

**Legend**

- Impacted Areas
- Temporary Access Road

**Vegetation**

- DBM - Disturbed Coastal Brackish Marsh
- DDCSS - Disturbed Diegan Coastal Sage Scrub
- DEV - Developed
- DIST - Disturbed
- SP - Salt Panne
- OW - Open Water
- RUD - Ruderal
- SM - Southern Coastal Salt Marsh

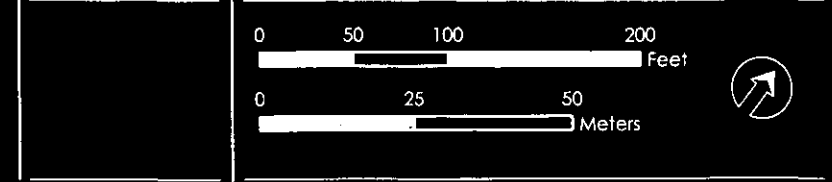
Temp Road Impacts	
VEG TYPE	SQ. FT.
DDCSS	556,316
SP	150,405
RUD	824,568
SM	792,555
<b>TOTAL</b>	<b>2,323,846</b>

Impacted Areas			
VEG TYPE	SQ. FT.	ACRES	HECTARES
DDCSS	590,220,034	1.355	0.548
DEV	21,375,483	0.491	0.199
DIST	184,334	0.004	0.002
RUD	161,437,749	0.371	0.15
<b>TOTAL</b>	<b>967,256</b>	<b>2.221</b>	<b>0.899</b>

Haul Road Impacted Areas			
VEG TYPE	SQ. FT.	ACRES	HECTARES
DEV	70,651,64	1.62	0.65
RUD	36,579,32	0.84	0.34
<b>TOTAL</b>	<b>107,230.96</b>	<b>2.46</b>	<b>0.99</b>

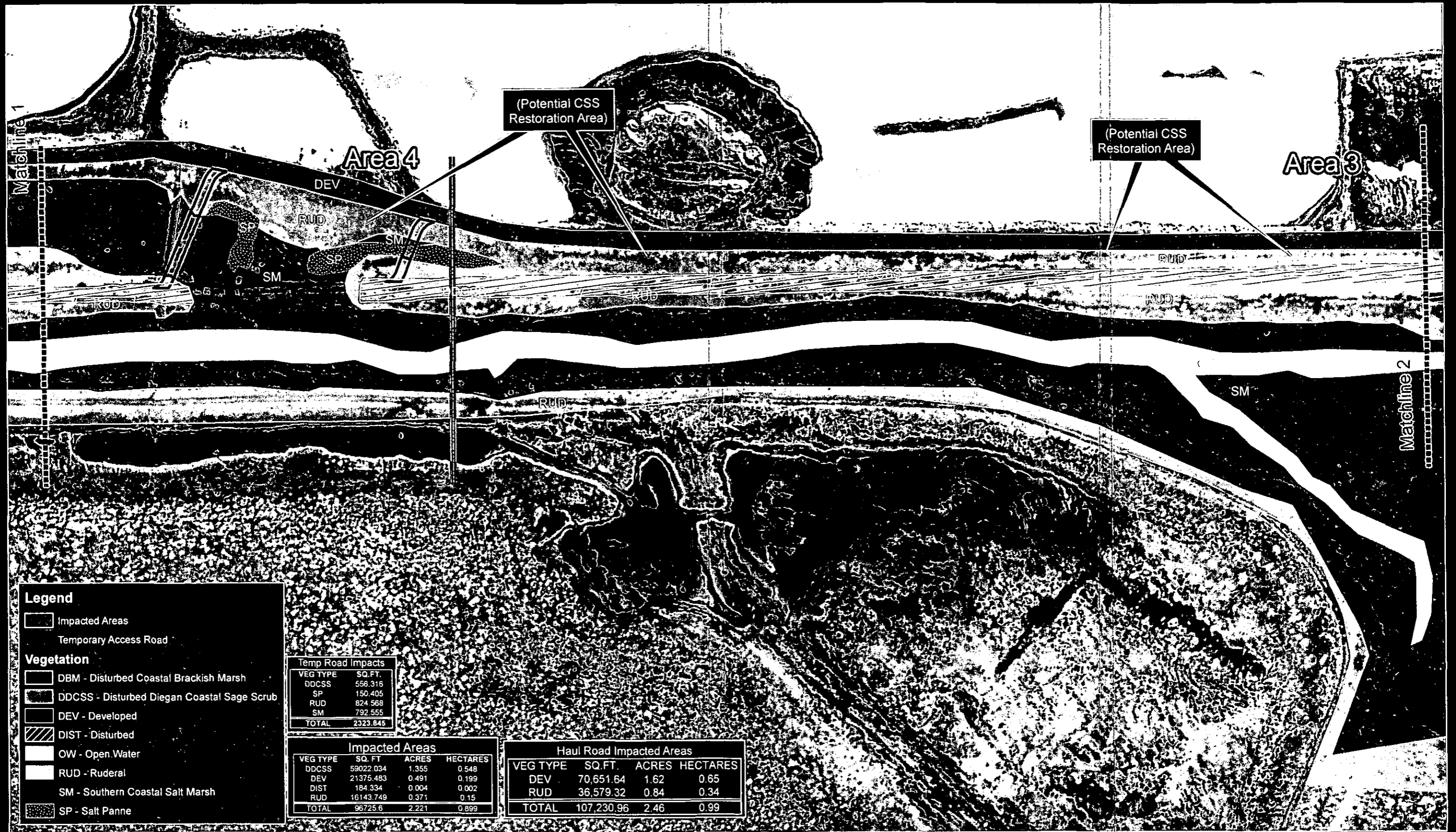
SOURCE: Tierra, 2006; USGS, 2003; Rick Engineering, 2006; BRG Consulting Inc., 2007

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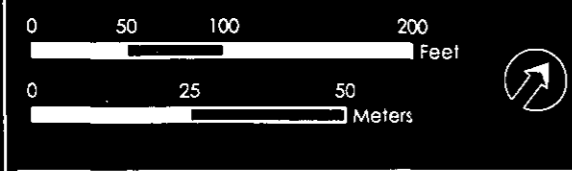
Bayshore Bikeway - Western Salt Segment  
**Proposed Impacts for the Western Salt Segment of the Bayshore Bikeway**

**FIGURE 5.2-3a**



SOURCE: Tierra, 2006; USGS, 2003; Rick Engineering, 2006; BRG Consulting Inc., 2007

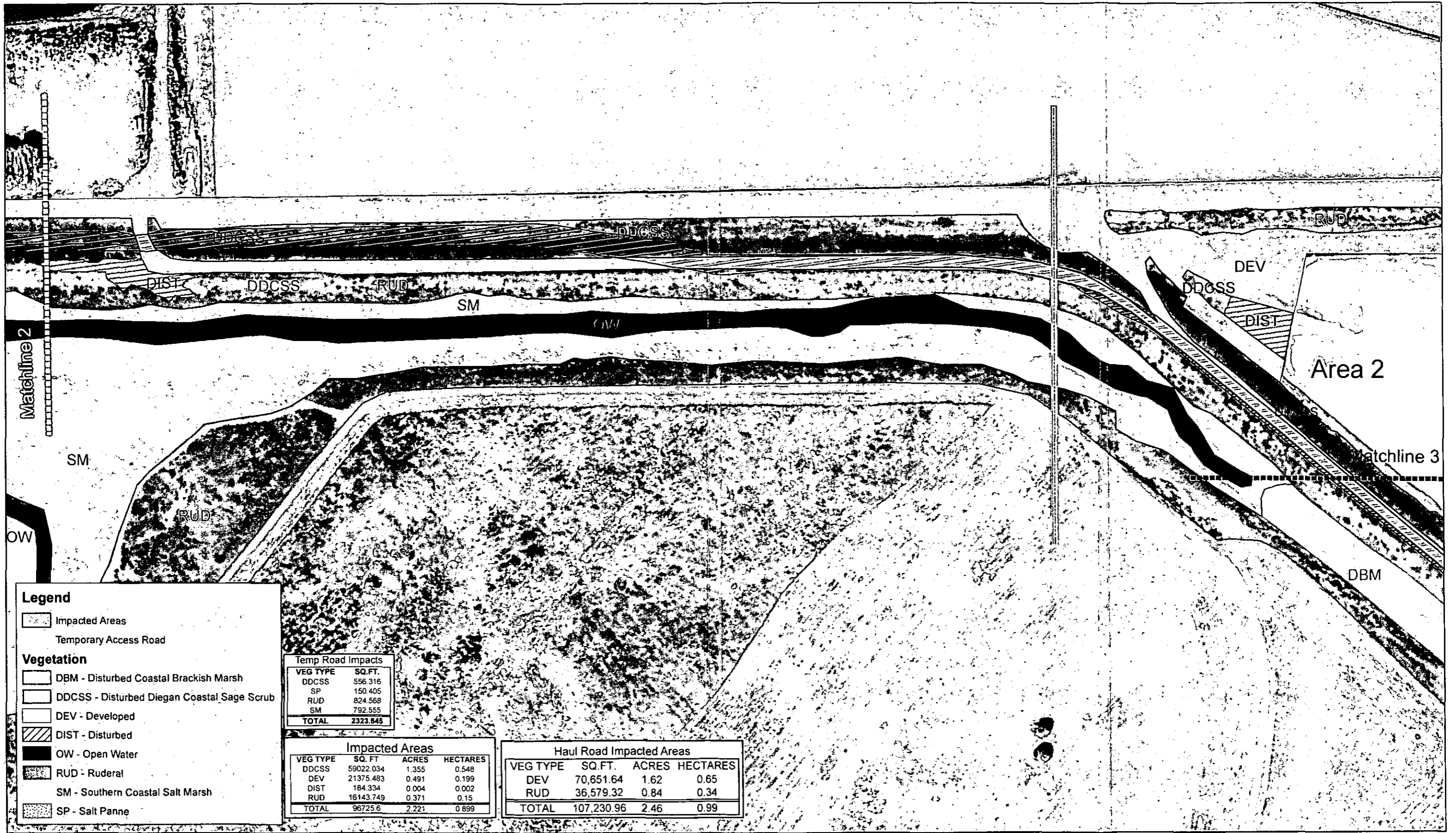
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Bayshore Bikeway - Western Salt Segment

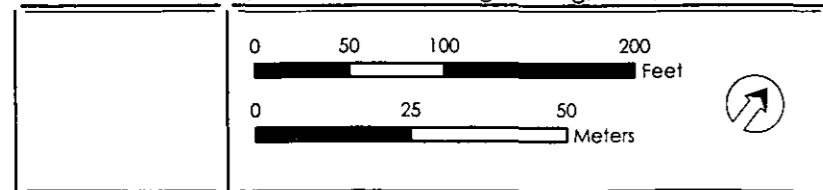
Proposed Impacts for the Western Salt Segment of the Bayshore Bikeway

FIGURE 5.2-3b



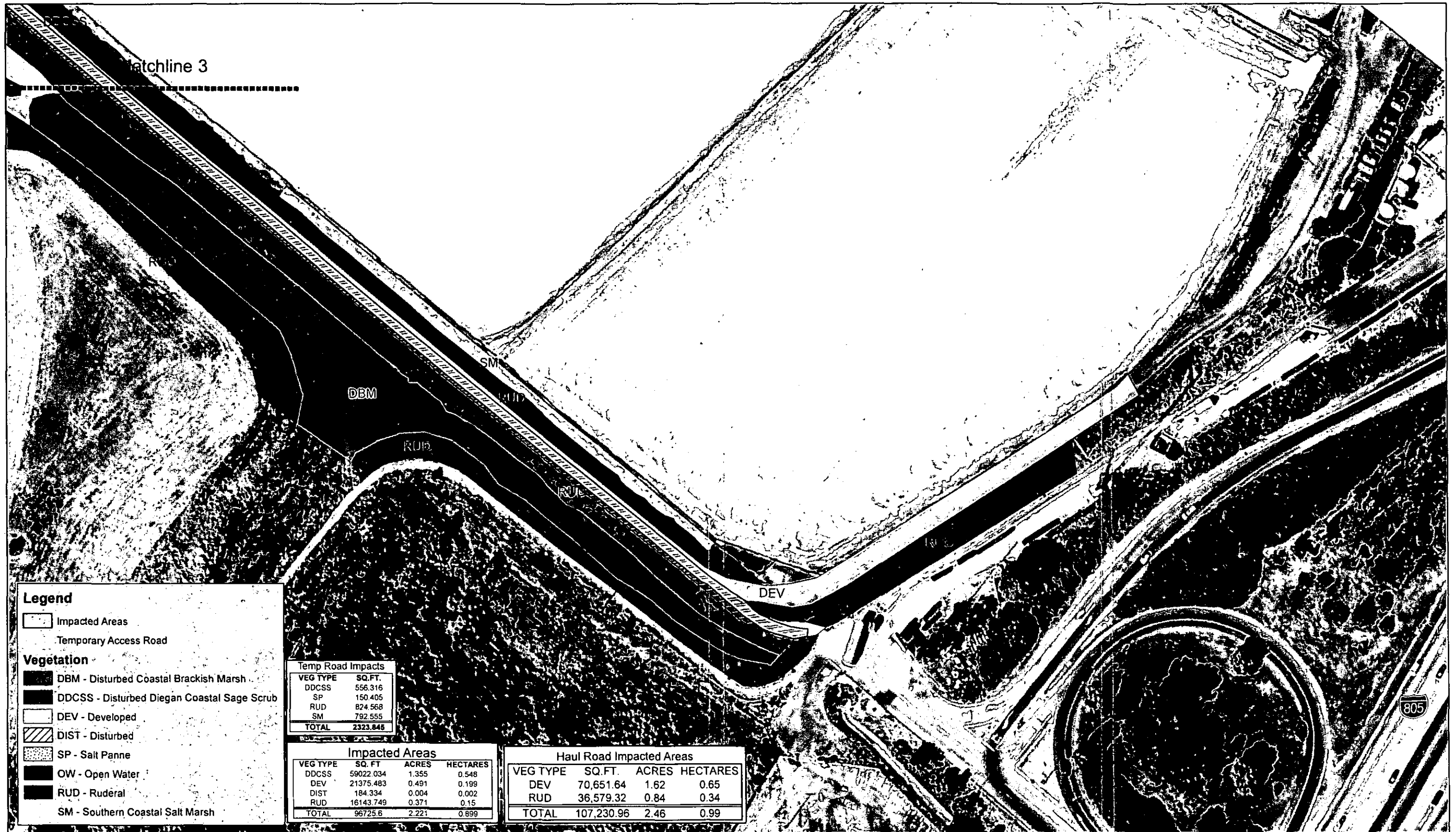
SOURCE: Tierra, 2006; USGS, 2003; Rick Engineering, 2006; BRG Consulting Inc., 2007

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Bayshore Bikeway - Western Salt Segment  
 Proposed Impacts for the Western Salt Segment of  
 the Bayshore Bikeway

FIGURE  
 5.2-3c



**Legend**

- Impacted Areas
- Temporary Access Road

**Vegetation**

- DBM - Disturbed Coastal Brackish Marsh
- DDCSS - Disturbed Diegan Coastal Sage Scrub
- DEV - Developed
- DIST - Disturbed
- SP - Salt Panne
- OW - Open Water
- RUD - Ruderal
- SM - Southern Coastal Salt Marsh

**Temp Road Impacts**

VEG TYPE	SQ.FT.
DDCSS	556,316
SP	150,405
RUD	824,568
SM	792,555
<b>TOTAL</b>	<b>2,323,845</b>

**Impacted Areas**

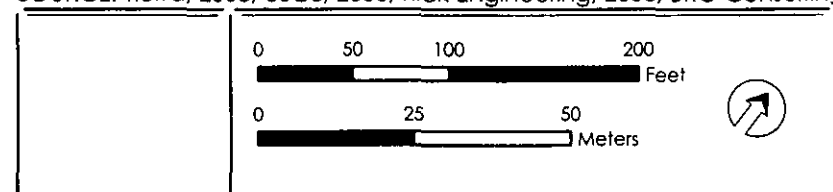
VEG TYPE	SQ. FT.	ACRES	HECTARES
DDCSS	59022.034	1.355	0.548
DEV	21375.483	0.491	0.199
DIST	184.334	0.004	0.002
RUD	16143.749	0.371	0.15
<b>TOTAL</b>	<b>96725.6</b>	<b>2.221</b>	<b>0.899</b>

**Haul Road Impacted Areas**

VEG TYPE	SQ.FT.	ACRES	HECTARES
DEV	70,651.64	1.62	0.65
RUD	36,579.32	0.84	0.34
<b>TOTAL</b>	<b>107,230.96</b>	<b>2.46</b>	<b>0.99</b>

SOURCE: Tierra, 2006; USGS, 2003; Rick Engineering, 2006; BRG Consulting Inc., 2007

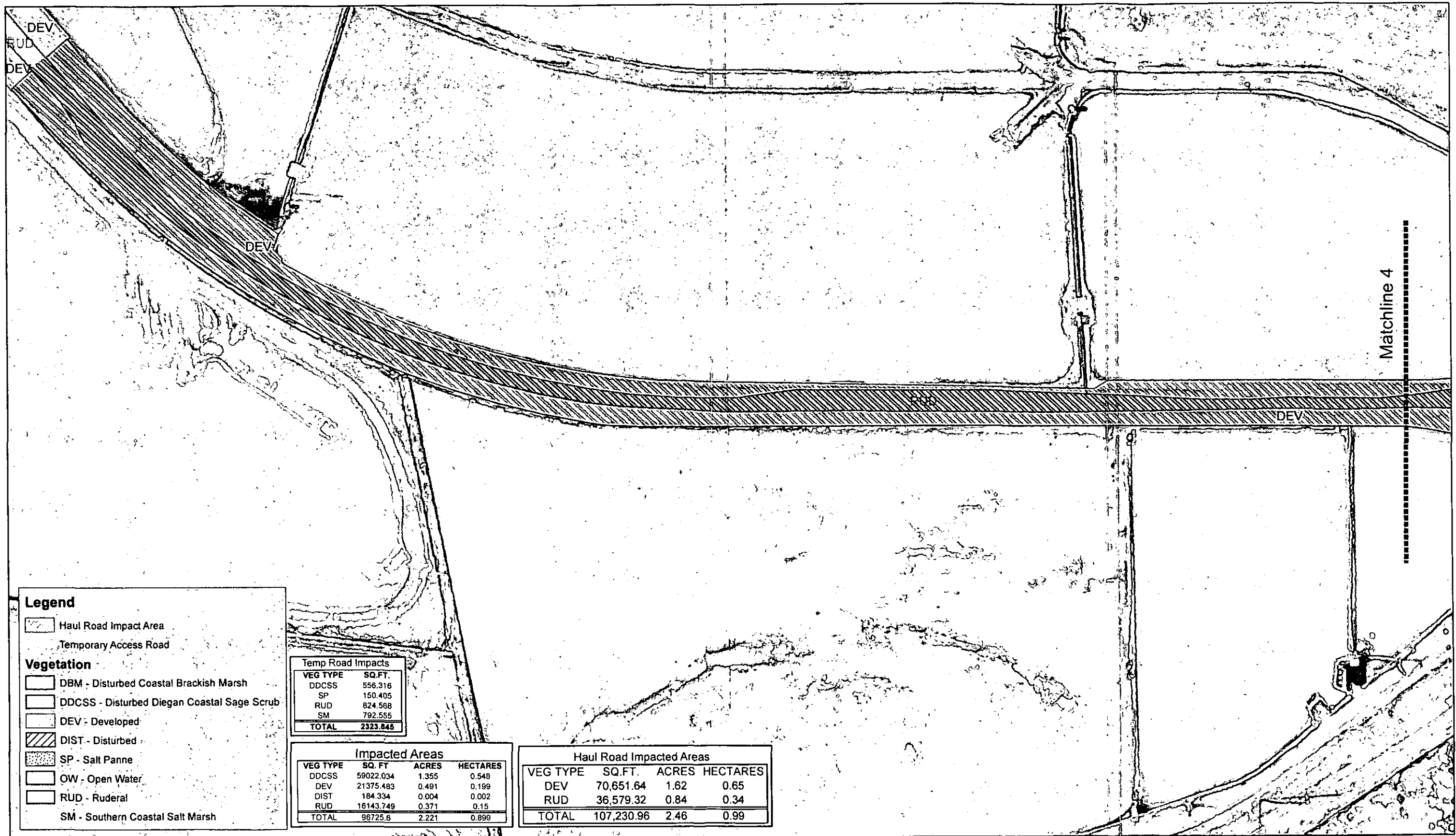
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Bayshore Bikeway - Western Salt Segment

**Proposed Impacts for the Western Salt Segment of the Bayshore Bikeway**

**FIGURE 5.2-3d**



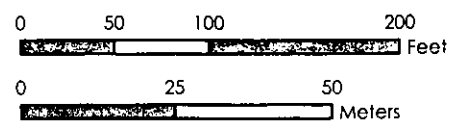
SOURCE: Tierra, 2006; USGS, 2003; Rick Engineering, 2006; BRG Consulting Inc., 2007

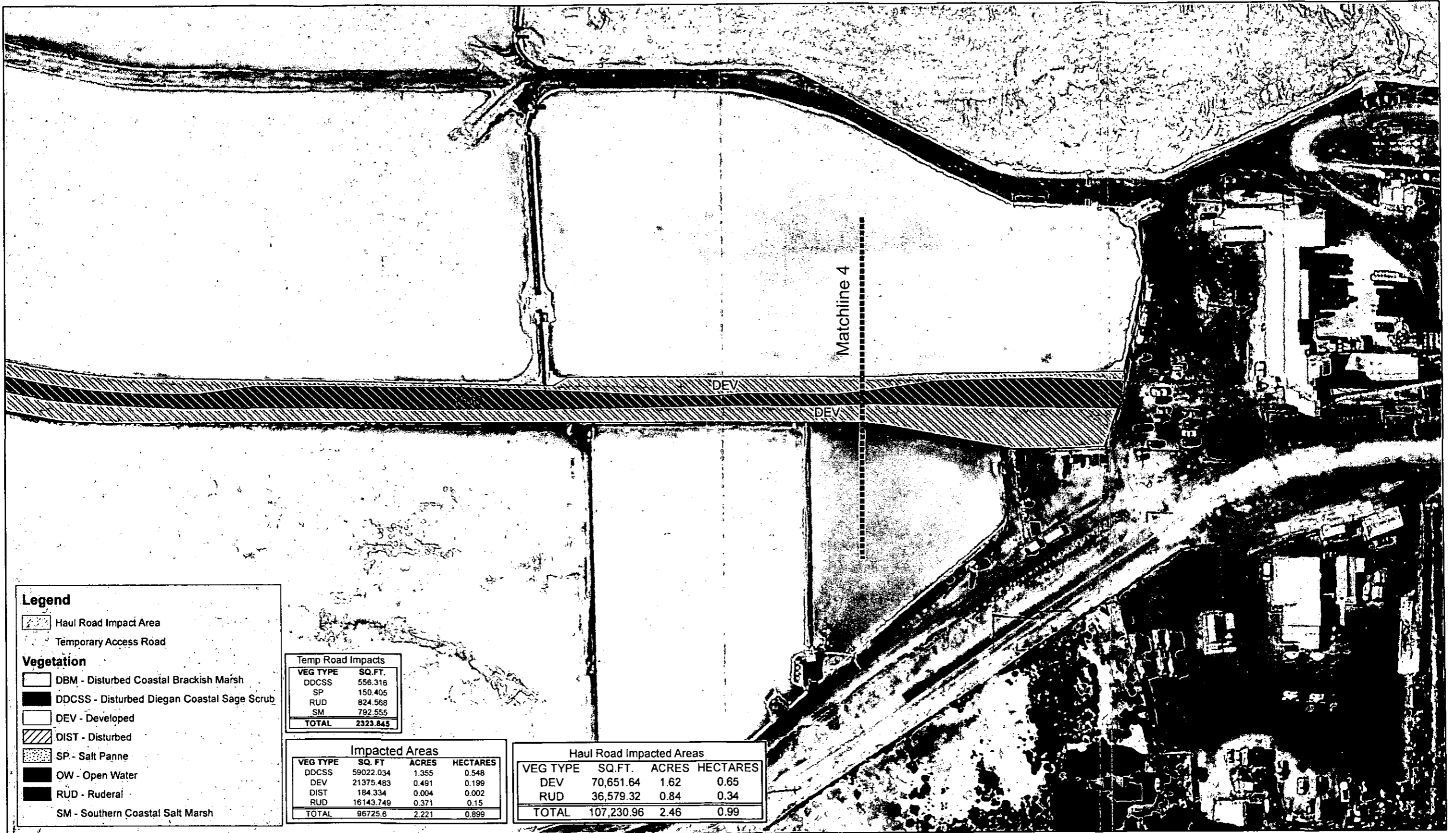
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Bayshore Bikeway - Western Salt Segment

Vegetation Communities of the Western Salt Segment of the Bayshore Bikeway (Haul Road Segment)

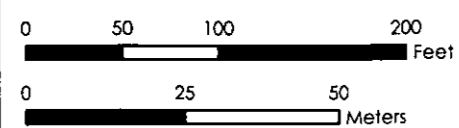
FIGURE 5.2-3e





SOURCE: Tierra, 2006; USGS, 2003; Rick Engineering, 2006; BRG Consulting Inc., 2007

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Bayshore Bikeway - Western Salt Segment  
 Vegetation Communities of the Western Salt Segment of  
 the Bayshore Bikeway (Haul Road Segment)

FIGURE  
 5.2-3f

TABLE 5.2-1  
Ruderal Plant Species Observed On-Site

Common Name	Scientific Name
garland	Chrysanthemum coronarium
red brome	Bromus rubens
rip-gut brome	Bromus diandrus
filaree	Erodium
soft chess	Bromus hordeaceus
prickly sow thistle	Sonchus asper
wild barley	Hordeum leporinum
plantain	Plantago
wild oat	Avena barbata
little ice plant	Mesembryanthemum nodiflorum
Russian thistle	Salsola australis
wild mustard	Brassica sp.
tree tobacco	Nicotiana glauca
stinging nettle	Urtica holosericea
horehound	Marrubium vulgare
salt bush	Atriplex lentiformis
castor bean	Ricinus communis
wooly sea blite	Suaeda taxifolia
California everlasting	Gnaphalium californicum
wild radish	Raphanus sativus

Source: Tierra Environmental Services, 2007  
n/a: not applicable

TABLE 5.2-2  
Native Upland Plant Species Observed On-Site

Common Name	Scientific Name
cholla	Opuntia sp.
goldenbush	Isocoma sp.
California everlasting	Gnaphalium californicum
broom baccharis	Baccharis sarothroides
mulefat	Baccharis salicifolia
prickly pear	Opuntia sp.

Source: Tierra Environmental Services, 2007  
n/a: not applicable

TABLE 5.2-3  
Marsh Plant Species Observed On-Site

Common Name	Scientific Name
wooly sea blite	Suaeda taxifolia
common pickleweed	Salicornia virginica
alkali heath	Frankenia salina
glasswort	Salicornia subterminalis
saltgrass	Distichlis spicata
rush	Scirpus sp.
western ragweed	Ambrosia psilostachya
wild radish	Raphanus sativus
curly dock	Rumex crispus
annual pickleweed	Salicornia bigelovii
estuary sea blite	Suaeda esteroa
sea lavender	Limonium californicum
boxthorn	Lycium californicum
saltwort	Batis maritima
spiny rush	Juncus acutus
horsetail tree	Casuarina equisetifolia
cordgrass	Spartina foliosa

Source: Tierra Environmental Services, 2007

characteristics of each of the project areas (Areas 1 through 4). Areas 1 through 4 are also depicted on Figures 5.2-3a through 5.2-3f.

**Area 1.** This portion of the project alignment would follow a developed roadway. No vegetation communities exist within this component of the project right-of-way.

**Area 2.** The first portion of the bikeway path in Area 2 would follow a developed roadway. There are no botanical resources associated with this portion of the bike path segment in Area 2. The bike path segment then joins with the Main Street Dike, which is dominated by ruderal species including garland and non-native grasses such as red brome, ripgut brome, filaree, soft chess, prickly sow thistle, wild barley, and plantain. Marsh species observed at the base of the Main Street Dike on the north side include wooly sea blite, common pickleweed, alkali heath, and glasswort. At the base of the south side of the Main Street Dike, vegetation would be characterized as disturbed coastal brackish marsh, supporting a mixture of both salt-tolerant and freshwater species. Species observed in this area include saltgrass, rush, western ragweed, wild radish, curly dock, pickleweed and glass wort. A patch of annual pickleweed was also observed along this side of the berm. The area south of the river is composed of ruderal fields that support wild mustard, castor bean, garland and various non-native grasses.

Ruderal habitat also occurs on either side of the Main Street Dike. This vegetation community is comprised primarily of bush seepweed, alkali heath, goldenbush, and boxthorn. Toward the western end of the Main Street Dike, disturbed Diegan coastal sage scrub borders the proposed bikeway alignment. In this area, this community is dominated by goldenbush and also supports a large proportion of garland.

Originally, the Western Salt Segment of the Bayshore Bikeway was designed so that bike path users and Western Salt vehicles would share the Main Street Dike. This would have resulted in impacts to remnant salt marsh habitat at the base of the berm. In order to minimize wetland impacts, construction of a haul road was proposed in place of the existing railroad that extends north from the western end of the dike. This road would allow separate use of the bikeway by bicyclists and vehicles. The vegetation along the proposed haul road is composed of ruderal species that have become established among and adjacent to the rails and ties. Typical species include garland, red brome, ripgut brome, filaree, wild oat, little ice plant, and Russian thistle.

**Area 3.** The top of the berm in this segment of the proposed project supports primarily ruderal species such as garland, mustard, ice plant, sea blight, wild radish and tree tobacco. However, dense patches of prickly pear and cholla are also common along this portion of the bikeway. These areas would be characterized as disturbed Diegan Coastal Sage Scrub. The northwest-facing side of the berm borders salt ponds while the southeast-facing side borders the Otay River. Salt marsh species observed in this area include pickleweed, alkali heath, estuary sea blite, and sea lavender. Areas of annual pickleweed were also observed. The southeast-facing bank of the river supports species such as salt wort, spiny rush, and horsetail tree.



**Area 4.** This portion of the proposed bike path is relatively shrubby compared to the rest of the proposed route and is vegetated with disturbed coastal sage scrub dominated by cholla. Ruderal species observed in this segment include garland, prickly sow thistle, California everlasting, stinging nettle, wild radish, horehound, saltbush, broom baccharis, and mulefat. This mix of species grows densely and covers approximately 90 percent of Area 4.

Coastal salt marsh habitat occurs on both the east and west sides of Area 4, including the areas spanned by both bridges. Salt marsh species occurring along the river are similar to those observed in Area 3 and also include cordgrass.

No narrow endemic plant species were found during surveys of the entire alignment.

## **B. Wetlands**

### ***Wetland Delineation***

Wetland hydrology is evident in the project area in the form of tidal action from south San Diego Bay. The initial delineation was performed during periods of high tide (+6 feet MSL on November 3, 1999) and tidal influence on wetlands in the area was observed as soil saturation, watermarks, and drainage patterns as well as sediment deposits and debris accumulation near the wetland delineation test soil pits. Delineation of jurisdictional wetlands continued on November 11, 16, and 17, 1999 and was updated on February 22, 2007.

A wetland delineation was performed to identify ACOE, CDFG, and City of San Diego (City) jurisdictional habitats. The 1987 ACOE Wetlands Delineation Manual delineates wetlands based on three parameters: the prevalence of hydrophytic vegetation; the presence of hydric soils; and the presence of wetland hydrology. The 1987 manual requires the presence of all three indicators to define a wetland. ACOE jurisdiction also includes waters of the U.S., specifically water bodies. For streams, this jurisdiction extends to the upper limits of the ordinary high water (OHW) mark.

CDFG jurisdiction extends to lake and streambeds, and includes wetlands. Like the ACOE, the CDFG determines jurisdictional areas according to the presence of wetland indicators; however, wetlands under CDFG jurisdiction only have to exhibit one of the three ACOE wetland indicators discussed above. Similarly, the City defines wetlands based on a single indicator. For this project, the presence of obligate wetland plant species was used to determine CDFG/City wetland/upland boundary.

The project area is considered an atypical situation due to the alteration of all three wetland indicators by the construction of salt ponds and berms. Soils for berms were either imported or dredged from the adjacent bay and vegetation was found buried under fill during the delineation. Several ponds exist at an elevation that is higher than the channels of the Otay River, "perched" above the natural water course. As a result, saline water seeps beneath the berms in some locations. This seepage results in areas of hypersaline soil devoid of plant life. These areas were determined to be Waters of the U.S. according to

ACOE definitions. Indicators of wetland hydrology observed at each sampling location are described in the data forms in the Wetland Delineation (Appendix B2).

Two wetland vegetation types were observed during wetland delineation: coastal brackish marsh and southern coastal salt marsh.

Coastal brackish marsh occurs at the base of the south side of the Main Street Dike within Area 2. This vegetation consists of a mixture of both salt-tolerant and freshwater species. Species observed in this area include salt grass, rush, western ragweed, Wild radish, curly dock, common pickleweed and glasswort. A patch of annual pickleweed was also observed along this side of the dike.

Southern coastal salt marsh is highly productive, herbaceous and suffrescent and typically dominated by salt-tolerant hydrophytes forming moderate to dense cover up to three feet tall. Most species are active in spring and summer, and dormant in winter. The marsh is usually segregated horizontally with Pacific cordgrass closest to open water, common pickleweed and annual pickleweed and salt wort at mid-littoral elevations, and a rich mixture of suffrescent species in the higher ground. Species characteristic of the upper, leeward edges of coastal salt marsh include alkali heath, estuary sea blite, and glasswort.

At the proposed project site, salt marsh vegetation occurs primarily adjacent to the channels of the Otay River. The lower marsh includes some patches of Pacific cordgrass; however, the lower marsh is dominated by common pickleweed, estuary seepweed, and salt wort. In the northern portion of Area 3, which is located on the elevated berm adjacent to the MTS right-of-way, ACOE jurisdictional habitat is restricted to a terrace that rises approximately 1-2 feet above the channel of the Otay River. This terrace rises abruptly to a higher terrace, approximately 2-3 feet above the Otay River that is dominated by alkali heath, saltgrass, pickleweed, and sea lavender. The ACOE wetland/upland boundary occurs within this rise to the higher terrace.

In the southern portion of Area 3, from the terminus of the elevated berm to the northern bridge, ACOE jurisdictional habitat occurs along the base of the Otay River berm.

Along Area 4, between the two railroad bridges, the Otay River berm slope drops steeply to the lower marsh plain for nearly its entire length. ACOE jurisdictional area was determined to be at or near the base of the berm for this portion of the project area.

As previously noted, the City of San Diego and CDFG require a single wetland indicator to define a wetland. Although the berm on which the bikeway is proposed rises approximately 15-20 feet above the marsh plain associated with the Otay River, glasswort extends up the slopes of the berm and, in some instances, continues onto the upper level of the berm. Glasswort is considered an obligate wetland plant although it is often found in these types of situations, far above any tidal influence. The local distribution of this species has been used to delineate City and CDFG wetland boundaries.

### C. Wildlife

South Bay Salt Works' diked ponds provide habitat for migrating shorebirds, wintering waterfowl, and nesting seabirds. The ponds represent one of the few large feeding, nesting and resting areas that remain along the Southern California coast. The salt ponds are a specialized habitat in south San Diego Bay, interspersing shallow open water with mudflats, dry dikes, and salt marsh. The ponds allow escape from the rising tides while at the same time providing food such as fish, brine shrimp and brine flies. This area of the South Bay Salt Works facility is known as nesting and foraging grounds for more than 94 avian species. It is for this reason that the South Bay Salt Works property was included in the South San Diego Bay Unit of the San Diego Wildlife Refuge.

A majority of wildlife species observed during field surveys were bird species. The biological surveys conducted for the project site were focused on only those areas that could be directly impacted by the proposed project. These included primarily the marsh habitats of Area 2 south of the Main Street berm, and Areas 3 and 4. Wildlife species observed during field surveys for the proposed project, and avian species documented by USFWS are discussed for each area below.

**Area 1.** This segment occurs along a developed roadway and is not considered suitable habitat for wildlife species. No wildlife species were observed along this segment.

**Area 2.** The northern portion of this area is bordered by magnesium chloride evaporation ponds to the west and developed areas to the east. Therefore, there are very few wildlife species associated with the northern portion of this area. The magnesium chloride ponds are nearly sterile of any biological life while developed areas are not expected to support significant wildlife habitat.

The Main Street Dike portion of Area 2 supported native wildlife species, concentrated along the Otay River. Species observed during focused surveys include common yellowthroat, mallard, American coot, and black-necked stilt. Species reported from the area include semi-palmated plover, killdeer, marbled godwit, American avocet, and various gulls.

**Area 3.** Wildlife species observed in Area 3 during field surveys include the state-listed endangered species Belding's Savannah sparrow in the remnant salt marsh east of the proposed alignment. Other species observed within the adjacent marsh and open water include western grebe, eared grebe, lesser scaup, and American avocet. Wildlife species observed on the berm on which the proposed bikeway would be constructed included white-crowned sparrow, Anna's hummingbird, and common raven.

Portions of Area 3 have been surveyed by the USFWS and have been shown to support high diversity and total abundance of bird species. These species were observed in association with the Otay River or the secondary salt extraction ponds northwest of this segment. Water levels in the extraction ponds fluctuate depending on the salt extraction process, exposing salt panne for foraging shorebirds. Species observed in the vicinity of Area 3 include pied-billed grebe, eared grebe, Clard's grebe, brown pelican, double-crested cormorant, great blue heron, snowy egret, green-backed heron, gadwall, mallard, cinnamon teal, northern shoveler, lesser scaup, bufflehead, ruddy duck, and black-bellied plover.

**Area 4.** Wildlife species observed in Area 4 include western grebe, American coot, mallard, Belding's Savannah sparrow and white crowned sparrow. In addition, this segment of the bike path, like Area 3, is bordered by salt ponds that have been known to support a large and diverse population of avian species. In 1993, the salt ponds directly west of Area 4 supported the third largest number of individuals in the salt facility. The salt ponds adjacent to this area also fluctuate with the salt extraction process providing habitat for both grebes and wading shorebirds. Species observed in the salt ponds adjacent to Area 4 are similar to those observed in Area 3.

Table 5.2-4 provides a complete list of avian species observed during field surveys and documented by the USFWS.

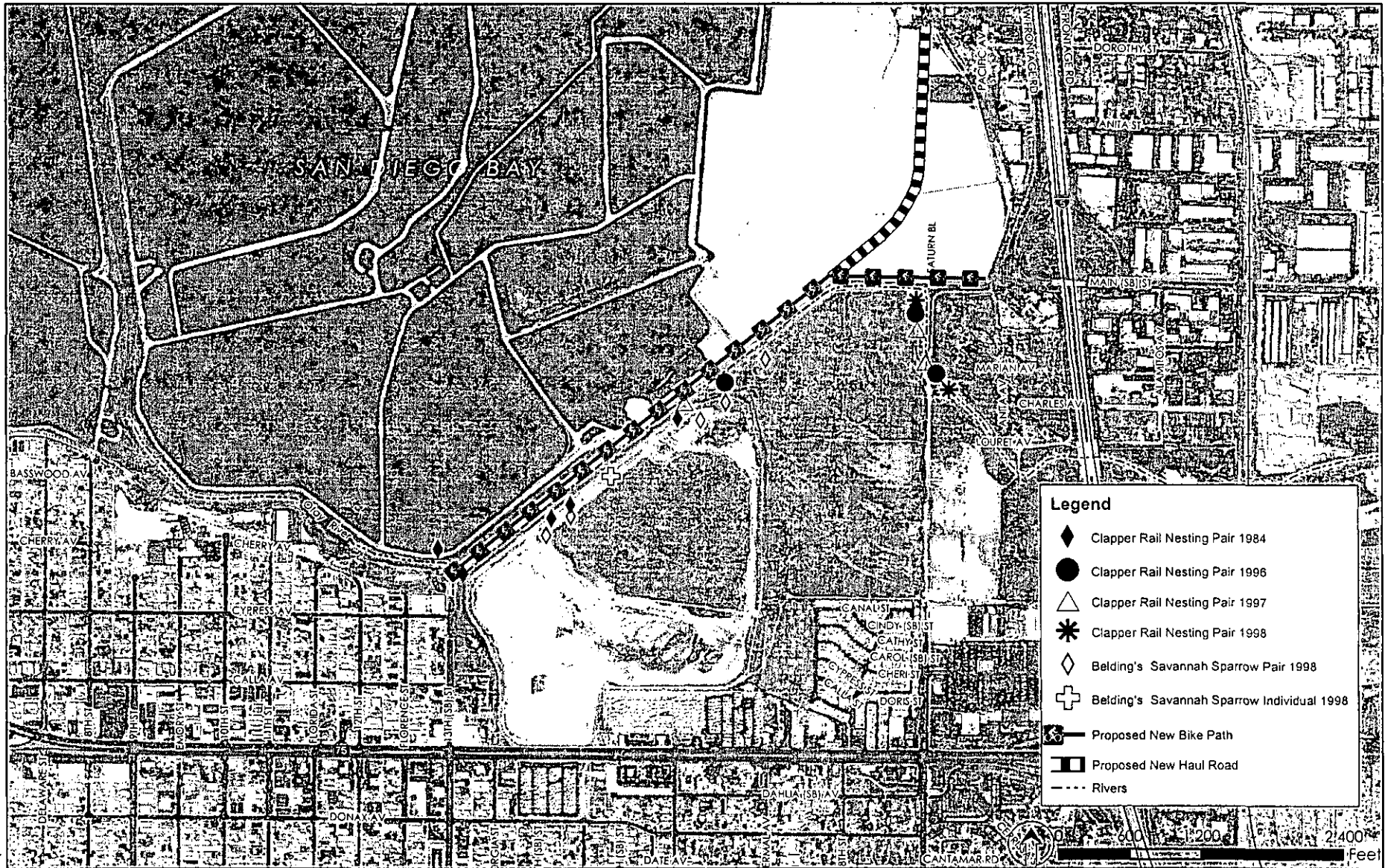
TABLE 5.2-4  
Avian Species Observed in the Project Area

Common Name	Scientific Name	Common Name	Scientific Name
western snowy plover*	<i>Charadrius alexandrinus nivosus</i>	Great blue heron	<i>Ardea herodias</i>
California least tern*	<i>Sterna antillarum browni</i>	Snowy egret	<i>Egretta thula</i>
light-footed clapper rail*	<i>Rallus longirostris levipes</i>	Green-backed heron	<i>Butorides striatus</i>
Belding's Savannah sparrow*	<i>Passerculus sandwichensis beldingi</i>	Gadwall	<i>Anas strepera</i>
common yellowthroat	<i>Geothlypis trichas</i>	Bufflehead	<i>Bucephala albeola</i>
mallard	<i>Anas platyrhynchos</i>	Ruddy duck	<i>Oxyura jamaicensis</i>
American coot	<i>Fulica americana</i>	Black-bellied plover	<i>Pluvialis squatarola</i>
black-necked stilt	<i>Himantopus mexicanus</i>	White-crowned sparrow	<i>Zonotricha leucophrys</i>
Semi-palmated plover	<i>Charadrius semipalmatus</i>	Anna's hummingbird	<i>Calypte anna</i>
Killdeer	<i>Charadrius vociferus</i>	Common raven	<i>Corvus corax</i>
Marbled godwit	<i>Limosa fedoa</i>	Pied-billed grebe	<i>Podilymbus podiceps</i>
American avocet	<i>Recurvirostra americana</i>	Clark's grebe	<i>Aechmophorus clarkii</i>
Western grebe	<i>Aechmophorus occidentalis</i>	Brown pelican	<i>Pelecanus occidentalis</i>
Eared grebe	<i>Podiceps nigricollis</i>	Double-crested cormorant	<i>Phalacrocorax auritus</i>
Lesser scaup	<i>Aythya affinis</i>		

Source: Tierra Environmental Services, 2007

\*State or federally listed as endangered or threatened

5.2-25



SOURCE: Sangis, 2006, 2004, Tierra 2005, BRG Consultants, 2007

04/18/07

Bayshore Bikeway - Western Salt Segment

Sensitive Species Locations

FIGURE

5.2-4

#### **D. Sensitive Species**

Sensitive species are those that have been designated as endangered or threatened by the state or federal government, are candidates for endangered or threatened status, or are considered rare. These include plant species that have been designated as narrow endemic species by the City of San Diego. Sensitive species potentially occurring within the project vicinity include: light-footed clapper rail, California least tern, western snowy plover, Belding's Savannah sparrow, and salt marsh bird's beak. Other species that were identified in resource agency meetings and City review of the project include Pacific little pocket mouse, San Diego cactus wren, and burrowing owl. Figure 5.2-4 depicts the locations of the sensitive species identified in the vicinity of the project during project biological surveys.

##### ***Light-footed clapper rail (breeding season – February 15 to September 30)***

The light-footed clapper rail is a federally and state listed endangered species. It nests in lower salt marsh, particularly cordgrass but occasionally in fresh/brackish marshes. Foraging areas include intertidal channels and it requires higher marsh for refuge from high tides. Previous biological surveys conducted by the USFWS, and surveys conducted for the proposed project, indicate that this species occupies portions of Areas 3 and 4 of the project site (in the salt marsh habitats adjacent to the berm). The USFWS considers the upland berm of Area 4 to be important for the recovery of the light-footed clapper rail and the expansion of its use to other parts of the area.

##### ***Western snowy plover (breeding season – March 1 to September 15)***

The western snowy plover is a federally listed threatened species and a state species of special concern. This species nests in beach dunes, sandy ocean beaches, margins of lagoons, tidal mudflats, dried mudflats and bare dirt dikes or fills. Evaluation of the species' status at the salt facility in 1994 reported 76 birds utilizing the site as roosting and foraging habitat. Roosting birds were observed to the northwest, beyond the limits of the proposed alignment. However, that document also reported some snowy plover use of habitat directly west of the proposed bike path (in ponds #24, #30, and #32) and along the Otay River (directly south of ponds #24 and #30). Western snowy plover nests reported from the Salt Works in 1993 were observed at the western side of the facility. Critical habitat for the plover exists along the eastern edge of the San Diego Bay. However, the proposed project is located outside of the limits of critical habitat for this species.

##### ***California least tern (breeding season – April 1 to September 15)***

Both the state and federal governments list the California least tern as endangered. Habitat areas include barrier dunes and mudflats, tidal channels, lagoons, and nearshore waters. Least tern have been monitored at the South Bay Salt Works facility for several years (1993 to present). Data indicate that no least tern have been known to nest along the project alignment during that time. Furthermore, the closest known least tern nest is separated from Areas 3 and 4 by salt pond #30. Terns are likely to forage on the channels of the Otay River adjacent to the bikeway alignment. However, impacts to this species, associated with the loss of potential foraging habitat, would be minimal.

***Belding's Savannah sparrow (breeding season – February 15 to August 15)***

The Belding's Savannah sparrow is listed as a state endangered species. Favorite nesting areas include mid-marsh habitats or in low, pickleweed-dominated vegetation. Foraging is typically done in peripheral areas. Focused surveys for this species conducted in March 1998 identified five pairs and one unpaired male located in the linear, remnant salt marsh of the Otay River. Updated surveys conducted in May 2005 identified at least 10 pairs. The most recent detailed surveys conducted in March 2006 identified six pairs and a total of 35 additional unpaired individuals within or immediately adjacent to the project area. Belding's Savannah sparrow is an MSCP covered species. Impacts to this species are authorized provided that the proposed project conforms to the City's MSCP Subarea Plan and the Biology Guidelines (2002) of the Land Development Code.

***Salt marsh bird's beak***

The salt marsh bird's beak is listed as a federal and state endangered species. The primary habitat is in the upper littoral zone of coastal salt marshes. This species is historically known from Morro Bay in San Luis Obispo County to San Diego County and northern Baja California, Mexico. Its current distribution is limited to five sites and it is known locally from Tijuana Estuary and Sweetwater Marsh. Focused surveys for this species were conducted in March 1998 and detected no salt marsh bird's beak in the marsh habitat adjacent to the proposed project alignment.

***Pacific little pocketmouse***

The status of the Pacific little pocketmouse is federally endangered and a state species of special concern. Habitat preferences for the Pacific little pocketmouse is sandy soil with sparse vegetative cover, preferably in coastal sage scrub. The Pacific little pocketmouse is a member of the rodent family Heteromyidae which includes seed-eating kangaroo rats, kangaroo mice and pocket mice. This species is the smallest of the Perognathus genus and has a combined body and tail length of 120 millimeters and weighs 6-10 grams. Its historic range includes coastal areas between the Tijuana River north to Los Angeles County. Its current distribution is restricted however, due to development and the use of off-road vehicles. Tierra Environmental Services conducted a survey with the USFWS in March 1998 to determine the suitability of the habitat for the pocketmouse. The compacted silt soils of the project site were not considered suitable habitat for this species.

***Burrowing owl***

The burrowing owl is considered a state species of special concern. The owl's habitat is primarily open areas such as grassland, agricultural land and also coastal dunes. This species is known to burrow adjacent to developed roadways and irrigation ditches. It also utilizes the abandoned burrows of small mammals, particularly California ground squirrel. Its distribution has become restricted as a result of increased urbanization and consequently decreased available habitat. Focused surveys for this species were conducted in March 1998, and no owls were detected. Although suitable habitat conditions (i.e. berms and levees) and ground squirrels are present, there was no sign of burrowing owls.

### **San Diego cactus wren**

The San Diego cactus wren is a state species of special concern. Typical habitat of this bird is predominantly in the coastal lowlands but restricted to cholla cactus thickets in coastal sage scrub. The San Diego cactus wren is an uncommon and localized resident of San Diego County. Once a widespread and common resident of San Diego, the cactus wren today has been threatened by urbanization of the coastal mesas and hillsides formerly vegetated with sage scrub and cactus thickets. Despite the abundance of cholla along the railroad tracks in Area 4, no cactus wrens were observed during field surveys.

## 5.2.2 Impact Threshold

The City of San Diego Significance Determination Thresholds outline the thresholds for determining significance. Impacts to biological resources may be considered significant if the project could:

- Result in a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in the MSCP or other local or regional plans, policies, or regulations, or by the CDFG or USFWS;
- Result in a substantial adverse impact on any Tier I, II, IIIA, or IIIB Habitats as identified in the Biology Guidelines of the Land Development manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFG or USFWS;
- Result in a substantial impact on wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites;
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional or state habitat conservation plan, either within the MSCP plan area or in the surrounding region;
- Introduce land use within an area adjacent to the MHPA that would result in adverse edge effects;
- Conflict with any local policies or ordinances protecting biological resources; and/or,
- Introduce invasive plant species into a natural open space area.

## 5.2.3 Impact

**Impact Issue 1: Would the proposed project result in impacts to important habitat or a reduction in the number of any unique, rare, endangered, sensitive or fully protected species of plants or animals?**

### 5.2.3.1 Vegetation and Sensitive Species

Impacts are described as either direct or indirect and temporary or permanent. A direct impact may be defined as one that results in a temporary or permanent loss of individuals or habitat. An indirect impact may include the undetermined, potential effects of noise or introducing humans and/or pets to an area where access was previously restricted. Temporary impacts are those that can be mitigated in place



following construction, such as returning an unvegetated streambed to its pre-project contours. Permanent impacts are defined as an incremental loss of a habitat or species.

The following provides a discussion of the potential vegetation impacts associated with the proposed project. Figures 5.2-3a through 5.2-3f depict the proposed project limits of disturbance overlain on the existing vegetation communities. These impact limits include the limits of grading associated with bike path and relocated haul road construction, construction access, and staging areas. For the proposed project, impacts resulting from grading and construction of the bikeway are considered permanent as the habitats displaced in these areas would not be returned to their pre-project conditions. Impacts associated with proposed access paths, however, are considered temporary as habitats disturbed by project activities in these areas would be allowed to revegetate naturally upon project completion. It is anticipated that the project would result in permanent and temporary impacts to disturbed Diegan coastal sage scrub and temporary impacts to southern coastal salt marsh. Detail of the vegetation impacts by project component (i.e., bike path, haul road, construction access path, and staging areas) is provided below. Direct project impacts are summarized in Table 5.2-5. Table 5.2-6 provides a breakdown of impacts by project component.

