

San Dieguito River Valley
Regional Open Space Park
18372 Sycamore Creek Road
Escondido, CA 92025
(858) 674-2270 Fax (858) 674-2280
www.sdrp.org

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BOARD OF DIRECTORS**

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**FINAL
MITIGATED NEGATIVE DECLARATION**

PROJECT NAME:

**SAN DIEGUITO RIVER PARK
LAKE HODGES PEDESTRIAN/BICYCLE BRIDGE**

PROJECT DESCRIPTION:

The San Dieguito River Park Joint Powers Authority (JPA) proposes to construct a 990-foot-long, 12-foot-wide pedestrian/bicycle bridge and related trail connections across Lake Hodges linking the Lake Hodges North Shore Trail with the Bernardo Bay trail staging area and Piedras Pintadas Trail. The project site is located on land owned by the City of San Diego Water Department and within the San Dieguito River Park Focused Planning Area (FPA). The project is proposed in the *San Dieguito River Park Concept Plan* (1994). The project would be constructed by the JPA with funds from the Federal Highway Administration Transportation Enhancement Activity (TEA) grant, Proposition 13 (River Parkway Bond), and a SANDAG Transnet Grant.

Please see attached Initial Study for additional information.

RESPONSIBLE AGENCY ACTIONS:

City of San Diego
Site Development Permit No. 5429193075
Grading Permit
Lease Agreement
Cloverdale Creek mitigation agreement

California Department of Transportation
Encroachment Permit

U.S. Army Corps of Engineers
404 Nationwide Permit

California Department of Health Services
San Diego Water Supply Permit Amendment

United States Fish and Wildlife Service
Section 7 Consultation and Biological Opinion

California Department of Fish and Game
1601 Streambed Alteration Agreement

Regional Water Quality Control Board
401 Certification
Statewide NPDES Permit

ENVIRONMENTAL SETTING:

Please see attached Initial Study.

DETERMINATION:

The JPA conducted an Initial Study of the project, which determined that the proposed project could have a potentially significant effect on the environment. However, it has been determined that there will not be a significant effect in this case because (1) revisions in the project have been made by or agreed to by the JPA, the project proponent, that would avoid the effects or mitigate the effects to the point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record that the project, as revised, may have a significant effect on the environment. Based on this determination and in accordance with California Public Resources Code Section 21964.5, this Mitigated Negative Declaration has been prepared.

The potential for impacts associated with the construction of the bridge and trail improvements was examined in the previously certified *San Dieguito River Park Concept Plan Final Program Environmental Impact Report (EIR)* (State Clearinghouse Number 91121059), which is incorporated by reference into this document. The Program EIR, which was certified by the San Dieguito River Park Joint Powers Authority Board of Directors on February 18, 1994, addressed program-wide issues such as cumulative impacts and policy alternatives for the various proposals incorporated in the Concept Plan, including a pedestrian/bicycle bridge over Lake Hodges. A Mitigation, Monitoring and Reporting Program was also approved at the time the Program EIR was certified. Program-level mitigation measures were adopted as the Design and Development Standards for Park Projects (these are listed where applicable in the Initial Study). These documents are available for review at the JPA office at 18372 Sycamore Creek Road, Escondido, California, 92025. The Program EIR acknowledged the need to conduct subsequent environmental review for site-specific park proposals. The Initial Study includes project-specific evaluation of environmental impacts and project-specific mitigation measures for the proposed Lake Hodges Pedestrian/Bicycle Bridge.

Construction of the pedestrian/bicycle bridge over Lake Hodges was also addressed in the Final EIR for the *San Pasqual Valley Plan* (State Clearinghouse Number 94071063). A copy of that document is also available for review at the JPA office.

DOCUMENTATION:

This Initial Study documents the reasons to support the determination that the proposed project, as revised, will not have a significant effect on the environment.

