Sensitive Lands* Regulations	R	143.0141(a),(b), 143.0150	143.0141, 143.0150	143.0142, 143.0150[4]	143.0143, 143.0144, 143.0150	143.0145, 143.0146 143.0150
	P	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four
	U	143.0130(d),(e)-	--	--	143.0130(a), (b)	143.0130(c)
7. *Development* other than *single dwelling*	R	--	--	143.0142 except (a),	--	--

units on individual *lots*, that proposes alternative compliance for *development* area in *steep hillsides*.				143.0151		
	P	--	--	SDP/ Process Four	--	--
	U	--	--	--	--	--

Legend to Table 143-01A	
R	Development regulation sections (in addition to Section 143.0140) applicable to the *environmentally sensitive lands* present.
P	Type of Permit/Decision process required. Neighborhood Development Permit (NDP) Site Development Permit (SDP)
U	Regulations that identify permitted uses when they are different than the applicable zone due to the *environmentally sensitive lands* present.

Footnotes to Table 143-01A

1 ~~This includes listed species and their habitat not covered by the Take Authorizations issued to the City by the State and Federal governments under the Multiple Species Conservation Program.~~ State and federal laws and regulations regulate adverse impacts to wetlands and listed species habitat. The City does not have incidental take authorization for listed species within jurisdictional waters.

Footnotes 2-5 [No change]

ATTACHMENT 2 -
COMPARISON TABLE - MAJOR DIFFERENCES BETWEEN PROJECT AND ALTERNATIVES

	City Recommended Project	Working Group (Project Alternative)	Wildlife Agencies (Project Alternative)
Essential Public Project Option			
Definition	The essential public projects are: (a) Any public project identified in an adopted land use plan or implementing document and identified on the Essential Public Projects List adopted by Resolution No.[insert No.] as Appendix III to the Biology Guidelines; or (b) Linear infrastructure, including but not limited to major roads and land use plan circulation element roads and facilities including bike lanes, water and sewer pipelines including appurtenances, and stormwater conveyance systems including appurtenances; or (c) maintenance of existing public infrastructure (e.g., stormwater system); or (d) state and federally mandated projects (e.g., 303 (d) listed project required by the RWQCB to clean-up an impaired water body).	Essential public projects will be limited to public projects identified in City land use plans adopted prior to January 1, 2000, and to linear infrastructure (e.g., waterlines, sewers, and roads) identified in adopted City land use plans. See Essential Public Project List (Revised Biology Guidelines, Appendix III).	The essential public projects are: (a) any structure or linear infrastructure such as Community Plan circulation element roads or essential public projects (e.g., water and sewer pipelines, schools, parks, libraries, police, fire facilities), and (b) maintenance of existing public infrastructure (e.g., stormwater system). For this definition of an essential public project, any non-linear essential public facility must also be identified on the Essential Public Project List (Revised Biology Guidelines, Appendix III).
Economic Viability Option			
Mitigation Requirements	Less than full mitigation compliance must include supporting information as part of the economic viability determination and receive written concurrence from the Wildlife Agencies prior to distribution of the project's draft CEQA documentation.	Lack of full mitigation compliance must be justified as part of the economic viability determination. The project applicant will solicit input from the Resource Agencies prior to the first public hearing.	Same as Project.
Biologically Superior Option:			
a) Mitigation Requirements	Mitigation would be: a) standard mitigation (i.e., at the ratios in Table 2a of the Biology Guidelines, 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 (see Figure 3-1 for an example); or b) for projects that do not propose a biologically superior project design, extraordinary mitigation per Table 2b of the Biology Guidelines shall be required. For all mitigation sites, funding must be provided to cover the costs of their in-perpetuity management and monitoring.	Mitigation would be double the ratios identified in the existing Biology Guidelines (Table 2a of the Biology Guidelines). No requirement for funding for in-perpetuity management or monitoring.	Same as Project.
b) Wildlife Agencies Review Requirements	Concurrence from the Wildlife Agencies shall be in writing and provided prior to or during the public review of the CEQA document. Lack of an unequivocal response within the CEQA review period would be deemed to be concurrence.	Approval from the Wildlife Agencies shall be in the form of a written response supporting the Biologically Superior Alternative during the CEQA public review process. Lack of an unequivocal response within the CEQA review period would be deemed to be concurrence.	Concurrence from the Wildlife Agencies shall be in writing and provided prior to or during the public review of the CEQA document.
c) Wetland buffer for vernal pools	As part of the proposed Vernal Pool Habitat Conservation Plan (HCP), hard-line vernal pool conservation areas will be established which will include vernal pool basins, their watersheds, functional buffers and areas necessary to maintain vernal pool ecosystem function and species viability.	Includes no requirements specific to wetland buffers.	Same as Project.