Table 5.2-5  
Anticipated Direct Impacts Associated with the Proposed Project

Vegetation Type	Impact (acres)							
	Area 1	Area 2	Area 3	Area 4		Total		
				Temp	Perm	Temp	Perm	
Disturbed Diegan coastal sage scrub (Tier II)	--	0.003	0.71	0.01 (452 ft <sup>2</sup> )		0.64	0.01	1.353
Ruderal	--	0.96	0.17	0.14		0.08	0.14	1.21
Coastal salt marsh	--	--	--	0.02 (725 ft <sup>2</sup> )		--	0.02	--
Salt panne	--	--	--	0.003 (130.7 ft <sup>2</sup> )		--	0.003	--
<b>TOTAL</b>	--	0.963	0.88	0.173 ( ft <sup>2</sup> )		0.72	0.173	2.563

Notes: 1 = All impacts are permanent unless otherwise notes.

Temp = Temporary

Perm = Permanent

Source: Tierra Environmental Services, 2007.

Table 5.2-6  
Vegetation Impacts by Project Component

Project Component	Temporary Impacts	Permanent Impacts
Bike Path	None	- 1.35 acres Disturbed Diegan coastal sage scrub - 0.37 Ruderal
Haul Road	None	- 0.84 acre ruderal habitat
Construction Access Path	- 0.01 acre Disturbed Diegan coastal sage scrub - 0.003 acre salt panne - 0.02 acre ruderal - 0.02 acre coastal salt marsh	None
Staging Areas	- 0.12 acre ruderal	None
<b>TOTAL</b>	<b>0.173 acre</b>	<b>2.56 acres</b>

Source: Tierra Environmental, 2007

**Area 1.** No impact to vegetation would result from the implementation of the proposed project in this area.

**Area 2.** Construction of the bike path on the top of the Main Street Dike would require minimal grading and paving of a currently unpaved road. Impacts associated with the bike path component in Area 2 include 0.12 acre of ruderal habitat and 0.003 acre of disturbed Diegan coastal sage scrub. Construction of the bike path in this location has the potential to result in a temporary, indirect construction noise impact which may disturb nesting bird species, including the light-footed clapper rail, which has been found in the fresh/brackish marsh adjacent to the Main Street Dike. To avoid an indirect, temporary impact to these nesting birds, construction would be limited to occur during the non-breeding season only, or unless otherwise negotiated with Wildlife Agencies. Implementation of Mitigation Measures A1, A2, A3, BR1-BR10, and BR12-BR18 would reduce the potential impact to a level less than significant.

Mitigation Measures BR1-BR8, BR17 and BR18 include a requirement for a pre-construction survey be performed to ensure that there are no birds utilizing the right-of-way at the time of construction. Additionally, as required by Mitigation Measure BR16, no construction would take place during the breeding season, unless otherwise permitted.

Conversion of the existing railroad to a haul road for salt harvesting in Area 2 would result in a direct permanent impact to approximately 0.84 acre of ruderal habitat (Tier IV) that has become established between and adjacent to the ties and rails. The conversion of this area would entail providing a 12-foot roadway in existing railroad bedding material (rock), and rails. Once converted, the haul road would consist of dirt/gravel and would not be paved. The haul road would not include impervious surfaces that would increase run-off to adjacent areas. Permanent impacts to this Tier IV habitat are not considered significant. Indirect impacts, such as noise, are not likely to impact sensitive wildlife species, as the magnesium chloride ponds directly east of the alignment do not support any wildlife species.

**Area 3.** Construction of the bike path in this area would occur along a secondary berm that parallels the railroad tracks. The berm is typically 12 feet wide on the top, but has been reduced by erosion to approximately eight feet wide in some areas. These areas must be repaired before the bike path can be constructed. No coastal salt marsh would be affected. In Area 3, the proposed project would result in a direct permanent impact to 0.71 acre of disturbed Diegan coastal sage scrub, and 0.17 acre of ruderal habitat. Diegan coastal sage scrub is designated by the City of San Diego as a Tier II Uncommon Upland habitat. The staging area proposed in this portion of the project alignment would be located in developed land. Thus, these temporary impacts to 0.8 acre of developed land have not been included in Tables 5.2-5 and 5.2-6.

Indirect impacts from construction noise would be similar to those discussed above for Area 2, and are discussed in further detail in the following section. Mitigation measures identified above would reduce the direct impact to coastal sage scrub, and indirect impact to sensitive avian species to a level less than significant.

**Area 4.** Construction of the bike path in this area would result in: 1) direct, permanent impacts to upland vegetation; and 2) direct, temporary impacts to coastal salt marsh from the construction of the two steel truss bridges. These are discussed in greater detail below.

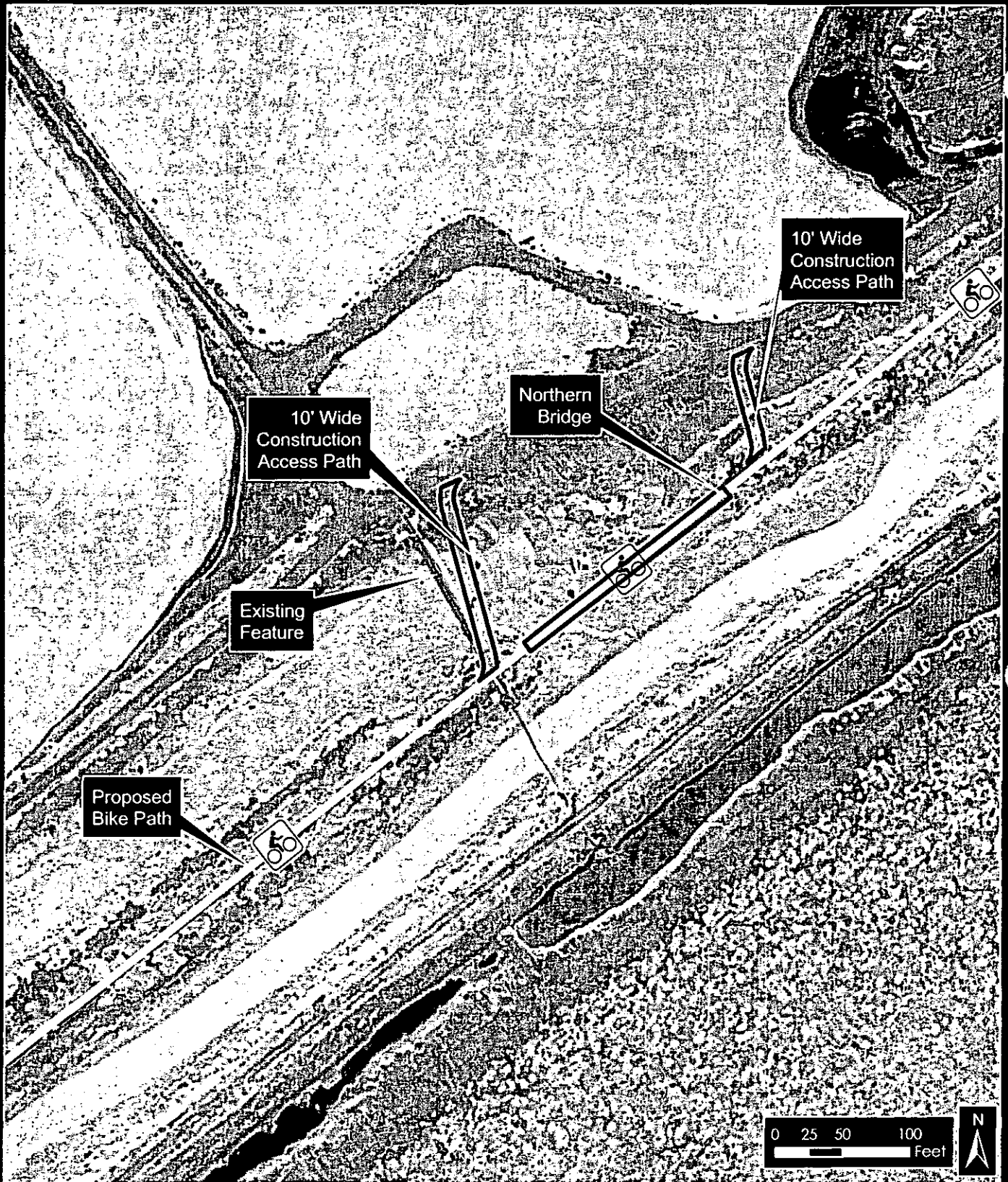
Impacts to Uplands. Upland vegetation in this area is comprised of disturbed coastal sage scrub, dominated by broom baccharis, goldenbush and cholla, and ruderal habitat. It is anticipated that the project would result in direct permanent impacts to approximately 0.6 acre of disturbed Diegan coastal sage scrub (a Tier II Uncommon Upland habitat as designated by the City) and 0.08 acre of ruderal habitat.

The top of the berm has historically functioned as a foraging site for the light-footed clapper rail (D. Zembal, USFWS Refuge System, pers. comm.). Although recent surveys have shown that the rails currently occupy the freshwater/brackish marsh near the Main Street Dike, the loss of this potential foraging area must be viewed as a significant permanent impact. Indirect impacts are discussed further in the following section. The City has requested that the cholla component of impacted disturbed coastal sage scrub be replanted in the area. Implementation of proposed Mitigation Measures A1, A2, A3, BR1-BR10, and BR12-BR18, would reduce this impact to a level less than significant.

Impacts to Coastal Salt Marsh. The project has been designed to utilize bridge modification techniques that would minimize impacts to wetland habitats. Workers would access the northern bridge site at two locations: the southern and northern abutments. The northern abutment would be accessed along an approximately 10-foot-wide access path that crosses primarily ruderal habitat (Figure 5.2-5). The southern abutment of the northern bridge would be accessed along a partially disturbed corridor. Both access routes would consist of a 10-foot-wide plywood path laid over the existing vegetation shown in Figure 5.2-5.

Construction personnel and equipment would be transported along these plywood paths to the bridge abutments. The bridge deck would be constructed of pre-cast sections lifted into place and secured with a crane operating from the disturbed upland areas associated with the existing bridge. As described in Section 3.0 – Project Description, only construction personnel, and the crane construction equipment necessary to construct the bridges and a small drilling rig would move over the plywood paths. The paths would be crossed twice for each piece of equipment - once to access the site and once to leave the site. It is anticipated that the plywood would protect the plants sufficiently that they are not killed. This method has been successfully employed in other restoration projects. Thus, these impacts are considered direct but temporary. Over time, the marsh species are expected to recover from this impact. In the event that they do not recover, the impacted area would be restored using container stock. Implementation of Mitigation Measures A1, A2, A3, BR9-BR15 would reduce this impact to a level less than significant.

The 10-foot-wide plywood access paths associated with reconstruction of the northern bridge would impact wetland and upland habitats. Temporary impacts to approximately 0.02 acre (725 ft<sup>2</sup>) of coastal salt marsh, 0.003 acre (130.7 ft<sup>2</sup>) salt panne, 0.01 acre (452 ft<sup>2</sup>) of Diegan coastal sage scrub, and 0.02 acre (1040 ft<sup>2</sup>) of ruderal habitat would occur from the use of these paths (Figure 5.2-3b). An additional 0.12 acre of ruderal habitat would be temporarily impacted from the staging area located at the southern end of Area 4 (Figure 5.2-3a).



SOURCE: USGS, 2003, Tierra Environmental Services, 2005, and BRG Consulting, 2006

04/18/07

Bayshore Bikeway - Western Salt Segment

Proposed Access to Northern Bridge Abutments

FIGURE  
5.2-5

Modification of the southern bridge would be accessed via the existing railroad line once the northern bridge has been constructed. Movement of machinery and crews from the northern to the southern bridge would impact disturbed coastal sage scrub habitats. These impacts have been discussed above.

Both the northern and southern bridges would be reinforced with concrete encased abutments situated at the ends of the reconstructed bridges. The majority of the work would be performed from the existing bridge deck, outside of wetland areas in order to protect the existing vegetation. Thus, installation of these abutments on both bridges would result in no additional temporary or permanent impacts to coastal salt marsh habitat.

### **Indirect Project Impacts**

**Area 1.** No direct or indirect impacts to biological resources would result from the implementation of the bike path in this area.

**Area 2.** Temporary indirect impacts in the form of noise during construction may disturb nesting bird species, including the light-footed clapper rail which has been found in the freshwater/brackish marsh adjacent to the Main Street Dike. Loss of potential foraging habitat would also be considered an indirect impact associated with bikeway construction; although mitigation is proposed for impacted habitats.

To avoid indirect noise impacts to this species, construction would be conducted during the non-breeding season, October 1 through February 14, unless otherwise permitted by the resource agencies (see Mitigation Measure BR16). Although unlikely, it is possible that western snowy plover or other ground nesting species could utilize the dike during the nesting season. Prohibited construction between February 15 and September 30 also would avoid the breeding seasons of Belding's Savannah sparrow, California least tern, and western snowy plover.

Along the existing railroad that would be converted to a haul road, indirect noise impacts are not likely to impact sensitive wildlife species as the magnesium chloride ponds directly east of the alignment do not support any wildlife species.

**Area 3.** Indirect impacts from construction noise would be similar to those discussed above for Area 2. These impacts would be avoided by limiting construction to the non-breeding season, or other means if permitted. Potential project impacts to ground nesting birds would also be avoided by limiting construction to the non-breeding season.

Currently, only Western Salt and USFWS employees have access to the area. Permanent fencing proposed along both sides of the bikeway would prevent access and direct impacts to bird species from human disturbance or predation by domestic animals. However, operation of the bike path would result in an increase in the numbers of humans and pets in the area thus, increasing the potential for indirect noise impacts to the adjacent natural areas and associated species.

**Area 4.** Though none were observed in this portion of the alignment, light-footed clapper rail are believed to have historically utilized the upland berm in Area 4 as foraging habitat. Thus, construction of the proposed bikeway alignment would indirectly affect the light-footed clapper rail by impacting some of its potential foraging habitat. Implementation of Mitigation Measures A1, A2, A3, and BR1-BR18 would reduce the potential indirect impacts to a level less than significant.

#### Wetlands

The project has been designed such that permanent wetland impacts would be avoided, and that the temporary impact to wetlands would be minimized. The proposed project would avoid permanent impacts to wetlands by constructing the bike path on existing berms and dikes within the existing MTS right-of-way (Coronado Railroad Belt Line), instead of adjacent to it. Environmentally sensitive lands are located adjacent to the right-of-way. The berms are vegetated primarily with ruderal species, but do contain some uplands as previously discussed. Locating the proposed bike path on existing berms and dikes prevents adverse impacts to most adjacent environmentally sensitive lands, including wetlands. Also, the project has been designed to include two bridges that would span jurisdictional areas. The temporary impacts to wetlands are discussed in the preceding section.

#### **Wetland Buffers**

The City of San Diego and the California Coastal Commission typically require that wetland buffers be provided for projects adjacent to wetlands. These buffers are required to protect the functions and values of the adjacent wetlands. With respect to the proposed project, the provision of a wetland buffer is constrained by the linear nature of the Otay River, associated wetlands and the salt works. The project proposes to replace the railroad with the bike path. The proposed project would be constructed on top of an existing railroad right-of-way, or within an existing haul road. The existing railroad tracks and the haul road lie between wetlands associated with the Otay River. Upland habitat occurs in narrow strips between the railroad tracks or haul road and adjacent wetlands. This upland habitat provides a narrow buffer to these wetland habitats (approximately 50 feet). Furthermore, where the haul road and railroad tracks are currently elevated, the bike path would also be elevated above the Otay River and associated wetlands, thereby continuing to provide a vertical buffer from these habitats.

Another salt works haul road exists between the salt ponds and the proposed bike path. This road would also function as a narrow buffer. These narrow wetland buffers cannot be widened without converting wetlands to uplands because there is no other land between the wetlands and the proposed bike path. In addition, the bike path has been designed as narrow as possible by the funding agency.

### 5.2.3.2 *Compliance with the MSCP Subarea Plan*

#### **Impact Issue 2: *Would the proposed project affect the long-term conservation of biological resources?***

As stated previously, and as indicated on Figure 5.2-1, the proposed project lies entirely within the Multiple Habitat Planning Area (MHPA) of the City of San Diego Subarea Plan, Southern area. The MHPA is a preserve area established by the Multiple Species Conservation Program (MSCP). The MSCP Subarea Plan provides general and specific guidelines that have been developed to direct activities within the City's

MHPA. As described below, the proposed project would be consistent with the two Subarea Plan guidelines that specifically address the proposed project and the Western Salt Works facility:

1. In the event that salt extraction activities at the facility are terminated, management of sensitive animal and plant species should continue to ensure their protection. If the extraction use is terminated, the site should be converted to a use compatible with the resource goals and objectives of the MHPA and other regulations and policies applicable to the site; or enhanced/restored.

Plans to utilize portions of the Western Salt facility for the bikeway have been developed despite the continued salt extraction activities. The project has been proposed in primarily ruderal portions of the site and would provide a passive recreational use compatible with the resource goals and objectives of the MHPA (Section 1.4.1), as well as the South San Diego Bay Unit of the San Diego National Wildlife Refuge. While some indirect impacts to resident Belding's Savannah sparrow may result from project implementation, these impacts are a result of the placement of the bikeway on the least sensitive disturbed railway berms and ruderal upland areas. Mitigation proposed for projects impacts are discussed further in the mitigation measures section. Compliance with these measures would reduce project-related impacts to a level less than significant.

2. The City of San Diego would work with SANDAG, South Bay jurisdictions, and the Bayshore Bikeway committee to develop a bike path in or adjacent to the MHPA that minimizes disturbance to natural areas.

Since its inception, the design of the proposed project has been a collaborative effort between the City of San Diego, the Bayshore Bikeway Committee, South Bay jurisdictions, and the resource agencies. Construction of the bike path would occur on existing rail way berms or adjacent upland areas that support ruderal species thereby minimizing disturbance to natural areas. Although the proposed bike path occurs within the MHPA, some of the endangered species that may occur in the project area are associated with jurisdictional wetland habitat subject to regulation by ACOE and CDFG. Consequently, authorized "take" under the MSCP does not apply to these species. Impacts to endangered wetland species require additional consultation with the appropriate resource agencies.

Identification of the bike path in the City's MSCP Subarea Plan clearly indicates that the proposed bike path is considered an anticipated public circulation system and, therefore, is an allowable use within the MHPA boundaries. However, impacts associated with the proposed project must be minimized to the extent practicable in conformance with Section 1.5.2 (General Management Directives) and Section 1.5.4 (Specific Management Directives for the Olay River Valley) of the Subarea Plan. The directives that pertain to the proposed project are as follows:

### *General Management Directives*

#### Public Access, Trails, and Recreation

1. Provide sufficient signage to clearly identify public access to the MHPA. Barriers such as vegetation, rocks/boulders or fencing may be necessary to protect highly sensitive areas.

The proposed project includes a 6-foot-high chain link fence to be constructed along both sides of the bike path for its entire length, with the exception of the two steel truss bridges. Signage would be provided to discourage access into sensitive areas.

#### Invasive Exotics Control and Removal

1. Do not introduce invasive non-native species into the MHPA.

No non-native species would be utilized for restoration of habitats that are impacted by the proposed bike path. Temporarily impacted wetland habitats would be allowed to revegetate naturally. If this does not occur, a plan has been developed (as described in Mitigation Measures BR9-BR15) for revegetation of the impacted area. Diegan coastal sage scrub would be created on-site from cholla cutting taken from plants occurring along the project alignment, as required by the City of San Diego.

#### *Specific Management Policies and Directives for the Otay River Valley*

Overall management policies and directives for the Otay River Valley presented in the MSCP Subarea Plan have been derived from the Otay Mesa-Nestor Community Plan. This community plan identifies the need for a continuous east-west wildlife corridor and contiguous natural habitat throughout the river valley. The proposed bike path conforms with the overall management policies for the Otay River Valley as the project design avoids impacts to sensitive areas to the extent possible. Where impacts are unavoidable, mitigation has been proposed in the form of natural restoration (for temporary impacts to coastal salt marsh), and restoration of on-site areas using cholla cuttings from disturbed Diegan coastal sage scrub on-site. In addition, much of the proposed bike path would follow existing developed roadway, or former railroad tracks and berms that overlook the Otay River. Thus, it is not expected to interfere with east-west movement of wildlife along the Otay River or the goal of maintaining contiguous natural habitat throughout the river valley.

None of the specific management directives identified for the Otay River Valley pertain to the proposed project, nor would the proposed project interfere with the attainment of those directives.

Additional guidelines developed to direct implementation of the City's Subarea Plan are found in the Environmentally Sensitive Lands (ESL) regulations in the City of San Diego Land Development Code, Biology Guidelines (2002).



1. Construction and maintenance activities in wildlife corridors must avoid significant disruption of corridor usage.

The Otoy River Valley serves as a potential east to west corridor for wildlife movement. The project alignment is included in the Otoy River Valley portion of the Subarea Plan which is identified as a core biological linkage between the Otoy Mountain and Otoy Lakes area and San Diego Bay. This area is also considered important foraging and nesting habitat for raptors. Core biological areas and linkages were designated in the MSCP to provide regional perspective in identifying important habitat areas. These designations were not intended to replace site-specific assessments of biological resources. Based on the survey conducted for this report, construction of the bike path as designed would not affect the role of the Otoy River Valley as a regional biological linkage. Project implementation would affect primarily upland areas beyond the western end of the river valley.

2. The ESL guidelines impose restrictions on clearing, grubbing and grading activities in areas where development may impact various sensitive bird species. Grading is restricted during the breeding seasons for western snowy plover (March 1 - September 15), least tern (April 1 - September 15), and cactus wren (February 15 - August 15).

Construction of the bike path would not occur between February 15 and September 30 in order to avoid disturbance to sensitive avian species potentially occurring in the project vicinity. These restrictions are required by project features and Mitigation Measures BR16 and BR18.

3. Development within the MHPA must be limited to the least sensitive portion of any particular site.

The proposed project design entails construction of the bike path on or adjacent to existing rail tracks. The tracks are situated on berms that are vegetated primarily with ruderal species.

The MSCP (Section 1.4.3 of the MSCP) also includes a number of Land Use Adjacency Guidelines that apply to the proposed bike path. These include Drainage, Toxics, Lighting, Noise Barriers, Invasives, and Grading/Land Development. These issues and their relationship to the proposed project are discussed below:

Drainage. All new and proposed parking lots and developed areas in and adjacent to the preserve must not drain directly into the MHPA. All developed and paved areas must 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.

The proposed bike path is located within the MHPA and has been included in the City's Subarea Plan and the South San Diego Bay Unit of the San Diego National Wildlife Refuge. The bike path would be paved. Therefore, run-off from the paved surface during rainfall events would drain into the MHPA. However, impacts to the natural environment would be minimized by the use of permeable concrete edging. This would involve the placement of a 2-foot-wide strip of pervious

concrete on each side of the bike path to allow water to percolate. This porous surface would be used in areas that are considered sensitive, such as those that are immediately adjacent to the Otay River and salt water channels associated with the salt works, including both brackish and salt marsh habitats. Because the paving would be done with porous material, no increase in local runoff is anticipated. Toxics, chemicals, petroleum products and exotic plant materials are not expected to be introduced by the bike path. The bike path is not proposed to be accessible to motor vehicles.

Toxics. Land uses, such as recreation and agriculture, that use chemicals or generate potentially toxic by-products such as manure, may impact wildlife, sensitive species, habitat, or water quality. These land uses need to incorporate measures to reduce impacts caused by the application and/or drainage of toxic materials into the MHPA.

The proposed bike path would not use chemicals or generate by-products that are potentially toxic or impactful to wildlife, sensitive species, habitat, or water quality. As stated above, permeable paving surfaces would be used in the project. Some waste from domestic pets is anticipated to occur along the alignment. However, these impacts are not considered significant. Maintenance of the bike path would be the responsibility of the City of San Diego. Therefore, signage educating pet owners and/or provision of bags for the removal of pet waste would be provided by the City. Enforcement of appropriate waste disposal behaviors would also be the responsibility of the City.

Lighting. Lighting of all developed areas adjacent to the MHPA should be directed away from the MHPA. Where necessary, development should provide adequate shielding with non-invasive plant materials (preferable native), berming, and/or other methods to protect the MHPA and sensitive species from night lighting.

The bike path is not intended for 24-hour use. Therefore, no night lighting is proposed. In addition, no night time construction is planned. This restriction is required by Mitigation Measure BR19.

Noise. Uses in or adjacent to the MHPA should be designed to minimize noise impacts. Berms or walls should 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.

Operation of the bike path is not expected to result in a significant increase in noise levels. The area is currently used by Western Salt Works vehicles, albeit on an infrequent basis, and is located near I-5 such that ambient noise levels are relatively high. While no focused noise studies have been conducted for the proposed project; however, similar paved bike paths flank the Sweetwater River flood control channel. These paved bike paths have been constructed on both the north and south banks of the flood control channel and are elevated above the river. Use by cyclists and pedestrians had little impact on biologists conducting surveys for sensitive bird species in Spring 2001. Noise from State Route 54 and surface streets was much greater and potentially

impactive than bicycle path use. It should be noted that noise has not been considered an issue on other recent City-approved multi-use trails, such as the San Dieguito River Valley JPA Mule Hill Segment of the Coast-to-Crest Trail.

As proposed and as required by proposed Mitigation Measures BR16 and BR18, construction of the bike path would occur during the non-breeding season for avian species. In addition, Mitigation Measure BR6 requires pre-construction focused surveys be conducted to ensure the absence of sensitive species. Therefore, construction noise is not expected to impact sensitive species.

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.

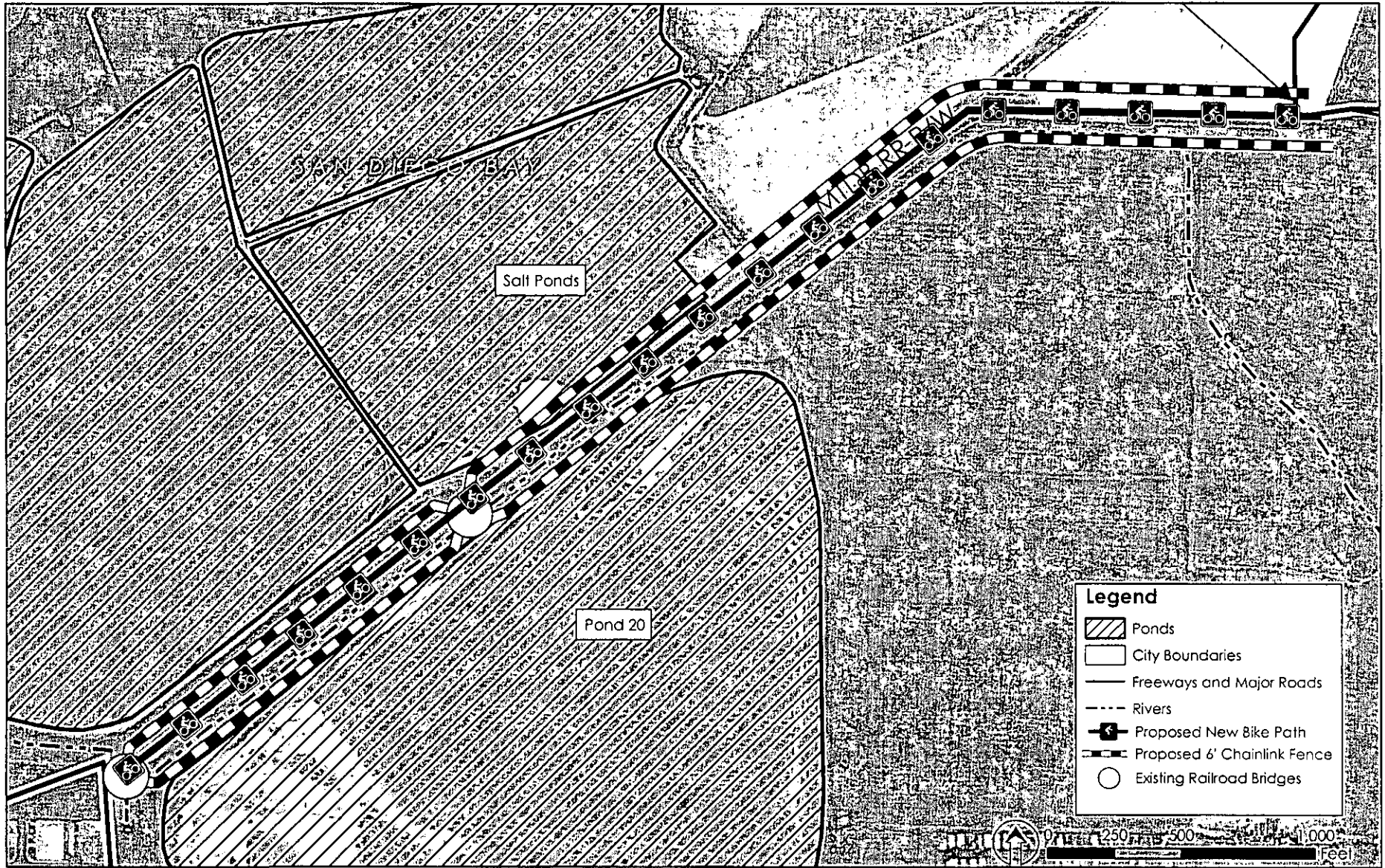
The bike path has been designated to direct public access and reduce domestic animal predation. ~~A six-foot-high chain link fence would be erected along both sides of the path for its entire length, with the exception of the two bridges. The fence would be 7.5-up to seven feet in height and would be installed upside down (e.g., the finished chain link would be positioned at the bottom of the fence and the open, sharp-edged links would be upright); the bottom 18 inches of the fence would be buried such that the above-ground height would be six feet.~~ The purpose of this fence is to prevent access to the salt ponds and the sensitive species that forage and nest there. This fence would be located downslope of the bike path in order to avoid impacts to City-defined wetlands and to maintain views. The fence would not border the proposed steel truss bridges. Figures 5.2-6 and 5.2-7 show the locations and detail of the proposed fencing.

The USFWS also requested that a 7.5-foot-tall chain-link fence would be constructed between the bike path and the Western Salt property to direct public access. In addition, at the top of the 6-foot-high fence there was to be a 14-inch cantilever that is directed backwards at a 45-degree angle to prevent dogs and coyotes from climbing the fence. However, the project designers felt that a fence of this nature would detract from the experience of using the bike path in the vicinity of the salt works. As an alternative, it was proposed that the fence be installed upside down so that the finished chain link is buried and the open, sharp-edged links are upright, thereby discouraging climbing dogs and coyotes. In response to this alternative, the resource agencies requested that slats be inserted in the chain link fence to shield the salt works from the bike path. Again, the designers felt that this was restrictive and would detract from the potential experience of using the facility and would like to retain as much visibility as possible. As a result, signs describing the sensitivity of the adjacent MHPA would be placed at various vantage points along the bike path to educate the public.

Invasives. No invasive non-native plants species shall be introduced into areas adjacent to the MHPA.

Only native species would be used in landscaping the proposed bike path.

5.2-40



SOURCE: SANDAG, 2000 and 2004, SanGIS, 2004, and BRG Consulting Inc., 2006

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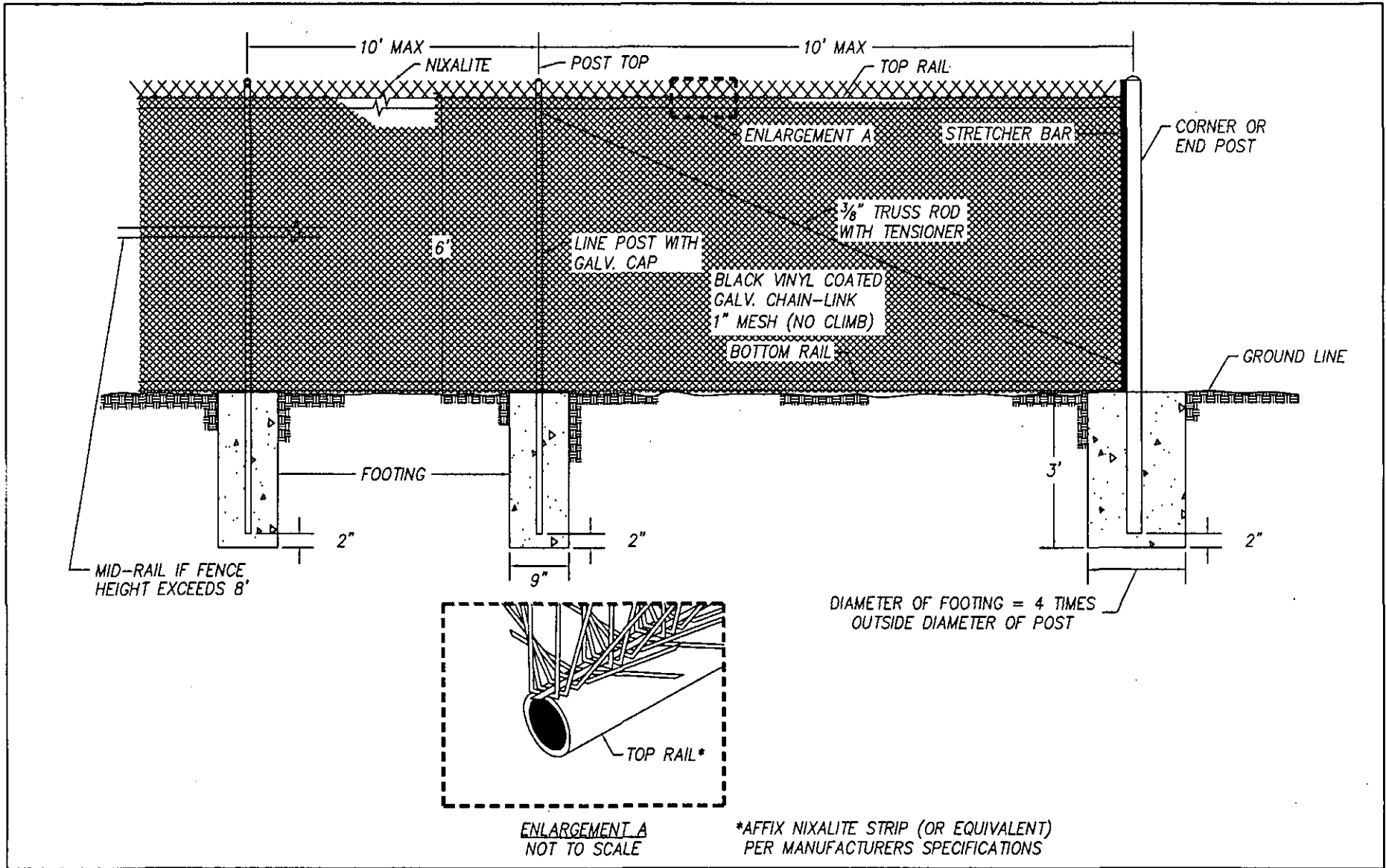
Bayshore Bikeway - Western Salt Segment

Proposed Location of Six Foot Chainlink Fence

FIGURE

5.2-6

5.2-41



SOURCE: Kimley-Horn, 2007

04/18/07

Bayshore Bikeway - Western Salt Segment

Detail of Proposed Six Foot Chainlink Fence

FIGURE 5.2-7

Grading/Land Development. Manufactured slopes associated with site development shall be included within the development footprint for projects within or adjacent to the MHPA.

All impacts associated with the proposed project, including any grading or slope repair, have been included within the development footprint.

**MSCP Covered Species:**

The City's MSCP subarea plan has designated certain sensitive species as "covered." Covered species are those that are included in the incidental take authorization issued to the City by the resource agencies in conjunction with the development of the subarea plan. Conditions of coverage have been developed for each of these species. In order for a species to be covered by the MSCP for long-term conservation purposes, proposed projects must comply with these parameters set forth in Appendix A of the City's subarea plan (City of San Diego 1997).

All potentially occurring species with MSCP-covered status have been so identified in Table 3 of the Biological Resources Technical Report (EIR Appendix B1). Of these, four animal species have been recorded as occurring in the project area. These include Belding's Savannah sparrow, western snowy plover, California least tern, and light-footed clapper rail. Conditions of coverage developed for each of these species are presented below.

**Belding's savannah sparrow.** Area specific management directives must include specific measures to protect against detrimental edge effects to this species.

The project area is managed by the USFWS as part of the San Diego South Bay Wildlife, Refuges division. The USFWS has developed area-specific management directives to ensure the preservation of salt marsh habitat for this and other wetland-associated species. The Western Salt Segment of the Bayshore Bikeway has been developed in consultation with the CDFG pursuant to the state endangered species act. Subsequently, project features and mitigation measures have been developed to protect and preserve this species and its habitat.

Belding's savannah sparrow were observed in the project area using the narrow, linear strips of salt marsh habitat associated with the Otay River.

**Light-footed clapper rail.** Area specific management directives must include active management of wetlands to ensure a healthy tidal salt marsh environment, and specific measures to protect against detrimental edge effects to this species.

Light-footed clapper rail were detected in the vicinity of the project. The Bayshore Bikeway project is an accepted use with the MHPA (City of San Diego 1997). The project area is managed by the USFWS as part of the San Diego South Bay Wildlife, Refuges division. The USFWS has developed area-specific management directives to ensure the preservation of salt marsh habitat and the light-footed clapper rail. The Western Salt Segment of the Bayshore Bikeway has been developed in consultation with the USFWS

pursuant to Section 7 of the Endangered Species Act. Subsequently, project features and mitigation measures have been developed to protect and preserve this species and its habitat.

**Western snowy plover.** Area specific management directives must include protection of nesting sites from human disturbance during the reproductive season, and specific measures to protect against detrimental sedge effects to this species. Incidental take (during the breeding season) associated with the maintenance/removal of levees/dikes is not authorized except as specifically approved on a case-by-case basis by the wildlife agencies.

Western snowy plover have been documented to nest on the levees associated with the South Bay Salt Works. However, this species has not been observed nesting or foraging on the berms designated for the Western Salt Segment of the Bayshore Project. The project area is managed by the USFWS as part of the San Diego South Bay Wildlife, Refuges division. The USFWS has developed area-specific management directives to ensure the preservation of nesting birds on the levees of the salt works. The Western Salt Segment of the Bayshore Bikeway has been developed in consultation with the USFWS pursuant to Section 7 of the Endangered Species Act. Subsequently, project features and mitigation measures have been developed to protect and preserve this species and its habitat.

**California least tern.** Area specific management directives must include protection of nesting sites from human disturbance during the reproductive season, and specific measures to protect against detrimental sedge effects to this species. Incidental take (during the breeding season) associated with the maintenance/removal of levees/dikes is not authorized except as specifically approved on a case-by-case basis by the wildlife agencies.

California least tern have been documented to nest on the levees associated with the South Bay Salt Works and foraging in the evaporation ponds associated with South San Diego Bay. However, this species has not been observed nesting on the berms designated for the Western Salt Segment of the Bayshore Project. The project area is managed by the USFWS as part of the San Diego South Bay Wildlife Refuges division. The USFWS has developed area-specific management directives to ensure the preservation of nesting birds on the levees of the salt works. The Western Salt Segment of the Bayshore Bikeway has been developed in consultation with the USFWS pursuant to Section 7 of the Endangered Species Act. Subsequently, project features and mitigation measures have been developed to protect and preserve this species and its habitat.

#### 5.2.4 Significance of Impact

*Implementation of the proposed project has the potential to result in temporary and permanent impacts to upland vegetation and indirect temporary and permanent impacts to wildlife and sensitive species. Permanent impacts to biological resources located within the project area are considered significant, and mitigation is required.*

## 5.2.5 Mitigation Measures

Project features developed to minimize impacts to sensitive species and habitats includes: 1) a design for both the northern and southern bridges that would minimize impacts to wetlands habitats; 2) design measures that restrict access to critical areas; 3) timing of construction to avoid avian breeding seasons as presented previously in this document and 4) utilization of sensitive construction techniques. Each measure is presented in detail below.

### 5.2.5.1 Selected Bridge Design

In order to minimize direct, temporary impacts to wetland habitats, an alternative design was developed for both bridges. The design chosen would be a single span bridge, capping the existing bridges and constructed from the top of the existing railroad alignment. Construction techniques that would limit access to two plywood paths created to protect the existing vegetation from trampling would greatly reduce temporary impacts from work crews and machinery. The USFWS and CDFG have informally agreed to this access plan.

The proposed alternative bridge design also preserves the option of resuming railroad use along this route. Existing railroad pilings, track and rail bed would remain in place, allowing the San Diego and Arizona Eastern Railroad to potentially reopen this route at some point in the future. However, both bridges would require extensive rehabilitation before they could bear the load of a freight train.

### 5.2.5.2 Fencing

Of critical importance to both the USFWS and Western Salt is the restriction of access to areas west of the proposed bike path alignment. From a wildlife perspective, the USFWS has acknowledged the value of the evaporating ponds and dikes to avian species by negotiating the establishment of the proposed South San Diego Bay Unit, San Diego National Wildlife Refuge. Access to humans and domestic pets must be restricted in order to protect nesting bird species. From a salt production perspective, the Western Salt facility has expressed the concern that vandalism of pumps and equipment, and trash thrown into evaporation ponds, could severely hamper their operations.

In order to mitigate potential project effects on federally-listed light-footed clapper rail and other species that may nest or forage in the project area, various fencing alternatives have been considered and incorporated into the final bikeway design. Specifically, design changes have involved the placement of chain-link fences along one or both sides of the proposed bikeway. Early in the project design, two fences, one on either side of the bikeway, were proposed. However, the City of San Diego and SANDAG determined that users of the bikeway would feel "trapped." At that time, one proposed alternative would eliminate the fence to the east between the bikeway and the Otay River. The USFWS agreed to erecting only one fence provided that the cost of the second fence, estimated at approximately \$50,000, would be contributed to a clapper rail recovery fund. Ultimately, an eastern fence was added to the project and the recovery fund contribution was no longer an option.



### 5.2.5.3 *Timing of Construction*

Unless otherwise permitted by the resource agencies, construction would be restricted to the non-breeding season for the clapper rail, roughly October 1 through February 14, which includes a period of time that also would avoid potentially occurring Belding's Savannah sparrow, California least tern, western snowy plover and San Diego cactus wren.

Species	Breeding Season <sup>1</sup>
Light-footed Clapper Rail	February 15 to September 30
Belding's Savannah Sparrow	February 15 to August 15
California Least Tern	April 1 to September 15
Western Snowy Plover	March 1 to September 15
Burrowing Owl	February 1 to August 31
San Diego Cactus Wren	February 15 to August 15

Note: <sup>1</sup> = breeding seasons taken from USFWS (1997) for light-footed clapper rail;

Source: Tierra (2002) for Belding's Savannah sparrow;

City of San Diego (2002) for California least tern, western snowy plover, burrowing owl and San Diego cactus wren.

Although the October 1 to February 14 time period does not avoid the entire breeding season of the burrowing owl, this species has not been detected during surveys of the project area and is not expected to occur along the bikeway alignment.

Pre-construction surveys would be conducted to ensure that there are no individuals, including burrowing owl, within the proposed alignment. These pre-construction surveys would be made a condition of project approval. If burrowing owls were detected on-site, compliance with the Mitigation and Monitoring Program (MMRP) would reduce project-related impacts to below a level of significance.

### 5.2.5.4 *Utilization of Sensitive Construction Techniques*

The techniques developed for minimizing impacts to wetlands have been previously described. These techniques are the least invasive possible to rehabilitate the bridges and accomplish the goal of constructing the proposed bike path. In addition, alternative paving materials, such as permeable concrete, would be used in areas immediately adjacent to the Otay River. The use of these alternative surfaces would be coordinated with the City of San Diego during final project design.

### 5.2.5.5 *Placement of Historical Signage*

Interpretive signs placed along the bike path would be located in areas of previous disturbance in order to avoid additional impacts to habitats along the project alignment. Nixalite® or equivalent would be placed on the signs in order to prevent perching and nesting by bird species. It is anticipated that these interpretive signs would be located at each end of the proposed bikeway segment.

Where impacts are unavoidable, mitigation for impacts to sensitive habitats and sensitive species has been proposed in accordance with the ESL guidelines found in the City's Land Development Code (May 2001). As required, proposed mitigation consists of three elements, presented below: 1) the Mitigation Element; 2) the Protection and Notice Element; and 3) the Management Element.

The following measures would provide mitigation for impacts on biological resources within the project area:

**A. GENERAL MEASURES**

- A1** Prior to the commencement of any construction related activity (including earthwork) on-site for PTS 1901, the City of San Diego shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the City Field Resident Engineer (RE), the monitoring biologist, a USFWS Refuge Representative (i.e., Refuge Manager), and staff from the City's Mitigation Monitoring and Coordination (MMC) Section.
- A2** Prior to the preconstruction meeting, the Assistant Deputy Director of the Land Development Review Division (LDR) shall verify that the following mitigation measures are noted on the construction plans/contract specifications submitted and included in the specifications under the heading *Environmental Mitigation Requirements*.
- A3** Construction plans shall include provisions for site security in order to prevent unauthorized access onto the project site and adjacent salt ponds during construction. Specific site security measures could include the installation of barriers and locked gates at both ends of the construction alignment and, if necessary, the presence of a security officer to patrol the construction site when no construction activities are underway.

**B. BIOLOGICAL RESOURCES**

**UPLAND MITIGATION**

- BR1** Prior to the commencement of any construction related activity on-site (including earthwork and fencing) and/or the preconstruction meeting for PTS 1901, mitigation for direct impacts to 1.35-acres of cholla-dominated disturbed Diegan coastal sage scrub that result from the proposed bikeway shall be assured to the satisfaction of the City Assistant Deputy Director (ADD) of the Land Development Review Division (LDR)/Environmental Designee.

(1a) A total of 1.35 acres of Tier II Diegan Coastal sage scrub habitat located inside (1:1 ratio) the MHPA will be created on-site; or,

(1b) A total of 1.35 acres of Coastal sage scrub credit shall be contributed to the habitat acquisition fund (or combination thereof).

**BIOLOGICAL MONITORING PROGRAM DURING CONSTRUCTION**

- BR2** Prior to Preconstruction Meeting

At least thirty days prior to the Precon Meeting, the EAS approved, USFWS qualified Biologist shall verify that any special reports, maps, plans and time lines, such as but not limited to, plant salvage plans, revegetation plans, plant relocation requirements and timing, avian or other wildlife protocol surveys, impact avoidance areas described below, or other such information, have been

completed and updated. The biologist should identify pertinent information concerning protection of sensitive resources, such as but not limited to, flagging of individual plants or small plant groups, limits of grade fencing and limits of silt fencing (locations may include 10-feet or less inside the limits of grading, or up against and just inside of the limits of the grade fencing). Plant salvage may be initiated at this time (or sooner if addressed in the approved, Conceptual Revegetation Plan) under the direction of EAS, MMC and the USFWS.

**BR3** Biological Monitor shall attend Preconstruction Meeting(s)

- a. The qualified Biologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the monitoring program with the Construction Manager and/or Grading Contractor.
- b. If the Biologist or USFWS is not able to attend the Precon Meeting, the RE or BI, if appropriate, will schedule a focused Precon Meeting for the Biologist, USFWS, MMC, and EAS staff, as appropriate, Monitors, Construction Manager and appropriate Contractor's representatives to meet and review the job on-site prior to start of any work that requires monitoring or construction on-site (including fencing).

**BR4** Identify Areas to be Monitored

At the Precon Meeting, the Biologist shall submit to MMC a Biological Monitoring Exhibit (BME) site/grading plan (reduced to 11"x17") that identifies areas to be protected, fenced, and monitored, as well as areas that may require delineation of grading limits. Silt fencing (or other suitable environmental fencing) shall be installed to clearly delineate the limits of the right-of-way and Refuge interface, the environmentally sensitive areas (ESA's), and the proposed temporary construction access locations through the Refuge. These fencing requirements shall be included in the construction plans.

**BR5** When Monitoring Will Occur

Prior to the commencement of work, the qualified Biologist shall also submit a construction schedule to MMC through the RE or BI, as appropriate, indicating when and where monitoring is to begin and shall notify MMC of the start date for monitoring, at a minimum, the qualified biologist should be present when initial grading is occurring in the vicinity of sensitive habitat and for any earthwork in or adjacent to habitat during any potential avian nesting season to ensure conformance with state and federal migratory bird acts.

**BR6** Biological Monitor Shall Be Present During Grading/Excavation

The qualified Biological Monitor shall be on site at a minimum when initial grading is occurring adjacent to wetland habitats and/or potential occupied avian or sensitive species habitat, to ensure that no take of sensitive species or active bird nests occurs, grading limits are observed, and that orange fencing and silt fencing are installed to protect sensitive areas outside earthwork limits. The qualified biologist shall document activity via the Consultant Site Visit Record. This record shall

be sent to the RE or BI, as appropriate, each month. The RE, or BI as appropriate, will forward copies to MMC. The biological monitor shall have the authority to divert work or temporarily stop operations to avoid previously unanticipated significant impacts. IT IS THE CONTRACTOR RESPONSIBILITY TO KEEP MONITORS UP-TO-DATE WITH CURRENT PLANS.

**BR7** During Construction

- a. No staging/storage areas for equipment and materials shall be located within or directly adjacent to habitat retained in open space area; no equipment maintenance shall be conducted within or near adjacent open space.
- b. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. The contractor shall comply with all of the provisions of the Storm Water Pollution Prevention Plan for the project.
- c. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of grading. All construction related debris shall be removed off site to an approved disposal facility.

**BR8** Post Construction

- a. The Biologist shall be responsible for ensuring that all field notes and reports have been completed, all outstanding items of concern have been resolved or noted for follow up, and that specialty studies are completed, as appropriate.
- b. Within three months following the completion of monitoring, two copies of the Final Biological Monitoring Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the Biological Monitoring Program (with appropriate graphics) shall be submitted by the Biologist to the MMC for approval by the ADD of LDR.
- c. During any construction activity (including earthwork and fence placement) for PTS 1901, if any previously undisclosed, additional, unforeseen, inadvertent, direct or indirect additional biological resources are impacted (as noted by the applicant, contractors, biological monitor, the Wildlife Agencies, the City, or other entity), they shall be disclosed. Such impacts shall be rehabilitated, revegetated, and /or mitigated per the City's ESL Guidelines and/or as determined by other jurisdictional agencies. Such additional measures shall be included as part of the Final Biological Monitoring Report.
- d. MMC shall notify the RE of receipt of the Final Biological Monitoring Report.