MITIGATION MONITORING AND REPORTING PROGRAM:

In accordance with CEQA Section 21081.6, a Mitigation, Monitoring, and Reporting Program has been prepared for the project and the requirements of this program have been incorporated into the scope of the project. The measures outlined below shall be stated in the appropriate agencies' resolutions of approval and within any subsequent permits required for this project. The following mitigation measures have been incorporated into the project:

Biological Resources:

The following measures are required to mitigate impacts to biological resources to below a level of significance (also see Table 1):

- B1. Prior to issuance of a grading permit or notice to proceed, the JPA shall deposit \$9,500 into the City of San Diego's Habitat Acquisition Fund in order to mitigate a total of 0.15 hectare (0.38 acre) of land for permanent impacts to 0.1 hectare (0.25 acre) of Diegan coastal sage scrub and 0.05 hectare (0.13) acre of disturbed Diegan coastal sage scrub. This mitigation shall also compensate for the loss of raptor foraging habitat.

- B2. Permanent impacts to southern willow scrub and reservoir 0.02 hectare (0.05 acre) shall be mitigated through a combination of 1:1 creation and 1:1 enhancement at the JPA's proposed mitigation site at Cloverdale Creek mitigation site, for a total mitigation ratio of 2:1, per a final Cloverdale Creek wetland mitigation plan. Therefore, 0.024 hectare (0.05 acre) of southern willow scrub habitat will be created and another 0.024 hectare (0.05 acre) of riparian habitat will be enhanced at Cloverdale Creek, for a total mitigation of 0.048 hectare (0.1 acre). Cloverdale Creek is located in the MHPA west of the Wild Animal Park (City 1997, Subarea Plan Figure 14). The habitat creation and enhancement shall be maintained and monitored for a period of five years, and preserved in perpetuity. If for any reason, the Cloverdale Creek mitigation plan is not approved, an equivalent plan will be prepared that includes a comparable mitigation site, creation and restoration per the required ratios, an implementation plan, success criteria, a maintenance and monitoring plan, and contingency measures.

Table 1 MITIGATION FOR IMPACTS TO SENSITIVE VEGETATION COMMUNITIES				
Vegetation Community	Impact (hectare {acre})	Mitigation Ratio (all mitigation in MHPA)	Mitigation Area Required (hectare {acre})	Mitigation Type/Location
<i>Permanent (bridge piers, abutments, rip rap, trail)</i>				
Diegan coastal sage scrub (Tier II)	0.1 (0.25)	1:1	0.1 (0.25)	Contribution to Habitat Acquisition Fund
Diegan coastal sage scrub – disturbed (Tier II)	0.05 (0.13)	1:1	0.05 (0.13)	Contribution to Habitat Acquisition Fund
Southern willow scrub	0.004 (0.01)	2:1	0.01 (0.02)	Habitat creation at Cloverdale Creek
Reservoir (southern willow scrub/disturbed wetland)	0.02 (0.04)	2:1	0.04 (0.08)	Habitat creation at Cloverdale Creek
<i>Temporary (access road)</i>				
Diegan coastal sage scrub (Tier II)	0.03 (0.08)	1:1	0.03 (0.08)	Revegetate impacted area
Diegan coastal sage scrub – disturbed (Tier II)	0.05 (0.13)	1:1	0.05 (0.13)	Revegetate impacted area
Southern willow scrub	0.01 (0.03)	2:1	0.02 (0.06)	Revegetate impacted area and enhance habitat at Cloverdale Creek
Reservoir (southern willow scrub/disturbed wetland)	0.28 (0.69)	1:1	0.28 (0.69)	Revegetate impacted area
<i>Temporary (construction staging area 1)</i>				
Diegan coastal sage scrub (Tier II)	0.07 (0.18)	1:1	0.07 (0.18)	Revegetate impacted area
Diegan coastal sage scrub – disturbed (Tier II)	0.03 (0.09)	1:1	0.03 (0.09)	Revegetate impacted area

