

# **FINDINGS OF FACT PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

## **SAN DIEGUITO LAGOON W-19 RESTORATION PROJECT**

**SCH: 2014081095**

**November 2018**

### **I. OVERALL FINDINGS**

Pursuant to Section 21081 of the California Environmental Quality Act (CEQA) and Section 15091 of the State CEQA Guidelines, the San Dieguito River Park Joint Powers Authority (JPA) finds as follows:

**A.** The San Dieguito Lagoon W-19 Restoration Project (proposed project) would either have no impact or impacts that are less than significant for the following topic areas:

- Land Use and Recreation
- Hydrology
- Geology/Soils
- Biological Resources (permanent impacts)
- Water Quality
- Visual Resources and Neighborhood Character
- Public Services and Utilities
- Public Health and Safety
- Greenhouse Gas Emissions
- Agricultural Resources
- Mineral Resources
- Population and Housing
- Utility Relocations
- Irreversible Environmental Changes
- Growth Inducing Impacts

**B.** For the following significant impacts identified in the Final Environmental Impact Report (Final EIR), changes or alterations have been required in, or incorporated into, the conditions of approval that mitigate or avoid each significant impact, as explained below:

- Coastal Processes and Sediment Delivery
- Air Quality
- Noise Impacts to Trail Users (temporary)
- Cultural Resources
- Paleontological Resources

C. For the following significant impacts identified in the Final EIR, changes or alterations have been required in, or incorporated into, the proposed project that minimize or reduce the significant impact, but not to a less than significant level, as explained in the findings below, or changes or mitigation measures were considered but identified as infeasible due to specific economic, legal, social, technological, or other considerations, as explained in the findings below. Thus, these impacts would remain significant and unavoidable. A Statement of Overriding Considerations is being adopted to address these significant and unmitigated impacts:

- Biological Resources (temporary)
- Traffic, Access, and Circulation (temporary and cumulative)
- Noise Impact to Sensitive Residential Receptors (temporary)

These findings are explained below and are supported by substantial evidence in the record of these proceedings, including materials in the JPA's files for this proposed project.

## II. EXPLANATION OF FINDINGS

The JPA has made one or more of these specific written findings regarding each significant impact associated with the proposed project. Those findings are presented below, along with a presentation of facts in support of the findings. These findings are based on the discussion of impacts in the detailed issue area analyses in the Final EIR, as well as relevant technical reports and responses to comments in the Final EIR. The JPA adopts and incorporates by reference the responses to comments as part of these findings. The JPA certifies these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed.

**A. Pursuant to California Public Resources Code (PRC) §21081 and Section 15091(a) (1) of the State CEQA Guidelines, the JPA finds that, for each of the following significant impacts as identified in the Final EIR, dated November 2018 for the San Dieguito Lagoon W-19 Restoration Project, changes or alterations (mitigation measures) have been required in, or incorporated into, the proposed project that avoid or substantially lessen each of the significant environmental impacts as identified in the Final EIR. The remaining impacts, if any, are less than significant. The significant impacts and mitigation measures are stated fully in the Final EIR. The following are brief descriptions of the impacts and mitigation measures set forth in the Final EIR and explanation of the rationale for this finding for each impact.**

## 1. Coastal Processes and Sediment Delivery Impacts

**Impact:** Restoration would disrupt the local littoral system due to changes in inlet configuration, tidal prism, maintenance dredging, or sand placement for disposal/reuse and decrease the amount of river sediments destined for the beach and littoral cell, and would be considered a potentially significant impact. The anticipated increase in tidal prism would result in an additional 2,100 cubic yards (cy) of sand annually trapped near the inlet instead of conveyed to the beach, based on predicted sedimentation rates. While the anticipated annual amount of entrained sand is modest, given the deficit conditions in the Oceanside littoral cell, the reduction in sand delivery would be considered a significant impact to coastal processes.