**HABITAT RESTORATION PROGRAM FOR UPLAND (CHOLLA DOMINATED COASTAL SAGE SCRUB AND WETLAND (TEMPORARY IMPACTS TO COASTAL SALT MARSH )**

- BR9** Prior to the commencement of any construction related activity on-site (including earthwork) and/or the preconstruction meeting for PTS 1901, the applicant department shall submit revegetation plans and specifications for both upland and wetland restoration efforts. The separate efforts shall be clearly delineated with appropriate success criteria.
- BR10** Restoration of Cholla Dominated Coastal Sage Scrub would be accomplished by collecting cuttings of Cholla species on-site, allowing these cuttings to callous and subsequently planting them. It is anticipated that this would be accomplished in the ruderal areas along the newly constructed bike path and along the adjacent haul road. (The potential cholla/CSS restoration location is identified on EIR Figure 5.2-3b.)
- BR11** Areas of coastal salt marsh temporarily impacted during construction are expected to recover naturally. In the event that trampled areas do not return to their pre-project condition, these areas would be planted with a mosaic of the same species impacted by construction as presented below. Prior to the temporary disturbance of coastal salt marsh habitat, the existing status of the habitat shall be documented so as to allow comparison between the pre- and post-project conditions. As such, prior to construction, the coastal salt marsh habitat to be impacted shall be qualitatively recorded via photo documentation. Additionally, a species list shall be generated and general species abundance and distribution recorded.
- a. Salt marsh species would be planted from 3 inch "rose pots" grown from seed or cuttings collected from the project vicinity. Species other than pickleweed (*Salicornia virginica*) would be propagated and planted to ensure a diverse salt marsh at the created site. Pickleweed is known to invade naturally and would not be excluded from the site. Species to be planted from propagated stock include:

<u>Scientific Name</u>	<u>Common Name</u>
<i>Batis maritima</i>	saliwort
<i>Frankenia salina</i>	alkali heath
<i>Limonium californicum</i>	sea lavender
<i>Distichlis spicata</i>	saltgrass
<i>Salicornia subterminalis</i>	glasswort
<i>Monanthochloe littoralis</i>	shoregrass

**Prior to Permit Issuance.**

- BR12** A. Land Development Review (LDR) Plan Check.
1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for the revegetation/restoration mitigation, including mitigation of direct-permanent impacts to

cholla cactus dominated Coastal Sage Scrub and direct-temporary impacts to Coastal Salt Marsh have been shown and noted on the appropriate revegetation and restoration landscape construction documents (RRLCD) and also, within the first two pages, listed with condition number and page numbers under the heading of 'Environmental and Development Permit Requirements - Notes and Index'. The RRLCD must be found to be in conformance with the **Biological Resources Technical Report for the Proposed Western Salt Segment of the Bayshore Bikeway Conceptual Revegetation Plan**, prepared by Tierra Environmental Services, (April 2007) the requirements of which are summarized below:

B. Revegetation and Restoration Landscape Construction Documents

1. The RRLDC shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department and Park and Recreation Department Open Space Section (OSR) for review and approval. OSR shall consult with Mitigation Monitoring Coordination (MMC) prior to approval of RRLDC to coordinate specific field inspection issues on behalf of the City Park and Recreation Department Open Space Section. The RRLDC shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.
2. The RRLDC shall be prepared in accordance with the San Diego Land Development Code (LDC) Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (July 2002). The Principal Qualified Design Biologist (PQDB) shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The Plans shall also include notes addressing the Five Year Maintenance, Monitoring and Reporting Period.
3. The following notes shall also be on the RRLDC:

The Project Contractor shall be responsible to insure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120 day plant establishment/maintenance period are done per approved the approved RRLDC. The following procedures at a minimum, but not limited to, shall be performed:

  - a. The Project Contractor shall be responsible for the maintenance of the mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted on a weekly basis throughout the plant establishment/maintenance period.
  - b. At the end of the 120 day period the Principal Qualified Construction Biologist (City approved) shall review the mitigation area to assess the completion of the 120 day establishment/maintenance period and submit a report for approval by MMC.

- c. MMC will provide approval in writing to begin the five year maintenance and monitoring program.
- d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.
- e. The revegetation site shall not be fertilized.
- f. The Project Contractor is responsible for reseedling (if applicable) if weeds are not removed, within one week of written recommendation by the Principal Qualified Construction Biologist.
- g. Weed control measures shall include the following: (1) hand removal, (2) cutting, with power equipment, and (3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.
- h. Damaged areas shall be repaired immediately by the Project Contractor. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance and monitoring program. Protective mechanisms such as metal wire netting shall be used as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally-acceptable manner at the discretion of the Principal Qualified Construction Biologist. Where possible, biological controls will be used instead of pesticides and herbicides.

**BR13****Prior to Start of Construction**

- A. Principal Qualified Construction Biologist Shall Attend Preconstruction (Precon) Meetings
  1. Prior to beginning any work that requires monitoring:
    - a. The owner/permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the Project Contractor, the Principal Qualified Construction Biologist, the City Project Manager, the Resident Engineer (RE), and MMC.
    - b. The Principal Qualified Construction Biologist shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the RRLDC with the Project Contractor, RE and MMC.
    - c. If the Principal Qualified Construction Biologist is unable to attend the Precon Meeting, the owner/permittee shall schedule a focused Precon Meeting with the Project Contractor, Principal Qualified Construction Biologist, Project Manager, RE and MMC, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.
  2. Where Revegetation/Restoration Work Will Occur
    - a. Prior to the start of any work, the Principal Qualified Construction Biologist shall also submit a revegetation/restoration monitoring exhibit (RRME) based on the appropriate reduced RRLDC (reduced to 11"x 17" format) to the RE and MMC, identifying the areas to be revegetated/restored including the delineation of the construction limit of work line and the construction staging areas. Construction plans shall indicate that the construction staging areas shall not be located within the Refuge.

3. When Biological Monitoring Will Occur
    - a. Prior to the start of any work, the Principal Qualified Construction Biologist shall also submit a monitoring procedures schedule to the RE and MMC indicating when and where biological monitoring and related activities will occur.
    - b. The Principal Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance within and surrounding sensitive habitats as shown on the approved RRLCD.
    - c. All construction activities (including staging areas) shall be restricted to the development area as shown on the approved RRLCD. The Principal Qualified Construction Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved RRLCD.
  4. Principal Qualified Biologist Shall Contact MMC to Request Modification
    - a. The Principal Qualified Biologist may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the RRLCD. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.
- B. Letters of Qualification Have Been Submitted to ADD
1. The Project Contractor shall submit, for approval, a letter verifying the qualifications of the Principal Qualified Construction Biologist to MMC at the time of Bid Opening. This letter shall identify the Principal Qualified Construction Biologist where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and the five year maintenance and monitoring program, as they are defined in the City of San Diego Biological Review References.
  2. MMC will provide a letter to the Project Contractor confirming the qualifications of the Principal Qualified Construction Biologist and all City Approved persons involved in the revegetation/restoration plan and five year maintenance and monitoring program.
  3. Prior to the start of work, the owner/permittee must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and the five year maintenance and monitoring program.

**BR14 During Construction**

- A. Principal Qualified Construction Biologist Present During Construction/Grading/Planting
1. The Principal Qualified Construction Biologist shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with the construction of new trail segments, improvement of existing trail segments, construction of a retaining wall, construction of wetland crossings, and construction of staging (parking) areas which could result in impacts to sensitive biological resources as identified on the approved RRLDC.



**The Principal Qualified Construction Biologist is responsible for notifying the Project Contractor of changes to any approved construction plans, procedures, and/or activities. The Principal Qualified Construction Biologist through the Project Contractor is responsible to notify the RE and MMC of the changes.**

2. The Principal Qualified Construction Biologist shall document field activity via the Consultant Site Visit Record Forms (CSVSR). The CSVSRs shall be faxed by the Principal Qualified Construction Biologist the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the approved RRLCD and/or five-year maintenance and monitoring program. The RE shall forward copies to MMC.
3. The Principal Qualified Construction Biologist shall be responsible for maintaining and submitting the CSVSR at the time that Project Contractor responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).
4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the approved RRLCD. The Principal Qualified Construction Biologist staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved RRLCD.
5. The revegetation/restoration effort shall be visually assessed at the end of 120 day period to determine mortality of individuals. A draft letter report shall be prepared to document the completion of the 120-day plant establishment period. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance.
6. The RE and the MMC will make a determination if the revegetation/ restoration program's 120 maintenance period is satisfactory or if it will need to be extended prior to the issuance of the Notice of Completion or any bond release.
7. Removal of temporary construction BMPs, where appropriate, shall be verified in writing on the final construction phase CSVSR.

**B. Disturbance Notification Process**

1. If unauthorized disturbances occur the Principal Qualified Construction Biologist shall direct the Project Contractor to temporarily divert construction in the area of disturbance and immediately notify the RE.
2. The Principal Qualified Construction Biologist shall also immediately notify MMC by telephone of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing. After obtaining concurrence with MMC and the RE, the Project Contractor shall install the approved protection under the direction of the Principal Qualified Construction Biologist.
3. The Principal Qualified Construction Biologist shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The Principal Qualified Construction Biologist shall evaluate the significance of disturbance and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.
2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

**BR15** Post Construction

A. Five-Year Mitigation, Establishment, Maintenance, Monitoring and Reporting Period.

1. Five-Year Mitigation Establishment/Maintenance Period.

- a. The Project Contractor or a City (MMC) approved Maintenance Contractor and Principal Qualified Maintenance Biologist shall be retained to complete maintenance and monitoring activities throughout the five-year period.
- b. Maintenance visits will be conducted twice per month for the first six months, once per month for the remainder of the first year, and quarterly thereafter.
- c. Maintenance activities will include all items described in the approved RRLDC. Including temp BMPs associated with the revegetation.
- d. Plant replacement will be conducted as recommended by the Principal Qualified Maintenance Biologist and the maintenance period may be extended to the satisfaction of the MMC.

2. Five-year Monitoring and Reporting Program.

- a. All biological monitoring and reporting shall be conducted by a qualified and city approved Maintenance Biologist, consistent with the approved RRLDC.
- b. Monitoring shall involve both qualitative monitoring (horticulture) and quantitative monitoring (i.e., performance/success criteria).
- c. Qualitative monitoring surveys shall be conducted monthly during year one and quarterly during years two through five.
- d. Qualitative monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.
- e. Quantitative monitoring surveys shall be conducted. Quantitative monitoring surveys shall be conducted monthly during the first quarter and quarterly for the remainder of the first year. Bi-annual monitoring would be conducted for years 2 and 3. Annual monitoring visits would be conducted in years 4 and 5. The revegetation/restoration effort shall be quantitatively evaluated once per year (in spring) during years three through five, to determine compliance with the performance standards identified on the RRLDC. All plant material must have survived without supplemental irrigation for the last two years.
- f. Quantitative monitoring shall include the use of fixed transects and photo points to determine the vegetative cover within the revegetated habitat. Collection of fixed

transect data within the revegetation / restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the Plans.

- g. Biological monitoring requirements may be reduced if, before the end of the fifth year, the revegetation meets the fifth year criteria and the irrigation has been terminated for a period of the last two years.
  3. Success Criteria for Cholla Dominated Coastal Sage Scrub Revegetation effort (1.35-acre)
    - a. Cholla, like many cacti, is transplanted from cuttings. The limiting factor in establishment is likely to be adequate water. With supplemental irrigation it is expected that 80% of the planted cuttings would survive the first year. If less than 80% survive year One, additional cuttings would be collected and planted until that 80% target is attained. Allowing for natural mortality, 90% of those that survive year One are expected to survive to year Two. After year Two, monitoring would document primarily the development of the planted individuals until success criteria is established up to Year Five.
  4. Success Criteria for Coastal Salt Marsh Revegetation Effort (0.02 acre (725 ft<sup>2</sup>))
    - a. It is expected that 80% of the planted cuttings would survive the first year. If less than 80% survive Year One, additional container stock would be planted until that 80% target is attained. Allowing for natural mortality, 90% of those that survive year One are expected to survive to year Two. After Year Two, monitoring would document primarily the canopy development of the planted individuals until success criteria is established up to Year Five.
- B. Site Progress Reports
1. Site progress reports shall be prepared by the Principal Qualified Maintenance Biologist following each site visit and provided to the owner/permittee and Maintenance Contractor. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.
- C. Annual Reports during the Five Years
1. Draft annual reports (during years 1, 2 and 4) (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to City MMC for City built projects and the USFWS Refuge Manager, ~~or to the County MMC for county built projects,~~ for review and approval within 30 days following the completion of that year of monitoring. Draft annual reports (during year 3) (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to City MMC for City built projects and the USFWS Refuge Manager ~~to the~~

~~County MMC for county built project~~ for review and approval within 30 days following the completion of that year of monitoring.

2. ~~City/County MMC and Refuge Manager~~ shall return the draft annual report to the Principal Qualified Maintenance Biologist for revision or, for final preparation of that year report.
3. The Principal Qualified Maintenance Biologist shall submit final annual report for that year to the owner/permittee, the Maintenance Contractor and City MMC and USFWS Refuge Manager ~~or County MMC~~ for approval within 30 days of receiving comments on the draft annual report.
4. ~~City/County MMC and USFWS Refuge Manager~~ will provide written acceptance of the Report to the Principal Qualified Maintenance Biologist, the Maintenance Contractor and the owner/permittee.

D. Final Monitoring Reports(s)

1. The Principal Qualified Maintenance Biologist shall prepare a Final Monitoring Report upon achievement of the fifth year performance / success criteria and completion of the five year maintenance period.
  - a. This report may occur before the end of the fifth year if the revegetation meets the fifth year performance /success criteria and the irrigation has been terminated for a period of the last two years.
  - b. The Final Monitoring report shall be submitted to City MMC for evaluation of the success of the mitigation effort and final acceptance by the City Park and Recreation. A copy shall also be submitted to the USFWS Refuge Manager. A request for a pre-final inspection shall be submitted at this time which City MMC will schedule with City Park and Recreation Department after review of report.
  - c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with City MMC, USFWS Refuge Manager, and the City Park and Recreation Department. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.
  - d. Removal of temporary maintenance BMPs shall be verified in writing on the final construction phase CSVr by the Principal Qualified Maintenance Biologist.

**FENCING**

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that proposed chain-link fencing is depicted on the construction plans and illustrated on both sides of the bike path for the entire length of the bike path, with the exception of the two bridge locations. Fencing specifications shall be as follows: a security fence up to seven feet high consisting of two-inch mesh, 6-gauge (0.192" diameter) black vinyl (or other appropriate black finish)

chain link, with a black bottom rail that is secured in the center of the two line post using a 3/8" diameter eye hook anchored into a concrete footing (or equivalent per agreement with the Wildlife Agencies) and a 7-gauge coil spring wire installed upside down (e.g., the finished chain link shall be positioned at the bottom of the fence and the open, sharp-edged links shall be upright). The distance between the lower portion of the fence and the ground shall be no greater than two inches. The entire fence, including the chain link, posts, and bottom rail shall be black to improve the overall appearance of the fence.

#### **SENSITIVE AVIAN SPECIES**

- BR16** 1. Construction activities shall occur outside of the breeding period of the light-footed clapper rail (March 1 to August 1 ~~October 1~~ through February 14), least tern, cactus wren, Belding's Savannah sparrow, and western snowy plover, ~~unless otherwise permitted~~. Prohibiting construction activities during these periods would reduce the impacts to below a level of significance.

<b>Species</b>	<b>Breeding Season<sup>1</sup></b>
Light-footed Clapper Rail	February 15 to September 30
Belding's Savannah Sparrow	February 15 to August 15
California Least Tern	April 1 to September 15
Western Snowy Plover	March 1 to September 15
Burrowing Owl	February 1 to August 31
San Diego Cactus Wren	February 15 to August 15

Note: <sup>1</sup> = breeding seasons taken from USFWS (1997) for light-footed clapper rail;

Source: Tierra (2002) for Belding's Savannah sparrow;

City of San Diego (2002) for California least tern, western snowy plover, burrowing owl and San Diego cactus wren.

- BR17** 2. Due to potentially suitable burrowing owl habitat existing on and immediately off-site, pre-construction surveys shall be conducted to determine presence or absence of this species onsite. If burrowing owls are observed onsite during preconstruction surveys, impacts to the species would be avoided to the maximum extent practical; any individuals would be relocated out of the impacted area using methodologies approved by the wildlife agencies pursuant to the CDFG Staff Report on Burrowing Owls, dated October 1995; and mitigation for impacts to occupied habitat (at the MSCP Subarea Plan ratio) would occur through the conservation of occupied burrowing owl habitat or conservation of lands appropriate for restoration, management and enhancement of burrowing owl nesting and foraging requirements.

- BR18** 3. If there is a potential for indirect noise impacts to nesting raptors, prior to any construction related activity within the development area during the raptor breeding season (February 1 through September 15) the biologist shall conduct a preconstruction survey to determine the presence of active raptor nests. If active nests are detected the biologist in consultation with the ADD Environmental Designee shall establish a species appropriate noise buffer zone. No construction shall occur within this zone.

ADJACENCY TO MHPA LANDS

BR19 No nighttime lighting shall be allowed during project construction or operation.

## 5.2.6 Conclusion

The proposed project has the potential to result in a temporary impact to coastal salt marsh, and permanent impacts to upland vegetation (disturbed Diegan coastal sage scrub). The project also has the potential to result in indirect temporary and permanent impacts to sensitive wildlife species. Implementation of Mitigation Measures A1, A2, A3, and BR1 through ~~BR18~~BR19 would reduce the significant biological resources impacts to below a level of significance.

## 5.3 Historical Resources

This section summarizes information provided in the following project-specific historical resources surveys prepared for the proposed project: *Cultural Resources Survey and Testing Report for the Bayshore Bikeway Project, Imperial Beach, California*, (Tierra Environmental Services, 2006) *Review of Findings on California Register Eligibility: The Coronado Railroad* (JRP Historical Consulting Services, 2001), *State Historical Resources Commission Minutes for November 8, 2002 Meeting* (State Historical Resources Commission, 2002), and *Chronology of the Designation of the Coronado Belt Line* (Marie Burke Lia, Attorney-at-Law, 2007). These documents are provided in EIR Appendices C1, C2, C3, and C4, respectively.

### 5.3.1 Existing Conditions

#### 5.3.1.1 Regulatory Setting

##### **Federal Regulations**

The project site is governed by federal and state laws whose goal is to preserve important archaeological and historic cultural resources. The National Historic Preservation Act of 1966 and the Secretary of the Interior's Standards for Rehabilitation are the applicable federal regulations that apply to the proposed project. They are discussed in more detail below.

##### National Historic Preservation Act of 1966

The National Historic Preservation Act of 1966 (NHPA) is the most comprehensive national policy on historic preservation. In this act, historic preservation is defined to include "the protection, rehabilitation, restoration and reconstruction of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, or culture." The Act led to the creation of the National Register of Historic Places, a file of historical resources of national, regional, state, and local significance. The act also established the Advisory Council on Historic Preservation (the Council), an independent federal agency responsible for administering the protective provisions of the act (U.S. D.O.E., 1998).

The major provisions of the NHPA are Sections 106 and 110. Both sections aim to ensure that historic properties are appropriately considered in planning federal initiatives and actions. Section 106 is a specific, issue-related mandate to which federal agencies must adhere. It is a reactive mechanism that is driven by a federal action. Section 110, in contrast, sets out broad federal agency responsibilities with respect to historic properties. It is a proactive mechanism with emphasis on ongoing management of historic preservation sites and activities at federal facilities.

Section 106 requires that the head of any federal agency having direct or indirect jurisdiction over a proposed federal or federally assisted undertaking in any state, and the head of any federal department or independent agency having authority to license any such undertaking must ensure that the provisions of the NHPA are administered. Section 106 also mandates consultation during such federal actions. It compels federal agencies to "take into account" the effect of their projects on historical and archaeological resources and to give the Council the opportunity to comment on such effects.

Section 110(a) of the NHPA and Executive Order (E.O.) 11593 (which was substantially incorporated into the NHPA amendments of 1980) require agencies to provide leadership in preserving, restoring, and maintaining the historic and cultural environment of the nation. The 1980 NHPA amendments expanded the NHPA of 1966 by making federal agencies responsible for identifying, preserving, and nominating to DOI all sites, buildings, districts, and objects under their jurisdiction or control that appear to qualify for listing on the National Register of Historic Places. It also required DOI to develop criteria and procedures for federal agencies to use in these reviews and nominations. As a result, both Section 110(a) and E.O. 11593 require each federal agency, in cooperation with the State Historic Preservation Officer (SHPO) in the state involved, to "establish a program to locate, inventory, and nominate to the Secretary (DOI) all properties under the agency's ownership or control by the agency, that appear to qualify for inclusion on the National Register in accordance with the regulations promulgated under Section 101(a)(2)(A)."

Amendments to NHPA in 1980 also provided additional guidance and clarification to the historic preservation program. Congress gave DOI the authority to waive the one-percent limitation on the use of project funds to defray the costs of data recovery, increased the role of SHPOs in the administration of the National Historic Preservation Program, and clarified federal agency responsibilities under E.O. 11593.

#### Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior is responsible for establishing standards for all programs under Departmental authority and for advising Federal agencies on the preservation of historic properties listed in or eligible for listing in the National Register of Historic Places. The Secretary of Interior's Standards for Rehabilitation (36 CFR 67) pertain to historic buildings of "all materials, construction types, sizes, and occupancy and...are to be applied to specific rehabilitation projects in a reasonable manner..." Analysis of the proposed project's consistency with the Secretary of the Interior's Standards for Rehabilitation is provided below in Section 5.3.3.4.

#### **State Regulations**

Section 5024.1 of the Public Resources Code established the California Register of Historical Resources, the state equivalent to the National Register of Historic Places. The California Register includes all properties listed in or determined eligible for listing in the National Register, California Historical Landmarks from number 770 on, and resources approved for listing by the State Historical Resources Commission. California Register listed properties are historical resources for purposes of CEQA. Lead state agencies are required to determine if additional properties not currently listed in the California Register may also be historical resources for purposes of CEQA.

Section 30244 of the California Coastal Act states that where development would adversely impact archeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.



### Local Regulations (City of San Diego)

The City of San Diego Historical Resources Regulations are contained in San Diego Municipal Code Chapter 14, Article 3, Division 2. The purpose of the Historical Resources Regulations is to "protect, preserve and, where damaged, restore the historical resources of San Diego." Division 2 applies to proposed development when historical resources are present in site including designated historical resources, historical buildings, districts, landscapes, objects, structures, site and traditional historical properties. Section 143.0251 provides the Development Regulations for Designated Historical Resources and Historical Districts. The regulations require that projects provide full mitigation for the impact to the resource, in accordance with the Historic Resources Guidelines of the Land Development Manual, as a condition of project approval. Under Section 143.0260, deviations from the Historic Resources Regulations may be granted (the minimum deviation to afford relief from the regulations of Division 2 and accommodate development) only if the decision maker makes the applicable findings in Section 126.0504.

#### 5.3.1.2 Existing Historical Resources On-Site

##### Archaeological and Historic Resources

Two previously recorded archaeological resources sites were identified within the project site (proposed bike path corridor) (Tierra, 2006). For purposes of the historical resources analysis, the original area of potential impact was defined as an approximately 100 foot wide corridor along the length of the proposed project (approximately 1.8 miles). The two sites identified in the historical resources survey include one prehistoric shell midden (CA-SDI-4360) and a portion of the historic Coronado Railroad (CA-SDI-13, 073H).

##### CA-SDI-4360/SDM-W-192A

Site CA-SDI-4360 has been described in the past as a potentially important historical resource because of its association with early prehistoric occupation in the region. Portions of this site have been previously tested and considered significant pursuant to CEQA. Further investigation of the portion of this site within the project corridor was necessary to assess the integrity and research value of the site. An extended Phase I historical resources investigation was undertaken at CA-SDI-4360 between May 29 and June 4, 2001 to assess the material within the project corridor (Tierra, 2006). The investigation was conducted at site CA-SDI-4360 in accordance with Section 106 of the NHPA, the California Environmental Quality Act (CEQA), in accordance with respective implementing regulations and guidelines. Testing at the site indicated that portions of the site were present within the southern portion of the project corridor (in the general area of where the bike path would connect with the existing path at the terminus of 13<sup>th</sup> Street) and that this area was covered with historic fill to a depth ranging from 70 to 110 centimeters below ground surface. Historical material was also found within the fill levels, suggesting that they represent redeposited site material. The intact deposits below the fill appeared to be marginal to site CA-SDI-4360. Test excavation Unit 1 was lower in elevation and contained little historical material. It appeared to represent marsh wetland habitat based on soils. Test excavation Unit 2 was slightly higher in elevation and appeared to represent the natural high tide line. The California horned snail (*Cerithidea californica*), which is rarely associated with historical deposits, was abundant in Unit 2 below the fill. This suggests that the area represents the tide line of the marsh where these gastropods normally live. The presence of other shell likely

to be historical and flakes suggests that material from the adjacent site was washing downslope into this zone.

The extended Phase I investigation conducted for this historical resource within the project corridor indicated that only disturbed and marginal portions of site CA-SDI-4360 remain within the project development corridor (Tierra, 2006). Most of the area has been covered by fill which was taken from other portions of CA-SDI-4360 for the construction of the railroad. The native levels encountered during testing indicate that marginal portions of the site may have been affected by water action within the Bay.

#### CA-SDI-13, 073H

CA-SDI-13, 073H refers to the Coronado Railroad Belt Line. The Coronado Belt Line originally looped around the San Diego coastline and up the Silver Strand to Coronado as part of the Spreckels railroad empire. The railroad contributed to San Diego's growth and vitality, by providing a transportation link with the City of San Diego, the harbor, and South Bay communities. Originally constructed in 1888, this rail line operated until the mid-20<sup>th</sup> century, regularly transporting at different times residents, visitors, World War I and II military shipments, agricultural products, building materials, and commercial and industrial wares throughout the region. The railway was originally approximately 25 miles long and connected the Cities of San Diego, National City, Chula Vista, Imperial Beach, and Coronado. Approximately 7.5 miles of the railway, including rails, tracks, trestles, and crossing signals still exist today.

CA-SDI-13, 073H was recorded as an historic resource in 1993 by Don Laylander in association with other aspects of the Bayshore Bikeway project. The site includes the railroad grade, tracks, ties, and bridges (two trestle bridges located within the project alignment). The route has been indicated on maps through time as the Coronado Belt Line, Coronado Railroad, San Diego Southern, San Diego & Southeastern, San Diego and Arizona-Southern Pacific Lines, A.T.& S.F. – San Diego and Arizona Eastern. It was recommended as not eligible for nomination to the National Register and this recommendation was accepted by the State Historic Preservation Officer (SHPO) in 1994. This determination was affirmed by the State Historic Resources Commission in 2002.

The railroad alignment within the project corridor was relocated (i.e., found) during the historical resources survey conducted by Tierra for the proposed project. This portion of the railroad alignment is not in use and has been fenced off near the South Bay Salt Works facility. Several portions of the track have been undermined by erosion while other portions have been partially covered by erosion from the nearby berm. The track south of the project corridor, within National City has been removed. The two railroad bridge trestles located within the project corridor are both in poor condition. A portion of the southern trestle has been removed to limit access across the channel. The remainder has seriously deteriorated and has been tagged by graffiti. The northern trestle is also heavily deteriorated and a portion has been burned. The overall integrity of CA-SDI-13, 073H within the project corridor was deemed as poor in July 2001.

Historical resource site CA-SDI-13, 073H has been found to be ineligible for the Federal and State historic registers. However, it has been designated as a locally historic resource by the City of San Diego. On December 19, 2003 the Historical Resources Board (HRB) of the City of San Diego designated the Coronado

Belt Line (CBL) as a Historic Landmark Site No. 640. This designation was based on the findings that it met the following three HRB Criteria:

- **Criterion A (Historical Landscape)** for the site's archeological value, as an example of the private capitalization of infrastructure, and for the site's significant contributions to the historical, physical and economic development of San Diego;
- **Criterion B (Historical Persons)** for the site being representative of its association with historically significant individuals such as John D. Spreckels, Elisha Babcock and Hampton L. Story; and,
- **Criterion C (Architecture)** for the sites retaining high integrity and being representative of railroad construction of the late 1800s as evidenced by the presences of circa 1890 Carnegie steel rails and other character defining features.

On January 6, 2004, an appeal of the historical designation was submitted by MTDB (now MTS). On September 7, 2004, the City of San Diego held a hearing to consider the appeal of the historical site designation. At that hearing, the City granted the appeal and overturned the decision of the City's Historic Resources Board to designate the CBL as a Historical Resources Site. Save Our Heritage Organization (SOHO) brought an action in the Superior Court to challenge this decision, and the Court issued a Peremptory Writ of Mandate requiring the City Council to set aside its prior decision to approve the MTDB appeal of the CBL Railway's historical standing. Finally, on September 13, 2005 the City Council upheld the historic designation of the 1.5-mile stretch of the Belt Line that runs through the City. As such, the CBL remains designated as a locally significant historic resource.

No other city (including National City) along the rail route has designated the Belt Line as a historic resource.

#### South Bay Salt Works

The historical resources survey also identifies the Western Salt Company Salt Works (South Bay Salt Works) facility as a historical resources site (the plant, and associated structures and ponds). A Historic Resource Evaluation Report prepared for the Western Salt Company Salt Works in 2001 concluded that the resource is eligible for listing on the National Register and the California Register.

Western Salt has been at its existing location since 1902. Most of the current plant facilities date to 1916 or later because facilities constructed prior to then were destroyed by floods in 1916. Current contributing elements to this historic property include the main processing plant, the pump house, electrical building, generator building, maintenance shop, compressor building, condensing ponds, crystallization ponds, floating dredge, narrow-gauge rail line that crosses the CBL, and seasonal salt piles. The period of the significance for the resource is 1916 to 1949. The resource evaluation conducted concludes that the Salt Works is eligible for the National Register under Criterion A because of its role it played in the solar salt industry, and Criterion C because it embodies the distinctive characteristics of a solar salt processing facility.

## 5.3.2 Impact Threshold

The City of San Diego Significance Determination Thresholds outline the thresholds for determining significance. Impacts to historical resources may be considered significant if the project could:

- *Result in the alteration, including the adverse physical or aesthetic effects and/or destruction of a prehistoric or historic building (including an architecturally significant building), structure, object, or site;*
- *Result in any impact to existing religious or sacred uses within the potential impact area; or,*
- *Disturb any human remains, including those interred outside of formal cemeteries.*

According to the City of San Diego's Significance Determination Guidelines, a significant historic resource is one which qualifies for the California Register of Historical Resources or is listed in a local historic register or deemed significant in a historical resource survey, as provided under §5024.1 (g) of the Public Resources Code. A resource that is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historic resources, or not deemed significant in a historical resource survey may nonetheless be historically significant for purposes of CEQA.

The City's determination of significance of impacts on historical and unique archaeological resources is based on the criteria found in §15064.5 of the State CEQA Guidelines. Section 15064.5 clarifies the definition of a substantial adverse change in the significance of a historical resource as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." Further, a resource is "materially impaired" if it is demolished or materially altered.

## 5.3.3 Impact

No existing religious or sacred use sites are present within the proposed project site. In addition, since the project would involve minimal grading and be constructed on levees of dredged material from San Diego Bay, it is unlikely that any human remains would be disturbed during the construction of the proposed project.

***Impact Issues: Would the proposed project result in the alteration of or the destruction of a prehistoric or historic archaeological site? Would the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, object or site? Would the proposal result in adverse physical or aesthetic effects to an architecturally significant building, structure, or object?***

### 5.3.3.1 Site CA-SDI-4360

Construction of the proposed bikeway in the area of CA-SDI-4360 would require some improvement to the eroded portions of the berm and paving of the bike path. Following the project alignment south, the berm ends and the bikeway would then be constructed on top of the existing rail track alignment.

Marginal and disturbed portions of site CA-SDI-4360 are present within the project corridor. Historical material that may have been from other portions of the site was identified in fill deposits as well. Because of the lack of research value, the limited impact of the Bayshore Bikeway project construction would not result in a significant impact to historical resources site CA-SDI-4360. Construction staging and bike path construction activities would be confined to the project right-of-way in the area of CA-SDI-4360, and other portions of the site would be avoided. There is the potential that this site would be inadvertently impacted by project grading if the approved limits of grading are not clearly delineated for project construction contractors. Implementation of Mitigation Measures H1 and H2 would ensure that no significant indirect impact to CA-SDI-4360, would result from the proposed project construction activities.

### 5.3.3.2 Site CA-SDI-073H (Coronado Belt Line)

As described in Chapter 3.0 - *Project Description* of this EIR, the proposed project has been designed specifically to retain the existing rail and trestle bridges of the CBL located within the project corridor. As proposed, the existing train track rails would be covered (capped) with two (2) feet of dirt, and the bike path would be constructed on top of the soil cap. Also, the project proposes to construct two pre-fabricated steel truss bridges (the north bridge and the south bridge) over the top of the two existing railroad trestle bridges located within the project corridor. Using this proposed bridge design and construction technique, the existing railroad trestle bridges would remain in their current place and condition, and would not be modified by the proposed project. Therefore, the proposed project would preserve the features of the CBL in place. Also, this construction method is potentially reversible, and would leave the resource available for future preservation options.

However, according to the City of San Diego's Significance Determination Thresholds, impacts to historical resources would be considered significant if the project would result in any adverse physical or aesthetic effects to a historic structure, object, or site. Because the railroad rails and bridges would be covered (i.e. capped), the project would aesthetically alter the existing visual components of the CBL. The rails would not be visible. The trestle bridges would be "covered" by the proposed steel truss bridges. As such, the impact to the Coronado Belt Line, as it traverses the proposed project area is considered to remain significant, and unmitigable, as the proposed project, although designed to preserve features in place, would result in the alteration of the existing rail corridor and alter the existing aesthetic conditions of the resource within the project corridor. Pursuant to City of San Diego Municipal Code §143.0260, if a proposed development cannot to the maximum extent feasible comply with Division 2: Historic Resources Regulations, a deviation may be considered in accordance with decision Process Four, and supplement findings pursuant to Municipal Code §126.0504 must be made. Because the project is considered to only partially mitigate the impact to historical resources, the project is not considered to be strictly in compliance with the City's Historical Resource Regulations. As such, the impact is considered significant and unmitigable.

### 5.3.3.3 South Bay Salt Works

The historical resources study prepared for the proposed project concludes that the proposed project does not diminish the qualities that make the Western Salt facility a significant resource; therefore, the proposed

project would not result in a significant impact to this resource. The proposed project would not result in the alteration of any contributing elements of the Salt Works facility.

#### 5.3.3.4 *Secretary of Interior's Standards of Rehabilitation*

The proposed project would be consistent, partially consistent, or inconsistent with the Secretary of the Interior's Standards of Rehabilitation, as follows:

1. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

The proposed bike path would entail the construction of two steel truss bridges to place on top of the currently unserviceable wooden railroad bridges, both of which are considered a component of the Coronado Belt Line. In addition, the remaining rails would be covered (capped) with two feet of dirt. The capping of the railroad rails and the placement of the steel truss bridges would help to maintain the existing railroad features in place. However, the proposed project would alter the existing use or change the distinctive materials, features, spaces, and spatial relationships of the locally listed railroad by burying and covering currently visible features.

2. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.

The proposed project would remove some of the distinctive materials and would alter existing features and spatial relationships that characterize the railroad. The project proposes the placement of two steel truss bridges on top of the existing wooden bridges. This installation would preserve features in place, but would also obscure features. In addition, the capping of the railroad rails with two feet of dirt would not remove certain features, but would alter the historic character of the railroad.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as conjectural features or elements from other historic properties, shall not be undertaken.

The project would make some modifications to the locally listed railroad and would alter the physical record of its time, place, and use.

4. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.

The project proposes to retain as much of the historical features as possible in place. This will be accomplished by bridging over the existing bridges and capping the rails.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

The project proposes to retain as much of the historical features as possible in place. This will be accomplished by bridging over the existing bridges and capping the rails.

6. Deteriorated historic features shall be repaired rather than replaced. When the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.

The project would not replace any part of the locally historic railroad. Instead, the railroad would be covered via capping of the railroad rails and placement of steel truss bridges on top of the existing railroad bridges. The features would be retained/preserved in place.

7. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.

Chemical and physical treatments are not proposed.

8. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.

An archaeological survey report was conducted on the property as part of the proposed project. This study indicates that the proposed project has the potential to inadvertently impact archaeological resources if project grading limits are not clearly delineated for project construction contractors. However, should archaeological resources be encountered, the impact would be mitigated, in accordance with Mitigation Measure H1.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The proposed capping of the railroad tracks and placement of the steel truss bridges would not destroy historic materials and features that characterize the Coronado Belt Line. These features would essentially be preserved in place.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

If the steel truss bridges or dirt capping on the railroad rails would be removed in the future, the essential form and integrity of the historic railroad and its environment would be unimpaired. The feature will essentially be preserved in place.

### 5.3.4 Significance of Impact

Implementation of Mitigation Measures H1 and H2 would ensure that no significant impact to CA-SDI-4360 would result from the proposed project.

The impact to the Coronado Belt Line that traverses the project corridor would be reduced to the extent feasible through adherence to the proposed project design concept of capping the existing railroad rails with soil, and placing bridges over the existing railroad trestle bridges, without any alteration to the existing bridges thereof. Additional Mitigation Measures H3, H4, and H5 are proposed to reduce the potential impact to this locally designated resource to the extent feasible; however, the impact is considered to remain significant and unmitigable. This conclusion is based on the unmitigable "temporary" alteration of the CBL features even though the linear feature would be preserved for future options.

No significant impact to the Western Salt Works facility is anticipated.

### 5.3.5 Mitigation Measures

#### H1 I. Prior to Permit Issuance or Bid Opening/Bid Award

##### A. Land Development Review (LDR) Plan Check

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring ~~if applicable, have been noted on the appropriate construction documents.~~

##### B. Letters of Qualification have been submitted to the ADD

1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

#### II. Prior to Start of Construction

##### A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a



confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.

3. Identify Areas to be Monitored

- a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits. These areas shall be identified by flagging in the field by the archaeological monitor.

- b. The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).

- c. MMC shall notify the PI that the AME has been approved.

4. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

5. Approval of AME and Construction Schedule

After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

### III. During Construction

#### A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor and Native American Monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the AME and as authorized by the CM. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.

#### B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

#### C. Determination of Significance

1. The PI and Native American Monitor representative, if applicable, shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
  - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.

(1). Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
  - c. If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

- (1). Note: For Pipeline Trenching Projects Only. If the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.
- (2). Note, for Pipeline Trenching Projects Only: If significance cannot be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.

D. Discovery Process for Significant Resources - Pipeline Trenching Projects

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:

1. Procedures for documentation, curation and reporting
  - a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.
  - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
  - c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.
  - d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

**IV. Discovery of Human Remains**

If human remains are discovered, work shall halt in that area and the following procedures as set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can

- be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
2. The Medical Examiner, in consultation with the PI, ~~shall~~will determine the need for a field examination to determine the provenience.
  3. If a field examination is not warranted, the Medical Examiner ~~shall~~will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains **ARE** determined to be Native American
1. The Medical Examiner ~~shall~~will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
  2. The NAHC ~~shall~~will contact the PI within 24 hours or sooner, after Medical Examiner has completed coordination.
  3. NAHC ~~shall~~will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
  4. The PI shall coordinate with the MLD for additional consultation.
  5. The MLD has 48 hours to make recommendations to the property owner or representative for the treatment or disposition, with proper dignity, of the human remains and the associated grave goods.
- 5.6. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:
- a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24-48 hours after being notified by the Commission; OR;
  - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.
  - c. To protect these sites, the landowner shall do one or more of the following:
    - (1) Record the site with the NAHC;
    - (2) Record an open space or conservation easement; or
    - (3) Record a document with the County.
  - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 6.c., above.
- D. If Human Remains are **NOT** Native American
1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
  2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).

3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant department and/or Real Estate Assets Department (READ) and the Museum of Man.

#### V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
  1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the pre-con meeting.
  2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVr and submit to MMC via the RE by fax by 9am the following morning, ~~if possible~~ of the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
    - d. The PI shall immediately contact the RE and MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
  1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### VI. Post Construction

- A. Submittal of Draft Monitoring Report
  1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring.
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
    - b. Recording Sites with State of California Department of Parks and Recreation  
The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or

potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
  3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
  4. MMC shall provide written verification to the PI of the approved report.
  5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
1. The PI shall be responsible for ensuring that all historical remains collected are cleaned and catalogued
  2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  2. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
  3. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
  4. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
  2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

**H2** Proposed construction limits, and construction staging areas in the area of cultural resource site CA-SDI-4360 (shell midden) shall be confined to the proposed project right-of-way so as to avoid impacting any other portions of this cultural resource site. Prior to project site disturbance, a qualified archaeologist shall identify the limits of site CA-SDI-4360 in relation to approved limits of project disturbance through the use of flagging or environmental fencing so as to ensure no disturbance to this site occurs outside of the approved limits of disturbance for the proposed

project. An archaeologist shall monitor site grading activities and recover any significance artifacts in the event they are uncovered during grading activity in this area.

- H3** Prior to the pre-construction meeting, a modified HAER (Historic American Engineering Report) shall be prepared for any portion of the existing elements of the Coronado Belt Line that would be covered or otherwise modified as part of the proposed project. This is anticipated to include the track, rails, and trestle bridges located within the proposed project corridor. Implementation of this measure shall be verified by the ADD of LDR.
- H4** During construction, any CBL materials encountered that are not feasible to retain shall be recovered, and made available for future use at interpretive facilities planned as part of the proposed project, or other future interpretive facilities in the area. Implementation of this measure shall be verified by the cultural resources construction monitor (PI), during construction.
- H5** Prior to commencement of construction related activities, the Assistant Deputy Director of Land Development Review (ADD of LDR) shall assure that interpretive facilities are provided and are shown on construction documents within the project corridor that include elements of the CBL history, including, but not limited to public art, rail artifacts, relevant area history, etc. As proposed, interpretive facilities would be located at two points along the bike path segment. These facilities would provide information regarding the history of the CBL and would be constructed of materials that represent railroad features.

### 5.3.6 Conclusion

The potential impact to archaeological site CA-SDI-4360 would be reduced to a level less than significant with proposed mitigation. No impact to the Western Salt Works facility is anticipated.

The impact to the Coronado Belt Line, as it traverses the proposed project area is considered to remain significant, and unmitigable, as the proposed project, although designed to preserve features in place, would result in the alteration of the existing rail corridor and alter the existing aesthetic conditions of the resource within the project corridor.

## 5.4 Hydrology

### 5.4.1 Existing Conditions

#### A. Hydrology

Two major water bodies are located in the proposed project area: the Otay River and the San Diego Bay. The Otay River flows through the project vicinity adjacent to the south side of the Main Street Dike and then along the eastern side of the existing railroad berm until it crosses under the berm at the two bridge locations in the project corridor. The salt ponds are primarily located to the north and west of the existing railroad berm with an additional pond located to the south and east of the Otay River. The Otay River is located within the Otay Valley Hydrological Unit (910.20), as identified in the Water Quality Control Plan for the San Diego Basin, prepared by the San Diego Regional Water Quality Control Board (RWQCB). The proposed project lies near the downstream end of the Otay River and the base of the Otay Valley Hydrologic Area.

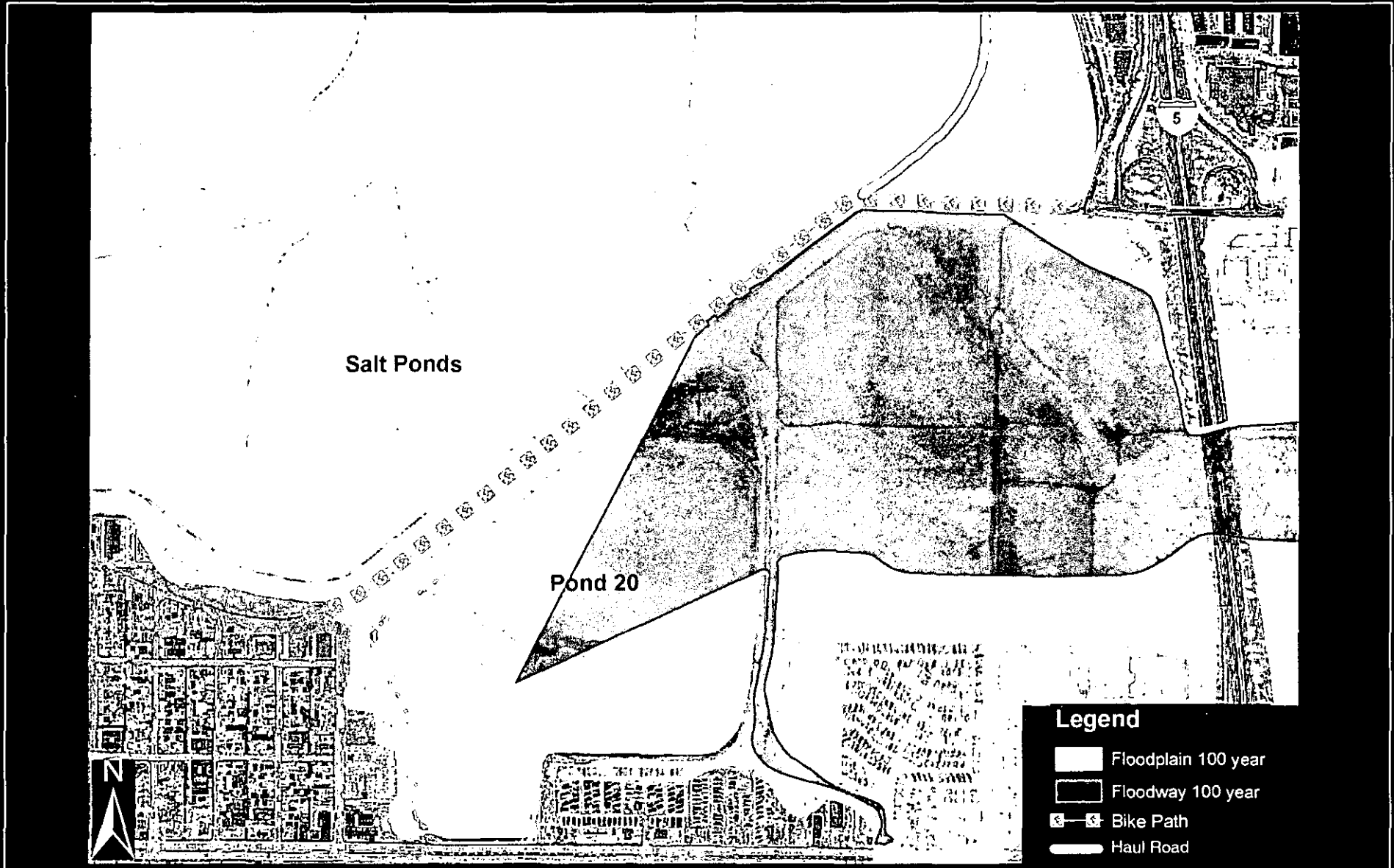
The Otay River drains the Otay Valley Watershed, which encompasses approximately 160 square miles in southwest San Diego County and is one of the three hydrologic units that discharge to San Diego Bay. The watershed consists largely of unincorporated area, but also includes portions of the cities of Chula Vista, Imperial Beach, Coronado, National City, and San Diego. The predominant land uses in the watershed are open space (67%) and urban/residential (20%). The major inland hydrologic features, Upper and Lower Otay Lakes, are two water supply reservoirs that also provide important habitat and recreational opportunities. Approximately 36 square miles of the watershed is part of the Multiple Species Conservation Plan effort that provides habitat for a wide range of endangered plant and animal species. Other important conservation areas within the watershed include the San Diego National Wildlife Refuge, the Rancho Jamul Ecological Reserve, and the vernal pool lands in the region (Project Clean Water).

Drainage in the project vicinity consists of southwestern flow along the south side of the proposed bikeway (along the Otay River berm). Flows from the northern salt ponds are directed to the southern salt ponds by way of drainage under the existing bridges. All flows generated at the project site travel in a southwestern direction until arriving at the Otay River.

#### **Floodplains**

Figure 5.4-1 depicts the 100- and 500-year floodplains in the project area. As shown, portions of the proposed project alignment are encompassed by the 100-year floodplain associated with the Otay River. These areas are limited to the two bridge locations. Otherwise, the project is located on top of the Main Street Dike and the Otay River Berm; and is therefore, outside (above) of the floodplain. The salt ponds to the west of the MTDB R/W are zoned for light industrial (IL-3-1), the uses to the east of the R/W and north of the Main Street Dike are zoned for heavy industrial (IH-2-1), and the uses east of the R/W and south of Main Street Dike are zoned as Open Space-Floodway (OF-1-1). The Main Street Dike is included in the Open Space-Floodway Zone (City of San Diego, 1997).





SOURCE: Kimley-Horn and Associates, Inc., 2005

4/25/06

Bayshore Bikeway - Western Salt Segment

100-Year Floodplain Map

FIGURE

5.4-1

## B. Existing Regulations

### ***The California Coastal Act***

Section 30253 of the California Coastal Act states that “new development shall (1) minimize the risk to life and property in areas of high geologic, flood and fire hazard.”

### ***City of San Diego Development and Supplemental Regulations for Special Flood Hazard Areas***

City of San Diego Municipal Code §143.0145 provides the development regulations for Special Flood Hazard Areas in the City. Pursuant to §143.0145, “The Special Flood Hazard Areas are established in accordance with the report entitled, “Flood Insurance Study, San Diego County, California,” dated June 16, 1999 and the accompanying Flood Insurance Rate Maps (FIRM), published by the Federal Emergency Management Agency (FEMA), on file in the office of the City Clerk as Document Nos. 18910-1 and 18910-2, including any supplements, amendments, and revisions which are properly promulgated by FEMA or the Federal Insurance Administrator.”

The Special Flood Hazard development regulations apply to all development proposing to encroach into a Special Flood Hazard Area, including both the floodway and flood fringe areas or that does not qualify for an exemption pursuant to Section 143.0110(c).

City of San Diego Municipal Code §143.0146 provides supplemental regulations for Special Flood Hazard Areas in the City. Pursuant to §143.0146, the proposed project, because it is located within a Special Flood Hazard Area, is subject to development and permit review and standards of construction.

The Main Street Dike and the area to the south of the Otay River berm are included in the Open Space-Floodway Zone (OF zone) (City of San Diego, 1997). The purpose of the OF zone is to “control development within floodplains to protect the public health, safety and welfare and to minimize hazards due to flooding in areas identified by the FIRM on file with the City Engineer. It is the intent of the OF zone to preserve the natural character of floodplains while permitting development that would not constitute a dangerous condition or an impediment to the flow of floodwaters. It is also the intent to minimize the expenditure of public money for costly flood control projects and protect the functions and values of floodplains relating to groundwater recharge, water quality, moderation of flood flows, wildlife movement, and habitat.” Allowable uses within the OF zone include active recreation, passive recreation, and natural resource preservation (City of San Diego, 1997, amended 2001).

## 5.4.2 Impact Threshold

The City of San Diego Significance Determination Thresholds outline the thresholds for determining significance. Impacts to hydrology may be considered significant if the project could:

- *Result in increased flooding on- or off-site;*
- *Grade, clear, or grub more than 1.0 acre of land, especially into slopes over a 25 percent grade, and would drain into a sensitive water body or stream; or,*
- *Result in modifications to existing drainage patterns;*

### 5.4.3 Impact

**Impact Issues:** *Would the proposed project result in an increase in impervious surfaces and associated increased runoff? Would the proposed project result in substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?*

The project does not propose development or activities that would result in an alteration of any hydrologic features or drainages within the Otay Valley Hydrologic Unit. The proposed project would be constructed on the top of a relatively flat berm and dike; outside of the 100-year floodplain. Implementation of the project would involve minor grading activity to create a smooth, even surface along the berm and dike. This would not alter the existing topography such that drainage patterns or hydrological conditions are affected.

The total impervious surface area created by the project would be slightly less than 1.5 acres. The proposed bike path would have asphalt concrete pavement with two percent slopes from the middle to the sides of the bike path. Two feet of porous concrete would be placed on each side of the pavement. A permanent fence would be located at the end of the porous concrete. A one-foot section of dirt would be placed between the porous concrete and the fence. The slopes on the downhill portion would range between 2:1 or 1.5:1, depending on the proximity of the right-of-way. Porous concrete would be used to reduce the potential pollutants in runoff because it is designed to allow flow to percolate through the concrete into the underground soil instead of flowing down the bikeway slopes. In addition, the slopes on the downhill portion of the bikeway would be protected with soil binders and hydroseeding to prevent erosion. As such, the increase in runoff generated by the proposed project would be minimal.

The project does not propose or require the use of surface or groundwater supplies that may significantly impact the quantity of water within the waterways or hydrologic unit. Although the project proposes minor fill operations along the existing railroad berm adjacent to the Otay River, these operations would not affect the flow or drainage of water into San Diego Bay. Additionally, the fill operations would not result in the alteration of the flow or drainage to the Otay River.

#### **City of San Diego Development Regulations for Special Flood Hazard Areas**

The proposed project is consistent with the City of San Diego Regulations for Special Flood Hazard Areas. Pursuant to §143.0145, the project is consistent with the development regulations as set forth for the OF zone. The proposed project does not involve any new development within the floodplain. The project proposes the placement of two steel truss bridges on top of the existing railroad bridges to provide bicycle and pedestrian access across the Otay River. The project would not result in stream scour or erosion, and would not contribute to downstream bank erosion and sedimentation. In addition, and as noted in Section 1.3 of this EIR, Special Flood Hazard Areas are considered Environmentally Sensitive Lands (ESL). As such, the proposed project will require a Site Development Permit (SDP) per the ESL Regulations.