- B3. Mitigation for temporary impacts to 0.18 hectare (0.46 acre) of Diegan coastal sage scrub and Diegan coastal sage scrub-disturbed shall be accommodated by seeding the area of temporary impact (e.g., Construction Staging Area 1 and construction area of the abutments) with Diegan coastal sage scrub species that occur in nearby Diegan coastal sage scrub, in accordance with a City-approved onsite revegetation plan, which shall include targeted mitigation goals, an implementation plan, success criteria, and a maintenance and monitoring plan and contingency measures in accordance with City biological guidelines. The revegetation shall be maintained and monitored for five years.
- B4. The JPA shall mitigate temporary impacts to 0.01 hectare (0.03 acre) of southern willow scrub by planting cuttings taken from adjacent willow trees after construction is complete in the area of impact. Additionally, a native seed mix shall be spread in the temporary impact area. The revegetation shall be maintained and monitored for five years. Additionally, 0.01 hectare (0.03 acre) of riparian habitat at Cloverdale Creek shall be enhanced through the removal of non-native, invasive plant species such as, but not limited to, giant reed (*Arundo donax*), tamarisk (*Tamarix* spp.), perennial pepperweed (*Lepidium latifolium*), and pampasgrass (*Cortaderia* sp). The enhancement area shall be maintained and monitored for a period of five years.
- B5. The JPA shall mitigate temporary impacts to 0.28 hectare (0.69 acre) of reservoir by planting cuttings taken from adjacent willow trees in the area of impact. Additionally, a native seed mix shall be spread in the temporary impact area. The restoration shall be maintained and monitored for five years, unless the reservoir ~~floods~~ becomes inundated in the project area due to rainfall or the County Water Authority's (CWA) Emergency Storage Project because impacts would be mitigated by the CWA under its project. If one of these occurs, then no mitigation or monitoring shall be required.
- B6. A qualified biologist shall monitor construction activities to avoid any unauthorized impact to sensitive biological resources. The monitor will be present at a pre-construction meeting, during all initial removal of vegetation, and during project construction as specified in the MMRP.

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

- B7. To protect the least Bell's vireo and coastal California gnatcatcher in the MHPA, no clearing, grubbing, grading, or other disruptive construction activities shall occur in occupied vireo habitat from March 15 to September 30 and in occupied gnatcatcher habitat from February 15 to August 31, unless the requirements of the City's "MMR Conditions for Potential Impacts to Habitats Occupied by Sensitive Avian Species" (July 15, 2002) have been met. These requirements include biological surveys, and criteria for continuing or stopping construction activities.

- B8. Mitigation for potentially significant noise impacts to the least Bell's vireo and coastal California gnatcatcher shall be mitigated in accordance with the City's Mitigation, Monitoring and Reporting Conditions for Potential Impacts to Habitats Occupied by Sensitive Avian Species (July 15, 2002). These requirements include biological surveys, and criteria for continuing or stopping construction activities.
- B9. Potential impacts from degraded surface water quality shall be minimized to the maximum extent practicable by using Best Management Practices (BMPs) for erosion/sedimentation control during construction. These BMPs may include the use of a bonded fiber matrix, straw mulch, or erosion control blankets/mats to prevent erosion, and/or the installation of such items as silt fences or fiber rolls to catch any eroded material before it can reach the reservoir. Additionally, the proposed revegetation should occur as soon as impacts to an area are complete (i.e., the revegetation could be phased) to help further prevent erosion.
- B10. Potential impacts from the use of petroleum products during construction shall be minimized by only adding or changing such products, if necessary, within the designated construction staging areas. The addition or change of such products shall occur over plastic tarps, which if contaminated, shall be disposed of in accordance with applicable federal, state and local laws and regulations. Furthermore, BMPs such as those listed above for erosion/sedimentation control will also be used at the staging areas.
- B11. Potential fugitive dust impacts to sensitive vegetation shall be minimized through dust control measures such as spraying water on dusty staging area/access road surfaces (but not causing runoff). Spraying water shall occur as often as necessary to prevent dust clouds from forming when vehicles are driving in construction areas.
- B12. For raptors, if construction activities are proposed during the raptor breeding season (~~generally~~ February 1 through ~~July~~September 15), a pre-construction survey (one survey) shall be conducted within 900 feet of the project limits to look for active raptor nests. If no active nest is found, no further mitigation shall be required. If an active nest is found, monitoring shall be conducted by a qualified biologist to ensure all construction activity remains at least 300 feet from an active Cooper's hawk nest, 900 feet from an active northern harrier's nest and 500 feet from all other raptor nests. The biologist shall also determine when the nest becomes inactive and construction activity can move closer to the nest site.
- B13. All construction-related activities shall be limited to daylight hours. ~~to the maximum extent practicable. If night lighting is required during construction, all lighting shall be the minimum necessary for safety and security purposes and shall be shielded and directed downward to minimize impacts to the MHPA and Lake Hodges wildlife corridor.~~