**Mitigation Measure Coastal Processes-1:** This mitigation measure specified in the Final EIR has been imposed upon the proposed project as a condition of approval requiring deepening of the sand trap created and maintained by Southern California Edison (SCE) in the river channel bottom. The deepened sand trap will be located between Camino Del Mar and the railroad within Area 2 of the designated dredge area for SCE. Inlet maintenance will remove an additional approximate 4,200 cy of material for placement at beach placement sites during each maintenance cycle.

**Mitigation Measure Coastal Processes-2:** This mitigation measure specified in the Final EIR has been imposed upon the proposed project as a condition of approval requiring implementation of a beach nourishment program within the vicinity of the river inlet. The program will provide additional sand to the beach at the same placement sites to be used for W-19 wetlands maintenance (also the SCE permitted placement sites) and will:

- Place an additional 5,000 cy of imported sand on the material placement sites within 1 year of the completion of the construction of W-19.
- Place an additional 5,000 cy of imported sand on the material placement sites every 10 years until a total of 30, 000 cy of imported sand is placed over an anticipated 50 years.

**Rationale:** Alterations in the proposed project have been required that avoid or substantially lessen this impact. Implementation of Mitigation Measure Coastal Processes-1 will create a deeper sand trap that will capture the additional sand entrained in the river mouth as a result of the proposed project and place it on the local beaches; thus minimizing the sediment loss to the littoral system. Additionally, Mitigation Measure Coastal Processes-2 will serve to place additional sand on the local beaches to compensate for decreased river sediments

reaching the littoral cell over time. Implementation of these mitigation measures will reduce the coastal processes and sediment delivery impact to less than significant. However, implementation of Mitigation Measures Coastal Processes-1 and Coastal Processes-2 will result in some temporary significant and unavoidable impacts to traffic and noise, as discussed below in Sections B.2 and B.3.

## 2. Air Quality Impacts

**Impact:** Based on the daily and average annual particulate matter (PM) equal to or less than 10 micrometers in diameter (PM<sub>10</sub>) construction emissions, the proposed project would contribute substantially to an existing or projected air quality violation and exceed the threshold of 100 pounds per day of PM dust during construction activities and would be considered a potentially significant temporary impact.

**Mitigation Measure AQ-1:** This mitigation measure specified in the Final EIR has been imposed upon the proposed project as a condition of approval requiring that measures be implemented by the construction contractor to reduce fugitive dust emissions associated with off-road equipment and heavy-duty vehicles. This measure includes requirements such as watering for fugitive dust, stabilization of stockpiles and unpaved roads, perimeter erosion control, removal of tracks on pavement, and other equipment-related dust control measures.

**Rationale:** Temporary average annual reactive organic gases, nitrogen oxides, carbon monoxide, and PM<sub>10</sub> emissions during construction would not exceed the screening level thresholds and would not result in a significant impact.

The proposed project would generate PM<sub>10</sub> emissions from construction activities. Since the majority of the construction activities would occur within the lagoon, the soil would be saturated, reducing fugitive dust emissions from excavation. The PM<sub>10</sub> emissions are primarily related to unpaved road dust from trucks hauling material to the disposal site. However, although annual PM<sub>10</sub> emissions would be within rounding (15.03 tons) of the screening threshold (15 tons), PM<sub>10</sub> emissions were conservatively assumed to exceed the threshold. Because the proposed project would exceed 100 pounds per day of PM dust during construction activities, impacts would be significant.

Alterations in the proposed project have been required that avoid or substantially lessen this impact. Implementation of Mitigation Measure AQ-1, as detailed within the Final EIR, would minimize dusty conditions caused by construction equipment or surfaces that could be wind-blown and become airborne through actions such as watering, surface suppression and stabilization, and covering haul

materials during transport. Implementation of this mitigation measure will reduce the temporary construction-related air quality impact to less than significant.

### **3. Noise Impacts**

**Impact:** Noise from construction and maintenance activities has the potential to result in or create a significant increase (>10 A-weighted decibels [dBA]) in the existing ambient noise levels along the Coast to Crest Trail and would be considered a potentially significant impact.

**Mitigation Measure Noise-1:** Mitigation Measure Noise-1 specified in the Final EIR has been imposed upon the proposed project as a condition of approval requiring that, prior to commencement of construction, public notices regarding the potential for temporarily increased noise levels be posted along the trail and in parking areas. These notices will include a schedule of anticipated elevated noise levels and a description of alternate trails available for use.