### **Floodplains**

The proposed project would not entail new uses other than active recreation, passive recreation, and natural resource preservation (in cooperation with the USFWS), and therefore would be an allowed use in the Open Space-Floodway zone. The proposed project would also preserve the natural character and value of the floodplain, as it would be constructed on the top of the existing Otay River Berm and Main Street Dike, and would not involve any change in landforms that would cause an impediment to the flow of floodwaters. Since the project does not propose the construction of any structures or buildings, it would not create a hazard by placing housing within a 100-year flood hazard area. Two trailer parks, located upstream of the proposed project, constitute the only developed property in the 100-year floodplain. A hydraulic analysis, provided in Appendix F of this EIR, was conducted to determine if the increase in elevation resulting from the proposed project would increase the upstream water surface elevations. The hydraulic analysis concluded that increasing the elevation (i.e., placing pavement over the existing rails) by approximately 0.5 feet above the existing rails, as proposed with the project, would not increase the water surface elevation at the trailer parks.

#### **5.4.4 Significance of Impact**

The proposed project would not result in a significant impact to hydrology.

#### **5.4.5 Mitigation Measures**

No mitigation measure is required, as no hydrology impact would result.

#### **5.4.6 Conclusion**

Implementation of the proposed project would not result in a significant hydrology impact.

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## 5.5 Geology/Soils

Information contained in this section is provided in part by the *Geotechnical Evaluation for the Proposed Bayshore Bikeway Bridges* prepared by Ninyo & Moore (December 8, 2006). This report is provided in Appendix G of this EIR.

### 5.5.1 Existing Conditions

The project site is located in the coastal section of the Peninsular Ranges Geomorphic Province. In general, the province consists of rugged mountains underlain by Jurassic metavolcanic and metasedimentary rocks, and Cretaceous igneous rocks of the southern California batholith. The portion of the province that includes the project site consists generally of uplifted Tertiary and Quaternary sedimentary rock.

#### 5.5.1.1 Geology

##### A. Bike Path

The proposed bike path would be located on top of the existing manmade Otay River berm and Main Street Dike. Geologic formation maps identify the area as composed of artificially compacted fill (Qaf), with no specific underlying geologic formation identified. Artificial fill consists of artificially compacted earth materials derived usually from local sources (California Department of Conservation, 1977).

##### B. Bridges

The geologic formations encountered during subsurface evaluation around the bridges include fill and alluvium. The fill was encountered from surface depths to approximately two to 4.5 feet below the surface. The fill generally consists of grayish brown and brown, damp to moist, very loose to medium dense, silty sand and silty clay with scattered gravel. The alluvium was encountered below the fill to approximately 21 feet (total depth of borings) below the surface. The alluvium generally consists of brown and gray, saturated, very loose to medium dense, gravelly, silty sand and sandy gravel; and soft to firm, gravelly, sandy clay. Groundwater was encountered at two and five feet below the surface, depending on the boring location. In general, the groundwater level can be expected to be at or near the water level in the river channel and bay. Fluctuations in the groundwater level may occur due to tidal influence, variations in ground surface topography, subsurface geologic conditions and structure, rainfall, and other factors.

#### 5.5.1.2 Geologic Hazards

##### A. Slope Stability

No landslides or indications of deep-seated landslides are mapped or were observed within the project site.

##### B. Seismicity

According to maps prepared by the California Division of Mines and Geology, the project site is not located within an Alquist-Priolo Earthquake Fault Zone. The project site is not underlain by any known active or potentially active faults. The closest known active fault to the project site is the Rose Canyon

Fault, located approximately three miles west of the project site. Other known active faults in the region include San Clemente and Agua Blanca-Coronado Bank faults located over 15 miles west of the site; and the Whittier-Elsinore, San Jacinto, and San Andreas faults, located over 60 miles east of the site. Although the project site is not underlain by an active fault, it is considered seismically-active, as is most of Southern California.

## 5.5.2 Impact Threshold

The City of San Diego Significance Determination Thresholds outline the thresholds for determining significance. Impacts to geology/soils may be considered significant if the project could:

- *Expose people or structures to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards;*
- *Result in substantial increase in wind or water erosion of soils, either on or off the site; or,*
- *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.*

## 5.5.3 Impact

**Impact Issues:** *Would the proposed project result in the exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? Would the proposed project be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

### 5.5.3.1 Geotechnical Hazards

#### A. Slope Stability

No landslides or deep-seated landslides are located within the project site. As such, no impact associated with this issue is anticipated.

#### B. Seismicity

No fault lines traverse the project site. Therefore, rupture of a known earthquake fault along the path would not occur. Since the entire southern California region is considered seismically active, there is always the possibility that a large quake from one of the major faults in the region may induce strong seismic ground shaking at the project site.

Ground surface rupture due to active faulting is not considered likely due to the absence of known active faults underlying the site. Lurching and cracking of the ground as a result of nearby or distant seismic events is also considered unlikely.

**BIKE PATH**

The proposed bike path would be constructed on top of levees and dikes. The soils underlying the levees are composed of fill dredged from San Diego Bay. The levees were reconstructed after the flood of 1916 and have successfully endured earthquakes over the last 75 years. In the event of a major earthquake, the bike path may be subjected to moderate to severe ground shaking along any number of faults in the area including, but not limited to, the Rose Canyon, Coronado Banks, or Elsinore fault zones. The proposed bike path would be constructed on top of levees and dikes within the South Bay Salt Works property. In the event of a major earthquake, it is possible that the levees may experience seismic-related ground failure. Proper engineering of the minor amount of resurfacing of soils during grading activities would ensure that no impact would result. In addition, the bike path does not propose construction of any buildings. As such, no significant impact related to strong seismic ground shaking is anticipated on the bike path.

**BRIDGES**

In the event of a major earthquake, the bridges may be subject to moderate to severe ground shaking along any number of faults in the area. The bridges have the potential to expose people to seismic hazards. However, the potential for relatively strong seismic accelerations has been considered in the design of the bridges. Therefore, no significant impact related to strong seismic ground shaking is anticipated on the bridges.

**LIQUEFACTION, SEISMICALLY-INDUCED SETTLEMENT, AND LATERAL SPREAD****BIKE PATH**

The levees have been used in the past to support rail travel. The proposed bike path would involve minimal grading and would only be used to support light bicycle travel; therefore, it is not likely that the proposed use of the bike path would result in landslide, lateral spreading, subsidence, liquefaction, or collapse nor is it expected to create a substantial risk to life or property from expansive soils.

**BRIDGES**

The fill and alluvium currently located on the project site are subject to settlement. Based on the subsurface evaluation, relatively loose sandy alluvial soils encountered below groundwater are subject to liquefaction and associated lateral spreading. Potential liquefaction-induced settlement at the bridge sites is estimated to be up to approximately three inches. Although there is the potential for liquefaction to induce settlements of up to three inches as the result of a major local earthquake, deep foundations or other mitigation measures are likely to be impractical for the prefabricated bridge abutments due to cost and environmental considerations. In the event of a large seismic event, if liquefaction occurs and causes settlement or spreading at the abutments, the bridges can be raised and leveled at a relatively low cost. To reduce the potential settlement of existing soils, the fill would be removed to a depth of three feet below the bottom of the planned lowest bridge abutment elevation and replaced with generally granular compacted fill with a very low to low expansion potential. The base of the removal would extend five feet plus the depth of the removal beyond the proposed abutment.



Groundwater is expected to be at or near the water level in the channels and bay. Shallow groundwater is anticipated to be encountered during construction of the bridges.

### **SOIL EROSION**

#### *BIKE PATH*

Being located on top of levees and dikes, the proposed bike path would be subject to soil erosion; however, the proposed bike path would be constructed of permeable concrete materials in sensitive areas, which would reduce the potential for soil erosion.

#### *BRIDGES*

The proposed bridges would be steel truss and would be placed on top of the existing bridges. The bridges would have concrete slabs and steel trusses along the sides. As such, the proposed bridges would not be subject to soil erosion.

## **5.5.4 Significance of Impact**

The proposed project, including the bike path and bridges, would not result in a significant impact to geology/soils because the it would not expose people or structures to geologic hazards, result in a substantial increase in wind or water erosion of soils, or be located on a geologic unit that is unstable, or potentially unstable.

## **5.5.5 Mitigation Measures**

No mitigation measure is proposed, as no significant geology/soils impact has been identified.

## **5.5.6 Conclusion**

Implementation of the proposed project would not result in a significant geology/soils impact.

## 5.6 Traffic and Transportation/Pedestrian and Bicycle Facilities

### 5.6.1 Existing Conditions

#### 5.6.1.1 *Traffic and Transportation*

The proposed project does not involve a state highway. Access to the proposed project site is from Main Street in the City of San Diego. Main Street is a local street in the Otoy Mesa-Nestor Community Planning area. The site is also accessible from 13<sup>th</sup> Street in the City of Imperial Beach. Thirteenth Street north of State Route 75 (Palm Avenue) is identified in the City of Imperial Beach General Plan/Local Coastal Plan as a 3-Lane Collector street.

Portions of the proposed new bike path segment would be located within the Metropolitan Transit Development Board's (MTDB) (now Metropolitan Transit System (MTS)) railroad right-of-way (R/W), which crosses the salt ponds operated by the South Bay Salt Works located at the southeastern edge of San Diego Bay. Currently, the southwestern portion of the existing Bikeway is located along the MTDB (MTS) railroad R/W, as it passes through the City of Imperial Beach. The railroad R/W would remain under the ownership of MTDB (MTS), utilized as a bikeway per a Memorandum of Understanding (MOU) between the City of San Diego and MTDB (MTS).

#### 5.1.1.2 *Pedestrian and Bicycle Facilities*

The existing Bayshore Bikeway route is located along 13<sup>th</sup> Street, Palm Avenue and Saturn Boulevard in the Otoy Mesa-Nestor Community of the City of San Diego, continuing into the City of Imperial Beach north of 13<sup>th</sup> Street, and into the City of Chula Vista near the intersection of Main Street and Frontage Road (Figure 3-2). This section of the Bikeway is designated as a Class II bike lane because it provides a striped lane for one-way bike travel on a street or highway. Palm Avenue is a congested stretch of road that is not a safe environment for cycling.

Within the City of San Diego, existing bicycle facilities in the project area consist of the Class II bike lanes located along Bay Boulevard, Stella Street, and Frontage Road, from the Palomar Street/Bay Boulevard intersection to the Main Street/Frontage Road intersection. Class II bike lanes are also in place along Saturn Boulevard from Main Street to Palm Avenue; along Palm Avenue from Saturn Boulevard to 13<sup>th</sup> Street; and north along 13<sup>th</sup> Street to the Bayfront. The existing Class II bike lane at the north end of 13<sup>th</sup> Street in the City of Imperial Beach merges into the existing Class I City of Imperial Beach segment of the Bayshore Bikeway.

The recently-completed TEA-21 Silver Strand Improvement Project, is a bicycle facility project in the general project vicinity which consists of improvements to the bikeway along State Route 75 within the Cities of Coronado and Imperial Beach.

Currently, no pedestrian facilities exist or are proposed in the project corridor. The City of Imperial Beach General Plan/LCP identifies a future goal of developing the San Diego Bayfront area within the City as a waterfront linear park for pedestrian, bicycle, and recreational use.

## 5.6.2 Impact Threshold

The City of San Diego Significance Determination Thresholds outline the thresholds for determining significance. Impacts to traffic/circulation may be considered significant if the project could:

- *Increase traffic hazards to motor vehicles, bicyclists or pedestrians due to proposed non-standard design features (e.g. poor sight distance, proposed driveway onto an access-restricted roadway);*
- *Result in the construction of a roadway that is inconsistent with the General Plan and/or community plan and would not properly align with the other existing or planned roadways;*
- *Result in a substantial restriction in access to publicly or privately owned land; and/or,*
- *Result in a deficiency by more than 10 percent of the required amount of parking, and at least one of the following criteria applies: 1) the parking deficiency would substantially impact an adjacent residential area, including the availability of public parking; and/or 2) the parking deficiency would severely impede the accessibility of a public facility, such as a park or a beach.*

## 5.6.3 Impact

The proposed bikeway alignment would connect with the existing bike path near the border of the City of San Diego and City of Chula Vista, at the intersection of Frontage Road and Main Street. The new alignment would turn to the west along Main Street, passing through the South Bay Salt Works operations on top of the existing Main Street Dike. The bike path would follow the top of the Main Street Dike until it intersects with the existing MTDB (MTS) R/W. At this point, the bike path would turn to the southwest and run along the top of the Otay River berm within and adjacent to the existing MTDB (MTS) R/W until it connects with the existing Imperial Beach portion of the Bikeway. The new direct bicycle segment would reduce the travel distance between Imperial Beach and Chula Vista, provide a safer cycling environment, and improve public access to coastal resources. The improvements are intended to attract additional bicycle trips, with the resulting benefit of reduced roadway congestion and improved air quality.

### 5.6.3.1 Traffic and Transportation

The proposed bikeway would not result in a change to existing roadways or transportation facilities. The provision of a relocated haul road would allow the continuation of salt mining activity without adding haul road trips to local streets. Additionally, this component of the project would allow complete separation between the bike path users and the haul road operations; thereby avoiding any safety hazard or conflict between users. In addition, the proposed project would not preclude the use of the MTDB (MTS) R/W for rail transportation services in the future. The agreement with MTDB would allow the bike path to exist within the right-of-way until such time that a new rail use is proposed for this corridor. The existing bridges, rails, and ties would need to be rehabilitated in order to accommodate a new rail use in this location.

The haul road relocation component of the project would maintain the haul road as an internal, private haul road and would not connect to Bay Boulevard (Chula Vista). The design width of the haul road is 12-feet, which has been deemed acceptable to the salt works operator due to the very low volume of truck trips (two-way traffic not required).

The City of San Diego Street Design Manual refers to the City of San Diego Bicycle Master Plan for Class I Bikeway Design Standards. The Bicycle Master Plan, in turn, refers to the Caltrans Highway Design Manual. This manual specifies a minimum 8-foot paved width for the bicycle path, with a minimum of 2-foot wide graded area adjacent to the pavement. The proposed project design is consistent with these standards as the project would provide an 8-foot wide asphalt path with 2-foot wide porous concrete shoulders.

As discussed in previous sections, no lighting for the bike path is proposed, although the bikepath would be available for use by bicyclists after daylight. No lighting is proposed for the project because the bike path would run through the San Diego Bay National Wildlife Refuge. The Refuge is home to migratory, threatened, and endangered bird species and lighting would disturb the natural setting of the Refuge for these species. The path would include a yellow striped, reflective material along the centerline to separate opposite direction of flow.

Barrier posts are also proposed at both end of the proposed bikepath segment in order to limit motor vehicle use (large vehicles, cars), and signage would be placed so as to discourage other use by motorized vehicles (e.g., mopeds).

No additional parking is proposed associated with the proposed project. Parking for this segment of the bikepath is available at the northern terminus of 13<sup>th</sup> Street in the City of Imperial Beach. Thirteen paved public parking spaces are currently provided (USFWS, 2006).

### 5.6.3.2 *Pedestrian and Bicycle Facilities*

The proposed new Class I segment of the Bayshore Bikeway would tie into the existing Class I portion of the Bayshore Bikeway within Imperial Beach, which is generally aligned along the Bayfront in the area where a future linear park may be located. The proposed project would not affect existing or planned pedestrian facilities.

The existing Class II bike lanes located along 13<sup>th</sup> Street, Palm Avenue, and Saturn Boulevard would be maintained and improved, where applicable, as a result of the proposed project. Improvements would consist of ensuring that the roadway is serviceable and that signage and road markings are noticeable and legible. No change in use is proposed for these bike lanes.

No significant impact to traffic and transportation, pedestrian or bicycle facilities would result from project implementation.

### 5.6.4 Significance of Impact

The proposed project would not result in a significant impact to traffic and transportation or pedestrian and bicycle facilities. The proposed project would provide a new Class I segment of the Bayshore Bikeway.

### 5.6.5 Mitigation Measures

No mitigation is required, as no significant transportation/circulation or pedestrian and bicycle facilities impact would result.

### 5.6.6 Conclusion

Implementation of the proposed project would not result in a significant traffic and transportation or pedestrian and bicycle facilities impact.

## 5.7 Air Quality

### 5.7.1 Existing Conditions

#### 5.7.1.1 National Ambient Air Quality Standards (NAAQS)

Pursuant to the 1970 Federal Clean Air Act (42 U. S. C. 7401), as amended in 1977 and 1990, the Federal Environmental Protection Agency (EPA) has developed National Ambient Air Quality Standards (NAAQS) for the protection of human health and public welfare. The NAAQS were established in 1971 for six "criteria" pollutants: sulfur dioxide (SO<sub>2</sub>), carbon monoxide (CO), ozone (O<sub>3</sub>), nitrogen oxides (NO<sub>x</sub>), lead, and respirable and fine particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Ambient federal and state air quality standards are presented in Table 5.7-1.

Federal standards (other than O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and those based on annual averages) are not to be exceeded more than once per year. The ozone standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM<sub>10</sub>, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration about 150 µg/m<sup>3</sup> is equal to or less than one. For PM<sub>2.5</sub>, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. The EPA has also allowed states the option of developing stricter standards than the NAAQS. Since California had established standards before the federal action, there is considerable difference between California and Federal clean air standards. In those instances where State and Federal standards differ, the more restrictive standards apply.

#### 5.7.1.2 California Ambient Air Quality Standards (CAAQS)

Due to the unique air quality problems in California, the California Air Resources Board (CARB) has developed more stringent standards for the six NAAQS pollutants, and has included sulfates, hydrogen sulfide, vinyl chloride (chloroethylene), and visibility-reducing particulates in its California Ambient Air Quality Standards (CAAQS). State standards for O<sub>3</sub>, CO, NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility reducing particles are not to be exceeded at any time. The standards for the other air pollutants are not to be equaled or exceeded at any time.

#### 5.7.1.3 Air Quality Management Planning

The continued violations of NAAQS in the San Diego Air Basin (SDAB), particularly those for ozone in inland foothill areas, requires that a plan be developed outlining the pollution controls that would be undertaken to improve air quality. In San Diego County, this attainment planning process is embodied in a regional air quality management plan, known as the Regional Air Quality Strategies (RAQS), developed jointly by the San Diego Air Pollution Control District (APCD) and the San Diego Association of Governments (SANDAG). The RAQS was developed pursuant to state law and identifies emission control measures to provide expeditious progress in San Diego County toward attaining the state ambient air quality standard for ozone. Pollutants addressed are volatile organic compounds (VOC) and NO<sub>x</sub>, precursors to the

TABLE 5.7-1  
Ambient Air Quality Standards

Air Pollutant	State Standard/Average Time	Federal Standard/Average Time	Most Relevant Effects
Ozone	0.09 ppm, 1 Hour 0.070 ppm, 8 Hour	0.08 ppm, 8 Hour	(a) Short-term exposures: (1) Pulmonary function decrements and localized lung edema in humans and animals. (2) Risk to public health implied by alterations in pulmonary; (b) Long-term exposures: (1) Risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (c) Vegetation Damage; (d) Property damage
Carbon Monoxide	9.0 ppm, 8 Hour 20 ppm, 1 Hour	9 ppm, 8 Hour 35 ppm, 1 Hour	(a) Aggravation of angina pectoris and other aspects of coronary heart disease; (b) Decreased exercise tolerance in persons with peripheral vascular disease and lung disease; (c) Impairment of central nervous system functions; (d) Possible increased risk to fetuses
Nitrogen Dioxide	0.25 ppm, 1 Hour	0.053 ppm, Annual Average	(a) Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; (b) Risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; (c) Contribution to atmospheric discoloration
Sulfur Dioxide	0.04 ppm, 24 Hour 0.25 ppm, 1 Hour	0.030 ppm, Annual Average 0.14 ppm, 24 Hour	(a) Bronchoconstriction accompanied by symptoms which may include wheezing, shortness of breath and chest tightness, during exercise or physical activity in persons with asthma
Respirable Particulate Matter (PM <sub>10</sub> )	50 µg/m <sup>3</sup> , 24 Hour 20 µg/m <sup>3</sup> , Annual Average	150 µg/m <sup>3</sup> , 24 Hour	Prevention of excess deaths, illnesses and restrictions in activity from short- and long-term exposures. Illness outcomes include, but are not limited to, respiratory symptoms, bronchitis, asthma exacerbation, emergency room visits and hospital admissions for cardiac and respiratory diseases. Sensitive subpopulations include children, the elderly, and individuals with pre-existing cardiopulmonary disease.

TABLE 5.7-1  
Ambient Air Quality Standards  
(cont'd)

Air Pollutant	State Standard Average Time	Federal Standard Average Time	Most Relevant Effects
Suspended Particulate Matter (PM <sub>2.5</sub> )	12 µg/m <sup>3</sup> , Annual Average	35 µg/m <sup>3</sup> , 24 Hour 15 µg/m <sup>3</sup> , Annual Average	Prevention of excess deaths and illness from long-term exposure. Illness outcomes include, but are not limited to, respiratory symptoms, asthma exacerbation, and hospital admissions for cardiac and respiratory diseases. Sensitive subpopulations include children, the elderly, and individuals with pre-existing cardiopulmonary disease.
Sulfates	25 µg/m <sup>3</sup> , 24 Hour	No Federal Standard	(a) Decrease in ventilatory function; (b) Aggravation of asthmatic symptoms; (c) Aggravation of cardio-pulmonary disease; (d) Vegetation damage; (e) Degradation of visibility; (f) Property damage
Lead	1.5 µg/m <sup>3</sup> , 30 Day Average	1.5 µg/m <sup>3</sup> , Calendar Quarter	(a) Increase body burden; (b) Impairment of blood formation and nerve conduction
Visibility-Reducing Particles	Extinction of coefficient of 0.23 per kilometer – visibility of 10 miles or more due to particles when relative humidity is less than 70 percent.	No Federal Standards	Visibility impairment on days when relative humidity is less than 70 percent

Source: California Air Resources Board (11/10/06); California Code of Regulations, 2003.

Notes: ppm = parts per million; µg/m<sup>3</sup> = micrograms per cubic meter

\* "Most Relevant Effects" are the effects which the air quality standards are intended to prevent or abate.

photochemical formation of ozone. San Diego County does not yet attain the state ozone standard and is designated a serious ozone nonattainment area.

The RAQS was initially adopted by the District Board on June 30, 1992, and amended on March 2, 1993, in response to California Air Resources Board (CARB) comments. Pursuant to state law, the District Board updated the RAQS with triennial revisions on December 12, 1995; June 17, 1998; August 8, 2001; and July 28, 2004.

Federal clean air laws require areas with unhealthy levels of O<sub>3</sub>, CO, NO<sub>2</sub>, SO<sub>2</sub>, and PM<sub>10</sub> to develop plans, known as State Implementation Plans (SIPs), describing how they would attain the NAAQS. SIPs are not single documents; rather they are a compilation of new and previously submitted plans, programs (such as monitoring, modeling, permitting, etc.), district rules, state regulations, and federal controls. A local plan to meet the federal standard for O<sub>3</sub> was combined with plans from all other California non-attainment areas



having serious O<sub>3</sub> problems and used to create the California SIP. The SIP was adopted by the CARB after public hearings in 1994, and was approved by the USEPA in 1996.

The 1990 amendments to the federal Clean Air Act set new deadlines for attainment based on the severity of the pollution problem and launched a comprehensive planning process for attaining the NAAQS. The promulgation of the new national eight-hour O<sub>3</sub> standard and the fine particulate matter (PM<sub>2.5</sub>) standards in 1997 would result in additional statewide air quality planning efforts. In response to new federal regulations, future SIPs would also address ways to improve visibility in national parks and wilderness areas.

In July 1997, U.S. EPA established a new federal 8-hour standard for O<sub>3</sub> of 0.085 parts per million. U.S. EPA designated fifteen areas in California, including the SDAB, that violate this federal 8-hour O<sub>3</sub> standard on April 15, 2004. Each non-attainment area's classification and attainment deadline is based on the severity of its ozone problem. The SDAB non-attainment areas and attainment deadline for O<sub>3</sub> is 2009-2014.

SIPs demonstrating attainment of the new federal O<sub>3</sub> standard must be adopted by the local air districts and CARB, and submitted to U.S. EPA by June 15, 2007. Emission inventory updates, air quality modeling, and other work in support of the 2007 Ozone SIP would begin soon.

The proposed project is related to the SIP and/or RAQS through the land-use and growth assumptions that are incorporated into the air quality planning document. If a proposed project is consistent with the applicable General Plan of the jurisdiction where it is located, then the project presumably has been anticipated within the regional air quality planning process. Such consistency would ensure that the project would not have an adverse regional air quality impact. If the relocation or change of vehicular emission patterns from a proposed project would not create any further unacceptable microscale impacts immediately adjacent to the proposed corridor, then the project would have a less than significant air quality impact.

### 5.7.1.2 *Climate*

The climate of San Diego is characterized by a repetitive pattern of frequent early morning cloudiness, hazy afternoon sunshine, clean daytime onshore breezes and little temperature change throughout the year. The average daily maximum in downtown San Diego during the summer is in the upper 70s Fahrenheit (F) with an average daily maximum of 65° F in winter. The thermostat action of the nearby oceanic heat reservoir keeps the daily oscillation of temperature close to 15 degrees. Limited rainfall occurs in winter, while summers are often completely dry. An average of ten inches of rain falls each year from November to early April. Year-to-year variations in rainfall amounts are the rule rather than the exception. Rainfall amounts of one-half or twice the annual average are not uncommon. Rain typically falls only 20 days per year with only six days of moderate (0.5 inches in 24-hours) rainfall per year.

The same atmospheric conditions that create a desirable living climate combine to limit the ability of the atmosphere to disperse the air pollution generated by the large regional population. The onshore winds across the coastline diminish quickly when they reach the foothill communities east of San Diego, and the sinking air within the offshore high pressure system forms a massive temperature inversion that traps all air

pollutants near the ground. The resulting horizontal and vertical stagnation, in conjunction with ample sunshine, cause a number of reactive pollutants to undergo photochemical reactions and form smog that degrades visibility and irritates tear ducts and nasal membranes. High air pollution levels in coastal communities often occur when polluted air from the South Coast (Los Angeles) Air Basin drifts seaward and southward at night, and then blows onshore the next day. Such weather patterns and interbasin transport can cause unhealthy air over much of San Diego County despite its best air pollution control efforts.

### 5.7.1.3 Regional Conditions

Currently, the SDAB is either in attainment or unclassified for federal standards of O<sub>3</sub> (one-hour), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), total suspended particulate matter smaller than ten microns in diameter (PM<sub>10</sub>), fine suspended particulate matter (PM<sub>2.5</sub>), and lead. The SDAB is also in attainment or unclassified for state air quality standards for all pollutants with the exception of O<sub>3</sub> (one-hour), PM<sub>10</sub> and PM<sub>2.5</sub>. Air pollutants transported into the Basin from the adjacent South Coast Air Basin (Los Angeles, San Bernardino County, Orange County, and Riverside County) substantially contribute to the non-attainment conditions in the SDAB.

### 5.7.1.4 Local Conditions

Air quality in the local vicinity of the project can be readily characterized from ambient measurements made by the APCD, the agency responsible for air quality planning, monitoring and enforcement in the SDAB. The APCD monitors a relatively complete spectrum of air pollutants at the Chula Vista air monitoring station located at 80 E. J Street, Chula Vista, CA 91910. Table 5.7-2 summarizes three years of monitoring data from the Chula Vista station. Healthful air quality is seen in almost every pollution category. Carbon dioxide, nitrogen dioxide, and sulfur dioxide concentrations have not exceeded the state standards in any of the three years. Ozone and particulate matter concentrations exceeded state and federal standards on a limited number of days in the past three years.

TABLE 5.7-2  
Ambient Air Quality Summary  
Chula Vista Monitoring Station 2004 through 2006

Year	Carbon Monoxide (CO)		Ozone (O <sub>3</sub> )		Nitrogen Dioxide (NO <sub>2</sub> )		Sulfur Dioxide (SO <sub>2</sub> )		Respirable Particulate Matter (PM <sub>10</sub> )		Fine Particulate Matter (PM <sub>2.5</sub> )	
	Max 8-hour Concentration (ppm)	Days State Standard Exceeded (ppm 8-hour)	Max 1-hour Concentration (ppm)	Days State Standard Exceeded (ppm 1-hour)	Max 1-hour Concentration (ppm)	Days State Standard Exceeded (ppm 1-hour)	Max 24-hour Concentration (ppm)	Days State Standard Exceeded (ppm 24-hour)	Max 24-hour Concentration (µg/m <sup>3</sup> )	Days State Standard Exceeded (µg/m <sup>3</sup> 24-hour)	Max 24-hour Concentration (µg/m <sup>3</sup> )	Days Federal Standard Exceeded (µg/m <sup>3</sup> 24-hour)
2004	2.48	0	0.097	1	0.072	0	0.016	0	45.0	0	32.7	0
2005	2.13	0	0.093	0	0.071	0	0.005	0	53.0	2	34.3	0
2006	1.39	0	0.084	0	0.065	0	0.006	0	51.0	1	30.2	0

Notes: hr = hour

Source: California Air Resources Board (CARB) ADAM Ambient Air Quality Inventory, 2007.

## 5.7.2 Impact Threshold

The City of San Diego Significance Determination Thresholds outline the thresholds for determining significance. Impacts to air quality may be considered significant if the project could:

- *Conflict or obstruct the implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP);*
- *Violate any air quality standard or contribute substantially to an existing or projected air quality violation;*
- *Result in a cumulatively considerable net increase of ozone (1-hour and 8-hour) or PM<sub>10</sub> (including release of emissions which exceed quantitative thresholds for ozone precursors);*
- *Expose sensitive receptors (schools, hospitals, resident care facilities, or day-care centers) to substantial pollutant concentrations including air toxics such as diesel particulates;*
- *Create objectionable odors affecting a substantial number of people; or,*
- *Release substantial quantities of air contaminants beyond the boundaries of the premises upon which the stationary source emitting the contaminants is located.*

## 5.7.3 Impact

### 5.7.3.1 Construction Impacts

Air emissions are generated during construction activities associated with the development of a project including grading and excavation, building and utility construction, and paving activities. During site grading, tailpipe emissions are generated by construction related vehicles such as graders, bulldozers, water trucks, backhoes, rollers, loaders, and construction worker's vehicles. Emissions are also generated in the form of dust (PM<sub>10</sub>) as a result of soil disturbance and rock crushing activity. Construction emissions vary from day-to-day depending on the number of workers, number and types of heavy-duty vehicles and equipment, level of activity, the prevailing meteorological conditions, and the length of which these activities occur. Due to their temporary nature, construction activities are often considered to have a less than significant air quality impact; however, the cumulative effect from all simultaneous construction in the air basin is a major contributor to the overall population burden, especially for PM<sub>10</sub>. The proposed project has the potential for temporary air emissions during construction activities, relating to dust from grading the new haul road, grading and filling portions of the existing railroad berm, and objectionable odors during paving. The proposed grading limits of the project site covers approximately 1.5 acres. PM<sub>10</sub> emissions are estimated to be generated at 1.2 tons/acre/month. The use of construction equipment for grading work associated with the project would be very limited, amounting to a small bobcat or similar type of equipment. Also, work would be limited to certain portions of the corridor on any given day of construction. Conservatively assuming that 25 percent of the project area would be graded in one day would result in PM<sub>10</sub> emission estimates well below adopted thresholds. Under this assumption, the project would generate approximately 30 pounds of PM<sub>10</sub> per day. Additionally, the proposed project contract documents would include air quality language in order to implement appropriate federal, state, and local

development standards and requirements that are designed to minimize short-term construction related air quality emissions. These measures include, but are not limited to the following:

- Water or dust control agents would be applied to active grading areas, unpaved surfaces, and dirt stockpiles as necessary. All soil to be stockpiled over 30 days would be protected with a secure tarp or tackifiers to prevent windblown dust.
- Properly maintain diesel-powered on-site mobile equipment.
- Wash-off trucks leaving construction sites.
- Replace ground cover onsite if it is determined that the site would be undisturbed for lengthy periods.
- Reduce speeds on unpaved roads to less than 15 miles per hour.
- Halt all grading and excavation operations when wind speeds exceed 25 miles per hour.
- Dirt and debris spilled onto paved surfaces at the project site and on the adjacent roadways would be swept or vacuumed and disposed of at the end of each workday to reduce suspension of particulate matter caused by vehicle movement.
- Cover all trucks hauling dirt, sand, soil or other loose material to and from the construction site and/or maintain a two-foot minimum freeboard.

With the exception of dust and particulate matter associated with construction of the proposed project, no air contaminants would be released in substantial quantities.

### 5.7.3.2 *Operational Impacts*

In order to gauge the significance of the air quality impacts of the proposed project and any associated changes in area traffic patterns, those impacts, together with existing background air quality levels, must be compared to the applicable ambient air quality standards. These standards are the levels of air quality considered safe, with an adequate margin of safety, to protect the public health and welfare. They are designed to protect those people most susceptible to further respiratory distress such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise, called "sensitive receptors."

Operation of the proposed project does not include any activities, emissions, or odors which would affect regional air quality concerns such as ozone, hydrocarbons, or nitrogen oxide levels, or site-specific concerns such as carbon monoxide levels. Implementation of the proposed project would not result in an exceedance of any federal or state air quality standards or conflict with or obstruct implementation of the RAQS or SIP. Rather, the proposed project has potentially beneficial effects on air quality by providing improved access for alternative transportation by bicycle, which may reduce the number of vehicle trips, and thereby reduce carbon dioxide emissions. No new vehicle trips would be generated as a result of the proposed project.

No permanent significant air quality impact would occur as a result of the proposed project. In addition, the proposed project would not result in a cumulatively considerable net increase of ozone or particulate matter.

#### 5.7.3.3 *Sensitive Receptors*

Operation of the proposed bikeway would not expose sensitive receptors to substantial pollutant concentrations as neither the path nor its users would produce air pollutants.

#### 5.7.3.4 *Odor*

Neither the proposed bike path nor its users would generate any objectionable odors. The project would not involve the use of reactive organic gases (ROGs), which cause smell sensations in humans. Therefore, no significant impacts would occur from implementation of the proposed project.

### 5.7.4 *Significance of Impact*

No significant air quality impact would occur as a result of implementation of the proposed project. In addition, the proposed project has potentially beneficial cumulative effects on air quality by providing improved access for alternative transportation by bicycle, which may reduce the number of vehicle trips, and thereby reduce carbon dioxide emissions.

### 5.7.5 *Mitigation Measures*

No mitigation measure is required, as no air quality impact would result.

### 5.7.6 *Conclusion*

Implementation of the proposed project would not result in a significant air quality impact.

## 5.8 Noise

### 5.8.1 Existing Conditions

The South Bay Salt Works operations generate the main source of noise in the area of the proposed new bike path segment. Typical noise producing operations of the salt plant include the hauling of salt by large trucks and the operation of water pumps in and around the salt ponds. The noise produced by such activities is intermittent and occurs sporadically throughout the day.

The closest roadway noise sources include traffic-generated noise along 13<sup>th</sup> Street, Palm Avenue and Saturn Boulevard. Traffic along these roadways produce various noise levels depending on the volume of traffic on these streets. The highest traffic noise levels are generated along Palm Avenue, which frequently experiences a large volume of vehicular traffic. The Average Daily Traffic (ADT) along Palm Avenue between Saturn Boulevard and 13<sup>th</sup> Street is 51,300 and produces a noise level of approximately 75 dB(A) CNEL (Hans Giroux, 2002; SANDAG, 2001).

California Government Code Section 65302 requires Caltrans to provide cities and counties with noise contour maps along state highways. The proposed project does not involve any activity on or related to any state highway.

In the City of San Diego, noise standards are contained in Chapter 5, Article 9.5, Division 1 of the San Diego Municipal Code (Noise Abatement and Control Ordinance). Also, see Table 5.8-2. Noise compatibility guidelines are set forth in the City's Progress Guide and General Plan and are established for areas according to the type of land use present. The Ordinance defines noise and regulates it by type, land-use zone, and time of day, and applies to ongoing noise sources, temporary noise sources, and noise sources adjacent to "noise sensitive uses." Temporary noise sources include construction noise relating to noisy construction equipment and signaling devices not being used for a danger warning. Construction activities are considered temporary because they do not represent a chronic, permanent noise source. The Ordinance specifies that loud construction noise is permitted from 7 a.m. to 7 p.m., Monday through Saturday, but not on Sundays or legal holidays. An after-hours noise permit may be issued when construction during daytime hours would create an unacceptable impact on surrounding properties or cause major roads to close during periods of normally high traffic flow.

### 5.8.2 Impact Threshold

The City of San Diego Significance Determination Thresholds outline the thresholds for determining significance. Impacts to noise may be considered significant if the project could:

- *Result or create a significant increase in the existing ambient noise levels;*
- *Generate temporary or periodic construction noise that exceeds 75 dB during the 12-hour period from 7:00 a.m. to 7:00 p.m. at or beyond the project site of any property zoned residential;*
- *Generate temporary construction noise that would substantially interfere with normal business communication, or affect sensitive receptors, such as day care facilities or residential uses;*

- *Expose people to noise levels which exceed the City's adopted noise ordinance or are incompatible as identified in Table 5.8-1;*
- *Generate substantial noise during the breeding season of nearby sensitive avian species;*
- *Generate noise levels at the property line which exceed the City's Noise Ordinance Standards; and/or,*
- *Result in project-related traffic at any off-site location that causes the CNEL to exceed the standards identified in Table 5.8-2.*

### 5.8.3 Impact

City of San Diego noise standards for land uses in the project area are 75 decibels for industrial uses and less than 65 decibels for open space uses. The South Bay Salt Works facility is classified as an industrial use and is subject to the 75 decibel noise standard. However, the surrounding wildlife refuge is considered a noise sensitive land use and is subject to a noise level standard less than 60 dB(A).

In the short-term, noise would be generated during construction of the Class I bike path. Construction activities would include stabilization of the Otay River Berm and paving of the bike path with a porous concrete material. Two new steel truss bridges would be constructed over the existing bridges, which would remain in place. The existing haul road located along the Main Street Dike would be relocated to the existing MTDB (MTS) R/W. This relocation would involve grading and the placement of a dirt/gravel surface on top of the existing railroad bedding material. Construction would also involve installation of fencing and signage along the new Class I bike path. Construction activity would involve the use of a variety of equipment (at different times) including a scraper, a grader, and a roller. Equipment that would be used for construction of the bike path (e.g., scrapers and graders) can generate a noise level of 95 dB(A) at 50 feet from the source. In addition to the Refuge, the nearest sensitive receptor is a single-family residence, located approximately 400 feet southwest of the west side of the project site. The nearest commercial establishment is located approximately 350 feet southwest of the west side of the project site. Construction noise at these locations would be minimal and would not substantially interfere with normal business communication, or affect sensitive receptors. In addition, the construction would comply with the City of San Diego Noise Ordinance. The Ordinance specifies that construction-related noise is permitted from 7 a.m. to 7 p.m., Monday through Saturday, but not on Sundays or legal holidays. There is the potential for the project to result in a significant temporary construction-related noise impact to avian wildlife to the adjacent noise-sensitive USFWS Wildlife Refuge, due to the use of certain construction equipment. However, as discussed in Section 5.2 - Biological Resources, construction activity would be limited so as to avoid the breeding and nesting season for sensitive avian species.

The long-term operation of the bike path would not result in a noise impact. The proposed project would not allow regular motorized vehicle access along the path nor are any other uses that would generate noise proposed. Use of the bike path would be limited to bicycle riding, walking, and jogging. Noise levels associated with these activities are minimal. Therefore, the proposed project would not create a significant

TABLE 5.8-1  
City of San Diego Noise Land Use Compatibility Chart

LAND USE	Annual Community Noise Equivalent Level in Decibels					
	50	55	60	65	70	75
1. Outdoor Amphitheaters (may not be suitable for certain types of music).	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
2. Schools, Libraries	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
3. Nature Preserves, Wildlife Preserves	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
4. Residential-Single Family, Multiple Family, Mobile Homes, Transient Housing	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
5. Retirement Home, Intermediate Care Facilities, Convalescent Homes	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
6. Hospitals	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
7. Parks, Playgrounds	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
8. Office Buildings, Business and Professional	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
9. Auditoriums, Concert Halls, Indoor Arenas, Churches	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
10. Riding Stables, Water Recreation Facilities	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
11. Outdoor Spectator Sports, Golf Courses	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
12. Livestock Farming, Animal Breeding	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
13. Commercial-Retail, Shopping Centers, Restaurants, Movie Theaters	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
14. Commercial-Wholesale, Industrial Manufacturing, Utilities	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
15. Agriculture (except Livestock), Extractive Industry, Farming	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible
16. Cemeteries	Compatible	Compatible	Compatible	Incompatible	Incompatible	Incompatible



**COMPATIBLE**

The average noise level is such that indoor and outdoor activities associated with the land use may be carried out with essentially no interference from noise.



**INCOMPATIBLE**

The average noise level is so severe that construction costs to make the indoor environment acceptable for performance of activities would probably be prohibitive. The outdoor environment would be intolerable for outdoor activities associated with the land use.

Source: City of San Diego (1989).



TABLE 5.8-2  
Traffic Noise Significance Thresholds  
(dBA CNEL)

Structure or Proposed Use that would be Impacted by Traffic Noise	Interior Space	Exterior Usable Space	General Indication of Potential Significance
Single-family detached	45dB	65dB	Structure or outdoor usable area <sup>2</sup> is less than 50 feet from the corner of the closest (outside) lane on a street with existing or future ADTs greater than 7500
Multi-family, schools, libraries, hospitals, day care, hotels, motels, parks, convalescent homes, parks, playgrounds.	Development Services Department (DSD) ensures 45dB pursuant to Title 24	65dB	
Offices, Churches, Business, Professional Uses.	N/A	70dB	Structure or outdoor usable area <sup>2</sup> is less than 50 feet from the corner of the closest (outside) lane on a street with existing or future ADTs greater than or equal to 20,000
Commercial, Retail, Shopping Centers, Restaurants, Movie Theaters, Industrial, Wholesale, Manufacturing, Outdoor Spectator Sports Uses.	N/A	75dB	Structure or outdoor usable area <sup>2</sup> is less than 50 feet from the corner of the closest (outside) lane on a street with existing or future ADTs greater than or equal to 40,000

Notes: 1 = If a project is currently at or exceeds the significance thresholds for traffic noise described above and noise levels would result in less than a 3dB increase, then the impact is not considered significant.  
2 = Exterior usable areas do not include residential front yards or balconies, unless the areas such as balconies are part of the required usable open space calculation for multi-family units.

Source: City of San Diego Significance Determination Thresholds (January 2007).

increase in the existing ambient noise level or violate City of San Diego noise standards. Portions of the path would be accessible to maintenance vehicles; however, the use of the path by maintenance vehicles would be intermittent and would not generate a significant noise level.

The proposed project is the realignment of a bike path. As such, minimal project-related traffic would result. Therefore, no off-site project-related traffic noise impacts are anticipated.

Although bicycling activities are oriented towards both transportation and recreation, the South Bay Salt Works Segment of the Bayshore Bikeway is included in the planned transportation system (City of San Diego, 1997). As a part of the transportation system, bike paths do not constitute a land use and are not subject to the noise level standards set forth in the City's *Progress Guide and General Plan* (1989). In addition, the existing Class II segment is located within the right-of-way of Palm Avenue and is currently subjected to noise levels up to 75 dB(A). Implementation of the proposed project would relocate the Class II segment currently located along Frontage Road and Palm Avenue to an area that is not immediately adjacent to a major roadway. The new Class I segment would be located a minimum distance of 1,500

feet away from Palm Avenue; therefore, the ambient noise levels would be substantially lower along the new Class I segment than the existing Class II segment. Therefore, no significant noise impact as a result of the proposed project is anticipated.

#### 5.8.4 Significance of Impact

The proposed bike path would not generate a significant amount of noise. The proposed construction activities would adhere to the limitations set forth by the City of San Diego noise ordinance and would not occur during the avian breeding season. Construction noise would not interfere with normal business communication, or affect sensitive receptors. Therefore, no significant noise impact associated with the proposed project would result.

#### 5.8.5 Mitigation Measures

No mitigation is required, as no noise impact would result.

#### 5.8.6 Conclusion

Implementation of the proposed project would not result in a significant noise impact.

## 5.9 Aesthetics

### 5.9.1 Existing Conditions

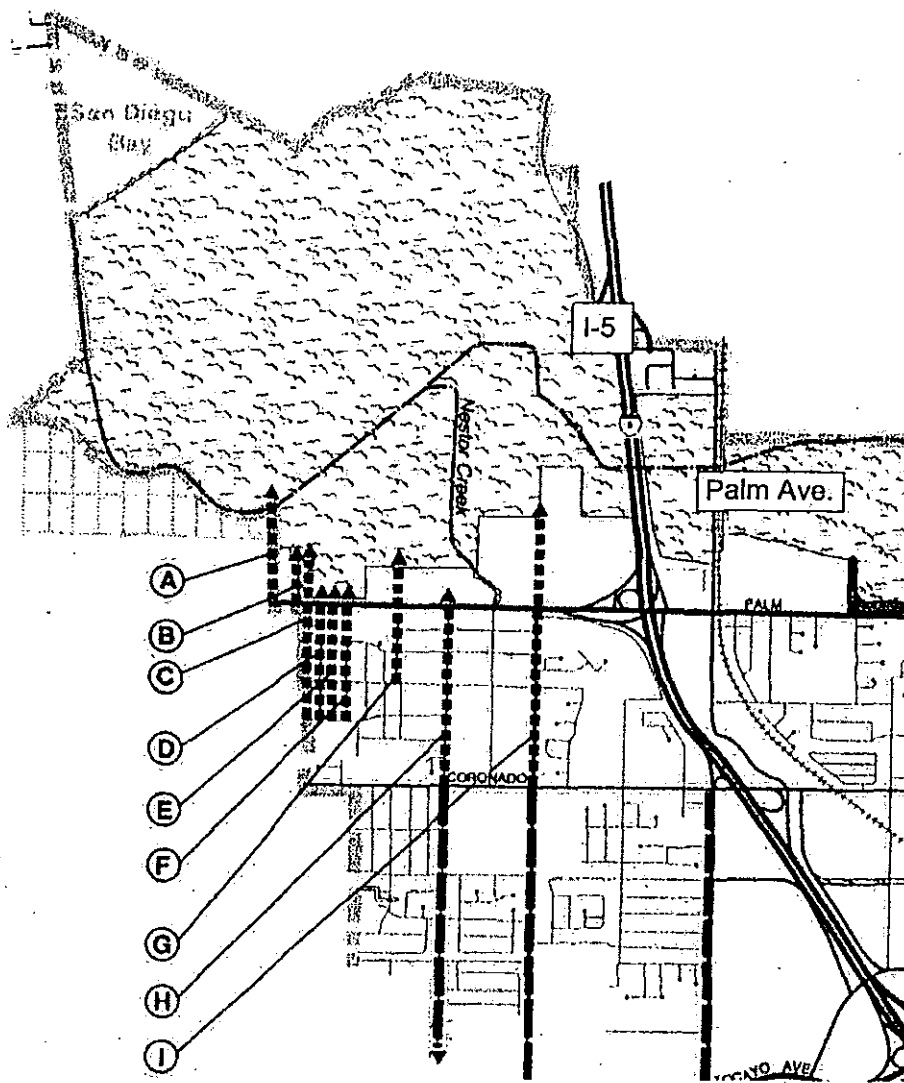
Section 30251 of the California Coastal Act states “the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance the visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.”

California’s Scenic Highway Program was created by the Legislature in 1963. Its purpose is to preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 et seq.

The proposed project would be located within the viewshed of several streets designated as view corridors by the City of San Diego’s Otay Mesa-Nestor Community Plan (1997). According to the Otay Mesa-Nestor Community Plan, view corridors may be of any length and include streets, alleys, street right-of-ways, and edges of development. View corridors are intended to prohibit development of any structures that would obstruct views within designated view corridors. Designated view corridors to the San Diego Bay potentially affected by the proposed project include 13<sup>th</sup> Street, Georgia Street, the alley between Georgia Street and 14<sup>th</sup> Street, 14<sup>th</sup> Street, the alley between 14<sup>th</sup> Street and Granger Street, Granger Street, 16<sup>th</sup> Street, Thermal Avenue, and Saturn Boulevard. These streets maintain a view looking north over the salt ponds and southern end of San Diego Bay. Figure 5.9-1 depicts the view corridors in the project area, as designated in the community plan.

The proposed project is also located within the viewshed of State Route 75, which is eligible in its entirety for designation as a state scenic route. Two segments of State Route 75 are officially designated as state scenic routes, from the Imperial Beach city line to Avenida del Sol in Coronado and the San Diego-Coronado Bridge. However, the proposed project is not located within the viewshed of these officially designated segments of State Route 75.

As described in Section 5.3, the Coronado Railroad Belt Line, which includes the two existing bridges, is designated as a locally historic resource. As such, there are concerns regarding the integration of the historic character of the existing railroad trestles and bridges with the proposed bridges. The current view of the southern bridge (the northern bridge is currently not accessible to the public) is historic in appearance and recognizable as a rail-line structure.



**VIEW CORRIDOR or  
VIEW & ACCESS POINT**

**LOCATION**

**SAN DIEGO BAY:  
View Corridor**

- A. 13th STREET
- B. GEORGIA STREET
- C. ALLEY BETWEEN GEORGIA STREET & 14th STREET
- D. 14th STREET
- E. ALLEY BETWEEN 14th STREET & GRANGER STREET
- F. GRANGER STREET
- G. 16th STREET
- H. THERMAL AVENUE
- I. SATURN BOULEVARD

SOURCE: Otay Mesa/Nestor Community Plan, 1996

4/25/06

Bayshore Bikeway - Western Salt Segment

View Corridors Map

FIGURE  
5.9-1

### 5.9.1.1 Regulatory Setting

View opportunities in the vicinity of the project corridor include the Otay River Valley; the South Bay Salt Works building; salt ponds and salt stacks; the downtown San Diego skyline across San Diego Bay; and the steep hillside bluffs which form the international border with Mexico. Views to the north and west of the project area primarily include undeveloped land, salt mining operations, open space, and the southern end of San Diego Bay. Views to the south primarily consist of developed industrial, commercial, and residential development. With the exception of existing streets serving as view corridors, and due to the low elevation of the project area, the view to the south is blocked by this existing development. Views to the immediate east include open space and salt operations, although extensive views to the east are blocked by the elevated I-5.

As described in Section 5.3, Secretary of Interior standards apply to the locally historic Coronado Railroad Belt Line. According to the Secretary of Interior standards, new construction adjacent to historic structures requires the visual elements of the new construction to be compatible to the historic structure in appearance, character, and scale, yet not being perceived as a replica of an historic element.

### 5.9.2 Impact Threshold

The City of San Diego Significance Determination Thresholds outline the thresholds for determining significance. Impacts to aesthetics may be considered significant if the project could:

- *Block public views from designated open space areas, roads, or parks or to significant visual landmarks or scenic vistas (Pacific Ocean, downtown skyline, mountains, canyons, waterways);*
- *Severely contrast with the surrounding neighborhood character;*
- *Significantly alter natural landform features;*
- *Have a negative visual appearance; and/or,*
- *Emit or reflect a significant amount of light and glare.*

### 5.9.3 Impact

The proposed bike path would be constructed on top of the existing Otay River berm and Main Street Dike, which provide a slightly elevated barrier between the Otay River to the south and the salt ponds to the north. The paved bike path would not significantly contribute additional height to the existing berm or dike and would not result in a significant impact to the visual quality of the surrounding area or San Diego Bay from the designated view corridors.