- B14. The construction and construction staging area limits ~~in upland areas~~ shall be clearly delineated with orange construction fencing and silt fencing or fiber rolls to ensure that construction activity remains within the defined construction limits. A qualified biologist shall inspect the delineated areas and shall monitor construction activities to avoid unauthorized impacts.
- B15. Disturbed habitat (that was not already disturbed habitat prior to construction) remaining in the project disturbance footprint following construction (i.e., where coastal sage scrub is impacted by use of Construction Staging Area 1, for example) shall be revegetated with native species similar to the native surrounding habitats in accordance with a City-approved onsite revegetation plan, which shall include targeted mitigation goals, an implementation plan, success criteria, and a maintenance and monitoring plan and contingency measures in accordance with City biological guidelines. The revegetation shall be maintained and monitored for five years. Potential noise impacts to the least Bell's vireo and coastal California gnatcatcher shall be mitigated in accordance with the City's Mitigation, Monitoring and Reporting Conditions for Potential Impacts to Habitats Occupied by Sensitive Avian Species (July 15, 2002).

Cultural Resources:

The following measures are required to mitigate impacts to cultural resources to below a level of significance:

- C1. The final project design shall avoid potential impacts to CA-SDI-809 near the northern trail realignment and abutment. The portion of the archaeology site adjacent to the existing North Shore Trail shall be fenced using ranch-style fencing and/or shallow rooted plants to restrict access to the southern portion of the site. The existing North Shore Trail shall be capped with soil or road material to protect the portion of the site that extends beneath the trail in accordance with the standards contained in the *San Dieguito River Park Concept Plan*.
- C2. The JPA shall retain a qualified historic/archaeological monitor prior to commencement of project construction. This monitor will be responsible for overseeing all subsurface disturbance associated with ~~trail project construction~~ in accordance with City of San Diego mitigation requirements for archaeological resources, in proximity to archaeological sites as documented in the *Cultural Resources Survey Report for Lake Hodges Pedestrian/Bicycle Bridge*. The monitor shall ensure that (1) the proposed trail alignment or site disturbance avoids cultural resources as designed; (2) construction provides fill and fencing for midden areas; and (3) ~~unanticipated finds are handled properly~~ will be handled in a timely manner. Resources will be evaluated to determine significance and significant resources will be capped and avoided whenever possible. If avoidance is not possible then data recovery will be conducted per City of San Diego requirements. All work will be conducted in consultation with local Native Americans as appropriate. If a subsurface deposit is

encountered then it shall be capped in accordance with the mitigation measure described below.

- C3. Where the trail surface will be covered with an impervious surface, fabric and 6" of culturally sterile soil will be installed between the native soil and the hardened surface as necessary to cap affected sites. If it is necessary to cap a site along subsequent sections of the trail that would not have a hardened surface, the procedures described in the Concept Plan for the San Dieguito River Park will be followed:
- Filter fabric (Supac 5NP or a comparable product) shall be placed over that portion of the site to be impacted, followed by the placement of two inches of sterile soil, one inch of ½ to ¾ inch gravel, and a minimum of an additional four inches of sterile soil.

Geology and Soils:

The following measures are required to mitigate impacts to geology and soils to below a level of significance:

- G1. All recommendations contained in the Bridge Foundation Report (Law Crandall 2002) shall be implemented, as appropriate.
- G2. The project applicant would be required to obtain authorization under the National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit (Construction Permit, NPDES No. CAS000002) prior to the pre-construction meeting. Specific conformance requirements include implementing an approved Storm Water Pollution Prevention Plan (SWPPP) and monitoring program, with these plans identifying detailed measures to prevent and control the off-site discharge of contaminants (including sediment) in storm water runoff. Specific pollution control measures typically involve the use of best available technology (BAT), best conventional pollutant control technology (BCT) and/or best management practices (BMPs), pursuant to direction by the State Water Resources Control Board (SWRCB) and the applicable RWQCB office.
- G3. Specific erosion and sedimentation control measures identified in the handbooks applicable to project construction include the following:
- Preservation of existing vegetation wherever feasible
 - Landscaping/restoration of applicable disturbed areas as soon as feasible, and minimizing irrigation (e.g., by use of native and/or drought-tolerant species)
 - Use of erosion prevention devices such as mulches, mats, fiber rolls, bonded fiber matrix and/or geotextiles to stabilize graded areas

- Dust control through regular watering.
- Stabilization of construction ingress/egress points (e.g., through temporary paving or gravelling), washing of vehicles leaving the site, and sweeping/vacuuming of paved areas
- Use of temporary berms, swales, check dams, slope/terrace drains and/or brow ditches to direct run-on and runoff
- Use of temporary sediment catchment devices such as sand/gravel bags, straw/hay bales, silt fences, fiber rolls or temporary sediment basins
- Regular monitoring and maintenance of project erosion control and drainage facilities to ensure proper working order, as well as water quality testing (if applicable) pursuant to Construction Permit requirements.