Attachment 3 - Essential Public Project List

Note: Sites/projects have been included if there was a potential for wetlands to occur on-site and site specific design/analysis has not been conducted to determine if wetland impacts would occur. All projects would be developed in accordance with ESL Section 143.0150 (deviation may only be requested where no feasible alternative exists that would avoid impacts to wetlands).

Figure #	Title	Community Plan	District	Site Description	CIP#	Date	
13	Carroll Canyon East Neighborhood Park	Mira Mesa	CD5	The development of 7 useable acre neighborhood park to located East of Camino Ruiz in Carroll Canyon. Park amenities include turf areas, children's play areas, courts, picnic facilities, walkways and landscaping.	P15-95	1992	FFP & CIP
15	Parkdale Site Neighborhood Park	Mira Mesa	CD5	Development of a 5-acre neighborhood park at the south end of Parkdale Avenue. Park amenities include play & turf areas, picnic facilities, landscaping, & a 1,000 sq. ft. interpretative center for an adjoining 7- acre vernal pool site.	29-923.0	1992	CP, FFP & CIP
16	Rattlesnake Canyon Neighborhood Park	Mira Mesa	CD5	The development of a 10-acre neighborhood park, as well as a trail connection to Maddox Neighborhood Park within Carroll Canyon. Amenities include play areas, turf areas, courts, picnic facilities, and landscaping.	29-922.0	1992	CP, FFP & CIP
17	Mission Valley Water Reclamation System - Clean Water Program Modifications to the Sewage System	Mission Valley	CD6	Camino Del Rio North, between I-805 and I-15- Clean Water Program Modifications to the sewage system.	N/A	1990	CP
20	Lake Murray Community Park - Artificial Turf Field	Navajo	CD7	Approximately 1.7 acre site. Development includes addition of an artificial turf ball field south of the existing ball fields at Cowles Point.	29-892.0	1982	CP, FFP
21	Lake Murray Community Park - Improvements	Navajo	CD7	Construction of parking lots, and road expansion to the park. The parking lot will add 200 parking spaces, and riparian landscaping/ xeriscaping at San Carlos Point.	29-4470	1982	CP, FFP
22	Old Mission Dam Preservation Project	Navajo	CD7	Dredging required for restoration of Old Mission Dam site. Dredging pProject was approved in 2005. LDR #s 92-0322 & 42-0120/SDP #4972. Includes associated mitigation site & future permitting for long-term maintenance.	20-100.3	1994	MND & CIP
23	Pasatiempo Open Space Park	Navajo	CD7	Passive open space park, including picnic facilities. Site contains vernal pools & will be reviewed as part of the HCP process.		1982	CP
24	Dennery Ranch Neighborhood Park #2	Otay Mesa	CD8	The development of a 9-acre neighborhood park.	29-408.0	1993	Dennery Ranch PP, FFP & CIP
27	Lower Otay Reservoir Emergency Sluice Gates	Otay Mesa	CD8	Provide new sluice gates at an existing check dam to allow for an emergency drawdown.	73-343.0	2000*	
28	Neighborhood Park No. 6	Otay Mesa	CD8	Development of a 5-acre park South of Airway Road and South of SR905.	P-12	1981	CP
31	Otay Valley Regional Park- Beyer Way Equestrian and Regional Staging Area	Otay Mesa	CD8	Development of a regional staging area in Otay Valley Regional Park; will include grading, drainage, utilities, restroom, security lights, interpretive kiosk, horse corals, drinking fountain, and trails for hiking, biking, and equestrian users.	29-942.0	2001*	Otay Valley Regional Park Plan & CIP
33	Los Altos Elementary School - Joint Use Improvements	Otay Mesa-Nestor	CD8	Provide for the design and construction of two parks or joint-use facilities including turf multi-purpose sports fields and courts, and landscaping at Los Altos Elementary School.	P-15	1993	CP, FFP
34	Los Altos Neighborhood Park - Improvements	Otay Mesa-Nestor	CD8	The development of 10.00 gross/ useable 7.5 acres, and will include a new comfort station.	P-3	1993	CP, FFP