Post and cable fencing, approximately three feet in height, would be installed along the eastern and western boundaries of the bikeway in order to direct public access. Also, security fence up to seven feet high would be constructed along the east and west slopes of the proposed bike path for its entire length, with the exception of the two bridges. The fence would consist of two-inch mesh, 6-gauge (0.192" diameter) black vinyl (or other appropriate black finish) chain link, with a black bottom rail that is secured in the center of the two line post using a 3/8" diameter eye hook anchored into a concrete footing (or equivalent per agreement with the Wildlife Agencies) and a 7-gauge coil spring wire installed at the top of

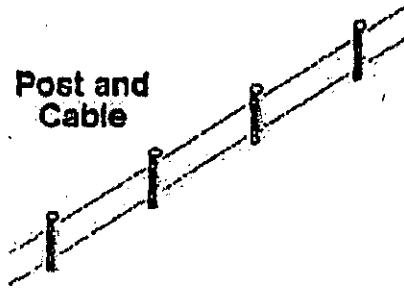
the fence in place of a top rail. The fence would be installed upside down (e.g., the finished chain link would be positioned at the bottom of the fence and the open, sharp-edged links shall be upright). The distance between the lower portion of the fence and the ground would be no greater than two inches. The entire fence, including the chain link, posts, and bottom rail shall be black to improve the overall appearance of the fence. ~~a six-foot chain-link fence would be installed on the western side of the bike path for its entire length, and on the eastern side for a portion of the alignment (See Figure 3-5). This fence would provide a barrier between the bike path, adjacent sensitive habitat, and salt operation areas. Figure 5.9-2 depicts the typical fencing types that would be located along the bike path, which would be post and cable fencing, and the chain link security fence. The post and cable fencing may be augmented in some areas through landscaping that consists of native vegetation. Similarly, a chain-link security fence with a minimum above ground height of six feet and a below ground (i.e., buried) depth of a minimum 1.5 feet would be erected to the west of the proposed bike path for its entire length. This fence would be located downslope of the bike path in order to avoid impacts to City-defined wetlands and to maintain views. The USFWS has been consulted as to the type of fence to be used along the western length of the bike path and is in agreement with the use of a chain-link fence.~~

Signage would be placed along the bikeway for informational purposes. According to the Bayshore Bikeway Plan, signage would generally be located so that there is three feet between the edge of the sub-grade material and the edge of the sign, as well as eight feet between the top of the sub-grade surface to the bottom of the sign (SANDAG, 2006). The signs' vertical and horizontal dimensions would range from 12 to 24 inches.

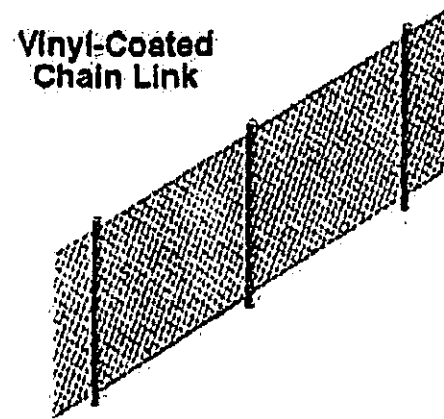
Two steel truss bridges would be constructed on top of the existing wooden trestle bridges that are located within the project alignment. The new bridges would run the entire length of the existing bridge span and would negligibly increase the width of the structure. The trusses would be approximately 6.5 feet higher than the bike path, and the entire structure would be approximately 9.5 feet higher than the existing bridges. While the overall height of the structure would be increased, the increase is not considered to be a significant visual impact because the structures would not block a view through a designated view corridor or cause substantial view blockage. Figure 5.9-3 provides a visual simulation of the proposed southern bikeway steel truss bridge (which would span the existing southern railroad trestle bridge). The existing views would not be obstructed because the increase in height as a result of the bridge structures would be diminished by the large distance between the proposed structures and existing public view corridors. Therefore, the proposed project would not have a significant impact on a scenic vista as views would not be obstructed or altered.

According to the Visual Impact Analysis (Appendix E) conducted for this segment of the Bayshore Bikeway, the proposed project would meet the Secretary of Interior criteria of being both compatible with the scale, form, character, material, orientation, and color of the original bridge, while at the same time exhibiting a newer design and material than would have been the historic nature of the bridge (KTU+A, 2006). Railing, as shown on Figure 5.9-3, was not common on railroad bridges in the past, but is mandated by current trail design standards. Though slightly out of character with a railroad bridge, the railing would be expressed in a form that is consistent with heavy industrial structures and railroad character. A portion of the existing

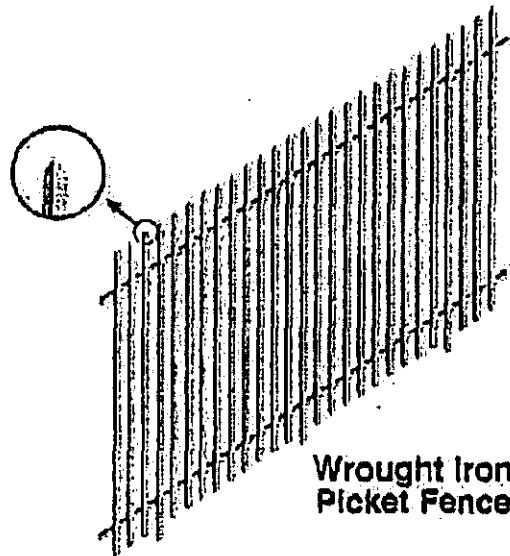
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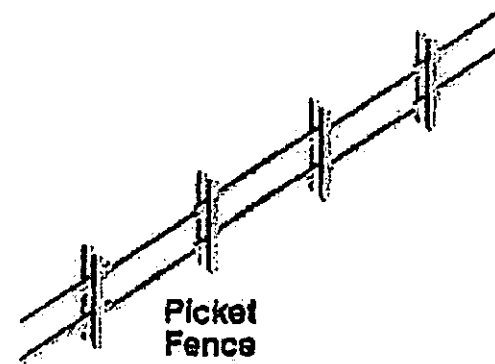
Post and Cable



Vinyl-Coated Chain Link



Wrought Iron Picket Fence



Picket Fence

### Fencing Types

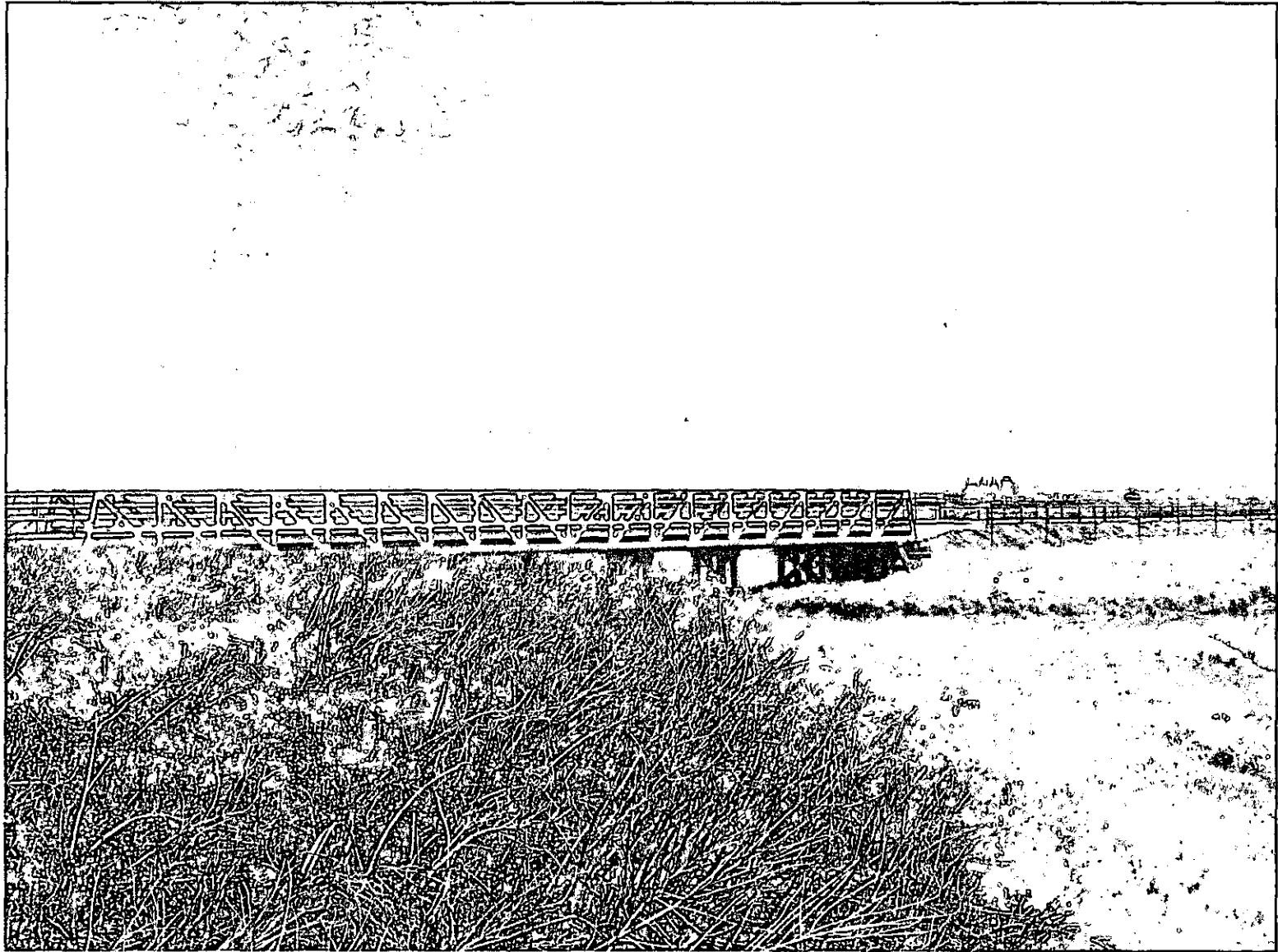
SOURCE: SANDAG, 2005

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Bayshore Bikeway - Western Salt Segment

Fencing Types

FIGURE  
5.9-2



SOURCE: KTU+A Land Planning & Landscape Architecture, 2006

11/13/06

Bayshore Bikeway - Western Salt Segment

Visual Simulation of Proposed Southern Steel Truss Bridge

FIGURE  
5.9-3



railroad bridge would be obscured from view for a majority of viewers; however, a viewing platform area would be located to the south of the bridge to provide a clearer view of the bridges' two components (new and old elements). Interpretative signs, explaining the history of the site and how the new bridges were designed to span the old bridges, would be located at each end of the new bike path segment.

The proposed bike path would ~~not be remain~~ open to the public after dark ~~and would not involve additional lighting in the project areas; however no lighting is proposed.~~ Therefore, the bike path would not create a new source of substantial light or glare which may adversely affect day or nighttime views or substantially degrade the existing visual character or quality of the site and its surroundings. The project is not located within the viewshed of an officially designated state scenic highway, although it is located within the viewshed of a scenic route eligible for official state designation. However, since no scenic resources such as trees or rock outcroppings are located within the project site, and the locally historic railroad is not visible from the eligible scenic route, the proposed project would not substantially damage scenic resources. No significant visual quality or aesthetic impacts would occur as a result of the proposed project.

#### 5.9.4 Significance of Impact

No significant aesthetic impact would result.

#### 5.9.5 Mitigation Measures

No mitigation measure is required, as no significant aesthetic impact would result.

#### 5.9.6 Conclusion

Implementation of the proposed project would not result in a significant aesthetic impact.

## 5.10 Water Quality

Information contained in this section is provided in part by the *Storm Water Pollution Prevention Plan for the Western Salt Segment of Bayshore Bikeway* and *Water Quality Technical Report for the Western Salt Segment of Bayshore Bikeway* prepared by Kimley-Horn and Associates, Inc. (November 22, 2005). These reports are provided in EIR Appendices D1 and D2, respectively.

### 5.10.1 Existing Conditions

#### A. Water Quality

Constituents of concern in the watershed have been identified as coliform bacteria, trace metals, and other toxic constituents. The impacts of these constituents include surface water quality degradation, reduced ground water recharge, sedimentation, habitat degradation and loss, flood control and invasive species. At the present time, serious water quality problems are limited to the presence of elevated coliform bacteria in the Pacific Ocean receiving waters near Coronado, several miles from the proposed project site. However, the expected population increase in this watershed would substantially increase the volume of urban runoff in the watershed, and could significantly alter the present water quality status. In the absence of effective watershed-based management, the natural resources of the Otay River watershed may be significantly degraded (Project Clean Water, 2007). The Otay River is not listed on the 2002 Clean Water Act Section 303(d) list of impaired water bodies. There are currently no existing treatment control Best Management Practices (BMPs) associated with the storm water runoff from the project area as there are no storm drain inlets within the infrastructure.

The beneficial uses of the inland surface waters in the Otay watershed are AGR (Agricultural Supply), REC2 (non-contact recreation), WARM (warm freshwater habitat), and WILD (wildlife habitat), plus potential beneficial uses including IND (Industrial Service Supply) and REC1 (Contact Water Recreation). Beneficial uses of groundwater include MUN (Municipal and Domestic Supply), AGR and IND. In addition, the San Diego Bay receiving water supports an extensive array of beneficial uses including:

- **Industrial and Service Supply (IND).** IND beneficial uses include uses that do not depend primarily on water quality such as mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection and oil well re-pressurization.
- **Navigation (NAV).** Shipping, travel, or other transportation by private, military, or commercial vessels.
- **Contact Water Recreation (REC-1).** REC-1 beneficial uses include all recreational uses involving actual body contact with water, such as swimming, wading, waterskiing, skin diving, surfing, sport fishing, uses in therapeutic spas, and other uses where ingestion of water is reasonably possible.
- **Non-Contact Water Recreation (REC-2).** REC-2 beneficial uses include recreational uses that involve the presence of water but do not require contact with water, such as picnicking, sunbathing, hiking, beachcombing, camping, pleasure boating, tidepool and marine life study, hunting, and aesthetic enjoyment in conjunction with the above activities, as well as sightseeing.

- **Estuarine Habitat (EST).** Estuarine ecosystems including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (e.g. estuarine mammals, shorebirds).
- **Wildlife Habitat (WILD).** WILD beneficial uses provide a water supply and vegetative habitat for the maintenance of wildlife.
- **Commercial and Sport Fishing (COMM).** The commercial collection of various types of fish and shellfish, including those taken for bait purposes, and sport fishing in ocean, bays, estuaries, and similar non-freshwater areas.
- **Biological Habitats of Special Significance (BIOL).** Designated areas or habitats such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources requires special attention.
- **Preservation of Rare, Threatened, or Endangered Species (RARE).** RARE beneficial uses provide an aquatic habitat necessary, at least in part, for the survival of certain species established as being rare and endangered species.
- **Marine Habitat (MAR).** Provides for the preservation of the marine ecosystem, including the propagation and sustenance of fish, shellfish, marine mammals, waterfowl, and vegetation, such as kelp.
- **Migration of Aquatic Organisms (MIGR).** Provided habitats necessary for migration, acclimatization between fresh and salt water, or other temporary activities by aquatic organisms, such as anadromous fish.
- **Shellfish Harvesting (SHELL).** The collection of shellfish such as clams, oysters, abalone, shrimp, crab, and lobster for either commercial or sport purposes (California Regional Water Quality Control Board – San Diego Region, 1994).

## B. Existing Regulations

### *City of San Diego Development and Supplemental Regulations for Special Flood Hazard Areas*

The Main Street Dike and the area to the south of the Otay River berm are included in the Open Space-Floodway Zone (OF zone) (City of San Diego, 1997). The purpose of the OF zone is to "control development within floodplains to protect the public health, safety, and welfare and to minimize hazards due to flooding in areas identified by the FIRM on file with the City Engineer. It is the intent of the OF zone to preserve the natural character of floodplains while permitting development that would not constitute a dangerous condition or an impediment to the flow of floodwaters. It is also the intent to minimize the expenditure of public money for costly flood control projects and protect the functions and values of floodplains relating to groundwater recharge, water quality, moderation of flood flows, wildlife movement, and habitat." Allowable uses within the OF zone include active recreation, passive recreation, and natural resource preservation (City of San Diego, 1997, amended 2001).

### **The Clean Water Act**

The purpose of the Clean Water Act (CWA) is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters through prevention and elimination of pollution. The Act applies to any discharge of a pollutant into Waters of the United States. The term "Waters of the United States" has a broad meaning and incorporates both deepwater aquatic habitats and special aquatic sites, including wetlands, as follows:

- the territorial seas with respect to the discharge of fill material;
- coastal and inland waters, lakes, rivers, and streams that are navigable Waters of the United States, including their adjacent wetlands;
- tributaries to navigable Waters of the United States, including adjacent wetlands;
- interstate waters and their tributaries, including adjacent wetlands; and
- all other Waters of the United States not identified above, such as isolated wetlands and lakes, intermittent streams, prairie potholes, and other waters that are not a part of a tributary system to interstate waters or navigable Waters of the United States, the degradation or destruction of which could affect interstate commerce.

Section 404 of the CWA establishes a permit program administered by the U.S. Army Corps of Engineers (ACOE) regulating the discharge of dredged or fill material into Waters of the United States (including wetlands). The Section 404(b)(1) guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative which would have less adverse impacts. Pursuant to Section 404 of the CWA (33 U.S.C. 1344), an Individual or Nationwide permit is required when a proposed project would cause the obstruction or alteration of jurisdictional wetlands or Waters of the U.S. Section 404 of the CWA authorizes the Secretary of the Army, acting through the Chief of Engineers, to issue permits for the discharge of dredged or fill material into the Waters of the United States, including wetlands.

CWA Section 401 requires a water quality certification from the State Water Quality Control Board (SWQCB) or RWQCB when a project: 1) requires a Federal license or permit; and 2) would result in a discharge to Waters of the United States.

As proposed, the project would not require a Federal permit from the ACOE and would not result in temporary or permanent sediment disturbance within Waters of the U.S. Therefore, neither a Section 404 permit nor a Section 401 Water Quality Certification would be required.

The proposed project would be subject to regulation under the CWA should any work be performed in jurisdictional areas; however, proposed construction would not occur within jurisdictional waters of the U.S. Therefore, neither a CWA Section 404 permit or Section 401 water quality certification would be required.

Section 303(d) of the federal Clean Water Act (CWA, 33 USC 1250, *et seq.*, at 1313(d)) requires States to identify waters that do not meet water quality standards after applying certain required technology-based effluent limits ("impaired" water bodies). States are required to compile this information in a list and submit

the list to USEPA for review and approval. This list is known as the Section 303(d) list of impaired waters. As part of this listing process, States are required to prioritize waters/watersheds for future development of total maximum daily load (TMDL). The State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (Regional Boards) have ongoing efforts to monitor and assess water quality, to prepare the Section 303(d) list, and to subsequently develop TMDLs. The proposed project site is not located within the vicinity of a CWA Section 303(d) impaired water body.

#### ***The California Coastal Act***

Section 30231 of the California Coastal Act states, "the biological productivity of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams."

Coastal Act Section 30232 states that, "protection against the spillage of crude oil, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur."

Coastal Act Section 30233(b) states that "dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation...." Section 30233(c) states that, "diking, filling or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary."

#### ***National Pollution Discharge Elimination System Permits***

##### *General Permits*

The Clean Water Act amendments of 1987 established a framework for regulating storm water discharges from municipal, industrial, and construction activities under the NPDES program. Section 402 of the Clean Water Act required the US Environmental Protection Agency (USEPA) to develop and implement the NPDES program. The Clean Water Act gives USEPA the authority to set effluent limits on a water-quality basis that ensure protection of the receiving water. The storm water regulations associated with the Clean Water Act require specific categories of industrial facilities which discharge industrial storm water, to obtain a NPDES permit. The USEPA allows states, including California, to perform many of the permitting, administrative, and enforcement aspects of the NPDES program. The USEPA still retains oversight responsibilities. Therefore, in California, the SWRCB, through the nine RWQCBs, administers the NPDES storm water municipal permitting program.

The NPDES permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic tank, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface water. There are three types of NPDES permits: an individual permit, a General Permit, and a Municipal Permit.

Individual permits are issued by the USEPA or other authorized agency to individual projects and require that a detailed application and plans be submitted and approved and site-specific requirements be issued to the discharger that must be followed to prevent pollution. Obtaining individual permits requires a lengthy process and individual permits are difficult to obtain. To expedite the permitting process and to increase regulatory control, the law allows the issuance of General and Municipal Permits as well. These General and the Municipal Permits are described in detail below. For industrial and construction activities, such as hotels, the SWRCB elected to issue statewide General Permits that apply to all storm water discharges requiring a NPDES permit. The General Permit generally requires facility operators to:

1. Eliminate unauthorized non-storm water discharges;
2. Develop and implement a storm water pollution prevention plan (SWPPP); and,
3. Perform monitoring of storm water discharges and authorized non-storm water discharges.

#### ***Municipal Separate Storm Sewer System (MS4) Permits***

Municipalities are also required to develop programs to monitor and control pollutants in storm water discharges from their municipal systems (i.e. landfill ancillary facilities). NPDES Municipal permits are required for: 1) Municipal Separate Storm Sewer Systems (also referred to as MS4s or Municipal Permits) generally serving, or located in incorporated areas with 100,000 or more people; 2) eleven specific categories of industrial activity; and 3) construction activity that disturbs more than one acre or greater of land. Section 402 (p) of the Clean Water Act mandates that the MS4 permits must: 1) effectively prohibit the discharges of non-storm water to the MS4; and 2) require controls to reduce pollutants in discharges from MS4 to below a level of significance, including Best Management Practices (BMPs), control techniques, and system, design and engineering methods.

A MS4 permit (hereafter referred to as the Municipal Permit) was issued to San Diego County, the Port of San Diego and 18 cities or copermittees by the RWQCB in February 2001.<sup>1</sup> To meet the Municipal Permit requirements, municipalities are required to implement comprehensive Urban Runoff Management Plans (URMPs) on both a jurisdictional and watershed basis. Pursuant to the URMPs, municipalities, including the City of San Diego, are required to conduct a variety of activities including, but not limited to, the following:

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<sup>1</sup> Order No. 2001-01, NPDES No. CAS0108758, "Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, and the San Diego Unified Port District."

1. Obtain legal authority to comply with the Municipal Permit;
2. Control discharges from all land uses and construction (i.e., require BMPs, conduct inspections, and resolve complaints);
3. Enforce local permits and ordinances;
4. Implement land use and planning policies that protect water quality; and,
5. Conduct monitoring and reporting.

On February 21, 2001, the San Diego RWQCB issued the Municipal Storm Water Permit Order 2001-01 (Municipal Permit) to control waste discharges in urban runoff from the Municipal Separate Storm Sewer Systems (MS4) that drain into the watersheds of the County of San Diego, incorporated cities of San Diego County and San Diego Unified Port District (jointly referred to as "Copermittees"). In part, the Municipal Permit required that the jurisdictions within a watershed collaborate on the development of a Watershed Urban Runoff Management Program (WURMP) for each watershed, which addresses high priority storm water quality issues found within the various watersheds. The Copermittees jointly developed a final WURMP to be used to facilitate the development of WURMPs, for nine watersheds within the San Diego Region.

The San Diego Bay Watershed Urban Runoff Management Plan (San Diego Bay Watershed URMP) has been prepared by the Port of San Diego, as lead agency, in collaboration with the Cities of Chula Vista, Coronado, Imperial Beach, La Mesa, Lemon Grove, National City, San Diego, as well as the County of San Diego – all local agencies which have jurisdiction within the San Diego Bay watershed. The document meets the requirements of the NPDES Municipal Storm Water Permit for San Diego Copermittees (Order No. 2001-01, NPDES No. CAS0108758). The Municipal Storm Water Permit required the development and implementation of WURMP for each of nine watershed areas within San Diego County, including the San Diego Bay watershed. This document represents the plan the jurisdictions and stakeholders have prepared to implement said Program.

The primary goal of this Plan is to positively affect the water resources of the San Diego Bay Watershed while balancing economic, social, and environmental constraints. The plan identifies four primary objectives to strive towards this goal: (1) develop and expand methods to assess and improve water quality within the watershed; (2) integrate water shed principles into land use planning; (3) enhance public understanding of sources of water pollution; and (4) encourage and develop stakeholder participation.

The City of San Diego Storm Water Pollution Prevention Program (Storm Water Program), a division of the Metropolitan Waste Water Department (MWWD), is the lead office for the City's efforts to reduce pollutants in urban runoff and storm water. These activities, include but are not limited to, public education, employee training, water quality monitoring, source identification, code enforcement, watershed management, and Best Management Practices development/implementation within the City of San Diego jurisdictional boundaries. The Program represents the City on storm water and NPDES storm water permit issues before the Principal Permittee, the County Department of Health, and the RWQCB.

In accordance with the Program, the Development Services Department of the City of San Diego has provided a Storm Water Standards Manual as part of the Municipal Code, for construction and permanent Storm Water BMPs requirements. The Manual further guides the project applicant through the selection, design, and incorporation of BMPs into the project's design plan that would comply with NPDES permits.

In compliance with the NPDES General Permit, the Program requires facilities with a NPDES General Permit to prepare a SWPPP for any industrial or construction activities at the facility.

To implement the requirements of the MS4 Permit, the City has adopted and amended the Municipal Code Chapter 4, Article 3, Division 3 – Storm Water Management and Discharge Control.

In addition, since the proposed project would maintain a current Storm Water Pollution Prevention Plan (SWPPP) as required by the General Permit, it meets the requirements of §43.0307 (a), (b) and (e) regarding "Reduction of Pollutants in Storm Water" as required by the Municipal Code. Section 43.0307 (d) requires new developments and redevelopment to comply with the City Grading and Storm Water Runoff Control and Drainage regulations. Provisions include minimization of steep slopes, installation of retaining walls and use of erosion and sedimentation controls that have been incorporated into the design of the proposed project and into the SWPPP.

## 5.10.2 Impact Threshold

The City of San Diego Significance Determination Thresholds outline the thresholds for determining significance. Impacts to water quality may be considered significant if the project could:

- *Discharge into receiving waters within Environmentally Sensitive Lands or waterbodies listed on the Regional Water Quality Control Board 303(d) Impaired Water Body List; and/or,*
- *Conflict with the City of San Diego's Stormwater Standards.*

## 5.10.3 Impact

### 5.10.3.1 Water Quality

**Impact Issue:** *Would the proposed project result in an increase in pollutant discharges, including downstream sedimentation to receiving waters during or following construction?*

Water quality is affected by sedimentation caused by erosion, runoff carrying contaminants, and direct discharge of pollutants (point-source pollution). As land is developed, impervious surfaces send an increased volume of runoff containing oils, heavy metals, pesticides, fertilizers and other contaminants (non-point source pollution) into the stormwater drain system, which includes water bodies.

#### A. Construction

The proposed project would require construction of two pre-fabricated bridges across the existing railroad bridges, filling and grading of eroded portions of the existing railroad berm for the bikeway and proposed



new haul road, and grading of a portion along the Main Street Dike to connect the new bicycle path to Main Street. During construction there is the potential for pollutants associated with construction activity, including erosion of soils, petroleum products (oil and grease), hazardous materials, and trash to enter the storm drainage system as a result of a storm event.

Comprehensive construction water quality BMPs, as detailed in the Water Quality Technical Report (Appendix D2 of this EIR), have been incorporated into the project plans to reduce the amount of pollutants (e.g., oil, grease, heavy metals) and sediments discharged from the site, satisfactory to the City Engineer. Compliance with the City of San Diego's Storm Water Standards would preclude both direct and cumulatively considerable water quality impacts.

As described previously, management of surface water and prevention of pollution of surface water is mandated and enforced under state and federal law, and enforced by the RWQCB and City of San Diego. A SWPPP has been prepared for the proposed project pursuant to the federal National Pollutant Discharge Elimination System (NPDES), and would be submitted to the RWQCB under the statewide Industrial Activities Storm Water General Permit adopted by the State Water Resources Control Board on April 17, 1997. The SWPPP is provided in Appendix D1 of this EIR. The objectives of the SWPPP are to:

- Identify all pollutant sources, including sources of sediment that may affect the water quality of storm water discharges associated with construction activity from the construction site;
- Identify non-storm water discharges;
- Identify, construct, implement in accordance with a time schedule, and maintain BMPs to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from the construction site during construction; and,
- Develop a maintenance schedule for BMPs installed during construction designed to reduce or eliminate pollutants after construction is completed (post-construction BMPs).

The SWPPP implements the BMPs for construction on the project site. According to the SWPPP, the following construction materials would be used during project construction and have the potential to contribute pollutants, other than sediment, to storm water runoff:

- Vehicle fluids, including oil, grease, petroleum and coolants;
- Porous concrete paving equipment;
- Aggregate base materials;
- Railroad ties and rails;
- General litter;
- Skid-steer tractors;
- Mortar mix;

- Wood and metal concrete forms; and,
- BMP materials (sandbags, liquid, copolymer).

In addition, the following activities would be performed during project construction and have the potential to contribute sediment to storm water discharges:

- Minor clear and grub operations;
- Minor grading operations;
- Minor soil import operations; and,
- Hydroseeding on disturbed slopes.

The proposed project would be required to comply with all conditions and mitigation measures included in the appropriate permits. The SWPPP includes BMPs that are either minimum requirements or special contract requirements. BMPs include, but are not limited to:

- |                          |                                     |                                 |
|--------------------------|-------------------------------------|---------------------------------|
| • Straw mulch            | • Hydroseeding                      | • Soil binders                  |
| • Silt fence             | • Street sweeping and vacuuming     | • Fiber rolls                   |
| • Solid Waste Management | • Vehicle and equipment maintenance | • Stockpile Management          |
| • Scheduling             | • Spill Prevention and Control      | • Material Delivery and Storage |

## B. Operation

Implementation of the proposed project would result in the development of impervious surfaces; however, porous concrete is proposed to catch runoff from either side of the bikeway and reduce the potential for water quality impacts from runoff. The increase in runoff generated by the proposed project would be minimal. The entire project site area is 2.74 acres, 60% of which would be impervious; therefore, the overall amount of sediment being generated by the project area is minimal. The eight-foot asphalt concrete bikeway would be constructed with a two percent slope in order to channel flows to the downhill porous concrete section. Motorized vehicles would be prohibited (except for maintenance activities), avoiding any potential impact associated with petroleum and/or hydrocarbons. The downhill sloped area exposed by construction activities would be reseeded with hydroseeding and soil binders for erosion control. In addition, the nature of the project is not included in Table 2 of the City of San Diego Municipal Code Storm Water Standards Manual, which identifies general pollutant categories by land use.

An additional water quality concern, expressed by South Bay Salt Works and the USFWS, is in regard to impacts resulting from bikeway operations (e.g., trash from cyclists and pedestrians falling into the water). The City of San Diego would be responsible for the maintenance of the bikeway. The *Bikeway Maintenance Checklist and Schedule* as identified in the City's *Bicycle Master Plan* (City of San Diego, 2002), is shown in Table 5.4-1. In addition, signs with prohibitive language and graphic icons prohibiting illegal dumping at public access points would also be placed along the bike path.

Not all activities listed above may apply to the proposed project, however, this program designating regular timing, frequency and responsibility of bikeway maintenance and litter removal would minimize the potential for bikeway operations to significantly impact water quality.

TABLE 5.10-1  
Bikeway Maintenance Checklist and Schedule

Item	Frequency
Sign Replacement/Repair	1-3 years
Pavement Marking Replacement	1-3 years
Tree, Shrub and grass trimming/fert.	5 months – 1 year
Pavement sealing/potholes	5 – 15 years
Clean Drainage System	1 year
Pavement Sweeping	Weekly-Monthly/As needed
Shoulder and Grass Mowing	Weekly/As needed
Trash Disposal	Weekly/As needed
Lighting Replacement/Repair	1 year
Graffiti Removal	Weekly-Monthly/As needed
Maintain Furniture	1 year
Fountain/restroom cleaning/repair	Weekly-Monthly/As needed
Pruning	1-4 years
Bridge/Tunnel Inspection	1 year
Remove fallen trees	As needed
Weed control	Monthly/As needed
Remove snow and ice	Weekly/As needed
Maintain emergency telephones	1 year
CCTV	1 year
Maintain irrigation lines	Weekly-Monthly/As needed
Irrigate/water plants	

Source: City of San Diego, Bicycle Master Plan (Table 8.2), 2002.

Due to site design, the overall sediment generation from the proposed project would be minimal. Compliance with all regulatory and permit requirements, standards, and BMPs, implementation of an ongoing bike path maintenance program, and replacement of damaged or destroyed wetland habitat would minimize any potentially significant water quality impact that may occur as a result of the proposed project.

#### 5.10.4 Significance of Impact

The proposed project would not result in a significant impact to water quality.

### 5.10.5 Mitigation Measures

The construction and operation of the proposed bike path shall be in compliance with the City's stormwater standards and thus will not result in a significant water quality impact.

### 5.10.6 Conclusion

Compliance with all applicable regulatory requirements would ensure that the proposed project would not substantially contribute to a significant impact to water quality.

## 6.0 UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS

CEQA §21100 and CEQA Guidelines §15126.2(b) require that an EIR “describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance.” Analysis of environmental impacts caused by the proposed project has been performed, and is contained in Section 5.0. The following identifies the unmitigable impacts associated with the proposed project.

### 6.1 Land Use

The proposed project would result in a significant, unmitigable land use impact to the extent that the project would be in conflict with the City's Historic Resource Regulations. The project will result in a significant, unavoidable impact to the historical significance of the Coronado Belt Line (CBL).

### 6.2 Historical Resources

The proposed project has been designed specifically to retain the existing rails, and trestle bridges of the CBL located within the project corridor. As proposed, the existing railroad trestle bridges would remain in their current place and condition, and would not be modified by the proposed project. Therefore, the proposed project would preserve the features of the CBL in place. Also, this construction method is potentially reversible, and would leave the resource available for future preservation options.

However, according to the City of San Diego's Significance Determination Thresholds, impacts to historical resources would be considered significant if the project would result in any adverse physical or aesthetic effects to a historic structure, object, or site. Because the railroad rails and bridges would be covered, the project would aesthetically alter the existing visual components of the CBL. The rails would not be visible, however, the trestle bridges would be “capped” by the proposed steel truss bridgeseaving portions of the existing bridges visible. However, the impact to the CBL, as it traverses the proposed project area, is unavoidable, and is considered to remain significant, and unmitigable. Although the project has been designed to preserve existing historic features in place, the project would result in the alteration of the existing rail corridor and alter the existing aesthetic conditions of the resource within the project corridor.

## 7.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

CEQA §21100 and CEQA Guidelines §15126.2(c) require that an EIR analyze the extent to which the proposed project's primary and secondary effects would impact the environment and commit nonrenewable resources to uses that future generations would be unable to reverse.

The proposed project site is located in a transportation corridor, bordered by open space areas of the South Bay Salt Works and the South San Diego Bay National Wildlife Refuge. The proposed project includes realignment of a haul road that is currently utilized by the South Bay Salt Works. South Bay Salt Works operates activities associated with salt mining, a renewable resource.

The proposed project would not alter the existing development pattern within the project vicinity. Development of the project would result in an irreversible, although small, commitment of building materials including asphalt and aggregate fill materials. The proposed project would additionally result in a very minor consumption of nonrenewable energy resources throughout the life of the project for maintenance purposes. These incremental commitments of nonrenewable resources are neither unusual nor unexpected. The proposed project would also result in the transformation of the existing railroad berm to allow for the development of a bike path, and relocation of the haul road, which would essentially result in a long-term commitment of land. However, the project would not interfere with the productivity of the salt mining operations. No significant irreversible environmental changes would occur as a result of the proposed project.

## 8.0 GROWTH INDUCEMENT

A project is regarded as growth-inducing if it can, "...foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment" (CEQA Guidelines §15126.2[d]). Included in this are projects which would remove obstacles to population growth, such as extending public services into areas not previously served. Growth inducement can also be defined as an action that would encourage an increase in density of development in surrounding areas or encourage adjacent development. Growth should not be assumed to be beneficial, detrimental, or of little significance to the environment (CEQA Guidelines §15126.2[d]).

The proposed project is located within a generally urbanized area, with existing development located to the south, east, and west of the proposed alignment, and the proposed alignment is constrained by the presence of the existing salt mining operations and wildlife refuge that the proposed alignment would traverse. The proposed project is subject to the planning jurisdiction of the City of San Diego and the City's Otay Mesa-Nestor Community Plan. The project site is located on a berm that traverses the middle of South Bay Salt Works, a mineral extraction site and also the site of a National Wildlife Refuge. Surrounding land uses include mineral extraction, open space and wildlife habitat, and residential and industrial uses. The project area is not planned for development in the Otay Mesa-Nestor Community Plan; however, the proposed alignment is depicted in the City's adopted bicycle plan.

The proposed project is the realignment of an existing bicycle path and not the creation of a new bicycle route. The proposed project would not affect existing neighborhoods or communities, and would not result in the creation of additional growth within the existing developed communities. Construction and use of the bikeway would not induce growth in the area, as the project would not generate employment, expand the capacity of infrastructure to serve new growth, or result in additional population. All public services needed to serve the proposed project are currently available in immediately surrounding areas. The project would not require the extension of new utility infrastructure such as water lines, sewer lines, electric lines, or roads in order to serve the proposed project that could also be used to serve other new development.

For these reasons, the proposed project is not anticipated to create a growth-inducing impact.

## 9.0 CUMULATIVE IMPACTS

CEQA Guidelines §15130(a) requires that the cumulative impacts of a project be discussed when they are significant. One of the following elements is necessary for an adequate discussion of significant cumulative impacts. The analysis must discuss either: 1) "a list of past, present and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency"; or 2) "a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated area-wide conditions contributing to the cumulative impact."

### 9.1 Cumulative Projects

An inquiry to the Cities of San Diego and Imperial Beach revealed a total of 13 probable future or foreseen projects, in addition to the proposed project, within the Otay Mesa-Nestor area and the City of Imperial Beach. The 13 cumulative projects are known as: 1) Resco Self Storage; 2) Sunset Villas; 3) South Beach Colony; 4) Public Works Yard Renovation; 5) City of Imperial Beach Alley Paving Project; 6) Bayside Elementary School Closure Study; 7) Bayshore Bikeway Route Study; 8) U.S. Fish and Wildlife Service's Habitat Heroes Grant; 9) Potential Pond 20 Development by the San Diego Unified Port District; 10) Comprehensive Conservation Plan for the South Bay Unit of the San Diego Wildlife Refuge; 11) Comprehensive Conservation Plan Pedestrian Path; 12) the replacement of the existing South Bay Power Plant; and 13) South Bay Project at Main Street (Charles Company).

The Resco Self Storage project consists of the construction of an approximately 79,000 square foot self-storage facility located on a 1.63-acre site in the City of San Diego. This project is located at 1714 Palm Avenue, south of the proposed bikeway realignment.

Sunset Villas is a commercial mixed-use project located at 744 12<sup>th</sup> Street, south of the proposed bikeway realignment, in the City of Imperial Beach. The project includes 10 dwelling units located above 2,250 square feet of commercial development. This project is still under consideration by the City of Imperial Beach.

South Beach Colony is a redevelopment mixed-use project located southwest of the proposed bikeway alignment. This project includes 208 dwelling units and 70,000 square feet of commercial development on the southwest corner of Palm Avenue and 9<sup>th</sup> Street in the City of Imperial Beach. This project is still under consideration by the City of Imperial Beach.

City of Imperial Beach Public Works yard is currently undergoing renovation. The Public Works yard is located to the west of the proposed bikeway alignment, at 495 10<sup>th</sup> Street.

The City of Imperial Beach paving project consists of 51 alleys throughout the City of Imperial Beach.

*A closure study would be completed for Bayside Elementary School, located at 490 Emory Street in the City of Imperial Beach. Bayside Elementary School is located west of the proposed bikeway alignment.*



Another route of the Bayshore Bikeway would be studied by the City of Imperial Beach. This portion of the bike route would run south down 7<sup>th</sup> Avenue from the Bayshore Bikeway towards Palm Avenue and west on Palm Avenue to 3<sup>rd</sup> Avenue.

The U.S. Fish and Wildlife Service's (USFWS) Habitat Heroes program is an environmental education/restoration program that targets invasive plant species and pollution at the South Bay Refuge. USFWS has received a grant for habitat restoration along the upland area to north of Florida Street and 13<sup>th</sup> Street. This upland restoration area is located immediately west of the proposed project.

The San Diego Unified Port District (Port) proposes to develop either a 10-acre or 20-acre commercial center concentrated in the southern portion of Pond 20, adjacent to Palm Avenue. The Port is currently investigating several options for mitigating impacts associated with the development by creating wetlands in the northern portion of Pond 20. Conceptual drawings of that mitigation site are included in the Port's Request for Proposals for the project. These drawings depict a re-routing of the Otay River from its current alignment within the Bayshore Bikeway project vicinity southward to cross Pond 20. The proposed project would not affect the proposed development and mitigation at Pond 20.

As discussed in Section 5.1 – Land Use, the USFWS recently prepared a Comprehensive Conservation Plan/Environmental Impact Statement (CCP/EIS) for the Sweetwater Marsh and South San Diego Bay Units of the San Diego National Wildlife Refuge. Alternative D (Expand Habitat Management, Enhance Nesting Opportunities, Maximize Habitat Restoration, and Provide Additional Public Use Opportunities) of the South San Diego Bay component of the Final CCP/EIS was adopted by the USFWS in August 2006. The proposed project would not affect implementation of the CCP/EIS; however, the adopted alternative (Alternative D) for the South San Diego Bay Unit could have impacts on the proposed project, depending on its timing. The USFWS has been consulted on all phases of the proposed project. The USFWS has expressed concerns that operation of the proposed bike path may impact Belding's Savannah sparrow along the narrow linear wetlands that parallel the bike path and the Otay River. The concerns have been noted and presented in Section 5.2 of this EIR.

The CCP/EIS proposes a pedestrian path north of the existing Bayshore Bikeway. This path would be approximately six feet wide and would allow pedestrians to observe wildlife without impacts to biological resources. The path would be located north of the following area: 7<sup>th</sup> Street to 10<sup>th</sup> Street and Florida Street to 13<sup>th</sup> Street. This proposed pedestrian path has not yet received funding.

Duke Energy of North America is proposing to replace the existing South Bay Power Plant with a new 1,000-megawatt combined-cycle power plant located just south of the existing power plant on the same property. The existing plant would be demolished. This process is unlikely to be affected by the proposed project. However, the proposed southern pipeline alternative would have to cross the Main Street berm and would require careful coordination between Duke Energy of North America and the City of San Diego and USFWS.

The South Bay Project is a multi-tenant office project currently in Preliminary Review with the City of San Diego. The project would require a community plan amendment, as only a small portion is designated

Industrial, and the rest is Open Space/Special Study Area. The South Bay Project parcel is located north of Main Street between the relocated haul road and future "Pacific Avenue." This new project consists of the grading and public improvements for the extension of Bay Boulevard to support the construction of 13 new two-story office buildings, totaling approximately 672,000 square feet.

## 9.2 Cumulative Impacts Analysis

### 9.2.1 Land Use

As discussed in Section 5.1, the project would result in a conflict with the City's Historical Resource Regulations, and a significant, unmitigable impact has been identified. The proposed project would otherwise conform with all local, state, and Federal land use regulations and policies, and no change to any regulation, Land Use Plan, or Zoning Designation is proposed. The proposed project would be consistent with the MSCP and the City of San Diego MSCP Subarea Plan and would likely result in a beneficial effect on land use plan goals aimed toward improving alternative transportation, traffic congestion, public safety, public coastal access, environmental education, community cohesion, and air quality. The cumulative projects within the project vicinity were found to be in compliance with the Otay Mesa-Nestor Community Plan and the City of Imperial Beach General Plan; therefore, cumulative impacts to land use would not be significant.

### 9.2.2 Biological Resources

Implementation of the proposed project would result in permanent direct and indirect impacts to Diegan coastal sage scrub vegetation and temporary impacts to coastal salt marsh habitat. The temporary impacts would only occur as a result of construction access path for the proposed steel truss bridges. The significant, permanent impacts would be mitigated to a level less than significant with implementation of proposed mitigation, including construction timing and revegetation. The Western Salt Segment of the Bayshore Bikeway is not expected to contribute to cumulatively significant impacts to biological resources. The proposed bikeway project would conform with the goals and objectives of the MSCP. The bikeway would be located within the MHPA; however, it would not preclude future assembly of the preserve and project-related impacts would be mitigated according to the City's Biology Guidelines. Implementation of the MSCP allows for the assemblage of a regional preserve, i.e. the MHPA, that was planned in anticipation of region-wide project impacts. By providing for the conservation of valuable, contiguous habitats, the MHPA achieves its objective of conserving covered species and minimizing cumulative impacts for those projects that conform with MSCP guidelines. Therefore, because the proposed project conforms with the MSCP, it does not contribute to significant cumulative impacts to biological resources. The proposed project, in conjunction with the identified cumulative projects would not result in a significant cumulative impact to biological resources.

#### 9.2.2.1 *San Diego Unified Port District Proposed Development of Pond 20*

The San Diego Unified Port District (Port) proposes to develop either a 10-acre or 20-acre commercial center concentrated in the southern portion of Pond 20, adjacent to Palm Avenue. The Port is currently investigating several options for mitigating the impacts associated with the development by creating wetlands in the northern portion of Pond 20. Conceptual drawings of that mitigation site are included in

the Port's RFP for the project. These drawings depict a re-routing of the Otay River from its current alignment within the Bayshore Bikeway project vicinity southward to cross Pond 20. Although the bike path project would not interfere with the development of Pond 20, the re-routing of the Otay River could result in cumulative indirect impacts to species known to reside or forage along the river as similar indirect impacts are anticipated from the bikeway project. It is anticipated that such impacts could be minimized by the requirement of pre-construction survey, restrictions on construction periods, and coordination between the Port and the USFWS, the CCC, and City of Imperial Beach.

#### 9.2.2.2 *Comprehensive Conservation Plan for the South San Diego Bay Unit of the San Diego Wildlife Refuge*

The USFWS has prepared a Comprehensive Conservation Plan (CCP) for the South San Diego Bay Unit of the San Diego Wildlife Refuge. Of the nine alternative plans developed, a preferred alternative (Alternative D) has been prepared and accepted. Of particular interest are the plans described in the preferred alternative for re-directing the Otay River.

Similar to the development of Pond 20, re-directing the Otay River for Alternative D of the CCP, along with indirect impacts associated with the bikeway project, could result in cumulative impacts, in the form of noise or habitat disturbance, to species known to reside or forage along the river. Such project effects may be minimized or avoided as described above.

#### 9.2.2.3 *Replacement of the South Bay Power Plant*

Duke Energy of North America (DENA) is proposing to replace the existing South Bay Power Plant with a new 1,000-megawatt combined-cycle power plant located just south of the existing power plant on the same property. The existing plant would then be demolished. Currently, the plant uses water from San Diego Bay to cool the turbines that generate electrical power. This use has caused concern among environmental groups that are concerned with the effects of thermal effluent of San Diego Bay biological resources. Of the replacement project DENA is considering two options for discharge of the thermal effluent: 1) discharge to South San Diego Bay as is presently conducted; and, 2) discharge to the South Bay Land and Ocean Outfall via a 90 inch diameter, 4-mile-long pipeline. The proposed preliminary pipeline alignment would cross the Western Salt Works, follow an existing City of San Diego easement across the South San Diego Bay Unit of the San Diego National Wildlife Refuge, and continue south along the alignment of Saturn Boulevard.

This project, like the two preceding projects, is likely to result in cumulative impacts to sensitive species detected in the project area. The proposed southern pipeline alternative would have to cross the Main Street berm. Light-footed clapper rail was detected in this area during surveys conducted in support of the bikeway project. However unlikely, other ground nesting species such as the western snowy plover could potentially utilize the Main Street dike during nesting season. Avoidance or minimization of cumulative indirect impacts to these species would require careful coordination between DENA and the City as well as the USFWS.

### 9.2.3 Historical Resources

Implementation of the proposed project would allow for the preservation of the existing rails and bridges within the Coronado Railroad Belt Line; however, the project would alter the existing aesthetic conditions of the railroad, which is considered a significant and unmitigable historical resources impact. The project's potential impact to archaeological resources would be mitigated to a level less than significant. However, the project is not expected to contribute to a significant, cumulative impact as the other cumulative projects would not result in significant impacts to historical resources.

### 9.2.4 Hydrology

As discussed in Section 5.4, the proposed project would not result in a significant hydrological impact. The drainage for the proposed project would maintain the same patterns as the existing conditions. The bikeway is designed to enhance drainage as a result of porous concrete located on each side of the pavement. As such, the increase in runoff generated by the proposed project would be minimal. Therefore, the proposed project would not result in a cumulative impact to hydrology.

### 9.2.5 Geology/Soils

No significant direct geologic impacts associated with the proposed project were identified in Section 5.5. As with the proposed project, each of the cumulative projects would be required to comply with applicable regulations designed to adequately reduce impacts associated with soil stability and seismic activity. Therefore, there would be no cumulative geologic impacts associated with the proposed project.

### 9.2.6 Traffic and Transportation/Pedestrian and Bicycle Facilities

No significant impact to Traffic and Transportation/Pedestrian and Bicycle Facilities would result from the proposed project. Therefore, the project would not contribute to a significant cumulative impact.

### 9.2.7 Air Quality

With the exception of construction activities, the proposed project would not include any activities, emissions, or odors that would affect air quality. The construction activities would generate less than significant levels of dust from grading the new haul road, grading and filling of the existing railroad berm, and objectionable odors during paving. No permanent significant air quality impact would occur as a result of the proposed project. Therefore, in conjunction with development of the cumulative projects, the proposed project would not contribute to a significant cumulative air quality impact.

### 9.2.8 Noise

With the exception of construction activities, the proposed project does not include any activities that would generate substantial noise levels. Noise associated with construction activities would be less than significant and would not affect the nearest sensitive receptors, as described in Section 5.8. The proposed project would not allow motorized vehicles access along the path and no other uses that would generate noise are proposed. Therefore, in conjunction with development of the cumulative projects, the proposed project would not contribute to a significant cumulative noise impact.

### 9.2.9 Aesthetics

As discussed in Section 5.9, the proposed project would not result in a significant impact to the visual quality of the surrounding area or San Diego Bay from the designated view corridors. Although the overall height of the bridge trusses would be higher than the bike path and existing bridges, the proposed project would not significantly obstruct or alter scenic vistas. In addition, the post and cable fencing, and chain-link fencing, used to direct public access and provide a barrier between the bike path, adjacent sensitive habitat, and salt operation areas, would be located downslope of the bike path. The proposed bike path would not be open after dark and thus would not involve additional lighting in the project area. Therefore, in conjunction with development of the cumulative projects, the proposed project would not contribute to a significant cumulative aesthetics impact.

### 9.2.10 Water Quality

As discussed in Section 5.10, the project would have asphalt concrete, with two-foot-wide porous concrete shoulders, and two percent slopes, which would result in minimal water quality impacts. Pollutants associated with project-related construction activities have the potential to enter the storm drainage system. Pollutants would enter directly into the Otay River, which flows into the San Diego Bay. However, compliance with the City of San Diego's Storm Water Standards would preclude both direct and cumulatively considerable water quality impacts. Therefore, the cumulative impact to surface water quality as a result of the proposed project would remain less than significant.

## 10.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

CEQA Guideline §15128 requires that an EIR contain a brief statement disclosing the reasons why various possible significant effects of a proposed project were found not to be significant and, therefore, would not be discussed in detail in the EIR. The environmental issues not expected to have a significant impact as a result of the proposed project are discussed below.

### 10.1 Recreation

The proposed project is the realignment of an existing bicycle path. The project would realign an existing Class II bike path and create a new Class I bike path to improve the safety of bicyclists. The project would improve recreational opportunities and likely attract more riders to the route. The route would be constructed to accommodate increased usage. No additional facilities are associated with the bikepath; therefore, no significant recreation impact would result from implementation of the proposed project.

### 10.2 Population and Housing

The proposed project is a bikepath with a passive recreational use and would not directly or indirectly induce population growth in the area. The project site is located within an existing transportation corridor and, as such, no housing or people are present on the project site. Since no housing or people are currently located on the site, implementation of the proposed project would not displace existing housing or people which would necessitate the construction of replacement housing elsewhere. Therefore, no significant impact to population and housing would result from implementation of the proposed project.