PUBLIC REVIEW DISTRIBUTION:

The following individuals, organizations, and agencies received a copy or notice of the draft MND and were invited to comment on its accuracy and adequacy:

United States Government

- Environmental Protection Agency
- Department of the Interior
 - Fish and Wildlife Service
- Department of the Army
 - Corps of Engineers
- Department of Agriculture
 - Natural Resources Conservation Services

State of California

- State Clearinghouse
- Department of Fish and Game, Region 5
- Regional Water Quality Control Board, Region 9
- Caltrans, District 11
- Office of Historic Preservation
- Resources Agency (Water Resources)
- Department of Water Resources, Division of Safety of Dams
- Department of Health Services
- Native American Heritage Commission
- Department of Conservation, Division of Mines and Geology,
Reclamation Board
- Department of Food and Agriculture

County of San Diego

- Department of Agriculture, Weights and Measures
- Department of Public Works
- Department of Planning and Land Use
- Department of Parks and Recreation
- Supervisor Dianne Jacob
- Supervisor Bill Horn
- Supervisor Pam Slater

City of San Diego

- Mayor Dick Murphy
- Councilmember Mainschein, District 5
- Land Development Review Division
- Real Estate Assets Department
- Engineering Dept., Transportation Planning
- Fire Department
- Historic Resources Board
- Water Department

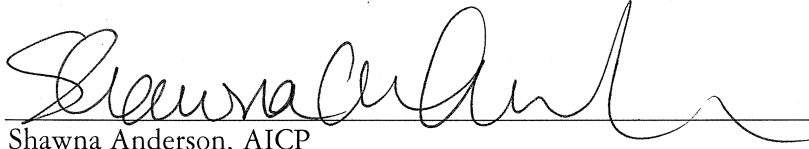
City of Escondido

Planning Department
Public Works

Other Agencies, Organizations, and Individuals

SDG&E
Sierra Club
Palomar Audubon Society
San Diego Audubon Society
California Native Plants Society
Southwest Center for Biological Diversity
Citizens Coordinate for Century III
San Diego State University/South Coastal Information Center
Endangered Habitats League
San Diego League of Women Voters
San Diego Mountain Biking Association
San Diego County Bicycle Coalition
San Diego Historical Society
San Diego County Archaeological Society, Inc.
San Diego Archaeology Center
Native American Environmental Protection Coalition
San Diego Agriculture Advisory Board
Back Country Horsemen
Kumeyaay Cultural Repatriation Committee
Native American Distribution – Notice Only
San Pasqual Band of Mission Indians
Mesa Grande Band of Mission Indians
Santa Ysabel Band of Diegueño Indians
Inaja Band of Mission Indians
San Pasqual/Lake Hodges Planning Group
Rancho Bernardo Community Planning Board
Friends of the San Dieguito River Valley
San Dieguito River Valley Conservancy
San Pasqual Battlefield Volunteer Association
Hodges Golf Improvement Center, LLC
San Diego Wild Animal Park
San Diego County Farm Bureau
San Dieguito River Park Citizens Advisory Committee
San Dieguito River Park JPA Board of Directors
Pomerado Newspaper Group
North County Times
San Diego Union Tribune

Copies of the Mitigated Negative Declaration, all technical reports and any other documents referenced in the Mitigated Negative Declaration, and the Initial Study materials are available at the office of the San Dieguito River Park Joint Powers Authority for review or for purchase at the cost of reproduction.



Shawna Anderson, AICP

Principal Environmental Planner

San Dieguito River Park Joint Powers Authority, (858) 674-2275 ext. 13

1/11/05
Date of Draft Report

3/4/05
Date of Final Report

ATTACHMENTS: Initial Study
Environmental Checklist Form