38	Elementary School No. 2 - Joint Use Improvements	Pacific Highlands Ranch	CD1	The development of a 5-acre Joint Use facility at Elementary School No. 2	29-540.0	1999	PHR Subarea Plan				
40	McGonigle Neighborhood Park	Pacific Highlands Ranch	CD1	Development of a 5 useable acre neighborhood park to be located adjacent to a proposed elementary school in the McGonigle Park area. Park also includes half-width street improvements for the local roadway.	29-540.0	1999	PHR Subarea Plan & FFP				
42	Penasquitos Village Neighborhood Park	Rancho Penasquitos	CD1	The development of an approximately 5-acre neighborhood park site located along the west side of Carmel Mountain Road, and southwest of Cuca Street.	29-412.0	1993	CP & FFP				
43	Beyer Park Expansion	San Ysidro	CD8	The development of a 15-acre addition to the 5-acre Beyer Neighborhood Park site.	29-852.0	1990	CP, FFP & CIP				
44	Vista Terrace Park Expansion Acquisition and Development	San Ysidro	CD8	The development of a 14.45 acre border patrol detention facility adjacent to Vista Terrace Park.	P-10	1990	CP, FFP				
48	Fire Station #28	Serra Mesa	CD6	Development of a 16, 780 square foot fire station.	F-1	1977	CP, FFP				
49	Montgomery Field South Heliport	Serra Mesa	CD6	Development of an FAA-certified landing area for rotor crafts, utilized by the public, public-safety, and military entities.	31-313.0	2002*	CIP				
50	Serra Mesa Community Park Recreation Building	Serra Mesa	CD6	Development of a new 20,00 sq ft recreation building.	37-070.1	2005*	CP				
57	Camp Elliot Elementary School - Joint Use Improvements	Tierrasanta	CD7	The development of a 2-acre joint use facility on the future Camp Elliot Elementary School when it is constructed, located adjacent to the Camp Elliot Neighborhood Park.	P-8	2002*	FFP				
58	Camp Elliot Neighborhood Park	Tierrasanta	CD7	The development of a 5-acre neighborhood park located adjacent to Mission Trails Regional Park, and the future Camp Elliot Elementary School.	29-401.0	1983	FFP				
59	Kumeyaay Lakes Berm Restoration and Dredging	Tierrasanta	CD7	Project provides for the dredging of two lakes & reconstruction of a lake berm within the Kumeyaay Lake system at Mission Trails Regional Park.	29-671.0	2003*	CIP				
	Subtotal: 25 projects										
Projects that would include restoration, wetland buffer requirements, & may have possible minor wetland impacts (i.e. creek crossing for bridge)											
1	North Fire Station - No. 48	Black Mountain Ranch	CD1	Creek located on-site; Project design will include a minimum 75-foot buffer. No impacts to wetland would occur.	33-106.0	1998	BMR Subarea Plan & FFP				
6	Chollas Lake Resource Based Park (currently named North Chollas Community Park Improvements)	Mid-City/Eastern Area	CD4	Improvements to a 94-acre community park including a comfort station, walkways, trails, and creek enhancement.	29-667.0	1998	Mid-City PFFP & CIPsheet				
9	Sunshine Berardini Field-Improvements (formerly Mid-City Athletic Area)	Mid-City	CD4	Development of approximately 14.31 acres within the existing park. Amenities include a play area, multi-purpose courts, sports fields, walkways, trails, landscaping, and enhancements to Chollas Creek. installing a bridge to cross creek/minimumial wetland impacts.	29-890.0	1998	CP, FFP & CIP				
10	Wightman Street Neighborhood Park	Mid-City	CD4	Development of a 0.9 acre neighborhood park with amenities such as a play area, grass, and site furnishings. The park will also include creek enhancements as designated by the Chollas Creek Enhancement Plan.	29-925.0	1998	FFP, CIP & FF Planner				
14	McAuliffe (Winterwood) Community Park	Mira Mesa	CD5	Currently under consideration as a mitigation site for Salk Elementary School.	29-727.0	1992	CP, FFP & CIP				
25	Fire Station #6	Otay Mesa	CD8	Relocation to : Ocean View Hills & Del Sol Blvd., 12,000 sq ft building. Site is graded, but depending on location of vernal pools on adjacent site, a buffer area may be required on this parcel	33-086.0	1994	FFP				
41	Los Penasquitos Ranger Station	Rancho Penasquitos	CD1	The development of a new ranger station to replace an existing temporary facility at the NE corner of Black Mountain Road and Mercy Road. No impacts to wetlands would occur with project.	20-010.1	2005*	EGF Fund				