### 10.3 Public Services and Utilities

#### 10.3.1 Fire and Emergency Medical

The proposed project would not require additional fire and emergency medical protection services or facilities, or interfere with the ability of service providers to maintain acceptable service ratios, response times, or other performance objectives.

#### 10.3.2 Police

The proposed project would not require additional police protection services or facilities, or interfere with the ability of service providers to maintain acceptable service ratios, or other performance objectives.

#### 10.3.3 Wastewater

The proposed project is the construction of a bike path and would not require wastewater treatment. Therefore, the project would not exceed wastewater treatment requirements of the San Diego Regional

Water Quality Control Board or require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. No impact would occur.

### 10.3.4 Storm Water

The proposed bike path is not located in an area with storm water drainage facilities and would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities. In areas adjacent to sensitive habitat, the proposed bike path would be paved with permeable concrete material to reduce runoff. All other runoff would drain into the adjacent Otay River and/or salt condensation and crystallization ponds as it currently does. No impact would occur.

### 10.3.5 Water

The proposed bike path would not require water supplies. Therefore, it would not require new or expanded entitlements and resources. No impact would occur.

### 10.3.6 Solid Waste

Construction waste from the proposed project would be taken to the City of San Diego's Miramar Landfill. The landfill accepts over 1.3 million tons of waste each year and is not expected to reach capacity until 2011. Additional capacity is contingent upon a possible vertical expansion of the landfill. If pursued, the landfill may extend its capacity to accept waste for an additional three to 10 years. The Miramar Landfill has sufficient permitted capacity to accommodate the project's solid waste disposal needs. The contractor hired would be responsible for subcontracting with a certified commercial waste hauler for the collection and disposal of project-related non-recyclable solid waste from construction in accordance with federal, state, and local regulations. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, there would be no significant impact to solid waste.

## 10.4 Agricultural Resources

The proposed project is not located on or adjacent to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; however, the eastern alignment of the proposed new bike path is located on land mapped as Farmland of Local Importance. Aerial photos dating back to 1994 show that the agricultural lands in the vicinity of the project alignment have been fallow for at least 10 years and are expected to remain fallow indefinitely due to the urban location. The project site is located within an existing transportation corridor and is zoned for industrial and open space land uses and is not under a Williamson Act contract. Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact to agricultural resources would occur from implementation of the proposed project.

## 10.5 Mineral Resources

The proposed bike path would be constructed on top of levees and dikes on the South Bay Salt Works property. According to Mineral Land Classification maps produced by the California Department of Conservation, Division of Mines and Geology, the project is located in Mineral Resource Zone 1 (MRZ-1)

classification area (California Department of Conservation, 1996). MRZ-1 occurs in areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence. In addition, the City of San Diego's General Plan and the Otay Mesa-Nestor Community Plan do not identify significant mineral resource recovery sites. The proposed project would not interfere with the existing salt works operations. Therefore, implementation of the proposed project would not result in a significant impact to mineral resources.

## 10.6 Human Health and Public Safety

A Hazardous Waste Initial Site Assessment (ISA), and subsequent Soils Assessment Report, were prepared for the proposed project to evaluate the potential presence of hazardous materials and/or contaminated soils within the boundaries of the proposed project site (Ninyo and Moore, 2006). These reports are provided in Appendices H1 and H2, respectively.

Subsurface soil sampling in order to characterize the soil for the presence of polycyclic aromatic hydrocarbons (PAHs), pesticides and/or herbicides, heavy metals, or other constituents of concern was conducted along the project corridor, within the proposed bikeway alignment. The results of this sampling indicate that the majority of the project alignment does not contain contaminated soils; however, the soil sample collected from boring B-9, along the northern alignment of the bike path, identified PAHs above the commercial/industrial preliminary remediation goals for the compounds. The PAHs are likely from the preservative in the railroad ties. These goals are not clean up standards, rather, they are screening criteria. Because the project proposes the placement of additional fill material and paving at this location (the soils would not be excavated), there would be little if any potential for exposure of the soil to the general public and soil remediation would not be required.

According to the ISA, 33 UST sites are located within one-half mile of the project site. All USTs are commercial tanks or are tanks used by public utility companies for storing gasoline or oil waste. Eleven of the 33 USTs have records of leakage that are currently open to investigation by DEH. No USTs are located within the proposed project site. One aboveground storage tank labeled "Brine Water Storage Tank" was observed adjacent to the proposed project site, near the northwest side of the site. No burn ash is located within or adjacent to the proposed project site.

As a standard requirement of the SWPPP, during and after construction activities, the construction contractor would be required to monitor the project site for hazardous waste. Any hazardous waste or materials would be subject to federal, state and local regulations to ensure the proper removal, transport, and disposal of such materials. However, since proposed trail construction would occur on top of the existing Otay River Berm and Main Street Dike, and construction plans do not propose site excavation, any buried unknown hazardous waste sites would not be disturbed and would not pose a threat to human health.

Operation of the proposed bike path would not involve the routine transport, use, or disposal of hazardous materials. During construction, the proposed bike path alignment would be paved with potentially



hazardous concrete material; however, the bike path would not be open to the public during construction activities. The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment as the use of hazardous materials is not proposed. In addition, the proposed project is not located within one-quarter mile of a school.

The project is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip, although it is located approximately two miles northeast of a naval airstrip. However, the project would not be a safety hazard because it would be a passive recreational use within which no one would reside or work.

The project site is in an open space area and would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The proposed project is located on levees and dikes on the South Bay Salt Works property. There are no wildlands supporting heavy vegetative growth on or near the project site. Therefore, there would be no risk of loss, injury, or death involving wildland fires.

For the above-listed reasons, no significant hazards and hazardous materials impact would result from implementation of the proposed project.

## 10.7 Paleontological Resources

The proposed project corridor is not located on soils with a moderate or high paleontological sensitivity. The proposed project would be located on top of the existing manmade Otay River berm and Main Street dike. Geologic formation maps identify the area as composed of artificially compacted fill (Qaf), with no specific underlying geologic formation identified. Artificial fill consists of artificially compacted earth materials derived usually from local sources (California Department of Conservation, 1977). Additionally, the project would not require cuts greater than 10 feet, or exceed 2,000 cubic yards in grading. Construction of the proposed project would occur primarily on top of an existing berm and dike, and the bridge construction would occur within the footprint of the existing bridge structures. Because the project would not disturb sensitive paleontological formations, no impact to paleontological resources is anticipated.

## 11.0 ALTERNATIVES

CEQA requires the consideration of alternative development scenarios and the analysis of impacts associated with the alternatives. Through comparison of these alternatives to the proposed project, the advantages of each can be weighed and analyzed. Section 15126.6(a) of the CEQA Guidelines requires that an EIR, "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."

Additionally, Sections 15126.6 (e)(f) of the CEQA Guidelines state:

- The specific alternative of "no project" shall also be evaluated along with its impact...If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.
- The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making.

Pursuant to the CEQA Guidelines stated above, a range of alternatives to the proposed project is considered and evaluated in this EIR. The discussion in the section provides:

1. A description of alternatives considered;
2. An analysis of whether the alternatives meet most of the objectives of the project (described in Section 3.0 of this EIR); and
3. A comparative analysis of the alternatives under consideration and the proposed project. The focus of this analysis is to determine if alternatives are capable of eliminating or reducing the significant environmental effects of the project to a less than significant level. Table 11-1 provides a summary of this analysis. Numerous alternatives have been considered, but rejected as described in the following text. The alternatives that remain under consideration are: 1) No Project; 2) Pond 20 Alternative; 3) Remove Track/Railroad Bridge Rehabilitation; 4) Joint Use Entire Corridor; and, 5) Joint Use Excluding Bridges.

**TABLE 11-1**  
**Comparison of Project Alternatives Impacts**  
**To Proposed Project Impacts**

Impact Category	All: A No Project	All: B Fond 20	All: C Remove Track/Railroad Bridge Rehabilitation	All: D Joint Use	All: E Joint Use (Excluding Bridges)
Land Use	Less	Less	Greater	Less	Less
Biological Resources	Less	Greater	Greater	Greater	Greater
Historical Resources	Less	Less	Greater	Less	Less
Hydrology	N/A	N/A	N/A	N/A	N/A
Geology/Soils	N/A	N/A	N/A	N/A	N/A
Traffic and Transportation/ Pedestrian and Bicycle Facilities	Greater <sup>1</sup>	N/A	N/A	N/A	N/A
Air Quality	N/A	N/A	N/A	N/A	N/A
Noise	N/A	N/A	N/A	N/A	N/A
Aesthetics	N/A	N/A	N/A	N/A	N/A
Water Quality	N/A	N/A	N/A	N/A	N/A
Environmentally Superior?	Yes	Yes	No	Yes	Yes
Meets Project Objectives?	No	Most	Most	Most	Most

Source: BRG Consulting, Inc., 2006.

N/A = No significant impact identified associated the proposed project.

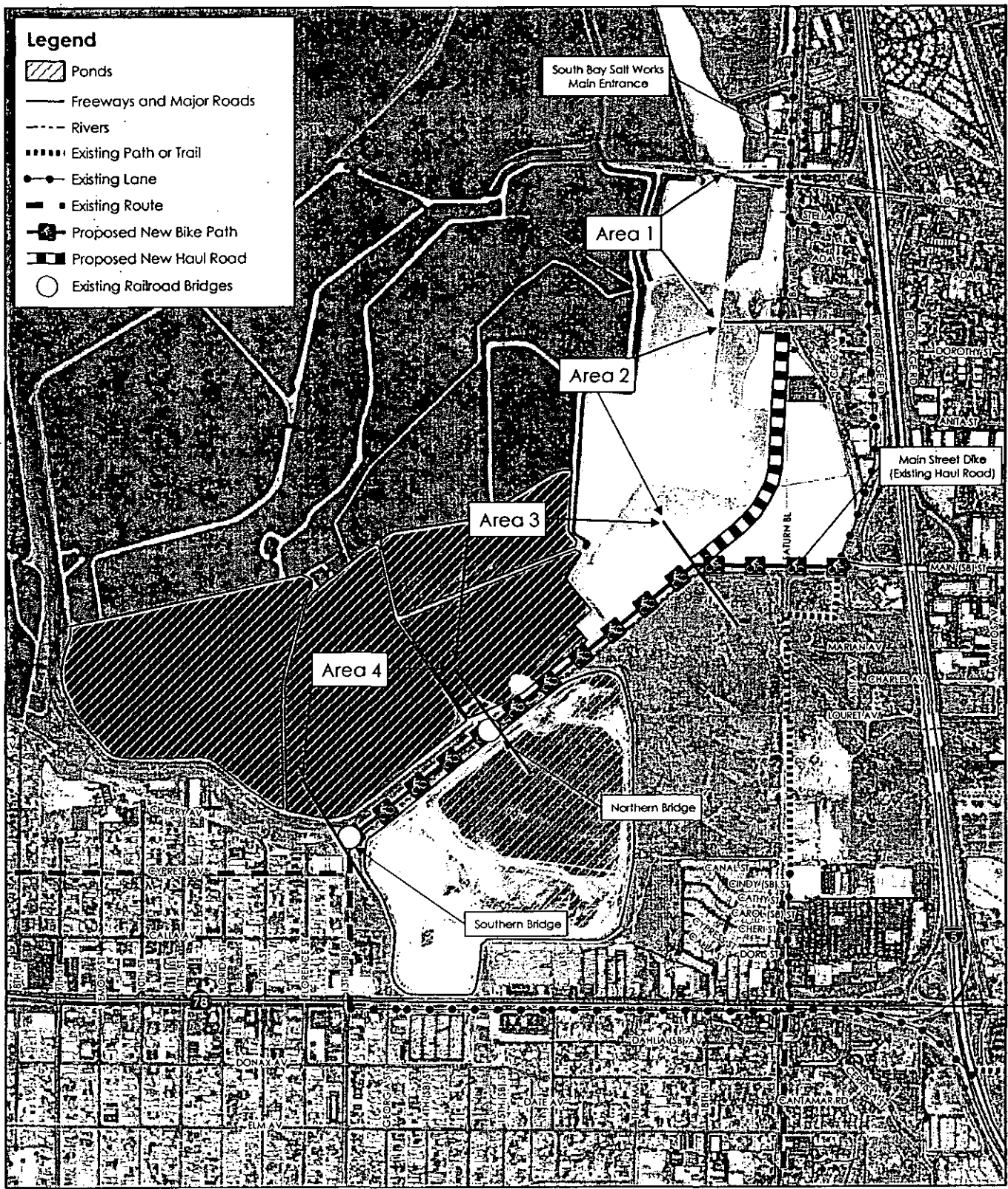
<sup>1</sup> = No significant impact identified associated the proposed project; however, this alternative would create a greater impact to this resource area than the proposed project.

## 11.1 Alternatives Considered but Rejected

### 11.1.1 Project Alignment Alternatives

Original planning efforts for this segment of the Bayshore Bikeway involved analyzing numerous alignment options of the proposed bikeway segment. For the purpose of environmental constraints analysis, the proposed bike path corridor was divided into four sections as described below. Figure 11-1 depicts the locations of Areas 1 through 4.

**Area 1:** Palomar Street to just south of the South Bay Salt Works main entrance along Bay Boulevard. This covers a distance of approximately 1,600 feet.



SOURCE: SANDAG, 2000 and 2004, SanGIS, 2004 and BRG Consulting, Inc., 2005

4/25/06

Bayshore Bikeway - Western Salt Segment

Study Areas 1-4

FIGURE

11-1

- Area 2:** South Bay Salt Works main entrance south to and including the Main Street Dike. This includes approximately 3,000 feet along the MTDB R/W and 1,500 feet along the dike.
- Area 3:** Main Street Dike to the northernmost of the two railroad bridges. This covers a distance of approximately 2,400 feet.
- Area 4:** Northernmost railroad bridge to the existing Class I bike path at 13th Street in Imperial Beach (includes the second railroad bridge). This covers a distance of approximately 1,800 feet.

Several potential alignment alternatives were developed and considered for each of the four areas (Areas 1 through 4). After consideration of all options, a best-suited alternative was chosen for each area. The chosen alternatives for each area were then used to develop the specific project alignment as is proposed and analyzed in the EIR. The following is a discussion of Areas 1 through 4, the respective alternatives (potential alignments) for each area.

**Area 1: Palomar Street to South Bay Salt Works Main Entrance**

*Alignment Alternative 1A (proposed project alignment as evaluated in this EIR)*

Alternative 1A would maintain the existing bike route (Class III) and bike lanes (Class II) along Bay Boulevard, Stella Street and Frontage Road, from the Palomar Street/Bay Boulevard intersection to the Main Street/Frontage Road intersection. This option would have no costs and no impacts to the South Bay Salt Works' operations or the MTDB (now MTS) R/W and is the alignment proposed for Area 1 under the proposed project.

*Alignment Alternative 1B (rejected)*

Alignment Alternative 1B would extend the existing Bay Boulevard bike lanes (Class II) from Palomar Street south to the South Bay Salt Works main entrance road. This alignment alternative would provide a bicycle lane connection to Area 2 and could be implemented within the existing publicly-owned R/W. However, potential conflicts with vehicles entering the South Bay Salt Works' facility would exist. Additionally, this alternative would require the filling of a drainage channel located along the western side of Bay Boulevard. This alternative would also require construction of a sidewalk to address pedestrian needs. The sidewalk would require the purchase of additional R/W or public easement area from the South Bay Salt Works and would require further filling of the existing drainage channel. For these reasons, Alignment Alternative 1B was rejected.

*Alignment Alternative 1C (rejected)*

Alignment Alternative 1C would construct a Class I bicycle/pedestrian path along the east side of the existing railroad tracks, from Palomar Street south to the South Bay Salt Works main entrance. The bicycle path would provide both bicycle and pedestrian connections to the existing bike lanes and sidewalk located on Bay Boulevard, north of Palomar Street. However, the path would require additional R/W or public easement area from the South Bay Salt Works and would also fill in the existing drainage channel

located between the railroad and Bay Boulevard. Additionally, conflicts would occur with trucks entering and leaving the South Bay Salt Works facility. For these reasons, Alignment Alternative 1C was rejected.

*Alignment Alternative 1D* (rejected)

Alignment Alternative 1D would place the proposed Class I bike path on the existing railroad. The rail line in Area 1 is currently functional and, therefore, would require relocation in order to implement the Class I bike path. Due to the impacts and costs associated with relocating the rail line, Alignment Alternative 1D was rejected.

**Area 2: South Bay Salt Works Main Entrance to Main Street Dike (including the Dike)**

*Alignment Alternative 2A* (proposed project alignment as evaluated in this EIR)

Alignment Alternative 2A would place the Class I bike path on top of the existing Main Street Dike. The Main Street Dike is currently used as a haul road by the South Bay Salt Works and has adequate width to accommodate the proposed bike path. This segment of the bike path would require an easement and agreement with the South Bay Salt Works, and an MOU with MTDB. To accommodate for the loss of the haul road, the South Bay Salt Works would need to construct a new haul road along the existing MTDB (MTS) R/W to the north of the Main Street Dike. Relocating the haul road to the MTDB (now MTS) R/W would require an agreement between South Bay Salt Works and MTDB (MTS). This alternative would provide for a separation of haul trucks and bicyclists/pedestrians. Alignment Alternative 2A is the alignment of the proposed project.

*Alignment Alternative 2B* (rejected)

Alignment Alternative 2B would extend the Class I bike path route considered in Alternative 2A from Main Street to the South Bay Salt Works' main entrance road using an existing maintenance road located along the eastern edge of the South Bay Salt Works' operations. Since the existing road is not wide enough to provide separate travel ways, the South Bay Salt Works expressed concerns about potential conflicts between trucks and bicyclists/pedestrians and was reluctant to allow use of the road. For these reasons, Alignment Alternative 2B was rejected.

*Alignment Alternative 2C* (rejected)

Alignment Alternative 2C includes several Class I bike path alternatives considered along the existing railroad tracks, including on the tracks, east of the tracks and west of the tracks. These alternatives were rejected because of the lack of available R/W, the potential extension of rail service, the potential for vandalism, and environmental impacts, including the filling of drainage channels and ponds.

*Alignment Alternative 2D* (rejected)

Alignment Alternative 2D, would maintain the existing interim Class I bike path along Main Street, the Otay River and the Class II bike lanes along Saturn Boulevard and Palm Avenue. This alternative would not alleviate the potential vehicle/bicycle conflicts that currently exist from using the existing roadways, nor would it reduce the safety concerns that exist from use of the bikeway when this alternative's crossing of the Otay River is flooded during storm events. Under this alternative, project goals would not be met.

**Area 3: Main Street Dike to Northern Railroad Bridge**

*Alignment Alternative 3A (proposed project alignment as evaluated in this EIR)*

Alignment Alternative 3A would implement the Class I bike path on top of the existing Otoy River Berm to the east of the railroad tracks. The majority of the path would be constructed within the disturbed upland habitat on the 12-ft (3.66-m) wide berm top, and would provide a panoramic view of the City of San Diego, San Diego-Coronado Bay Bridge, San Diego Bay, Coronado Island, the salt ponds, and Imperial Beach. This alternative would also allow for future use of the rail line in this area and would provide a separation between the Class I bike path and the salt ponds. The path would require some grading and fill at narrower segments located to the north of the existing northern bridge, and would require a lease agreement from the State Lands Commission. Alignment Alternative 3A is the alignment of the proposed project.

*Alignment Alternatives 3B and 3C (rejected)*

Alignment Alternative 3B and Alignment Alternative 3C are two alternatives that were considered along the existing railroad tracks. Alternative 3B would place the Class I bike path on top of the existing railroad tracks, while Alternative 3C would locate the bike path along the western edge of the railroad tracks. Alternative 3B was rejected because MTDB (now MTS) and the South Bay Salt Works requested that the railroad tracks be available for future extension of service. Alternative 3C was rejected because, although it would allow for the future use of the railroad tracks, it would reduce the available width of the existing maintenance road and would have the potential to introduce pedestrians into the salt pond areas.

*Alignment Alternative 3D (rejected)*

Alignment Alternative 3D, would maintain the existing interim Class I bike path along the Main Street Dike and Otoy River, and the Class II bike lanes along Saturn Boulevard and Palm Avenue. This alternative would not alleviate the potential vehicle/bicycle conflicts that currently exist from using the existing Class II bike lanes, nor would it reduce the safety concerns that exist from use of the Bikeway when its crossing of the Otoy River is flooded during storm events. Under this alternative, Area 3 would not be altered; therefore, no impacts would occur in this area. However, project goals would not be met.

**Area 4: Northern Railroad Bridge to 13<sup>th</sup> Street/Imperial Beach**

*Alignment Alternative 4A (proposed project alignment as evaluated in this EIR)*

Alignment Alternative 4A would construct the Class I bike path on top of the existing railroad tracks. This alternative would span the two existing bridges, require minimal grading and be constructed within existing railroad R/W. Alignment Alternative 4A is the alignment of the proposed project.

*Alignment Alternative 4B (rejected)*

Alignment Alternative 4B would construct the Class I bike path on top of the existing railroad tracks, while rehabilitating the southern bridge and replacing the northern bridge with a 12-ft (3.66m) high single span bridge. Both the bridge rehabilitation and the bridge replacement would have temporary wetland impacts. The bike path could have operational impacts to bird species. Alignment Alternative 4B was

rejected because the replacement suspension bridge would be out of character with the surrounding area.

*Alignment Alternative 4C (rejected)*

Alignment Alternative 4C would construct the Class I bike path on the existing maintenance road adjacent to the South Bay Salt Works ponds. This alternative would allow for future rail use of the railroad tracks and would require minimal grading. However, potential conflicts with maintenance vehicles could occur, pedestrians and bicycles would be introduced near sensitive bird habitat, and an easement from the South Bay Salt Works would be required. Additionally, one new bridge would need to be constructed over the Otay River, which would result in wetland impacts. For these reasons, Alignment Alternative 4C was rejected.

*Alignment Alternative 4D (rejected)*

Alignment Alternative 4D proposed to construct the Class I bike path immediately west of the existing railroad tracks. This alternative would allow for future rail use of the railroad tracks. However, this alternative was rejected because it would require extensive grading and the construction of two new bridges over the Otay River, which would have impacts to wetlands.

*Alignment Alternative 4E (rejected)*

Alignment Alternative 4E proposed to construct the Class I bike path on the dike located east and south of the existing Otay River channel. This alternative was rejected because it would require two new bridges over the river, which would have impacts to wetlands.

*Alignment Alternative 4F (rejected)*

Alternative 4F, would maintain the existing interim Class I bike path along the Main Street Dike and the Otay River, and the bike lanes along Saturn Boulevard and Palm Avenue. This alternative would not alleviate the potential vehicle/bicycle conflicts that currently exist from using the existing Class II bike lanes, nor would it reduce the safety concerns that exist from use of the bikeway when its crossing of the Otay River is flooded during storm events. Under this alternative, Area 4 would not be altered; therefore, no impacts would occur in this area. However, project goals would not be met.

**Elevated Bike Path Alternative**

This alternative would involve constructing an elevated bike path above the existing railroad tracks and bridges so as to avoid disturbance of this resource. This alternative is rejected as construction costs associated with a 1.8-mile long elevated bikeway would be prohibitive, and the actual construction of an elevated bike path would involve a greatly expanded construction footprint and area of wetland disturbance than the proposed project.

**San Diego Rail Partners Alternatives**

Several potential alternatives are identified in the *Rails and Trails a Formula for Successful Sharing of the Coronado Branch Railroad Right of Way by a Bike Trail and Tourist Railway* (San Diego Railway Partners, 2000). These alternatives are focused on the joint-use of the rail corridor with railroad and bike trail facilities.



The report contemplates that in the event of major reconstruction of the railroad facilities (in order to support a new rail service) a service or construction road could be graded adjacent to the tracks and within the R/W, and at the time construction is completed, the roadway could be abandoned by the railroad and then utilized as a bike trail. This alternative is rejected as an alternative to the proposed project because it: 1) would result in a much larger area of impact to wetlands as a result of a much wider graded area and the need to rebuild the existing trestle bridges, and, 2) the railroad would likely require that a permanent maintenance access road be maintained along the reconstructed rail line in order to properly maintain the line and reconstructed bridges. This would preclude the use of the construction access road as a bike path.

Another alternative concept identified in the San Diego Rail Partners report is outrigging wooden trestles. This alternative could be constructed using two techniques, either: 1) timber girders that would extend out from under the rail tracks (providing more width to the corridor, but not necessarily requiring embankment fill along the entire 1.8-mile segment), or, 2) installing additional piles approximately 25 feet from the track centerline and connecting the cross-timbers to the existing bridge superstructure. A deck would then be laid on the cross-timbers to accommodate the bicycle trail. However, this alternative concept is rejected as an alternative to the proposed project because it would result in a much larger area of impact to wetlands as a result of a much wider graded area and more permanent fill into wetland areas than would result from the proposed project.

Other alternatives identified include concrete sleeving of wooden pile trestles, outrigging concrete retrofit trestles, and replacing existing bridges with box culverts and/or tubular culverts. However, these alternatives are also rejected as they would all involve permanent impacts to wetlands that are not associated with the proposed project.

#### **Retain Rail and Ties In Place**

This alternative is identical to the proposed project, with the exception that the existing timber railroad ties located within the proposed bikeway corridor, would not be removed (removal of the timber ties is proposed as part of the project). This alternative has been rejected from further consideration because it presents potential maintenance problems. The timber ties are in various states of deterioration, and are expected to continue to deteriorate. The project would place compacted material over the ties, and the bike path would be expected to experience surface pavement deterioration (potholes, cracks, and surface level changes) over time, as the ties continue to deteriorate and crumble under the bike path surface, creating voids under the bike path users. Additionally, this alternative is rejected from further consideration because it does not reduce or avoid any significant impact associated with the proposed project, yet it would increase maintenance activity along the corridor.

## 11.2 Alternatives Selected for Detailed Study

### 11.2.1 Alternative A - No Project

The State CEQA Guidelines require analysis of the No Project Alternative (Public Resources Code Section 15126). According to Section 15126.6(e), "the specific alternative of 'no project' shall also be evaluated along with its impacts. The 'no project' analysis shall discuss the existing conditions at the time the notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services."

#### 11.2.1.1 *Description of Alternative*

Under this alternative, no changes would be made to the existing Bikeway system. The current Class II Bike lanes located along 13<sup>th</sup> Street, Palm Avenue, and Saturn Boulevard would continue to serve the Bikeway system. The No Project Alternative would not implement the original intention of the Bayshore Bikeway plan, which is to provide a continuous Class I bike route for the community. This alternative would not alleviate the potential vehicle/bicycle conflicts that currently exist from using the existing bike lanes, nor would it reduce the safety concerns that exist from use of the bikeway when its crossing of the Otay River is flooded during storm events.

#### 11.2.1.2 *Land Use*

This alternative would avoid the significant, unmitigable impact associated with the proposed project related to the project's consistency with the City's Historical Resources Regulations. Because no change would occur within the project corridor under this alternative, no conflict with this land use regulation would result. The proposed project would likely result in a beneficial effect on land use plan goals aimed toward improving alternative transportation, traffic congestion, public safety, public coastal access, environmental education, community cohesion, and air quality. The No Project Alternative would not implement the land use goals identified within the applicable community and general plans, which identify a Class I bikeway facility.

#### 11.2.1.3 *Biological Resources*

Implementation of this alternative would not result in an impact to biological resources. The proposed project site would remain unaffected and therefore the temporary impact to wetlands associated with the construction access road would be avoided. The impact associated with this alternative would be less than the proposed project.

#### 11.2.1.4 *Historical Resources*

Implementation of this alternative would avoid the significant, unmitigable impact to historical resources associated with the proposed project. No grading is proposed; therefore, the potential indirect impact to archaeological site CA-SDI-4360 would be avoided. Also, because there would be no changes to the existing Coronado Belt Line, the impact to this locally-designated historical site would also be avoided. As such, the impact associated with this alternative would be less than the proposed project.

#### 11.2.1.5 *Hydrology*

As with the proposed project, no impact to hydrology would result from implementation of the No Project Alternative.

#### 11.2.1.6 *Geology/Soils*

As with the proposed project, no impact to geology/soils would result from implementation of the No Project Alternative.

#### 11.2.1.7 *Traffic and Transportation/Pedestrian and Bicycle Facilities*

The proposed project would have a beneficial effect on traffic and transportation/pedestrian and bicycle facilities by providing a safer, more accessible, and more attractive cycling environment. Implementation of this alternative would cause the bikeway to remain on the existing roadways where bicyclists are on the same roadway as motor vehicles, which leads to a potential safety hazard, and this alternative would not provide improved bicycle facilities in the area. Although the proposed project would not result in a significant traffic and transportation/pedestrian and bicycle facilities impact, the impact associated with traffic and transportation/pedestrian and bicycle facilities would be greater under the No Project Alternative than the proposed project.

#### 11.2.1.8 *Air Quality*

As with the proposed project, implementation of this alternative would not result in a negative air quality impact.

#### 11.2.1.9 *Noise*

No significant noise impact has been identified associated with the proposed project. This alternative would not avoid or reduce a significant noise impact.

#### 11.2.1.10 *Aesthetics*

Under this alternative, the existing visual appearance of the current segment and the location of the proposed segment would remain unchanged. However, implementation of this alternative would not reduce or avoid a significant aesthetics impact associated with the proposed project as no significant aesthetics impact has been identified.

#### 11.2.1.11 *Water Quality*

Implementation of this alternative would avoid the potential short-term impact to water quality associated with the proposed project grading and construction activity. However, the potential short-term water quality impacts associated with the proposed project water quality would be eliminated during construction through compliance with the City of San Diego Storm Water Standards.

#### 11.2.1.12 *Conclusion – No Project Alternative*

The No Project Alternative would avoid impacts associated with land use, biological and historical resources because the proposed project site would remain unaltered. However, this alternative would not

improve safety hazards related to traffic and transportation/pedestrian and bike facilities. The No Project Alternative would not meet the basic objectives of the proposed project.

## 11.2.2 Alternative B - Pond 20 Alternative

The Pond 20 Alternative is considered in response to requests by the U.S. Fish and Wildlife Service, Save our Heritage Organization, National Audubon Society, and Tijuana Estuary staff on the Notice of Preparation (NOP) for this EIR, to consider a project alignment that would incorporate potential future development on the Salt Pond 20 property; allow for the preservation of the Coronado rail line in its existing condition; and reduce potential impacts to sensitive bird species occurring along the proposed project alignment. No specific alignment was recommended in the NOP comment letters.

This alternative is referred to as the "Pond 20 Alternative" due to its location along the edge of the Salt Pond 20 property located immediately south of the proposed project alignment. Until recently, the Pond 20 property was under the jurisdiction of the San Diego Unified Port District (SDUPD). Year 2002 State legislative actions as a part of Assembly Bill 93 resulted in the separation of the San Diego International Airport from the SDUPD. The ownership of the Pond 20 site is held by the San Diego County Regional Airport Authority (SDCRAA) because the site was originally purchased using airport funds. The Port is in discussion with SDCRAA to purchase back Pond 20 (SDUPD, 2003). The NOP response from the San Diego Unified Port District (SDUPD, 2003) indicated that "as a result of AB 93, the Port District has not developed specific redevelopment plans that would be sufficient for analysis under CEQA" and "lacking a redevelopment plan for Pond 20, the Port District questions the viability of this alternative to provide a meaningful comparative analysis with the proposed project." Therefore, there are no future development plans for the development of the Pond 20 property, and consideration of its development in determining the alignment of the proposed Class I bike path is not feasible.

The potential alignment of the Pond 20 Alternative is identified in Figure 11-2. A Pond 20 Alternative would connect the 13<sup>th</sup> Street Bike lane with Saturn Boulevard through Pond 20. Much of Pond 20 consists of Waters of the United States, and State of California Coastal Wetlands (Tierra Environmental, 2007). Any bikepath alternative traversing Pond 20 would directly impact these waters/wetland resources. The potentially least damaging Pond 20 Alternative would begin at the eastern end of Calla Avenue in the City of Imperial Beach, then cross (west to east) the southwestern portion of the SDCRAA's Pond 20 property, continuing along the property line between the Pond 20 Property and the existing developed area of the City of San Diego, and rejoining the existing street system at Saturn Boulevard within the City of San Diego. The same bike path cross section (8-foot paved path with 2-foot shoulders) would be assumed.

### 11.2.2.1 Land Use

This alternative would avoid the significant, unmitigable impact associated with the proposed project related to the project's consistency with the Historical Resources Regulations. Because no change would occur within the CBL corridor under this alternative, no conflict with this land use regulation would result.

### 11.2.2.2 *Biological Resources*

This alternative would result in greater temporary and permanent wetland impacts than the proposed project. The Pond 20 Alternative would result in the need to construct at least a portion of the proposed Class I bike path through State of California coastal wetlands (Figure 11-2). In a project related meeting (February 17, 1998), California Coastal Commission staff indicated that incidental public services are allowed in wetlands, but Class I bikeways are not. The proposed project site is located within the Coastal Zone, and any development of the site would require Coastal Development Permit approval from the California Coastal Commission. The only way to align the Pond 20 Alternative to avoid placing the Class I bike path through wetlands would be to utilize existing adjacent developed areas around the entire Pond 20 Property. The adjacent developed area to the north of Pond 20 is the MTDB (MTS) R/W (across the Otay River Berm). To the south, adjacent developed areas include Palm Avenue in the southwest and residential uses in the southeast. Because State of California coastal wetlands essentially span the Pond 20 property area between these two existing developed areas, an alignment that completely avoided placing a Class I bike path through wetlands would result in the same alignment as the existing Class II route through city streets. This would not meet the project objectives relating to increased pedestrian and bicyclist safety, reduced congestion, or improved air quality. Therefore, it is not feasible for the proposed bikeway project to be constructed through the Pond 20 property unless it is as an incidental public service permitted as part of a future Pond 20 redevelopment project.

### 11.2.2.3 *Historical Resources*

Implementation of this alternative would avoid the significant, unmitigable impact to historical resources associated with the proposed project. No grading would occur within the area of archaeological site CA-SDI-4360; therefore, the potential impact to this resource would be avoided. Also, because there would be no changes to the existing Coronado Belt Line, the impact to this locally-designated historical site would also be avoided. As such, the impact associated with this alternative would be less than the proposed project.

### 11.2.2.4 *Hydrology*

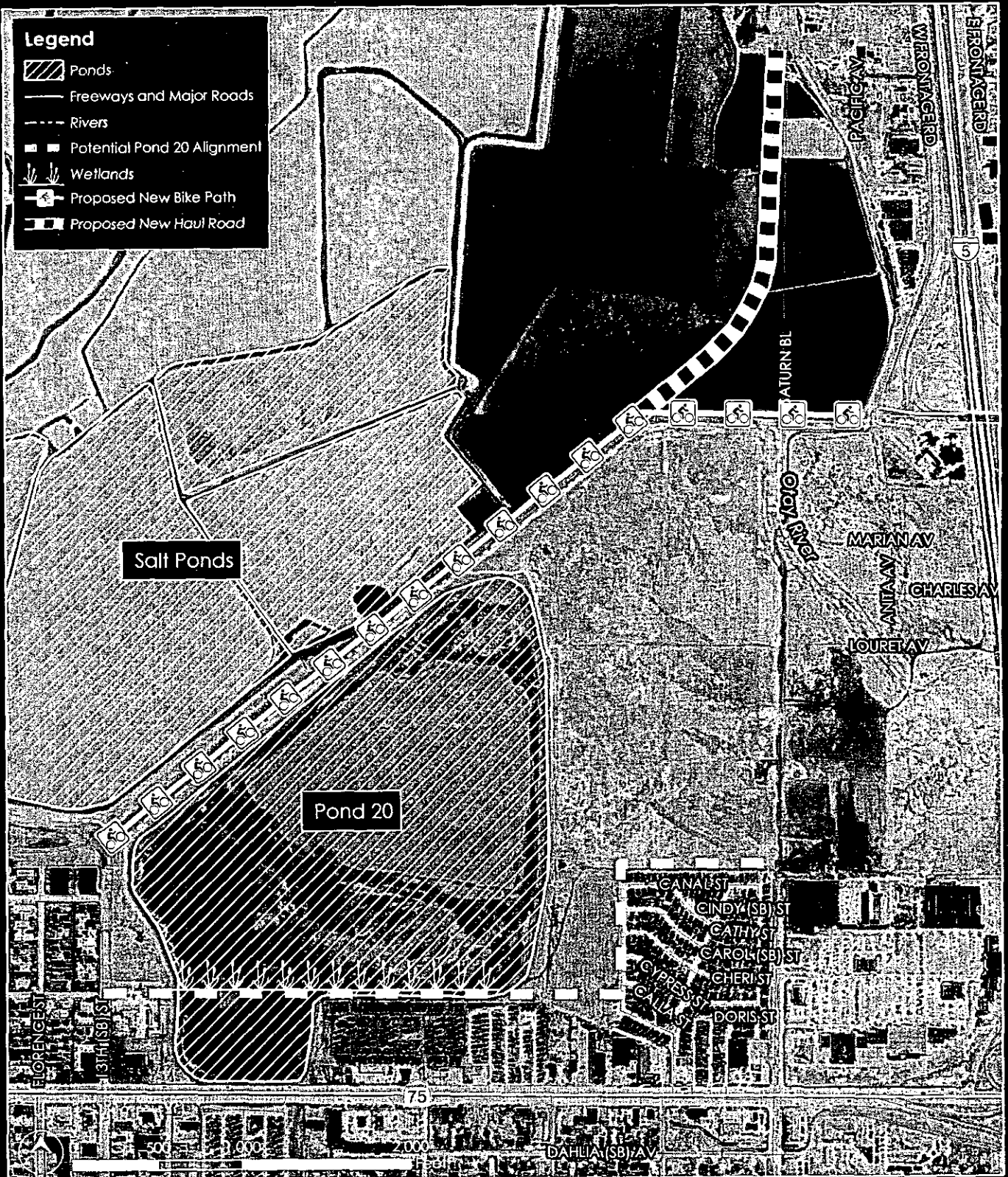
As with the proposed project, no impact to hydrology would result from implementation of this alternative.

### 11.2.2.5 *Geology/Soils*

As with the proposed project, no impact to geology/soils would result from implementation of this alternative.

### 11.2.2.6 *Traffic and Transportation/Pedestrian and Bicycle Facilities*

As with the proposed project, this alternative would have a beneficial effect on traffic and transportation/pedestrian and bicycle facilities by providing a safer, more accessible, and more attractive cycling environment. No significant impact associated with the proposed project nor this alternative would result.



Bayshore Bikeway - Western Salt Segment

Pond 20 Alignment

FIGURE  
11-2

### 11.2.2.7 Air Quality

As with the proposed project, implementation of this alternative would not result in a negative air quality impact.

### 11.2.2.8 Noise

No significant noise impact has been identified associated with the proposed project. This alternative would not avoid or reduce a significant noise impact.

### 11.2.2.9 Aesthetics

Implementation of this alternative would not reduce or avoid a significant aesthetics impact associated with the proposed project as no significant aesthetics impact has been identified.

### 11.2.2.10 Water Quality

Implementation of this alternative would require construction that has the potential to result in a short-term impact to water quality. However, as with the proposed project, water quality would be maintained during construction through compliance with the City of San Diego Storm Water Standards. The City of San Diego Storm Water Standards would require the implementation of project-specific Best Management Practices (BMPs) outlined in the project-specific Storm Water Pollution Prevention Plan (SWPPP).

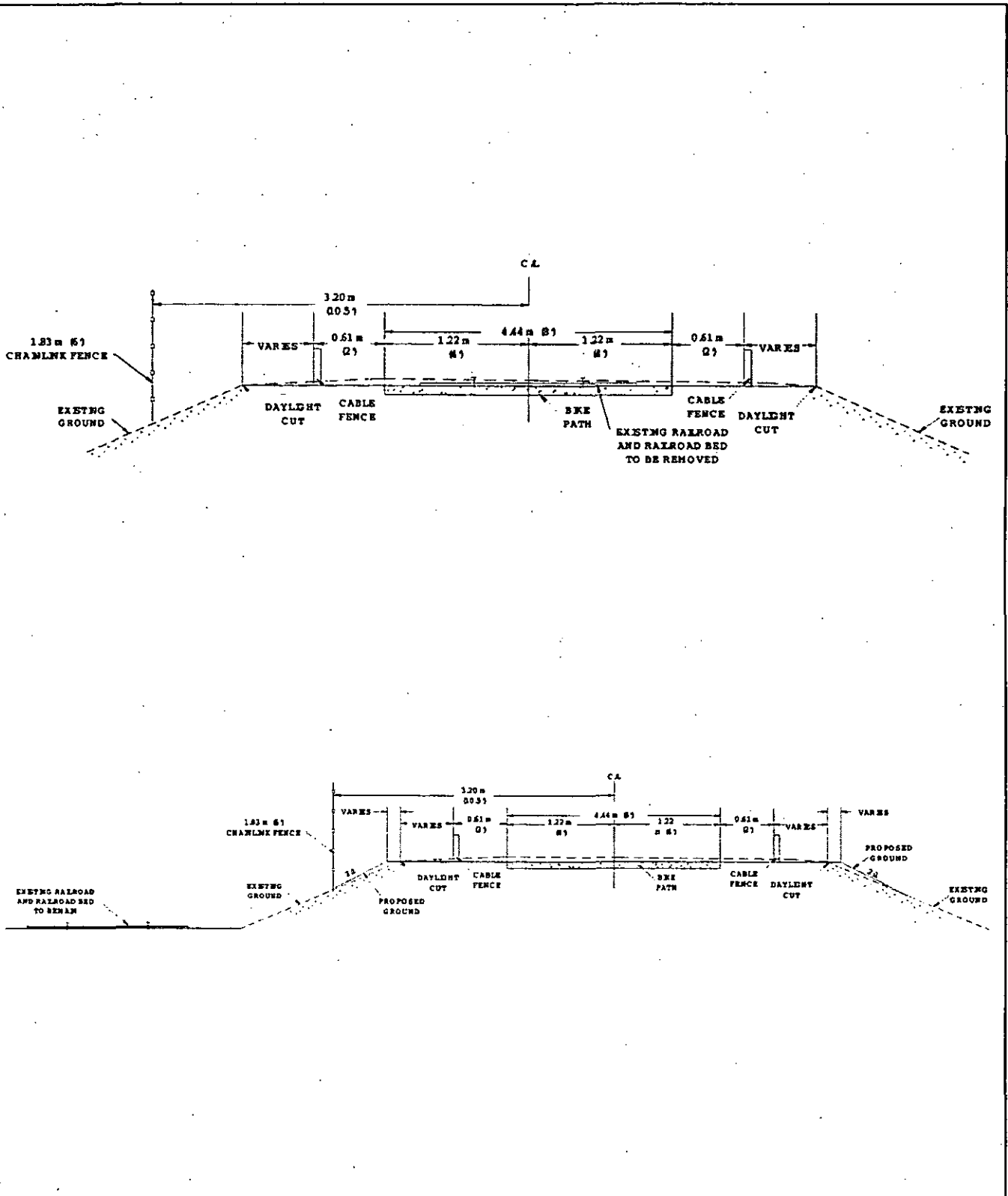
### 11.2.2.11 Conclusion – Pond 20 Alternative

The Pond 20 Alternative is environmentally superior to the proposed project. It would avoid the significant, unmitigable land use impact and the significant, unmitigable historical resources impact associated with the proposed project. However, it would result in significantly greater impacts to waters of the U.S. and wetland habitats than the proposed project. Also, this alternative would not meet certain project objectives because aligning this segment of the bike path around the edges of Pond 20 would result in a bike route of nearly the same length as the existing Class II route, and would still result in shared bicycle and vehicular routes.

## 11.2.3 Alternative C - Remove Track/Bridge Rehabilitation

This alternative is distinguished from the proposed project in that it would involve removal of the existing track and ties, and the existing two trestle bridges would be rehabilitated to support the bike path. Under this alternative the bikeway cross-section would remain at an 8-foot wide path, with 2-foot wide porous concrete pavement. The two, currently unserviceable, wooden railroad bridges located along the proposed bike path segment that cross the Otay River would require repair in order to be used for the proposed bike path. Figure 11-3 shows the bike path cross-sections, and Figure 11-4 depicts the longitudinal sections showing proposed bridge rehabilitation work. Proposed bridge rehabilitation would consist of the following:

- Remove damaged or unserviceable ties and rails.
- Replace or add stringers and caps, as appropriate. The source of necessary stringers and caps would be materials cannibalized and/or recycled from similar bridges elsewhere in the county.



SOURCE: Kimley-Horn and Associates Inc., 2006

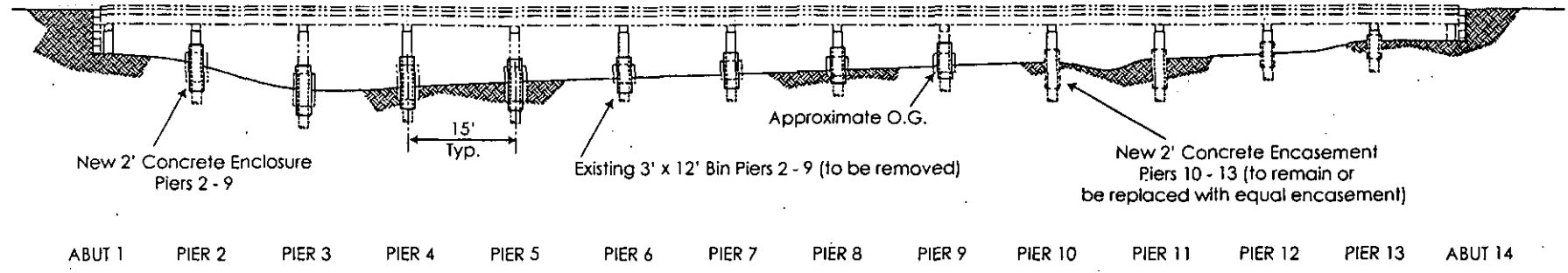
4/24/06

Bayshore Bikeway - Western Salt Segment  
 Alternative C Bike Path Cross Sections

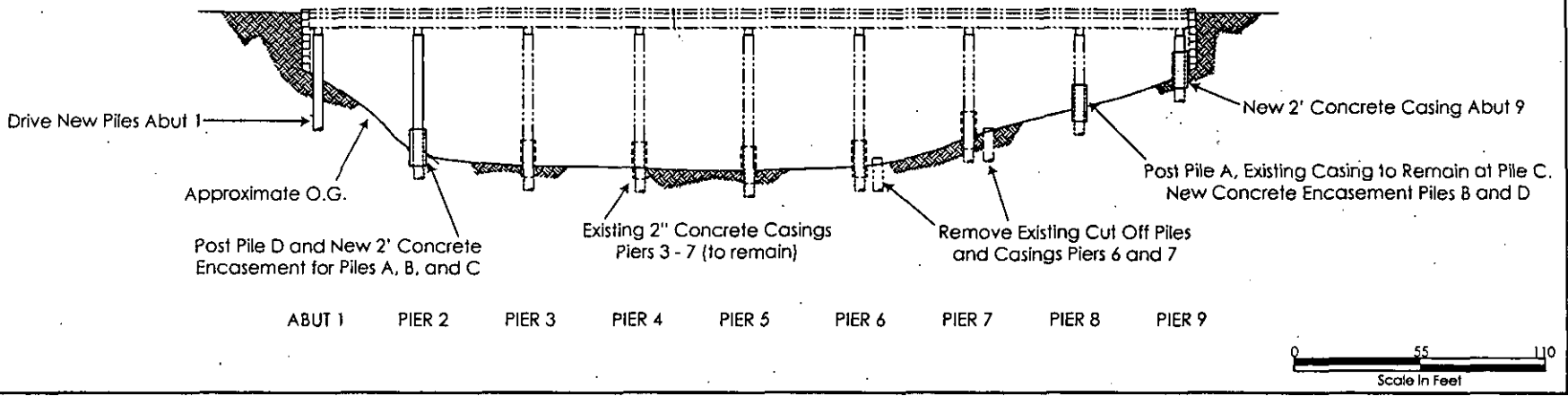
FIGURE  
 11-3



NORTHERN BRIDGE



SOUTHERN BRIDGE



91-11

SOURCE: Simon Wong Engineering, 2001

4/25/06

Bayshore Bikeway - Western Salt Segment

Longitudinal Sections Showing Proposed Rehabilitation Work

FIGURE  
11-4

- Cut off and remove existing piles and splice in new piles (posting option) or encase existing piles in concrete within the existing bridge footprints (concrete encasement option), as necessary. The two bridges would also require the driving of new piles at bank abutments. Since driving of piles is a noisy activity, it would be limited to the period between October 1 and January 31 to avoid conflicts with the nesting and breeding of sensitive bird species in the area.
- Construct or reconstruct bridge backwalls within the existing bridge footprints, as necessary.
- Place concrete deck, add railing/fencing and stripe the bike path.

Dewatering would not be necessary, since bridge rehabilitation would be limited to the posting option or the concrete encasement option.

#### 11.2.3.1 *Land Use*

This alternative would result in a greater magnitude of impact than the proposed project, as this alternative would remove the existing rail and ties, and would alter the existing bridges. The significant, unmitigable impact associated with the proposed project related to the projects consistency with the Historical Resources Regulations would remain, and would not be lessened by this alternative.

#### 11.2.3.2 *Biological Resources*

Temporary access for construction vehicles across and within wetland habitats is anticipated to be required in order to complete bridge rehabilitation. Similar to the proposed project, this alternative would temporarily disturb coastal salt marsh habitat during bridge rehabilitation. However, the impact would be more severe in that the impact would include grading and fill in jurisdictional areas. This alternative would result in a temporary impact to approximately 0.11 acres; whereas, the proposed project would avoid jurisdictional areas. Also, this alternative would involve permanent fill in jurisdictional areas. Therefore, the impact to biological resources associated with this alternative would be greater than the proposed project.

#### 11.2.3.3 *Historical Resources*

Implementation of this alternative would result in a greater impact to historical resources than the proposed project. As with the proposed project, this alternative would potentially result in an impact to archaeological site CA-SDI-4360 as a result of construction activities. Therefore, impacts would be similar to the proposed project. However, this alternative would not preserve the existing features of the CBL within the project corridor, which includes the rails, ties, and bridges. As such, the magnitude of the impact to this locally-designated historic resource is considered greater than the proposed project.

#### 11.2.3.4 *Hydrology*

As with the proposed project, no impact to hydrology would result from implementation of this alternative.

#### 11.2.3.5 *Geology/Soils*

As with the proposed project, no impact to geology/soils would result from implementation of this alternative.

#### 11.2.3.6 *Traffic and Transportation/Pedestrian and Bicycle Facilities*

As with the proposed project, no impact to traffic and transportation/pedestrian and bicycle facilities would result from implementation of this alternative.

#### 11.2.3.7 *Air Quality*

As with the proposed project, implementation of this alternative would not result in an air quality impact.

#### 11.2.3.8 *Noise*

No significant noise impact has been identified associated with the proposed project. This alternative would not avoid or reduce a significant noise impact.

#### 11.2.3.9 *Aesthetics*

Implementation of this alternative would not avoid or reduce the impact to aesthetics, as no significant aesthetics impact has been identified.