54	Chollas Creek South Branch Phase I Implementation	Southeast San Diego	CD 4 & 8	The project provides for the development/implementation of the Chollas Creek Enhancement Program which began in the 1970s.	37-446.0	1992	CP & Chollas Creek Plan				
56	252 Corridor Park Improvements - Phase II	Southeast San Diego	CD 8	Development of an approximately 5.8 gross acre, 2.0 useable acre, neighborhood park in the Southcrest Neighborhood. Improvements include picnic shelters, children's play area, hard courts, walkways, fencing, amphitheater, open turf areas, security lighting, and site furnishings. Restoration only: bridge installed with Phase I which has been completed.	29-970.0	1998	R-291003, CIP				
	Subtotal: 9 projects										
Project would occur on previously graded pad with potential for a minor drainage to occur on-site/ low potential for wetland impacts											
3	City Heights Hamilton Elementary School Park - Joint Use	Mid-City/City Heights	CD3	3-acre joint use park at the corner of Olive and 44th.	P-8	1998	Mid-City PFFP				
4	Eastern Area Kalmia Street Neighborhood Park	Mid-City/Eastern Area	CD4	Development of a 8.2-acre neighborhood Park.	P-17	1998	CP & FFP				
5	Home Avenue Neighborhood Park	Mid-City/Eastern Area	CD4	Development of a Neighborhood Park at Home Avenue North of Menlo Street.	29-865.0	2008*	CIP				
8	Hollywood Park	Mid-City	CD4	Improvements to an existing 7.05-acre park.	P-16	1998	CP				
18	Fire Station #34	Navajo	CD7	Project would expand the existing fire station, adding dorms and	33-099.9	1982	CP & FFP				
26	Hidden Trails Neighborhood Park	Otay Mesa	CD8	Development of a 3.7-acre neighborhood park within the Hidden Trails subdivision.	29-535.0	2000*	Hidden Trails PP, FFP & CIP				
29	Ocean View Hills Community Park	Otay Mesa	CD8	Development of a 15-acre community park north of SR-905 adjacent to the middle school within the California Terraces Specific Plan.	29-541.0	2002*	FFP				
30	Otay Mesa Branch Library	Otay Mesa	CD8	Construct a 15,000 sf Library on 3-acre site near Ocean View Hills Parkway and Del Sol Blvd.	35-086.0	2004*	FFP				
35	Southwest Neighborhood Park	Otay Mesa-Nestor	CD8	The development of a 11.54 gross/6.92 usable acres, and will include a new comfort station.	P-13	1997	FFP				
37	Elementary School No. 1 - Joint Use Improvements	Pacific Highlands Ranch	CD1	The development of a 5-acre Joint Use facility at Elementary School No. 1	29-534.0	1999	PHR Subarea Plan				
51	Taft Middle School - Joint Use Area	Serra Mesa	CD6	Development of a two acre joint-use facility at Taft Middle School.	P-17	2005*	CP				
52	Paradise Hills Community Park Phase III	Skyline Paradise Hills	CD4	Improvements to the lower part of Paradise Hills community park.	29-432.0	1987	CP, FFP				
53	Paradise Hills Community Park - Skateboard Park	Skyline Paradise Hills	CD4	Development of a skateboard park on the lower field of the Paradise Hills Community Park.	S/P- P11	1987	CP				
	Subtotal: 13 projects										
	Projects that have been completed, deleted, or have no wetland impacts										
2	City Heights Community Park	Mid-City/City Heights	CD3	Development of a 27-acre park with a 10,000 sq ft. recreation building and Olympic size swimming pool located between Thorne and Quince. East side of Fairmount Ave, 3 1/2 blocks wide to east of 45th St.	P-2	1998	Mid-City PFFP				
7	Fox Canyon Neighborhood Park -Development	Mid-City	CD4	The development of approximately 1.9 acres including a play area, picnic facilities, walkways, and landscaping. A bridge and enhancements to Auburn Creek, street improvements on Ontario Avenue, a trail, and interpretive signage. No longer a project.	29-596.0	1998	FFP, CIP & FF Planner				
11	34th Street Neighborhood Park	Mid-City/Normal Heights	CD3	The development of a 5.1-acre park at 34th Street and Mountain View Drive.	P-24	1998	CP & FFP				
12	Lakeshore Park	Miramar Ranch North	CD5	Construction of a vista point with lake access, 20 parking spaces and landscaped areas. Project has been built.	No. 9-42	1988	CP & CIP				

19	Fire Station #45 (Qualcomm Stadium)	Navajo	CD8	New fire station in Qualcomm parking lot. No wetland impacts would occur.	33-090.0	2000*	FFP				
32	Riviera Del Sol	Otay Mesa	CD8	Development of a 4.9-acre neighborhood park within the Riviera Del Sol subdivision. No wetland impacts would occur.	29-651.0	1999	Riviera del Sol PP, FFP & CIP				
36	Pacific Beach Fire Station #48	Pacific Beach	CD6	Development of a new fire facility to support the needs of the community near Garnet and Mission Bay Dr. No wetland impacts would occur.	PB-31	1993	CP & FFP				
39	Gonzales Canyon Neighborhood Park	Pacific Highlands Ranch	CD1	Development of a 5 useable acre neighborhood park to be located adjacent to a proposed elementary school in the Gonzales Canyon area. Park also includes half-width street improvements for the local roadways adjacent to the park and utilities to serve the park. No wetland impacts would occur.	29-534.0	1999	PHR Subarea Plan & FFP				
45	Ahrens Field Development	Scripps Miramar Ranch	CD5	Project would provide a 2-acre neighborhood park with lighted sports fields at site owned by San Diego Unified School District. No wetland impacts would occur.	29-930.0	1988	CP & FFP				
46	Scripps Miramar Ranch Library Parking Expansion	Scripps Miramar Ranch	CD5	The expansion of the Scripps Ranch Library parking lot. Would require off-site acquisition.	35-112.0	2003*	FFP				
47	Treena Mesa Joint Use Sports Fields (Formerly Scripps Ranch High School)	Scripps Miramar Ranch	CD5	Development of 7 acres of lighted multi-sports fields at a location west of Treena Street on school district-owned property. No wetland impacts would occur.	29-932.0	1988	CP & CIP				
55	Dorothy Petway Park/252 Corridor Park Ph I (formerly Father Brockhaus)	Southeast San Diego	CD 4 & 8	The development of a 9-acre neighborhood park (phase I & II) in the former state route 252 corridor, including amenities such as a playground, turf and landscaping, hard court areas, and a parking lot. Phase I has been built.	29-458.0	1998	R-291003, CIP				
	Subtotal: 12 projects - Projects to be removed from list										
	Summary - Total Projects: 47	**Projects Pre-Jan. 1, 2000:**	**35**	**Projects Post- January 2, 2000*: 12**							
	Note: Does not include non-linear projects within the coastal zone. List includes non-linear projects located within and/or adjacent to wetland areas. Projects would be developed in accordance with ESL Section 143.0150 (deviation may only be requested where no feasible alternative exists that would avoid impacts to wetlands.)										