#### 11.2.3.10 *Water Quality*

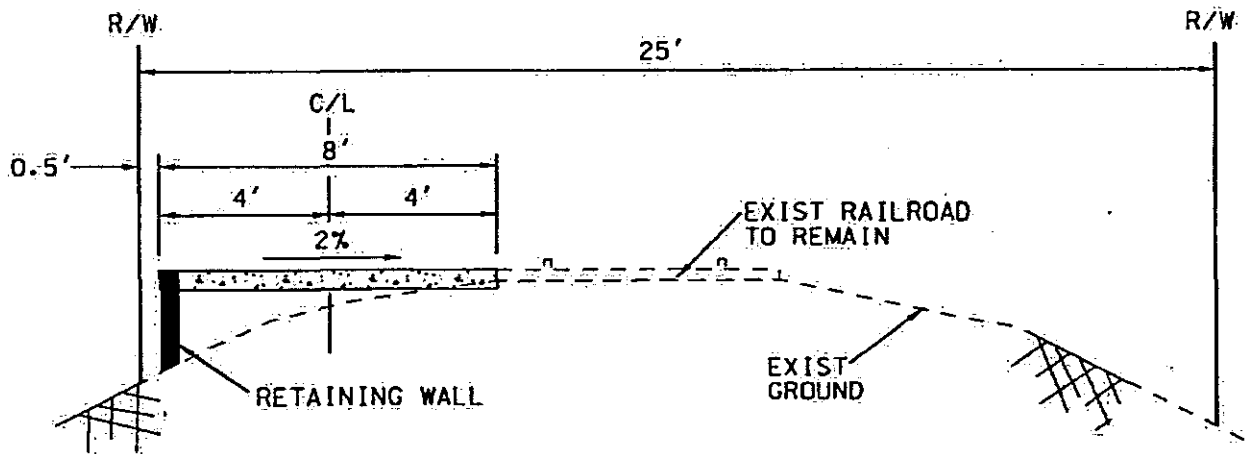
Implementation of this alternative would require short-term construction that has the potential to result in a short-term impact to water quality. However, as with the proposed project, water quality would be maintained during construction through compliance with the City of San Diego Storm Water Standards. The City of San Diego Storm Water Standards would require the implementation of project-specific BMPs outlined in the project-specific SWPPP.

#### 11.2.3.11 *Conclusion – Remove Track/Bridge Rehabilitation Alternative*

The Remove Track/Bridge Rehabilitation Alternative would result in a greater impact to biological and historical resources than the proposed project. The alternative is not environmentally superior to the proposed project.

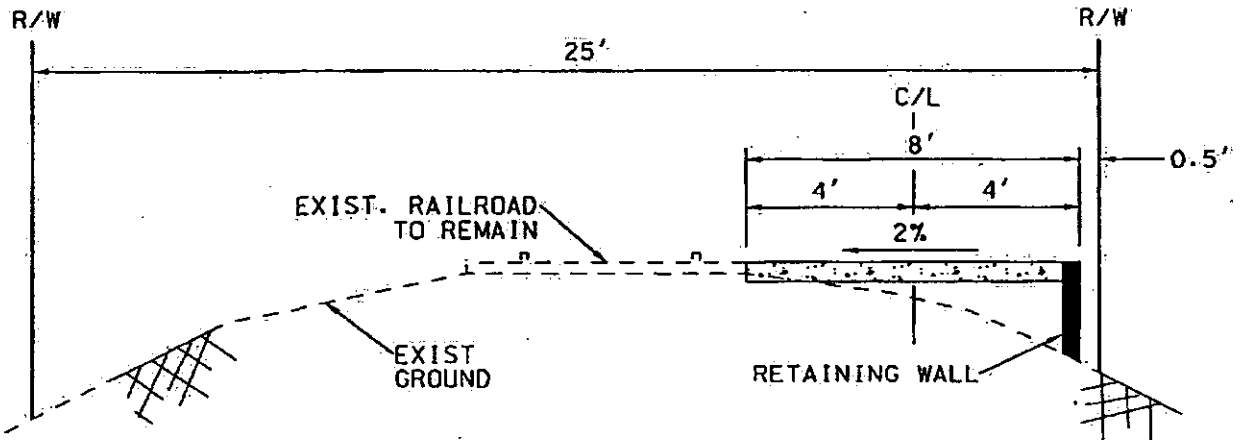
### 11.2.4 *Alternative D - Joint Use Alternative*

This alternative assumes joint use of the entire proposed Class I Bikeway for the entire length of the project. Figure 11-5 depicts the typical cross-sections for this alternative, assuming that the bike path would be constructed within the existing MTDB right-of-way. However, under this scenario, Public Utility Commission (PUC) separation requirements would not be met, as the bike path would be located too close to the railroad tracks. As shown in Figure 11-5, this alternative would require placement of embankment fill and the construction of a retaining wall for the length of the corridor where dual use (rail and bike path) would occur. Figure 11-6 depicts the typical cross-sections for a joint use alternative that meets PUC requirements for a slow speed train. As demonstrated in this cross section, in order for a joint-use project to be PUC compliant, the bike path would have to be constructed outside of the existing railroad right-of-way, and would impact the boundary of the existing wildlife refuge. Because of the significantly expanded width,



**CLASS 1 BIKE PATH-ALTERNATIVE D**

TYP. SECTION LOOKING NORTH  
BEFORE FIRST BRIDGE  
(NOT TO SCALE)



**CLASS 1 BIKE PATH-ALTERNATIVE D**

TYP. SECTION LOOKING NORTH  
AFTER FIRST BRIDGE  
(NOT TO SCALE)

SOURCE: Kimley-Horn and Assoc., 2006

01/03/06

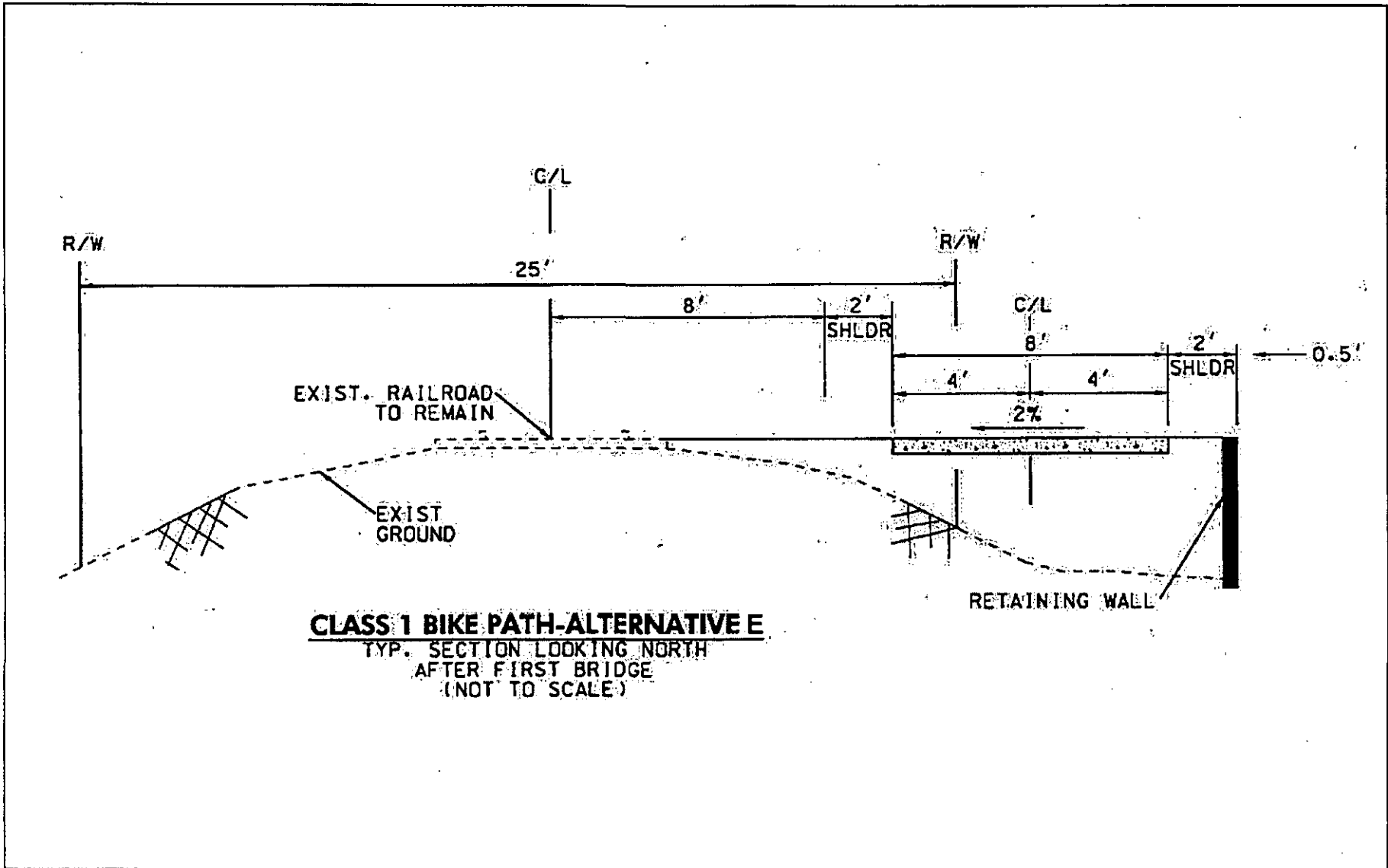
Bayshore Bikeway - Western Salt Segment

Joint Use Cross Sections Within Right Of Way

FIGURE

11-5

11-20



SOURCE: Kimley-Horn and Associates, Inc., 2006

01/03/06

Bayshore Bikeway - Western Salt Segment

Joint use Alternative Cross Section PUC Compliant

FIGURE  
11-6

this alternative would also result in placement of embankment fill in order to support the rail line and path. The bridges would need to be rehabilitated and/or modified to increase the width to allow both rail and bike path uses.

#### 11.2.4.1 *Land Use*

This alternative would reduce the significant, unmitigable impact associated with the proposed project related to the project's consistency with the Historical Resources Regulations. No change would occur to the rail and ties within the CBL corridor, and no conflict with this land use regulation would result, for this portion of the corridor. The existing trestle bridges would need to be modified to allow the bike path to run along the side; and, therefore, some alteration of this component of the CBL would occur. As such, the land use impact would be lessened, but not completely avoided under this alternative.

#### 11.2.4.2 *Biological Resources*

This alternative would result in greater temporary and permanent wetland impacts than the proposed project. Joint use of the corridor would require a larger temporary and permanent construction footprint, which would result in significantly greater wetland impacts than the proposed project.

#### 11.2.4.3 *Historical Resources*

Implementation of this alternative would reduce, but not completely avoid, the significant, unmitigable impact to historical resources associated with the proposed project. Grading would occur within the area of archaeological site CA-SDI-4360; therefore, the potential impact to this resource would be similar to the proposed project. However, because there would be no changes to the rails and ties component of the existing Coronado Belt Line, the impact to this locally-designated historical resource would be lessened. The existing trestle bridges would need to be modified under this alternative; therefore, there would be some alteration of this component of the CBL. As such, the historical impact associated with this alternative would be lessened, but not completely avoided. Overall, the historical/structural impact associated with this alternative would be less than the proposed project.

#### 11.2.4.4 *Hydrology*

As with the proposed project, no hydrology impact would result from implementation of this alternative.

#### 11.2.4.5 *Geology/Soils*

As with the proposed project, no impact to geology/soils would result from implementation of this alternative.

#### 11.2.4.6 *Traffic and Transportation/Pedestrian and Bicycle Facilities*

As with the proposed project, this alternative would have a beneficial effect on traffic and transportation/pedestrian and bicycle facilities by providing a safer, more accessible, and more attractive cycling environment. No significant impact associated with the proposed project, and this alternative would result.

#### 11.2.4.7 *Air Quality*

As with the proposed project, implementation of this alternative would not result in an air quality impact.

#### 11.2.4.8 *Noise*

No significant noise impact has been identified associated with the proposed project. This alternative would not avoid or reduce a significant noise impact.

#### 11.2.4.9 *Aesthetics*

Implementation of this alternative would not reduce or avoid a significant aesthetics impact associated with the proposed project as no significant aesthetics impact has been identified.

#### 11.2.4.10 *Water Quality*

Implementation of this alternative would require short-term construction that has the potential to result in a short-term impact to water quality. However, as with the proposed project, water quality would be maintained during construction through compliance with the City of San Diego Storm Water Standards. The City of San Diego Storm Water Standards would require the implementation of project-specific BMPs outlined in the project-specific SWPPP.

#### 11.2.4.11 *Conclusion – Joint Use*

The Joint Use Alternative is not environmentally superior to the proposed project with respect to biological resources, but would reduce the significant, unmitigable impact to the Coronado Belt Line. However, the land use and historical impact would remain significant. It would result in significantly greater impacts to waters of the U.S. and wetland habitats than the proposed project.

### 11.2.5 *Alternative E - Joint Use Excluding Bridges Alternative*

This alternative assumes joint use of the entire proposed Class I Bikeway for the entire length of the project, with the exception of the bridge crossing locations. It is assumed that at the bridge locations, the bridges would be capped with steel truss bridges, in the same manner as the proposed project. The cross sections of the bike path would be as is depicted on Figures 11-5 and 11-6.

#### 11.2.5.1 *Land Use*

This alternative would lessen the significant, unmitigable impact associated with the proposed project related to the project's consistency with the Historical Resources Regulations. No change would occur to the rail and lies within the CBL corridor and no conflict with this land use regulation would result for this portion of the corridor. The existing trestle bridges would be capped with steel truss bridges to allow the bike path to run along the bridge; and therefore, some aesthetic alteration of this component of the CBL would occur. As such, the land use impact would be lessened, but not completely avoided under this alternative.

#### 11.2.5.2 *Biological Resources*

This alternative would result in greater temporary and permanent wetland impacts than the proposed project. Joint use of the corridor would require a larger temporary and permanent construction footprint, which would result in significantly greater wetland impacts than the proposed project.

#### 11.2.5.3 *Historical Resources*

Implementation of this alternative would reduce the significant, unmitigable impact to historical resources associated with the proposed project. Grading would occur within the area of archaeological site CA-SDI-4360; therefore, the potential impact to this resource would be similar to the proposed project. Because there would be no changes to the existing Coronado Belt Line with the exception of the bridge locations, the impact to this locally-designated historical site would be reduced from the proposed project. As such, the historical/structural impact associated with this alternative would be less than the proposed project; however, the impact would remain significant.

#### 11.2.5.4 *Hydrology*

As with the proposed project, no impact to hydrology would result from implementation of this alternative.

#### 11.2.5.5 *Geology/Soils*

As with the proposed project, no impact to geology/soils would result from implementation of this alternative.

#### 11.2.5.6 *Traffic and Transportation/Pedestrian and Bicycle Facilities*

As with the proposed project, this alternative would have a beneficial effect on traffic and transportation/pedestrian and bicycle facilities by providing a safer, more accessible, and more attractive cycling environment. No significant impact associated with the proposed project, and this alternative would result.

#### 11.2.5.7 *Air Quality*

As with the proposed project, implementation of this alternative would not result in an air quality impact.

#### 11.2.5.8 *Noise*

No significant noise impact has been identified associated with the proposed project. This alternative would not avoid or reduce a significant noise impact.

#### 11.2.5.9 *Aesthetics*

Implementation of this alternative would not reduce or avoid a significant aesthetics impact associated with the proposed project as no significant aesthetics impact has been identified.

#### 11.2.5.10 *Water Quality*

Implementation of this alternative would require short-term construction that has the potential to result in a short-term impact to water quality. However, as with the proposed project, water quality would be maintained during construction through compliance with the City of San Diego Storm Water Standards.



The City of San Diego Storm Water Standards would require the implementation of project-specific BMPs outlined in the project-specific SWPPP.

#### 11.2.5.11 Conclusion – Joint Use Excluding Bridges

The Joint Use Excluding Bridges Alternative is not environmentally superior to the proposed project with respect to biological resources, but would lessen the significant, unmitigable impact to the Coronado Belt Line, although the residual impact would remain significant. It would result in greater impacts to waters of the U.S. and wetland habitats than the proposed project.

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- U.S. Fish and Wildlife Service, *Environmental Assessment for the Proposed South San Diego Bay Unit and Stewardship Project, San Diego National Wildlife Refuge*, 1998.
- U.S. Fish and Wildlife Service, *San Diego Bay San Diego National Wildlife Refuge, Final Comprehensive Conservation Plan and Environmental Impact Statement*, August 2006.
- United States Code, *Clean Water Act, Section 404* (33 U.S.C. 1344), and U.S. *Nationwide Permits 14, 33 and 18*.
- United States Code, *Clean Water Act, (CWA, 33 USC 1250, et seq., at 1313(d)) List of Impaired Water Bodies*, 2002.

# 13.0 INDIVIDUALS AND AGENCIES CONSULTED

The following persons and organizations were contacted in preparation of this Environmental Impact Report:

## ACOE

Terry Dean, Regulatory Branch, San Diego Field Office

## Caltrans

May Alsheikh, NPDES/Storm Water Compliance

Gladys Baird, Permit Specialist, Environmental Stewardship

Jeff Bentz, Landscape Architecture

Tim Brownson, Hydraulics Engineer

Joel Kloth, Environmental Engineering

Sue Scatolini, District Biologist

## CCC

Ellen Lirley

Diana Lilly

## CDFG

Kelly Fisher

## City of Imperial Beach

Jim Nakagawa, City Planner, Community Development Department

## City of San Diego

Chris Haley, Supervising Management Analyst, Police Department

Theresa Millette, Senior Planner, Planning Department

Sam Oates, Deputy Chief/Fire Marshal, Fire-Rescue Department

## County of San Diego

Mary Porath, Crime Analyst, Sheriff's Department

## RWQCB

Mike Porter

SANDAG

Stephan Vance

USFWS

Don Brubaker, San Diego National Wildlife Refuge Complex

Carolyn Lieberman

Tom Reed

Kurt Roblek, Biological Services

Victoria Touchstone, Refuge Planner, San Diego National Wildlife Refuge Complex

Andy Yuen, San Diego National Wildlife Refuge Complex

## 14.0 PREPARERS OF EIR

This section contains a list of contributing city, state, and consultant staff members, their titles and affiliations.

### City of San Diego

Jeanette DeAngelis, Senior Environmental Planner, Engineering and Capital Projects  
Kristen Forburger, Associate Environmental Planner, Development Services Department  
Frank Gaines, Project Manager, Engineering and Capital Projects  
Patricia Grabski, Project Manager, Development Services Department  
Myra Herrmann, Senior Environmental Planner, Development Services Department  
Jerry Jakubauskas, Associate Planner, Engineering and Capital Projects

### California Department of Transportation, District 11

Kelly Finn, Associate Environmental Planner  
Jason A. Reynolds, Associate Environmental Planner

### BRG Consulting, Inc. – EIR Preparer

BRG Consulting, Inc.  
304 Ivy Street  
San Diego, CA 92101  
(619) 298-7127

Erich Lathers, Principal in Charge  
Tim Gnibus, AICP, Senior Project Manager  
Kathie Washington, Assistant Project Manager  
Mary E. Brady, Production Manager  
Anna Buzaitis, Environmental Planner  
Zach Leigh, GIS Analysis and Graphics

BRG Consulting, Inc. was assisted by the following consultants:

### **Tierra Environmental Services**, Biological Resources and Cultural Resources

Chris Nordby, Principal Biologist  
Andrew Pignolo, Principal Archaeologist

### **JRP Historical Consulting Services**

Stephen R. Wee, Principal Historian

**Simon Wong Engineering**

Mark Creveling, P.E.

**Kimley-Horn and Associates, Inc.**

Dennis Landaal

Karina Fidler

Scott Harry

Nick Roberts

Chuck Spinks

**Ninyo & Moore**

Ronald Hallum, Senior Geologist

W. Scott Snyder, Senior Hydrogeologist

**KTU+A Land Planning & Landscape Architecture**

Mike Singleton, AICP, ASLA

**Marie Burke Lia, Attorney-at-Law**



# Appendix A

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Notice of Preparation & Responses

and

Scoping Meeting Comments

City of San Diego  
Development Services Department  
LAND DEVELOPMENT REVIEW DIVISION  
1222 First Avenue  
Mail Station 501  
San Diego, CA 92101  
(619) 446-5460

Date: January 3, 2003

**NOTICE OF PREPARATION OF A DRAFT  
JOINT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL ASSESSMENT**

THE CITY OF SAN DIEGO will be the Lead Agency and will prepare a draft Environmental Assessment/Environmental Impact Report (EIR/EA) in accordance with the California Environmental Quality Act (CEQA - EIR) and the National Environmental Policy Act (NEPA - EA) for the following project:

**PROJECT:** Bayshore Bikeway SITE DEVELOPMENT PERMIT/COASTAL DEVELOPMENT PERMIT to allow for the construction of an approximately 1.5-mile segment of the 26-mile San Diego Bayshore Bikeway. The project segment would involve the development of a Class I Bikeway along the Metropolitan Transit Development Board (MTDB)/San Diego & Arizona Eastern (SD&AE) Railway right-of-way and a haul-road within the Western Salt processing plant. The project is funded by TransNet (local), and Congestion Mitigation and Air Quality (CMAQ-federal), and City of San Diego Capital Improvement Project (CIP) monies. The project site is located within the City of San Diego Otay Mesa/Nestor Community Planning Area, the Otay Valley Regional Park (OVRP), the City of San Diego Multi-Habitat Planning Area (MHPA), the South San Diego Bay Unit of the San Diego National Wildlife Refuge, San Diego Unified Port District, and California Coastal Commission Jurisdiction. The bikeway borders the City of Chula Vista to the north, and the City of Imperial Beach to the south. (portions of section 20 & 21). Applicant: City of San Diego, Engineering and Capital Projects Department, Transportation Drainage and Design.

LDR NO.: 40-0378  
SCH NO.: pending

Based on an Initial Study, it appears that the project may result in significant environmental impacts in the following areas: Land Use, Biology, Historical Resources, Water Quality, Geology, and Recreational Resources.

For more information, contact John Alabado, Associate Planner at (619) 446-5324. To provide comments on the scope and content of the scope of work, please send written comments to Lawrence C. Monserrate, Environmental Review Manager, at the above address. Written comments on the scope and content of the scope of work must be sent to the above address by no later than 30 days after receipt of this notice. Responsible agencies are requested to indicate their statutory responsibilities in connection with this project when responding.

Attachments: Figure 1.1-1, Regional Location Map  
Figure 1.1-2, Existing and Proposed Bikeway Segments  
Figure 1.1-3, Proposed Western Salt Segment  
Draft EIR Scoping Letter

Distribution:

City of San Diego  
Councilmember Inzunza, District 8  
Councilmember Zucchet, District 2  
City Attorney's Office  
Engineering & Capital Projects Department  
Historical Resources Board  
Planning Department  
Development Services Department  
Library Department  
Real Estate Assets Department  
Parks & Recreation Department  
Park & Recreation Board  
Wetland Advisory Board  
Transportation Department  
Otay Mesa/Nestor Community Service Center (236)

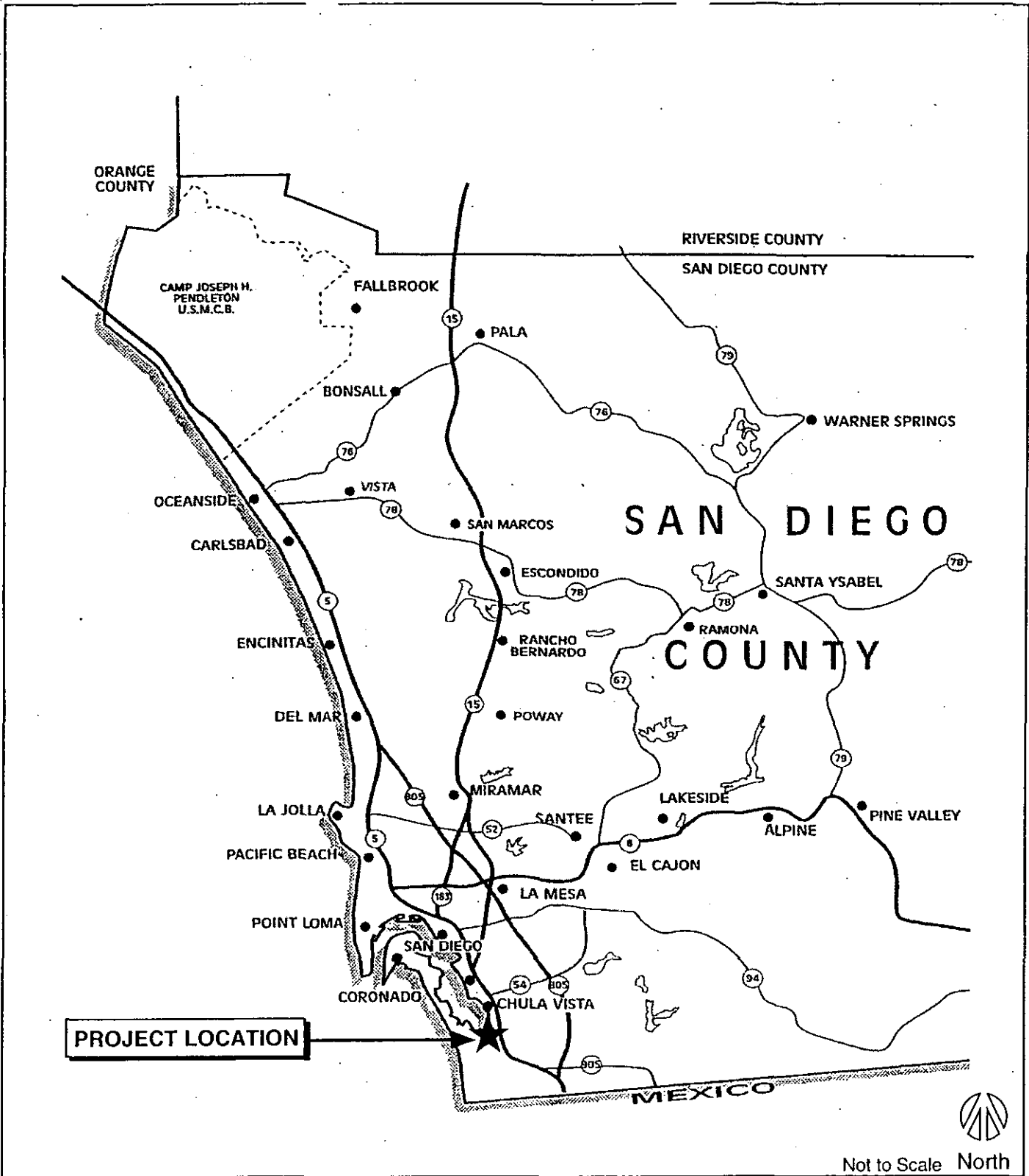
County of San Diego  
Department of Planning & Land Use (420)  
County Supervisor, Greg Cox

State of California  
Resources Agency  
Department of Transportation (Caltrans), District 11  
Department of Fish and Game  
Department of Conservation  
Regional Water Quality Control Board, Region 9  
California Coastal Commission  
Department of Parks and Recreation  
State Clearinghouse  
State Lands Commission  
Department of Biology, San Diego State University

Federal Government  
U.S. Fish and Wildlife Service  
Federal Highway Administration  
U.S. Army Corps of Engineers

Other  
San Diego Unified Port District, Melissa Mailander  
San Diego Association of Governments, Stephan Vance  
San Diego Metropolitan Transit Development Board  
San Diego & Arizona Eastern Rail Company  
City of Chula Vista, Planning Department  
City of Imperial Beach, Greg Wade  
City of National City, Planning Department  
City of Coronado, Ann McCall  
Fenton-Western Salt Company  
Otay Valley Regional Park - JPA, Vicki Touchstone  
Sierra Club  
San Diego Earth Times  
San Diego Audubon Society  
Center for Biological Diversity  
Endangered Habitats League  
Citizen's Coordinate for Century III

San Diego County Archaeological Society  
Save Our Heritage Organisation  
Otay/Nestor Community Planning Group  
San Diego Baykeeper  
San Diego County Bicycle Coalition  
Kimley-Horn and Associates, Inc., Dennis Landahl  
BRG Consulting, Inc., D. Sean Cardenas  
Shauna Wolf  
Richard Hamilton, San Diego Rail  
Craig Nicholas  
Marie Burke Lia



Source: Tierra Environmental Services, 2001.

4/26/02

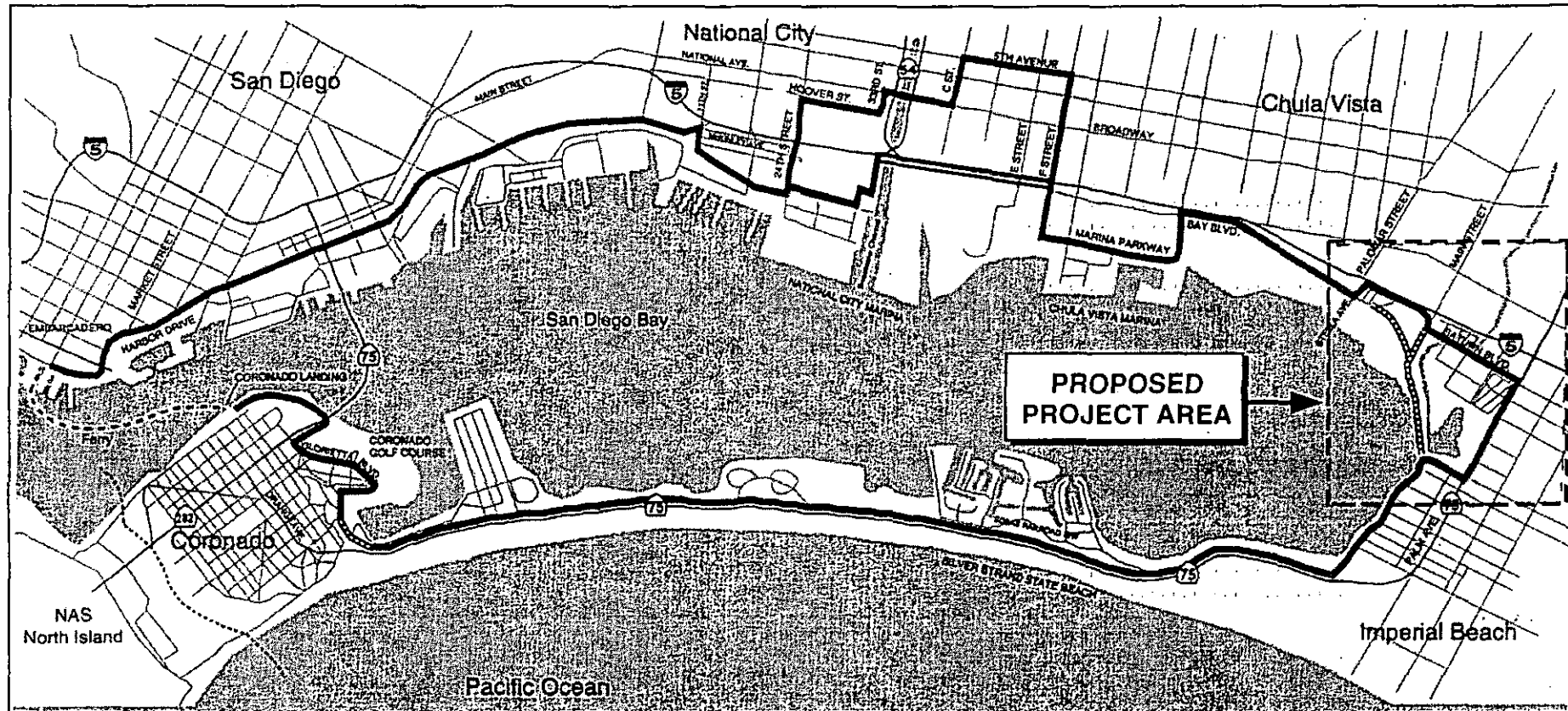


Bayshore Bikeway - Western Salt Segment

### Regional Location Map

**FIGURE**

**1.1-1**



LEGEND	
	Existing Bikeway Segments
	Proposed Bikeway Improvements
	Approved Bikeway Improvements - Under Construction



North

Not to Scale

SOURCE: SANDAG, 1997.

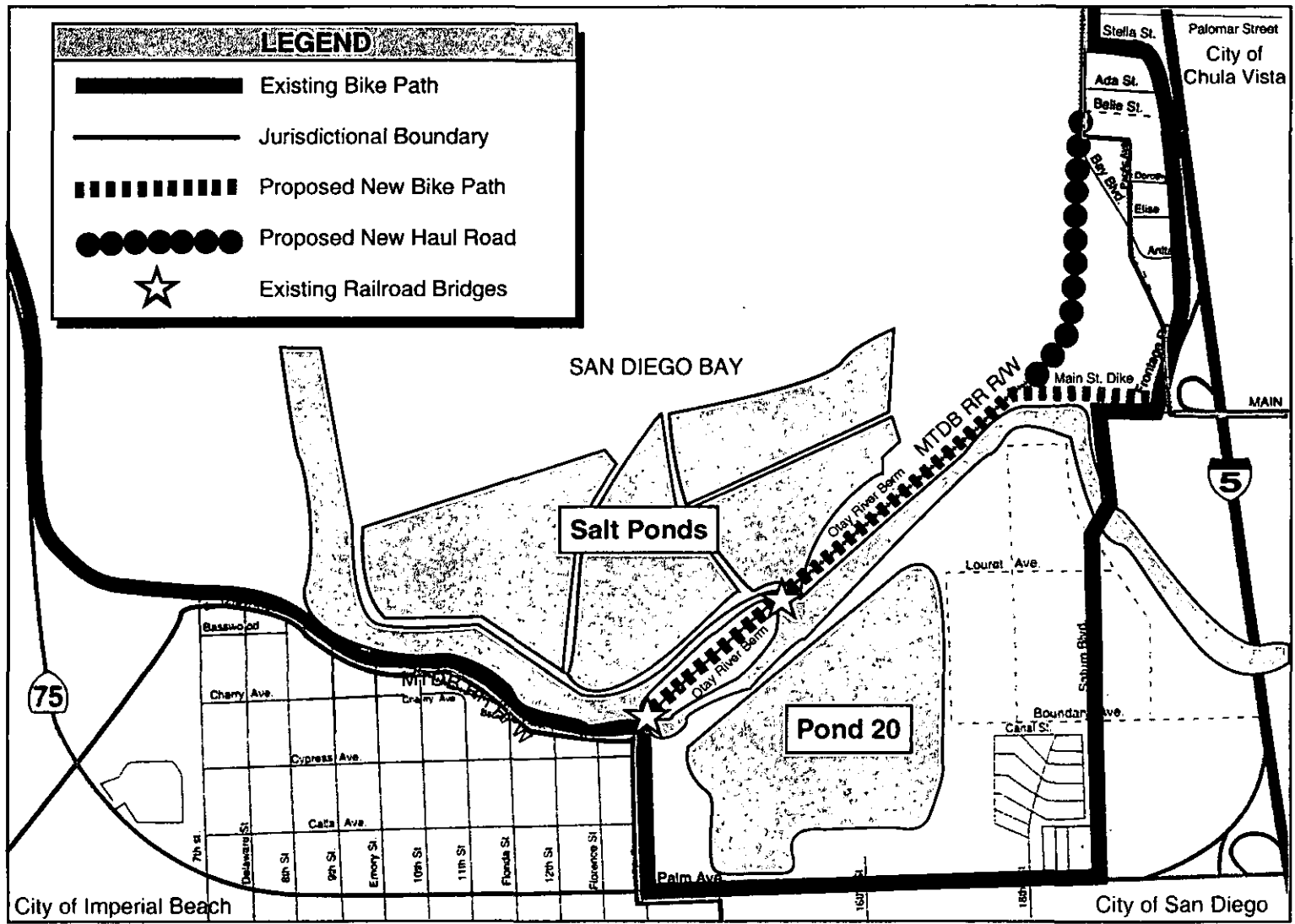
7/17/02

Bayshore Bikeway - Western Salt Segment

### Existing and Proposed Bikeway Segments

**FIGURE  
1.1-2**





SOURCE: SANDAG, 1999 and BRG Consulting, Inc., 2002.

7/16/02



Bayshore Bikeway - Western Salt Segment

**Proposed Western Salt Segment**

**FIGURE 1.1-3**



# Port of San Diego

and Lindbergh Field Air Terminal

(619) 686-6200 • P.O. Box 120488, San Diego, California 92112-0488  
[www.portofsandiego.org](http://www.portofsandiego.org)

January 31, 2003

Mr. Lawrence Monserrate  
Development Services  
1222 First Avenue MS 501  
San Diego, CA 92101

**SUBJECT: BAYSHORE BIKEWAY NOP**

Dear Mr. Monserrate:

The San Diego Unified Port District (Port District) appreciates being given the opportunity to provide comments on the Notice of Preparation (NOP) for the 1.5 mile segment of the Bayshore Bikeway. The Port District is a responsible agency under the California Environmental Quality Act. The following comments are offered for consideration in the preparation of the Environmental Impact Report/Environmental Assessment.

As a result of an impact to the Naval Training Center/Camp Nimitz least tern colony site from the construction of San Diego International Airport's (SDIA) Terminal 2 West, the Port District purchased the Western Salt Company ponds in 1998 to mitigate for this impact. Excluding two parcels, the property title to the ponds was given to the State Lands Commission, who has leased the property to the US Department of the Interior for the establishment of the South San Diego Bay National Wildlife Refuge. The two remaining parcels that the District maintained ownership of were the former Western Salt Company plant site and 95 acres of Pond 20 (see attached map).

Recent legislative actions as part of AB 93 have resulted in the separation of SDIA from the Port District as of January 1, 2003. Since airport funds were used to purchase the former Western Salt Company plant site and portions of Pond 20, the ownership of these properties is currently held by the San Diego County Regional Airport Authority (SDCRAA). The Port District is presently in discussions with the SDCRAA to purchase back Pond 20.

The NOP notes that the EIR will consider an alternative that relocates the bikeway from the San Diego & Arizona Eastern right-of-way through the redevelopment of Pond 20 in sufficient detail to analyze the adverse effects to wetlands and wildlife. As a result of AB 93, the Port District has not developed specific redevelopment plans that would be



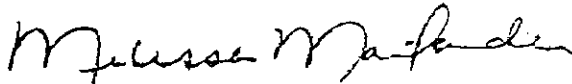
Mr. Monserrate  
Page 2

January 31, 2003

sufficient for analysis under CEQA. A jurisdictional wetland delineation report for the site indicates that Pond 20 consists of approximately 38 acres of Waters of the U.S. and 0.51 acres of Coastal Salt Marsh located in the southerly and western portions of Pond 20. Future redevelopment of the site will need to take these constraints into consideration. Lacking a redevelopment plan for Pond 20, the Port District questions the viability of this alternative to provide meaningful comparative analysis with the proposed project.

We look forward to reviewing the Draft Environmental Impact Report/Environmental Assessment when it is released for public review. If you have any questions regarding the comments above, please feel free to call me at (619) 686-6471.

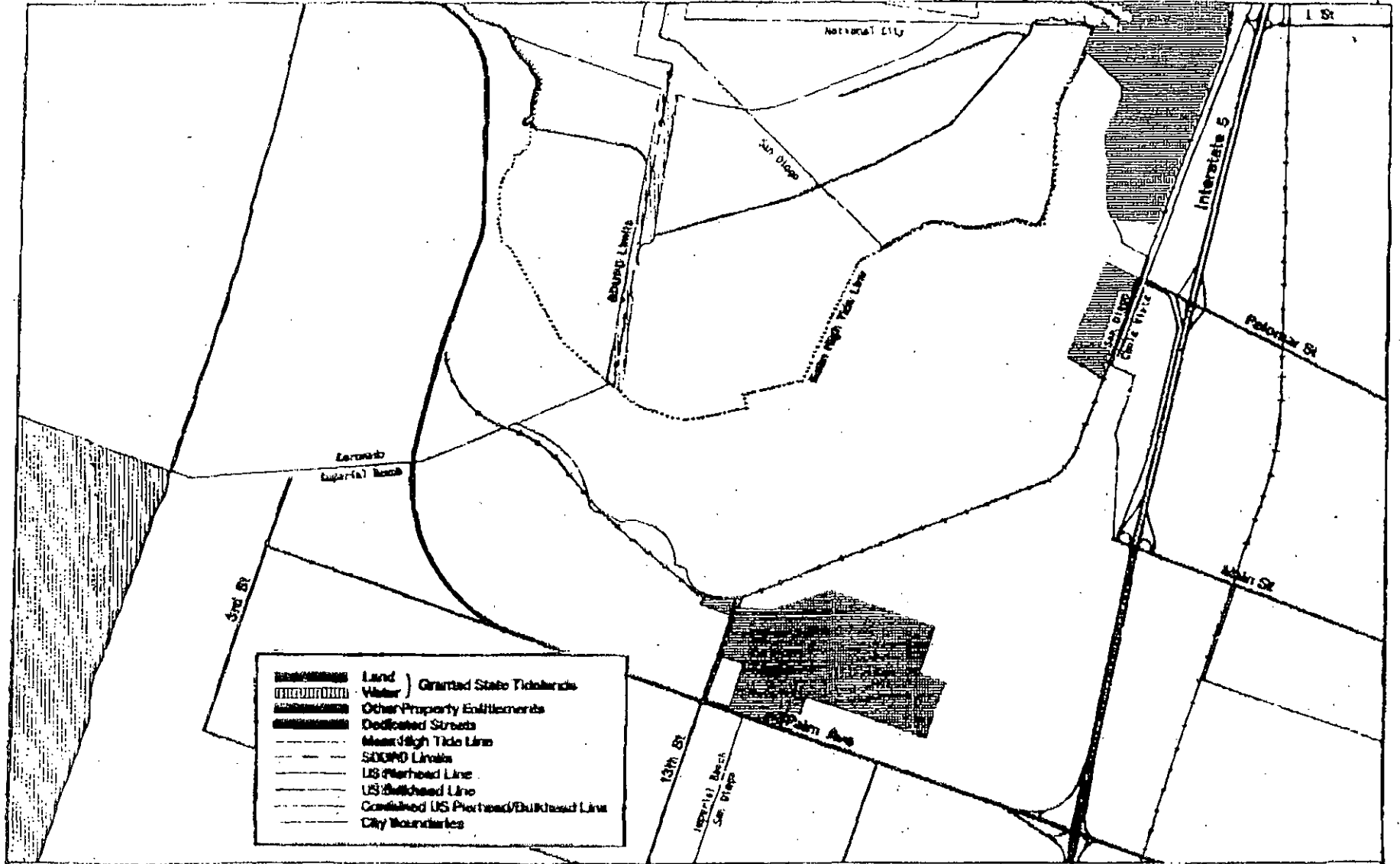
Sincerely



MELISSA A. MAILANDER  
Environmental Review Coordinator

cc: Roy Nail, UPD  
Ted Anasis, SDCRAA

File: 518



- Land
- Water
- Granted State Tidelands
- Other Property Encroachments
- Dedicated Streets
- Mean High Tide Line
- SDCPD Lines
- US Pierhead Line
- US Bulkhead Line
- Confined US Pierhead/Bulkhead Line
- City Boundaries



**Planning District 9**  
**SOUTH BAY SALTLANDS**      **Port District Lands**

Drawn: *Stalio*  
 Check: *Diaper*  
 Date: *1/28/03*  
 Scale: *AS SHOWN*  
 NO. *2004-005*





**SAN DIEGO AUDUBON SOCIETY**  
4891 Pacific Highway, Suite 112 • San Diego CA 92110 • 619/682-7200

February 2, 2003

VIA FACSIMILE: 619/448-5400

Lawrence C. Monserrate  
Environmental Management Review Manager  
City of San Diego  
202 "C" Street  
San Diego, California 92101

Dear Mr. Monserrate:

**Subject: NOP for EIR/EA for Bayshore Bikeway, LDR NO. 40-0378**

The Statement of Work attached to the NOP appears to promise a thorough review of the proposed project. We urge that the analysis include all of the factors stated in that SOW.

The San Diego Audubon Society supports efforts to make transportation by bicycles more attractive in our region. We also support providing opportunities for people to be able to see and enjoy the wildlife of our region. However, we urge these two goals be accomplished in ways that do not degrade habitat value, especially for threatened and endangered species.

**BIOLOGICAL IMPACTS**

As the subject document points out, the bikeway would be immediately adjacent to highly productive wetland and wetland-upland transition habitats that support several threatened and endangered species.

The SOW mentions many biological impacts that must be analyzed. The issue of fencing is very important. A casual fence, such as post and cable, used nearby on the bikeway will allow people and pets to easily cross. A chain-link fence that will somewhat discourage such intrusion will also stop wildlife movement across the bikeway which will have many wildlife implications. A better location would eliminate this Hobson's choice. We urge that fencing and their many impacts be fully analyzed and offset.

**UNINTENDED IMPACTS**

This project will construct a facility that will provide access for bicycle riders, joggers, walkers, dog-walkers, occasional motorbikes and motorcycles, walkers that cross fences and leave the trails, and people looking for a place to consume alcohol or drugs or to spend the night without being observed. It is likely that it will also be used by transients as a place to hide and abandon possessions. All of these happen at pathways near other urban habitat areas. As such, the project will result in substantial unintended noise, damaging of vegetation, compaction of soils, introduction of weed seeds, and disturbance of wildlife.

We urge that the unintended results of the project be fully identified and their impacts be fully analyzed in the EIS/EA. We urge that the document identify what level of policing, as mitigation,

would be required to fully eliminate these impacts. We suspect that the cost would be prohibitive and such mitigation would not be feasible.

**LIGHTING**

Lighting of the bikeway would degrade habitat value in many ways. We urge that the EIR/EA fully identify all aspects of these impacts. Even if the project intends for the bikeway to not be lighted, it is likely that such a remote path will be attractive as a place to rob people using the bikeway. It is likely that after a publicized crime or two, lighting would be demanded. The lighting would then cause severe damage to the wildlife support value of the adjacent habitat. The impacts of this potential lighting should be fully analyzed, even if not intended as part of the project.

**PUBLIC SAFETY**

The NOP does not identify public safety as one of the potential impacts of this project. The fact that people using this path will be far from anyone that could hear a call for help and see nefarious activity is a public safety issue and should be analyzed in the document. Also, cautious bicycle riders are likely to not use the path, especially at night. This means that they will have to use regular streets that do not have adequate facilities for bicycles. We urge that the public safety benefits of an alternative route close to the developments along Palm Avenue be fully analyzed in the EIR/EA.

**CONSTRUCTION IMPACTS**

The construction of this bikeway will result in a high level of disturbance to wildlife. We urge that these impacts be fully identified and mitigation measures to offset them be implemented. We are particularly concerned with the use of crushed rock products on sites like this. These products are often used to help stabilize soft soils. A lot of this material escapes, either as it is being handled or after it is put in place. When it gets into a wetland or near-wetland area, it degrades the habitat value for many invertebrate, insect and plant species as well as many rodents. These are important parts of the food chain, and their loss will impact species above them on the food web.

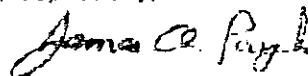
This project will require installing and probably removing many pilings. Both operations will resuspend sediments into the water that may well be contaminated. We urge that the EIR/EA define measures to identify such risks and to avoid any negative impacts to water quality.

**ALTERNATIVES**

The SOW mentions the need to identify project alternatives that will not damage wetlands. We urge that the EIR/EA identify and fully consider a route that would be close to the developed areas along Palm Avenue. A route that would temporarily use the berm around Pond 20 might be considered. A better alternative alignment would have many potential advantages that should be identified and analyzed such as: less impact to wildlife, less impact to wetlands, less impact to water quality, safer for bikeway users, less likely to be used for criminal activities, better access to the bikeway for users coming from the Nestor area, and better integration with the development planned for the south end of pond 20.

For questions or follow-up, the undersigned can be reached at 619-224-4591 or paugh@cox.net. Please keep us informed of the future stages of this project.

Respectfully,



James A. Paugh  
Coastal and Wetlands Conservation Chair

02/05/2003 06:47

NO. 730 012

02/04/03 11:21

CITY OF S LDR → 95333071

NO. 314 P002/003

707 576 0175

Feb 03 03 04:53p

Susan Brandt-Hawley

707-576-0175

p. 1

## BRANDT-HAWLEY LAW GROUP

Environment/Preservation

Susan Brandt-Hawley  
Anne Cottrell

Chauvet House PO Box 1659  
Glen Ellen, California 95442

Legal Assistants  
Sara Hews  
Rachel Howlett  
Shannen Jones

February 3, 2003

Ken Teasley  
City of San Diego  
Development Services Department  
Land Development Review Division  
by fax 619-446-5499

Re: Notice of Preparation  
Bayshore Bikeway Joint EIR/EA

Dear Mr. Teasley:

Thanks very much for returning my telephone call today. As I mentioned, I am interested in the Bayshore Bikeway project and am writing on behalf of the Save Our Heritage Organisation (SOHO). By way of introduction, and in case you wonder about the Glen Ellen Address, my law practice focuses on historic preservation issues throughout California. Among the cases we have handled are *Friends of Sierra Madre v. City of Sierra Madre* and *League for Protection of Oakland's Architectural and Historic Resources v. City of Oakland*.

The record in this matter contains significant information regarding the historic status of the Coronado Rail Line, and despite the reversal of the decision of the State Historic Resources Commission, there remains substantial evidence to support a fair argument of the rail line's historicity. I appreciate that the scope of the City's environmental document is to include "an up-to-date Historic Resources Evaluation Report" on the rail line and right of way, and SOHO offers its assistance in providing information and support for the protection of this significant historic resource. The project's impacts on the entire line's integrity and reuse should be considered rather than limiting review to any isolated segment.

On a procedural point, while the City's January 3, 2003, scope of work anticipates review by the City of San Diego Historic Resources Board (HRB) Policy Subcommittee, the matter should be submitted to the full board of the HRB for determination of significance. Also, formal rail line abandonment procedures through the Federal Railway Administration would be needed to implement the project as proposed.

707.938.3908 • 707.576.0198 • fax 707.576.0175 • susanbh@econet.org

02/05/2003 06:47

02/04/03 11:21

CITY OF S. LDR → 95333071  
rdr are 0173

NO. 730 003  
NO. 314 P003/203

Feb 03 03 04:53p

Susan Brandt-Hawley

707-576-0175

p. 2

Ken Teasley  
February 3, 2003  
Page 2

SOHO is hopeful that the environmental review process will result, as intended by the Legislature, in development of a feasible project alternative that will not result in harm to the rail line. It appears that Project Alternative C, the Redevelopment Pond 20 Alternative, may in fact successfully accomplish project objectives without compromising the rail line. This very promising alternative should be considered in significant detail in order to provide a clear picture of its feasibility.

Thank you very much for considering these comments.

Sincerely yours,



Susan Brandt-Hawley

cc: SOHO

02/12/2003 07:01

NO. 823 000

02/11/03 11:32 CITY OF S.D. LDR → 95333071

NO. 563 P002/003

Bayshore Bikeway NOP

- 2 -

February 5, 2003

c: file MF 457  
Greg Wade, Community Development Director  
Jacque Hald, City Clerk  
Hank Levien, Public Works Director

02/05/2003 06:47

01/28/03 11:32 LDR → 55333071  
16195756913

JAN-24-2003 FRI 03:15 PM TIJUANA ESTUARY

NO. 730 P. 02

NO. 000 P002/002

FAX NO. 16195756913

December 18, 2002

William G. Abbott  
Assistant Resource Ecologist  
Tijuana Estuary

John Alabado  
City of San Diego  
1222 First Avenue, MS-501  
San Diego CA 92101-5155

Re: Bayshore Bikeway  
SCH#2002121129

Thank you for giving us the chance to comment on the Bayshore Bikeway. As land managers in the Tijuana Valley we have a great deal of interest in the projects that go on adjacent to the Tijuana River Valley.

The Coastal Conservancy has recently applied for grant money to design a trail system for the Tijuana River Valley. It would be beneficial to design the Bayshore Bikeway to connect to the Tijuana River Valley. A route down Saturn Blvd. would seem the easiest. Contact Mary Niez, Project Manager for the San Diego County Department of Parks and Recreation.

We also feel that the Bikeway should skirt the bay and not use the old railroad trestle. The old Railroad trestle route would fragment clapper rail, and Belding's savanna sparrow habitat.

Thank you



William G. Abbott

cc. Tom Wyant Natural Resources Division



The City of  
Imperial  
Beach

(619) 628-1356  
FAX: (619) 428-9770

COMMUNITY DEVELOPMENT DEPARTMENT  
825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932



February 5, 2003

Lawrence Monserrate, Environmental Review Manager  
City of San Diego  
Development Services Department  
1222 First Avenue, MS 501  
San Diego, CA 92101

RE: LDR #40-0378; Notice of Preparation of a Draft EIR/EA for the Western Salt Segment of the Bayshore Bikeway

Dear Mr. Monserrate:

The City Of Imperial Beach offers three comments with respect to the above-referenced notice:

1. Your consultant for this project, BRG Consulting, should contact our Public Works Director, Hank Lavien, at (619)-628-1369 and Joan Cardellino, California Coastal Conservancy Program Manager, at (510) 288-4093, for an accurate depiction of the existing bayshore bikeway alignment that may run through our city limits. Figure 1.1-3 shows the existing bike path lying outside of our city limits. Our City Engineer, Gordon Axelson of BDS Engineering, provided our city with a recent land survey of the facilities relative to the parcels along the bay. There may also be some existing Offers-To-Dedicate (OTD) vested with the Coastal Conservancy that may relate to this project.
2. In your January 3, 2003 letter describing the scope of work for the environmental document, you request your consultant to provide a project description in Section I and another one in Section III. Did you intend to require Section I to provide an EIR summary pursuant to EIR Guidelines Section 15123 instead of a project description?
3. In your scoping letter of January 3, 2003, you request your consultant to discuss the cumulative impacts of this project in conjunction with other projects within the Otay Mesa Nestor Community Planning Area. Your consultant should consider the information provided in the EIR (SCH 2001031019) for the TEA-21 Silver Strand Improvement Project which proposed improvements to the bikeway along SR 75 within the City of Coronado and within the City of Imperial Beach.

Thank you for the opportunity to comment on this notice. You may contact me at 619-628-1356 or at [jnakagawa@cityofib.org](mailto:jnakagawa@cityofib.org) if you have any questions.

COMMUNITY DEVELOPMENT DEPARTMENT

  
Jim Nakagawa, AICP  
City Planner

Scoping Meeting Comments



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
San Diego National Wildlife Complex  
2722 Loker Avenue West  
San Diego, CA 92008

Carlsbad Fish and Wildlife Office  
2730 Loker Avenue West  
Carlsbad, CA 92008



In Reply Refer To:  
FWS-SDG-3172.1

OCT 10 2002

Lawrence C. Monserrate, Assistant Deputy Director  
City of San Diego  
Development Services Department  
1222 First Avenue, MS 302  
City of San Diego, California 92101-3864

Re: Bayshore Bikeway within Western Salt Processing Area, City of San Diego, California

Dear Mr. Monserrate:

The U.S. Fish and Wildlife Service (Service) has reviewed your Public Notice distributed on September 24, 2002, to prepare an Environmental Impact Report (EIR) for a 1.5-mile segment of a Class I Bayshore Bikeway along the Metropolitan Transit Development Board (MTDB)/San Diego & Arizona Eastern Railway right-of-way and haul-road within the Western Salt processing plant. The comments presented below were jointly prepared by the San Diego National Wildlife Refuge Complex and the Carlsbad Fish and Wildlife Office and address subjects that should be evaluated in the EIR that is prepared for the project.

As a technical note, the "Subject" section of your Public Notice identified the project site as bordering "... the proposed South San Diego Bay Unit and Stewardship Project San Diego National Wildlife Refuge...". The South San Diego Bay Unit of the San Diego National Wildlife Refuge (South Bay Refuge) was established on June 16, 1999, and is not being "proposed" as stated in the Public Notice. This Unit of the San Diego National Wildlife Refuge was established to protect federally listed threatened and endangered species (California least tern, light-footed clapper rail, brown pelican, and western snowy plover) and migratory birds. The importance of this area to migratory birds was demonstrated by the American Bird Conservancy's designation of south San Diego Bay as a "Globally Important Bird Area" as well as by the area's designation as a Western Hemisphere Shorebird Reserve Network Site. In addition, the State endangered Belding's savannah sparrow also occurs in pickleweed habitat adjacent to the proposed bikeway alignment.

This segment of the proposed bikeway alignment bisects the South Bay Refuge, separating the northern two-thirds of the Refuge consisting of open bay, salt ponds and levees from the lower one-third of the Refuge that is dominated by the Otay River and its floodplain. The Service is

Lawrence C. Monserrate (FWS-SDG-3172.1)

2

currently preparing a Comprehensive Conservation Plan (CCP) for the South Bay Refuge for public review and comment that will identify potential alternatives to modify the existing landscape of the salt ponds and the Otay River floodplain for the purpose of benefiting threatened and endangered species and migratory birds. While the Service is not opposed to the development of the Bayshore Bikeway, we have several concerns that should be addressed in the draft EIR. These concerns are addressed below under separate subheadings.

#### **Use of Existing Documents and Letters Prepared for the Project**

The discussion of biological species and habitats in the EIR should include information presented in Tierra Environmental Service's "Biological Resources Analysis For The Proposed Western Salt Segment Of The Bayshore Bikeway" dated May 1, 2001, that was prepared for BRG Consulting Inc., San Diego, California. We recommend updated surveys be conducted for the federally endangered light-footed clapper rail along the lower Otay River and the State endangered Belding's savannah sparrow in pickleweed habitat adjacent to the proposed bikeway alignment. We also recommend the existing dike that supports the railroad track be surveyed for the presence of burrowing owls. This survey information should be presented in the EIR.

Included in Appendix E of the above referenced document was a Service letter dated July 21, 1998, to Chris Nordby, Tierra Environmental Services (copy attached) on measures that could be incorporated into the project to minimize and avoid effects to listed species. These measures included: (a) the construction of a fence between the salt ponds and the proposed bike path to specifically protect a host of ground nesting birds (i.e., California least tern, western snowy plover, elegant tern, royal tern, caspian tern, gull-billed tern, black skimmer, Forster's tern, black-necked stilt, and a variety of gull and shorebird species); and (b) the establishment of a \$50,000 escrow account (in lieu of estimated cost projected by the project consultant to construct a second fence on the southern perimeter of the bikeway alignment) to be used for predator management or habitat restoration activities that would specifically benefit the State and Federal endangered light-footed clapper rail. After further consideration we have determined that fence should be placed on both sides of the proposed bike path. The fence type and installation should follow specifications outlined in the July 21, 1998 letter.

The proposed bikeway was also addressed in a Service letter dated April 27, 2001, to Jane Smith, California State Lands Commission (copy attached) on the potential of the proposed alignment to limit future efforts to restore tidal influence to the Otay River floodplain and impact sensitive avian species that occur on the South Bay Refuge. As discussed in this letter, the Service is currently analyzing several restoration alternatives for the Otay River floodplain as part of the current CCP effort. Each of the restoration alternatives under consideration would result in increases to the existing tidal prism upstream of the existing railroad bridges that cross the Otay River channel, as upland areas are excavated to achieve hydrological elevations capable of supporting cordgrass (*Spartina foliosa*) habitat for the light-footed clapper rail. The proposal to restore the lower Otay River floodplain, if deemed appropriate, may result in the need to make modifications to the existing railroad bridge structure (i.e., removal of some of the bridge pilings and/or increasing the length of the bridge). Should current studies being conducted for the

Lawrence C. Monserrate (FWS-SDG-3172.1)

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Service indicate that one or both of the existing railroad bridges could constrict tidal flows needed to support the desired restoration, we would look to the City of San Diego and its consultants to cooperate with us in implementing any bridge modifications that may be necessary to ensure adequate tidal restoration of the Refuge lands located south of the bikeway.

The second issue addressed in our letter related to the need to minimize effects to shorebirds, particularly migratory birds. Increased human activity in the vicinity of Ponds 20 and 22 (i.e., the salt ponds immediately north of proposed Bayshore Bikeway alignment) could alter historic foraging and nesting activities by resident and migratory birds that use these ponds. Therefore, we recommend that the draft EIR include the evaluation of an alternative alignment for the Bayshore Bikeway that would avoid the use of the existing railroad right-of-way in the vicinity of these ponds. This alternative should evaluate a project alignment that follows the existing bike path on Saturn Boulevard and would head west crossing the abandoned salt production pond known as Pond 20A that is owned by the Port of San Diego. It is our understanding that the Port of San Diego is currently evaluating the potential for using Pond 20A for future commercial development or mitigation purposes. A full analysis of this alternative alignment is significant as this alternative would move the bikeway away from sensitive migratory bird populations within the South Bay Refuge and still allow the public unrestricted views of San Diego Bay and the Refuge. We recommend a joint meeting be held with the City of San Diego, Port of San Diego, and the Service to discuss this alternative alignment.

The subjects raised in the Service's July 21, 1998, and April 27, 2001, letters should be specifically addressed in the EIR prepared for the project.

#### **Compliance with the Multiple Species Conservation Program (MSCP)**

The proposed project lies entirely within the Multiple Habitat Planning Area (MHPA) of the City of San Diego Subarea Plan, Southern area. Issues related to conservation program and the preserve area that at a minimum should be addressed in the EIR include: (a) water runoff associated with paved surfaces; (b) lighting; (c) noise; (d) control of non-native plants; and (e) the extent and time schedule associated with grading and construction activities.

#### **Timing of Construction and Grading Activities**

The timing of grading and construction activities should be restricted during the breeding season of the California least tern (April 1 through September 15), western snowy plover (March 1 through September 15), light-footed clapper rail (March 1 through August 30), and Belding's savannah sparrow (January 15 through July 31). If any construction work is proposed during the breeding seasons identified above, then the draft EIR should describe the type of construction activities that would be performed, the number and type of construction vehicles and construction workers associated with the activity proposed, the anticipated noise level (i.e., number in decibels) of the work proposed to be performed, and any measures that would be incorporated into the construction activity to minimize or avoid effects to species noted above.

Lawrence C. Monserrate (FWS-SDG-3172.1)

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### **Compensation for the Loss of Wetlands Impacts**

All permanent and temporary impacts to wetlands within the jurisdiction of the U.S. Army Corps of Engineers, Regulatory Branch and California Department of Fish and Game should be quantified and addressed in the EIR. The EIR should provide a conceptual wetland restoration plan to offset the anticipated permanent and temporary wetland losses that would result from the project. The wetland plan should address the location of the wetland restoration, the tidal elevations that would be created as part of the restoration effort, the wetland plants that would be used for restoration, success criteria that would be used to evaluate the performance of the restoration, monitoring techniques that would be used to evaluate the restoration performed, and reports that would be prepared concerning the restoration project for the Service, California Department of Fish and Game, California Coastal Commission, and U.S. Army Corps of Engineers, Regulatory Branch.

### **Salvaging of Native Plants**

The railroad right-of-way, where the bikeway alignment is proposed, has several native plant species that should be salvaged and transplanted prior to construction. Two plant species warranting special attention in this regard are coastal cholla (*Opuntia prolifera*) and boxthorn (*Lycium californicum*). Salvaged plants should also be replanted within the project right-of-way where ground disturbance has occurred during project construction. The Service can provide technical assistance in this process to ensure that plant salvage of maritime succulent scrub and other native vegetation is optimized.

### **Repair and Maintenance of the Proposed Bikeway Facility**

Long-term maintenance of the bikeway, as well as the fence that the Service is advocating should be placed between the proposed bikeway and the salt ponds, must be addressed in the draft EIR. The Mitigation, Monitoring, and Reporting Program should identify the entity responsible for routine maintenance and the timely repair of the bikeway and associated facilities over the life of the project, as well as describe the maintenance and monitoring schedule that would be followed to ensure that the bike facility is being maintained as proposed. Requirements for the timely repair of any holes cut in the fence or significant damage done to the fence posts should be specified, as such damage could facilitate access by people or feral dogs and cats to the salt pond levees where hundreds of ground nesting birds could be disrupted. Disruption of colonial seabird nests over a period of several days can result in abandonment of the nesting colony. This is significant since there are several State and federally listed species that nest at the salt works. Therefore, the EIR must address how the City of San Diego will ensure a rapid response for the need of immediate fence repairs.

### **Trash Clean-up and Removal**

The EIR should address how often trash would be picked up along the bike path and who would be the responsible party for conducting this effort. The frequent and thorough pick-up and disposal of trash is extremely important in minimizing the attraction of predatory birds (i.e., crows, ravens, gulls), rats, skunks, and other mammals that prey upon colonial seabird chicks and eggs.

Lawrence C. Monserrate (FWS-SDG-3172.1)

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**Interpretative Signs and Overlooks along the Bikeway**

In an effort to develop an appreciation for the regionally significant biological resources that would occur on both sides of the bikeway by the individuals using the facility, the Service would recommend the incorporation of appropriately placed interpretive signs and overlooks along the bikeway. Such facilities must be strategically located in areas that provide good visual access into sensitive areas, while also avoiding added disturbance in particularly sensitive locations. We encourage the City of San Diego to coordinate this effort with Refuges to ensure optimum benefit from such interpretive elements.

**Enforcement and Monitoring of Bikeway Users Following Project Completion**

Once this facility is opened to the public, this area will experience a significant increase in human activity. This increase in activity could result in potentially significant impacts to the surrounding resources, as well as impact the Service's current law enforcement capabilities, should Refuge law enforcement be redirected away from other areas within the three coastal refuges to address issue in an area that was previously closed to public activity. Therefore, the EIR should include a discussion of potential direct and indirect long-term impacts to Refuge resources and overall management as a result of project completion. Effective and enforceable measures should be described and incorporated into the scope of the project. Such measures could include, but are not limited to, periodic patrol of the bikeway by City law enforcement personnel; the establishment and maintenance of a volunteer trail patrol which can monitor users and educate the public about the need to comply with established regulations; the provision of informational kiosks at major trailheads; and the development of multi-lingual brochures that outline the regulations and describe the significance of the resources that surround the bikeway.

The Service appreciates this opportunity to provide input into subjects we believe should be addressed in the draft EIR. Given that the Notice of Preparation and scoping letter have not yet been distributed, we may raise new issues of concern based on any additional information that becomes available through the scoping process. Your primary points of contact for this project should be Mendel Stewart (760) 930-0168 and Tom Reed (619) 575-2704 of Refuges and Martin Kenney (760) 431-9440 of Ecological Services.

Sincerely,



G. Mendel Stewart  
Project Leader, San Diego  
National Wildlife Refuge Complex



Peter Sorensen  
Acting Assistant Field Supervisor  
Ecological Services

Enclosures (2)

Lawrence C. Monserrate (FWS-SDG-3172.1)

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cc: CDFG, San Diego, CA (Attn: Libby Lucas)  
CCC, San Diego, CA (Attn: Diana Lilly)  
RWQCB, San Diego, CA





## United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
Carlsbad Field Office  
2730 Loker Avenue West  
Carlsbad, California 92008

JUL 21 1998

Mr. Chris Nordby  
Tierra Environmental Services  
9903-E Businesspark Avenue  
San Diego, California 92131-1120

Re: Proposed Bayshore Bikeway through Western Salt Property, San Diego, California

Dear Mr. Nordby:

The U.S. Fish and Wildlife Service (Service) has reviewed your letter dated June 7, 1998 regarding the proposed establishment of an escrow account to offset indirect impacts to the light-footed clapper (*Rallus longirostris levipes*), a federal and state listed endangered species. The monies deposited in the proposed escrow account would specifically be used for future clapper rail habitat restoration project(s). In your letter you requested concurrence from the Service with this concept as a means to offset indirect project impacts to this endangered species. This letter addresses this subject along with identifying other issues associated with the project needing clarification.

Martin Kenney of my staff discussed the concept of an escrow account and potential monies available that could be deposited in an account with you in a July 10, 1998 telephone conversation. It is our understanding that approximately \$50,000 could be made available for the account. We believe the establishment of a \$50,000 escrow account would be suitable compensation for indirect project impacts to this species. This money should also be made available for predator management activities in addition to habitat restoration.

The account would need to be set-up concurrent with the receipt of a U.S. Army Corps of Engineers permit for the project. The Service would like to discuss who would administer the escrow account. A chief concern of our agency is the identification of an appropriate entity who has low costs associated with administering this account. We also need to specifically identify specific state and federal personnel who would have access to monies within the escrow account.

Two other federally listed endangered species that may be affected by the proposed project not mentioned in your letter are the California least tern (*Sterna antillarum brownii*) (tern) and the western snowy plover (*Charadrius alexandrinus nivosus*) (plover). Potential affects to these species could occur from people and/or dogs utilizing the proposed bikeway path and entering Western Salt property where these birds nest. In an effort to minimize unauthorized entry onto the salt dikes we requested that a fence be constructed between the bikepath and the Western Salt property. Such a fence is mentioned on page two of your letter and should be considered a necessary project feature. The fence should be a 7 1/2 foot tall chain-link security fence with

Mr. Chris Nordby

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18 inches of the bottom portion fence buried so that the height of the fence above ground would have a minimum height of 6 feet. The chain-link security fence should consist of approximately 1 inch mesh for the purpose of minimizing attempts by persons who may want to climb the fence. In addition at the top of the 6 foot fence there should be a 14-inch cantilever top that is directed back towards the bikeway at a 45 degree angle. This cantilever extension would eliminate dogs, cats and coyotes that may attempt to climb the fence and are known predators of the tern and plover. The starting and ending points of the proposed fence need to be identified and agreed to by the Service, California Department of Fish and Game and Fenton who is the adjacent landowner.

Another issue of concern relating to the proposed bikeway is efforts to minimize project affects to the Belding's Savannah sparrow (*Passerculus sandwichensis beldingi*), a state listed endangered species. The Service requests information regarding specific measures to be incorporated into the project to avoid or minimize affects to the species. We recommend construction of the bikeway be scheduled to avoid the nesting season of both the light-footed clapper rail and the Belding's Savannah sparrow.

A final issue of concern is the potential for presence of burrowing owls on the dikes where the bikepath is proposed to be constructed. The Service would like to know if there have been any surveys to document the presence or absence of this species in the project area. If owls are present they will need to be relocated in accordance with a plan approved by California Department of Fish and Game and the Service.

We appreciate your on-going informal consultation efforts to resolve wildlife issues, particularly those relating to federal and state listed species prior to submittal of a 404 permit pursuant to the Clean Water Act. The light-footed clapper tail, California least tern and western snowy plover will be addressed through formal section 7 consultation pursuant to the Endangered Species Act. The Service is attempting through the informal consultation process to avoid and minimize affects to federally listed species before formal consultation is initiated by the Corps of Engineers. We suggest a meeting be held in the immediate future to discuss the above raised issues. Please contact Martin Kenney of my staff at (760) 431-9440 if you have any questions regarding this letter or wish to discuss an appropriate meeting date.

Sincerely,

  
Sheryl L. Barrett  
Assistant Field Supervisor

cc: Corps of Engineers, San Diego, CA. (Attn: D. Zoutendyk)

Mr. Chris Nordby

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Division of Wildlife Refuges, Carlsbad, CA. (Attn: D. Rundle)  
California Department of Fish and Game, San Diego, CA. (Attn: B. Tippetts)



(IN REPLY REFER TO)

United States Department of the Interior  
FISH AND WILDLIFE SERVICE

SAN DIEGO NATIONAL WILDLIFE REFUGE  
2722 Loker Avenue West, Suite D  
Carlsbad, California 92008

April 27, 2001

Ms. Jane Smith  
Public Land Management Specialist  
Southern California Region  
California State Lands Commission  
100 Howe Avenue, Suite 100-South  
Sacramento, California 95825-8202

Dear Ms. Smith:

Over the past several years, the U.S. Fish and Wildlife Service has been coordinating with the City of San Diego and SANDAG's Bayshore Bikeway Policy Advisory Committee to resolve issues related to the alignment and construction of the southeastern segment of the Bayshore Bikeway (File Ref: PRC 8075.9). This coordination is necessary in order to address endangered species issues and other potential conflicts between the bike path and the newly established South San Diego Bay Unit of the San Diego National Wildlife Refuge (South Bay Refuge). The South Bay Refuge, which is managed by the U.S. Fish and Wildlife Service, San Diego National Wildlife Refuge Complex, was established in 1999 for the purpose of preserving endangered and threatened species. During the refuge establishment planning process, concerns were raised about the impact the Refuge would have on the Bayshore Bikeway. In response to these concerns, the planned route for the bike path, which is proposed to follow an existing railroad right-of-way, was excluded from the management authority of the Refuge. As a result of this action, the bike path alignment bisects the Refuge, separating the northern two-thirds of the Refuge from the lower one-third containing the Otay River floodplain.

While we support the development of the Bayshore Bikeway, we have two concerns related to the currently proposed alignment. First, we are concerned that the proposed alignment could limit future efforts to restore tidal influence to the Otay River floodplain. The second concern relates to the bike path's potential impact to avian populations occurring on the Refuge. This letter addresses these concerns:

The National Wildlife Refuge System is composed of over 525 units located in all 50 states and many U.S. Territories. In 1997, the National Wildlife Refuge System Improvement Act was signed into law. This Act addressed a variety of topics, two of which are particularly relevant. The Act clearly established the mission of the Refuge

System, which is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans. In addition, the Act requires that all refuges in the System develop a CCP that addresses all aspects of wildlife management and the uses by the public of National Wildlife Refuges. The Act requires active public involvement in the development of the CCP. We are currently in the process of developing a CCP for the South Bay Refuge and have held five public meetings to date, focusing primarily on wildlife management and restoration of wildlife habitats.

As part of the CCP process, we have identified a variety of restoration and management options that we believe will help to meet both the mission of the National Wildlife Refuge System and the purpose for which the South San Diego Bay Refuge was established. These restoration and management options will be combined to form the alternatives that will be fully analyzed in the CCP. While the final combination of options has yet to be decided, it is likely that one or more of the alternatives will involve a proposal to restore wetland habitats within the Otay River floodplain, an area located to the south of the existing railroad right-of-way. The emphasis of the Otay River floodplain restoration effort would be on restoring tidally influenced habitat to support recovery efforts for the Light-footed clapper rail, a state and Federal endangered species.

We are currently in the process of determining the optimal extent of restoration and the tidal prism necessary to restore tidal influence to this area. Preliminary hydrologic analysis indicates that the current configuration of the western railroad bridge could limit tidal exchange between the bay and an expanded tidal prism south of the railroad right-of-way if the restored area is greater than 100 acres. Therefore, large-scale restoration, if deemed appropriate, may result in the need to make modifications to the existing bridge structure (i.e., removal of some of the bridge pilings and/or increasing the length of the bridge). We would look to the City of San Diego and its consultants to cooperate with us in implementing any modifications to the western bridge that may be necessary in order to ensure adequate tidal restoration of the Refuge lands located south of the bikeway.

In addition to these potential hydrologic constraints, we are also concerned that the proximity of the bikeway to the breeding, foraging and resting avian populations could negatively impact species protected under the Endangered Species Act. We have been working with the City of San Diego to address these concerns and have asked for additional measures to be incorporated into the project design. These measures include fencing on one or both sides of the bikeway as it bisects the Refuge and a commitment from the City of San Diego to provide for maintenance of the fence and other associated project features.

The public's use and enjoyment of the both the San Diego Bay and Refuge are very important and we support efforts underway to construct the Bayshore Bikeway, however,

we believe that the current alignment which bisects the Refuge should be used as an interim route. We have been informed that the San Diego Unified Port District and the Cities of Imperial Beach and San Diego are considering construction of a commercial development south of the Refuge in an abandoned salt production pond known as Pond 20A. This development, if constructed, is envisioned to include a segment of the Bayshore Bikeway that would serve to provide the same "around the bay" experience on a slightly altered route from that which is currently proposed. We would encourage SANDAG and the Bayshore Bikeway Policy Advisory Committee to explore this opportunity for ultimately rerouting the bike path away from sensitive biological resources.

Through our CCP process, we are developing a long-term vision of South San Diego Bay whereby both the public and wildlife benefit. We believe that the public will benefit in the short-term by construction of the Bayshore Bikeway as proposed, but in the long-term wildlife would be better served if the bike path were to be rerouted.

If you have any questions, please contact Victoria Touchstone, Refuge Planner, at (619) 691-1185 or me at (760) 930-0168.

Sincerely,



G. Mendel Stewart  
Project Leader

cc:

Supervisor Greg Cox, County of San Diego, First District  
Mr. Frank Gaines, City of San Diego, Project Manager,  
Engineering and Capital Projects



# CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL ANALYSIS SECTION (EAS)  
**PUBLIC SCOPING MEETING**

This meeting is held pursuant to the *California Public Resources Code Section 21083.9 et seq.*, and is provided to give the public and interested parties an opportunity to submit comments regarding the potential environmental impacts of the proposed project. This information will be used to develop the scope and content of the proposed environmental document for the project action to be described at this meeting. Please record your comments in the space provided below and submit this form to City staff at the conclusion of the meeting. Thank You.

Project Bayshore Bikeway Date 10/10/02

### Comments

Fencing needed on both sides of the bike path. The South San Diego Bay Unit of the San Diego National Refuge is located on both sides of the bikeway in most areas.

Updated surveys should be done to determine effects to listed plant & animal species.

Name Tom Reed Signature [Signature]  
Address 301 Caspian Way  
Imperial Beach, CA 91902



# CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT

ENVIRONMENTAL ANALYSIS SECTION (EAS)

## PUBLIC SCOPING MEETING

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Project Bayshore Bikeway Date 10/10/02

### Comments

The Western Salt Works is a critical nesting area for several species  
of shorebirds + seabirds including the CA Least Tern + W. Snowy Plover. There are  
currently ~~conflicts~~ problems with pedestrians trespassing in the nesting areas.  
The bike path would increase public traffic + therefore increase the likelihood  
of people trespassing in the nesting area.

Name Shavna M. Wolf - biologist Signature Shavna M. Wolf  
Address 10041 Northrup Pt., San Diego, CA 92126  
email - shawolf@san.rr.com

Use back of sheet if additional space is necessary.





# CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL ANALYSIS SECTION (EAS)  
**PUBLIC SCOPING MEETING**

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Project BAYshore Bikeway Date 10 Oct 02

### Comments

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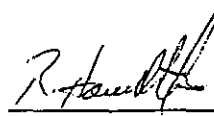
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Name Bruce Coons - SOHO Signature  See Bruce Coons  
Address 2476 SAN DIEGO AVE, SD



# CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL ANALYSIS SECTION (EAS)  
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Project BAYSHORE BIKEWAY Date 10 Oct 02

**Comments**  
PLEASE include me in INTERNATIONAL MAILINGS  
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Name RICHARD HUI HOI - San Diego Rail Signature [Signature]  
Address PO Box 1654  
CHULA VISTA, CA 91912-1654



# CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL ANALYSIS SECTION (EAS)  
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Project Bayshore Bikeway Date 10/10/02

### Comments

The scope of the EIR should consider the impact on the  
San Diego & Arizona Eastern Railway right of way, known as  
the Coronado Branch Line, which was added to the  
California Register of Historic Resources, therefore must be on February 1,  
considered under the California Environmental Quality Act. 2002

Name Craig Nicholas Signature [Handwritten Signature]  
Address Wright & L'Estrange  
701 B Street Suite 1550  
San Diego, CA 92101

Use back of sheet if additional space is necessary.



**CITY OF SAN DIEGO**  
DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL ANALYSIS SECTION (EAS)  
**PUBLIC SCOPING MEETING**

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Project BAYSHORE BIKEWAY Date 10/10/02  
WITH WESTERN SALT PROCESSING  
AREA

Comments

THE U.S. FISH + WILDLIFE SERVICE SUBMITTED WRITTEN  
COMMENTS DATED OCTOBER 10, 2002 ON THE PUBLIC  
SCOPING MEETING. I WANT TO RECEIVE ALL  
NOTICES FOR MEETINGS AND ALL DOCUMENTS  
PREPARED FOR THIS PROJECT.

Name MARTIN J. KENNEY Signature Martin J. Kenney  
Address U.S. FISH + WILDLIFE SERVICE  
2730 LOKER AVE. WEST  
CARLSBAD, CA. 92008

Use back of sheet if additional space is necessary.

# California Environmental Quality Act

## Draft Findings of Fact (Public Resource Code § 21081 CEQA Guidelines § 15091)

and

## Draft Statement of Overriding Considerations (CEQA Guidelines § 15093)

for the  
Final Environmental Impact Report

### Bayshore Bikeway – Western Salt Segment (SCH No. 2002121129) (LDR No. 1901)

## 1.0 Introduction

The following Findings and Statement of Overriding Considerations are made for the Environmental Impact Report (the "EIR") for the proposed Bayshore Bikeway – Western Salt Segment (the "Project"). The EIR analyzes the significant and potentially significant environmental impacts, which may occur as a result of the proposed Project.

The proposed project includes construction of a 1.8-mile Class I bikepath located along the Otay River Berm and the Main Street Dike. The project also proposes the relocation of an existing haul road utilized by South Bay Salt Works. The bikepath would be located primarily within the Metropolitan Transit System (MTS) railroad right-of-way and also requires a Pedestrian and Non-Motor Vehicular Right-of-Way Easement. Construction of the bikepath would also include the placement of two steel truss bridges above existing, unserviceable wooden trestle bridges that currently cross the Otay River at these locations.

## 1.1 Purpose of CEQA Findings; Terminology

CEQA Findings play an important role in the consideration of projects for which an EIR is prepared. Under **PRC §21081** and **Guidelines §15091** above, where a final EIR identifies one or more significant environmental effects, a project may not be approved until the public agency makes written findings supported by substantial evidence in the administrative record as each of the significant effects. In turn, the three possible findings specified in **Guidelines §15091(a)** 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 provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In turn, **Guidelines §15092(b)** provides that no agency shall approve a project for which an EIR was prepared unless either:

- (1) The project approved will not have a significant effect on the environment, or
- (2) The agency has:
  - (A) Eliminated or substantially lessened all significant effects where feasible as shown in the findings under Section 15091, and
  - (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

## 1.2 Environmental Impact Report Process

Based on preliminary review of the application, the City concluded that the Proposed Project could have a significant impact on the environment and that preparation of an environmental impact report was necessary. The City issued a Notice of Preparation (NOP) on January 3, 2003. The NOP was distributed to all Responsible and Trustee Agencies, as well as other agencies and members of the public. A number of written responses were received. A copy of the NOP and written comments received in response to the NOP are included in Volume I, Appendix A of the Final EIR.

After consideration of comments on response to the NOP, the City identified that the Draft EIR should analyze the potential for environmental impacts associated with the following 10 substantive potential impact areas in the **Environmental Impact Analysis** section:

- Land Use
- Biological Resources
- Historical Resources
- Hydrology
- Geology/Soils
- Traffic and Transportation/Pedestrian and Bicycle Facilities
- Air Quality
- Noise
- Aesthetics

- Water Quality

Additionally, the Draft EIR was directed to include other CEQA substantive sections including **Executive Summary, Project Description, Unavoidable Significant Environmental Impacts, Significant Irreversible Environmental Changes, Growth Inducement, Cumulative Impacts, Effects Found Not to Be Significant, and Alternatives**. Because of the scope of the Proposed Project, an EIR was determined to be the most useful and appropriate CEQA environmental document.

## 2.0 Description of Proposed Project

The proposed project is a component of the existing and planned Bayshore Bikeway route as identified in SANDAG's Bayshore Bikeway Plan. The existing Bayshore Bikeway is a 24-mile long loop bicycle route located around the perimeter of the San Diego Bay, passing through the cities of Coronado, Imperial Beach, San Diego, Chula Vista, and National City (Figure 3-2 in the EIR). The Western Salt Segment of the Bayshore Bikeway is a 1.8-mile long Class I segment that would essentially realign a portion of the existing Class II bike route currently located along the southeastern segment of the Bayshore Bikeway route. The relocation and Class I designation would provide a completely separated right-of-way for the exclusive use of bicycles and pedestrians, with no cross flow of motorized traffic along the proposed bike path segment. The existing Class II bike route, which follows 13<sup>th</sup> Street, Palm Avenue and Saturn Boulevard would continue to be maintained after implementation of the proposed project.

The proposed bikepath would primarily be located within the MTS railroad right-of-way; however, a portion of the proposed bikepath would exit the right-of-way and be located within an existing haul road utilized by the South Bay Salt Works. Implementation of the proposed project would involve the relocation of an existing haul road associated with the existing salt mining operations in the project area (Figure 3-3 in the EIR). The haul road would be relocated from its current location on the Main Street Dike, to within the existing MTS right-of-way. Bikepath construction would include two components: construction of the bikepath and placement of steel truss bridges. The bikepath would be 12 feet wide, including an 8-foot wide paved asphalt path with 2-foot wide paved porous concrete shoulders on each side of the bikepath. A 6-foot high chain link ~~security fence~~ up to seven (7) feet high would be erected on both sides of the bike path along the entire alignment, with the exception of the bridges. An additional one-foot of fill material would be placed on each side of the path, between the proposed porous concrete shoulders and the fence.

The proposed bikepath would cross the Otay River in two locations. Existing, unserviceable wood trestle bridges currently cross the Otay River in these locations. The existing wooden trestle bridges, as well as existing railroad rails and ties, are part of the locally-designated historic Coronado Railroad Belt Line (CBL). Because the bridges are considered a component of CBL, no alterations to these structures are proposed. Instead, the project proposes the placement of two steel truss bridges on top of the existing bridges, which would provide bicycle and pedestrian access across the Otay River, yet maintain the existing bridge structures in place (Figure 3-11 in the EIR).

The following sections describe the objectives of the project, and list the discretionary approvals required for project implementation.

## 2.1 Project Objectives

The objectives of the proposed project are to:

- Implement the goals of the City of San Diego Bicycle Master Plan, which identifies the proposed project site, from 13<sup>th</sup> Street to Main Street/Frontage Road, for the development of a Top Priority Class I segment of the Bayshore Bikeway,
- Provide the community with a Class I bike route around San Diego Bay,
- Provide increased safety to bicyclists and pedestrians by providing a Class I bike facility,
- Encourage more use of the Bayshore Bike Route and proposed path,
- Provide the opportunity for bikeway users to experience the natural ecological setting of south San Diego Bay,
- Help relieve traffic congestion and contribute to improved air quality by reducing the number of vehicle trips and related air emissions,
- Design and implement a project with the intention of minimizing impacts to sensitive biological resources, and,
- Maintain (cap) the existing railroad rails and bridges so as to preserve the locally-designated historic resource.

## 2.2 Discretionary Actions Required

Prior to project implementation, project approval by the City of San Diego and California Coastal Commission is required. Approvals would include certification of the Final EIR, adoption of the Mitigation, Monitoring and Reporting Program, CEQA Findings and Statement of Overriding Considerations, and issuance of a Site Development Permit (SDP), pursuant to §126.0502 of the City of San Diego Municipal Code, for impacts to Environmentally Sensitive Lands ("Special Flood Hazard Areas" and "sensitive biological resources") and deviations from the Historical Resources Regulations. The project also requires a Pedestrian and Non-Motor Vehicular Right-of-Way Easement. A Coastal Development Permit would be required from the California Coastal Commission and/or the City. In addition, the following additional actions/permits are associated with would be required for implementation of the proposed project:

No U.S. Army Corps of Engineers or California Department of Fish and Game jurisdictional areas would be impacted; therefore, no permits from these agencies are required. Also, a Regional Water Quality Control Board certification or waiver would not be required.

~~Federal Highway Administration Authorization of Federal Funds.~~ Funding for the initial phases of the Bikeway project came from TransNet (local transportation sales tax) bicycle funds. However, the majority of the funding for the remainder of the project would come from federal Congestion Mitigation and Air Quality (CMAQ) funds, administered by the Federal Highway Administration (FHWA) through the California



~~Department of Transportation (Caltrans). These funds are part of a larger pool of money programmed specifically for bikeway improvements. At the federal level, the proposed action would be the authorization by FHWA for the use of federal funds.~~

**National Environmental Policy Act Categorical Exclusion.** National Environmental Policy Act (NEPA) coverage for the proposed project is the preparation of a Categorical Exclusion associated with the issuance of a Special Use Permit by the San Diego Bay National Wildlife Refuge, with technical studies. Pursuant to FHWA NEPA Guidelines §771.117(e)(3), ~~the proposed project, a bike path, is listed among the Categorical Exclusions, and an Environmental Assessment or Environmental Impact Statement is not required. The FHWA would prepare the Categorical Exclusion for the proposed project, with technical studies.~~

**Memorandum of Understanding with Metropolitan Transit Development Board (now MTS).** The portion of the new alignment within the MTDB right-of-way, would be subject to a Memorandum of Understanding between the City of San Diego and MTDB. Figure 3-9 (see Section 3.0 Project Description) depicts the approximate locations of real estate actions associated with the project.

**Public Easement with M&A Gabae/Charles Co.** The proposed bike path would follow the top of Main Street Dike, subject to a Public Easement from M&A Gabae/Charles Co. until the point that the trail intersects with the existing MTDB right-of-way.

**Special Use Permit.** A Special Use Permit will be required from the San Diego Bay National Wildlife Refuge for temporary construction access through the South San Diego Bay Unit of the San Diego Bay National Wildlife Refuge.

At the completion of project construction, this segment of the Bikeway improvements would be owned, operated and maintained by the City of San Diego. The railroad right-of-way would remain under the ownership of MTDB.

Other required project-specific approvals may include, but not be limited to, the following:

- State Water Resources Control Board (SWRCB), Storm Water Pollution Prevention Plan;
- Metropolitan Transit Development Board (MTDB) (now MTS), Joint Use Agreement.

## 3.0 Environmental Setting

### 3.1 Regional Setting

The project site is located within the City of San Diego, which is generally located 15 miles north of the United States International Border with Mexico and approximately 130 miles south of Los Angeles. More specifically, the project site is located in the southwestern portion of the City of San Diego within the Otay Mesa-Nestor Community Planning Area. The Otay Mesa-Nestor Community is located approximately two miles north of the International Border. The project site is situated west of Interstate 5 (I-5) and north of Palm

Avenue (State Route 75), and is generally bordered by the City of Imperial Beach to the west and south, and the City of Chula Vista to the north (Figure 3-1 in the EIR).

The Otay Mesa-Nestor Community is mostly built-out and urbanized and varies in topography and natural features throughout the community. A large portion of Otay Valley Regional Park is located within the Otay Mesa-Nestor Community.

### 3.2 Surrounding Land Uses

Land uses in the general project area include the existing Class II bike lanes along Bay Boulevard, Stella Street and Frontage Road; extractive industrial uses (South Bay Salt Works); and open space (South San Diego Bay Unit of the San Diego National Wildlife Refuge). The South Bay Salt Works' salt ponds are included within the Refuge boundary. Residential land uses are located southwest of the western terminus of the proposed bikepath. In addition, the San Diego Bay National Wildlife Refuge (Refuge) is located around the proposed bikeway segment. Figure 5.1-1 of the EIR depicts the existing land uses in the vicinity of the proposed project site.

The salt ponds to the west of the MTS right-of-way are zoned IL-3-1 (light industrial). The land uses to the east of the MTS right-of-way and north of the Main Street Dike are zoned IH-2-1 (heavy industrial). The land uses east of the MTS right-of-way and south of and including the Main Street Dike are zoned OF-1-1 (Open Space-Floodway)

### 3.3 Project Site Setting

The proposed bikepath would be located along the Otay River Berm and Main Street Dike and primarily within the existing MTS railroad right-of-way. The existing MTS right-of-way is located on top of the Otay River Berm and contains a portion of the CBL railroad and the two associated debilitated railroad bridges. However, these structures are no longer used for rail travel. The Main Street Dike, located within the City of San Diego, is currently used by the South Bay Salt Works as a haul road. The MTS right-of-way is not included in the Refuge boundaries.

## 4.0 Issues Addressed in the EIR

The EIR contains an environmental analysis of the potential impacts associated with implementing the proposed Project. The major issues that are addressed in this EIR were determined potentially significant based on review by the City of San Diego. These issues include land use, biological resources, historical resources, hydrology, geology/soils, traffic and transportation/pedestrian and bicycle facilities, air quality, noise, aesthetics, and water quality.

## 5.0 Mitigation Monitoring Program

Pursuant to PRC §21081.6, the City has also adopted a detailed mitigation and monitoring program prepared by the EIR consultant under the direction of the City. The program is designed to assure that all mitigation measures as hereafter required are in fact implemented on a timely basis as the proposed project progresses through its development and construction phases.

## 6.0 Record of Proceedings

For all purposes of CEQA compliance, including these Findings of Fact and Statement of Overriding Considerations, the administrative record of all City proceedings and decisions regarding the environmental analysis of the Proposed Project shall include but are not limited to the following:

- The Draft and Final EIR for the Proposed Project, together with all appendices and technical reports referred to therein, whether separately bound or not;
- All reports, letters, applications, memoranda, maps or other planning and engineering documents prepared by the City, planning consultant, environmental consultant, project applicant or others presented to or before the decision-makers as determined by the City Clerk;
- All minutes of any public workshops, meetings or hearings, and any recorded or verbatim transcripts/videotapes thereof;
- Any letters, reports or other documents or other evidence submitted into the record at any public workshops, meetings or hearings; and
- Matters of common general knowledge to the City, which they may consider, including applicable state or local laws, ordinances and policies, the General Plan and all applicable planning programs and policies of the City.

Documents or other materials which constitute the record of proceedings upon which these Findings are made are located at the Development Services Department of the City of San Diego, 1222 First Avenue, MS-501, 5<sup>th</sup> Floor, San Diego, California, 92101.

## 7.0 Findings of Significant Impacts, Required Mitigation Measures and Supporting Facts

### 7.1 Land Use

**A. Impact.** The proposed project is located entirely within the MHPA, within an existing transportation corridor, and is therefore subject to the MHPA Adjacency Guidelines. The project's potential conflict with these guidelines is considered a significant impact.

**B. Finding.** 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.

**C. Mitigation Measure LU1**

The project shall comply with the applicable MSCP Subarea Plan land use adjacency guidelines to ensure minimal impacts to the MHPA. Specifically, the project shall comply with the following measures regarding Drainage, Toxics, Lighting, Noise, Barriers, Invasives, and Grading/Land Development.

Drainage. All new and proposed parking lots and developed areas in and adjacent to the preserve must not drain directly into the MHPA. All developed and paved areas must 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.

Toxics. Land uses, such as recreation and agriculture, that use chemicals or generate by-products 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.

Lighting. Lighting of all developed areas adjacent to the MHPA should be directed away from the MHPA. Where necessary, development should 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 should be designed to minimize noise impacts. Berms or walls should 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.

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 non-native plant species shall be introduced into areas adjacent to the MHPA.

Grading/Land Development. Manufactured slopes associated with site development shall be included within the development footprint for projects within or adjacent to the MHPA.

## 7.2 Biological Resources

**A. Impact.** The proposed project has the potential to result in the following impacts:

- Temporary, indirect construction noise impacts resulting in the disturbance of nesting bird species during construction of the bike path on top of the Main Street Dike and within Area 4.
- Direct, permanent impact to approximately 1.35 acres of disturbed coastal sage scrub as a result in construction in Area 4 (see EIR Figure 11-1 for location of Area 4).
- Permanent, indirect impacts to Belding's Savannah sparrow as the result of abandonment of the narrow strip of marsh adjacent to the proposed bike path.
- Temporary impacts to approximately 0.02 acre of coastal salt marsh habitat, 0.01 acre of disturbed Diegan Coastal sage scrub, 0.003 acre of salt panne, and 0.027 acre of ruderal habitat as the result of 10-foot wide plywood access paths needed for construction of the steel truss bridges.
- No burrowing owls have been detected on the project site; however, suitable habitat exists in the project area.

**B. Finding.** 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.

**C. Mitigation Measures A1, A2, A3, and B1-B19**

Prior to the commencement of any construction related activity (including earthwork) on-site for PTS 1901, the City of San Diego shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the City Field Resident Engineer (RE), the monitoring biologist, a USFWS Refuge Representative (i.e., Refuge Manager), and staff from the City's Mitigation Monitoring and Coordination (MMC) Section.

Prior to the preconstruction meeting, the Assistant Deputy Director of the Land Development Review Division (LDR) shall verify that the following mitigation measures are noted on the construction plans/contract specifications submitted and included in the specifications under the heading *Environmental Mitigation Requirements*.

Construction plans shall include provisions for site security in order to prevent unauthorized access onto the project site and adjacent salt ponds during construction. Specific site security measures could include the installation of barriers and locked gates at both ends of the construction alignment and, if necessary, the presence of a security officer to patrol the construction site when no construction activities are underway.

**UPLAND MITIGATION**

Prior to the commencement of any construction related activity on-site (including earthwork and fencing) and/or the preconstruction meeting for PTS 1901, mitigation for direct impacts to 1.35-acres of cholla-dominated disturbed Diegan coastal sage scrub that result from the proposed bikeway shall be assured to the satisfaction of the City Assistant Deputy Director (ADD) of the Land Development Review Division (LDR)/Environmental Designee.

- (1a) A total of 1.35 acres of Tier II Diegan coastal sage scrub habitat located inside (1:1 ratio) the MHPA will be created on-site; or,
- (1b) A total of 1.35 acres of coastal sage scrub credit shall be contributed to the habitat acquisition fund (or combination thereof).

**BIOLOGICAL MONITORING PROGRAM DURING CONSTRUCTION**

At least thirty days prior to the Precon Meeting, the EAS approved, USFWS qualified Biologist shall verify that any special reports, maps, plans and time lines, such as but not limited to, plant salvage plans, revegetation plans, plant relocation requirements and timing, avian or other wildlife protocol surveys, impact avoidance areas described below, or other such information, have been completed and updated. The biologist should identify pertinent information concerning protection of sensitive resources, such as but not limited to, flagging of individual plants or small plant groups, limits of grade fencing and limits of silt fencing (locations may include 10-feet or less inside the limits of grading, or up against and just inside of the limits of the grade fencing). Plant salvage may be initiated at this time (or sooner if addressed in the approved, Conceptual Revegetation Plan) under the direction of EAS, MMC and the USFWS.

Biological Monitor shall attend Preconstruction Meeting(s)

- a. The qualified Biologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the monitoring program with the Construction Manager and/or Grading Contractor.
- b. If the Biologist or USFWS is not able to attend the Precon Meeting, the RE or BI, if appropriate, will schedule a focused Precon Meeting for the Biologist, USFWS, MMC, and EAS staff, as appropriate, Monitors, Construction Manager and appropriate Contractor's representatives to meet and review the job on-site prior to start of any work that requires monitoring or construction on-site (including fencing).

#### Identify Areas to be Monitored

At the Precon Meeting, the Biologist shall submit to MMC a Biological Monitoring Exhibit (BME) site/grading plan (reduced to 11"x17") that identifies areas to be protected, fenced, and monitored, as well as areas that may require delineation of grading limits. Silt fencing (or other suitable environmental fencing) shall be installed to clearly delineate the limits of the right-of-way and Refuge interface, the environmentally sensitive areas (ESA's), and the proposed temporary construction access locations through the Refuge. These fencing requirements shall be included in the construction plans.

#### When Monitoring Will Occur

Prior to the commencement of work, the qualified Biologist shall also submit a construction schedule to MMC through the RE or BI, as appropriate, indicating when and where monitoring is to begin and shall notify MMC of the start date for monitoring, at a minimum, the qualified biologist should be present when initial grading is occurring in the vicinity of sensitive habitat and for any earthwork in or adjacent to habitat during any potential avian nesting season to ensure conformance with state and federal migratory bird acts.

#### Biological Monitor Shall Be Present During Grading/Excavation

The qualified Biological Monitor shall be on site at a minimum when initial grading is occurring adjacent to wetland habitats and/or potential occupied avian or sensitive species habitat, to ensure that no take of sensitive species or active bird nests occurs, grading limits are observed, and that orange fencing and silt fencing are installed to protect sensitive areas outside earthwork limits. The qualified biologist shall document activity via the Consultant Site Visit Record. This record shall be sent to the RE or BI, as appropriate, each month. The RE, or BI as appropriate, will forward copies to MMC. The biological monitor shall have the authority to divert work or temporarily stop operations to avoid previously unanticipated significant impacts. **IT IS THE CONTRACTOR'S RESPONSIBILITY TO KEEP MONITORS UP-TO-DATE WITH CURRENT PLANS.**

#### During Construction

- a. No staging/storage areas for equipment and materials shall be located within or directly adjacent to habitat retained in open space area; no equipment maintenance shall be conducted within or near adjacent open space.

- b. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. The contractor shall comply with all of the provisions of the Storm Water Pollution Prevention Plan for the project.
- c. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of grading. All construction related debris shall be removed off site to an approved disposal facility.

Post Construction

- a. The Biologist shall be responsible for ensuring that all field notes and reports have been completed, all outstanding items of concern have been resolved or noted for follow up, and that specialty studies are completed, as appropriate.
- b. Within three months following the completion of monitoring, two copies of the Final Biological Monitoring Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the Biological Monitoring Program (with appropriate graphics) shall be submitted by the Biologist to the MMC for approval by the ADD of LDR.
- c. During any construction activity (including earthwork and fence placement) for PTS 1901, if any previously undisclosed, additional, unforeseen, inadvertent, direct or indirect additional biological resources are impacted (as noted by the applicant, contractors, biological monitor, the Wildlife Agencies, the City, or other entity), they shall be disclosed. Such impacts shall be rehabilitated, revegetated, and /or mitigated per the City's ESL Guidelines and/or as determined by other jurisdictional agencies. Such additional measures shall be included as part of the Final Biological Monitoring Report.
- d. MMC shall notify the RE of receipt of the Final Biological Monitoring Report.

**HABITAT RESTORATION PROGRAM FOR UPLAND (CHOLLA DOMINATED COASTAL SAGE SCRUB AND WETLAND (TEMPORARY IMPACTS TO COASTAL SALT MARSH)**

Prior to the commencement of any construction related activity on-site (including earthwork) and/or the preconstruction meeting for PTS 1901, the applicant department shall submit revegetation plans and specifications for both upland and wetland restoration efforts. The separate efforts shall be clearly delineated with appropriate success criteria.

Restoration of Cholla Dominated Coastal Sage Scrub would be accomplished by collecting cuttings of Cholla species on-site, allowing these cuttings to callous and subsequently planting them. It is anticipated that this would be accomplished in the ruderal areas along the newly constructed bike path and along the adjacent haul road (the potential cholla/CSS restoration location is identified on EIR Figure 5.2-3b).

Areas of coastal salt marsh temporarily impacted during construction are expected to recover naturally. In the event that trampled areas do not return to their pre-project condition, these areas would be planted with a mosaic of the same species impacted by construction as presented below. Prior to the temporary disturbance of coastal salt marsh habitat, the existing status of the habitat shall be documented so as to allow comparison between the pre- and post-project conditions. As such, prior to construction, the coastal salt marsh habitat to be impacted shall be qualitatively recorded via photo documentation. Additionally, a species list shall be generated and general species abundance and distribution recorded.

- a. Salt marsh species would be planted from 3 inch "rose pots" grown from seed or cuttings collected from the project vicinity. Species other than pickleweed (*Salicornia virginica*) would be propagated and planted to ensure a diverse salt marsh at the created site. Pickleweed is known to invade naturally and would not be excluded from the site. Species to be planted from propagated stock include:

<u>Scientific Name</u>	<u>Common Name</u>
<i>Batis maritima</i>	saltwort
<i>Frankenia salina</i>	alkali heath
<i>Limonium californicum</i>	sea lavender
<i>Distichlis spicata</i>	saltgrass
<i>Salicornia subterminalis</i>	glasswort
<i>Monanthochloe littoralis</i>	shoregrass

**Prior to Permit Issuance.**

- A. Land Development Review (LDR) Plan Check.
  - 1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for the revegetation/restoration mitigation, including mitigation of direct-permanent impacts cholla cactus dominated Coastal Sage Scrub and direct-temporary impacts to Coastal Salt Marsh have been shown and noted on the appropriate revegetation and restoration landscape construction documents (RRLCD) and also, within the first two pages, listed with condition number and page numbers under the heading of 'Environmental and Development Permit Requirements - Notes and Index'. The RRLCD must be found to be in conformance with the **Biological Resources Technical Report for the Proposed Western Salt Segment of the Bayshore Bikeway Conceptual Revegetation Plan**, prepared by Tierra Environmental Services, (April 2007) the requirements of which are summarized below:
- B. Revegetation and Restoration Landscape Construction Documents
  - 1. The RRLDC shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department and Park and Recreation Department Open Space Section (OSR) for review and approval. OSR shall consult with Mitigation Monitoring Coordination (MMC) prior to approval of RRLDC to coordinate specific field inspection issues on behalf of the City Park and Recreation Department Open Space Section. The