**Rationale:** A substantial increase (>10 dBA  $L_{eq}$ ) in ambient noise levels would occur at ST-10 along the trail. As discussed above, trail users would be exposed to these levels for short periods of time when grading is occurring close to the proposed project boundary and users are hiking within proximity to that activity (estimated duration on the order of minutes). Alternate trails would remain available during these periods. Alterations in the proposed project have been required that avoid or substantially lessen this impact. Implementation of Mitigation Measure Noise-1 would notify trail users of the anticipated temporary increase in noise levels along the Coast to Crest Trail segment and give trail users options of other trails to use for continued recreation if the noise levels were too disruptive. Implementation of this mitigation measure will reduce the potential temporary noise impacts along the Coast to Crest Trail during W-19 restoration to less than significant.

### **4. Cultural Resource Impacts**

**Impact:** Archaeological resources or human remains, if present onsite, could be substantially damaged or destroyed during excavation of underlying stable sediments within the W-19 restoration site or previously undisturbed portion of the proposed disposal site and would be considered a potentially significant impact.

**Mitigation Measure Cultural-1:** This detailed mitigation measure within the Final EIR has been imposed upon the proposed project as a condition of approval requiring that a series of actions be implemented before, during, and after construction, consistent with City requirements. The measure includes what

actions should occur if archaeological resources or human remains are found during construction. These actions include monitoring and reporting requirements as applicable over the course of project implementation.

**Rationale:** Grading activities for the proposed project have the potential to encounter previously unidentified, potentially significant archaeological resources in these stable sediments, particularly in the margins of the lagoon where human activities may have been obscured by the deposition of these younger alluvial soils by seasonal flooding. Although there is no evidence for the presence of cultural or human remains within the W-19 restoration site and proposed disposal site, based on information regarding the discovery of human remains in proximity to these areas, there may be a potential for encountering human remains during ground-disturbing activities for the proposed project. Alterations in the proposed project have been required that avoid or substantially lessen this impact. Implementation of Mitigation Measure Cultural-1 will provide clear and decisive actions to be taken if a resource is encountered, thus limiting the potential for inadvertent damage to a resource. The requirement for pre-construction contractor meetings will further help ensure that, if encountered, cultural resources are recognized and work will stop immediately. Monitoring during ground-disturbing work will provide for the identification and implementation of appropriate actions to be taken immediately in the field if resources are encountered. Implementation of this mitigation measure will reduce potential inadvertent disturbance to unknown archaeological or human remains to less than significant.

## 5. Paleontological Resources Impacts

**Impact:** During materials disposal, excavation of topsoil for salvage would require over 1,000 cy of excavation in a high resource potential geologic deposit/formation/rock unit and require over 2,000 cy of excavation in a moderate resource potential geologic deposit/formation/rock unit. Damaging or destroying a paleontological resource during excavation would be considered a potentially significant impact. With the implementation of Mitigation Measure Paleo-1, the significance of potential impacts to paleontological resources would be reduced to less than significant.

**Mitigation Measure Paleo-1:** This mitigation measure, as detailed in the Final EIR, has been imposed upon the proposed project as a condition of approval requiring that a paleontological monitor be onsite on a full-time basis during the initial cutting of previously undisturbed deposits of moderate to high paleontological significance (marine terrace deposits) within the disposal site to inspect exposures for contained fossils. As grading progresses, the qualified paleontologist and paleontological monitor shall have the authority to reduce the

scope of the monitoring program to an appropriate level if it is determined that the potential for impacts to paleontological resources is lower than anticipated.

**Rationale:** Activities related to materials disposal would disturb both alluvial deposits and marine terrace deposits. Approximately 340 cy of sediment would be disturbed from surficial grading. Additionally, up to 3 feet of excavation could occur within the previously undisturbed portion of the disposal site to salvage topsoil. Although all of this material would not be composed of marine terrace deposit, calculations were performed assuming only marine terrace deposit material and 3 feet of excavation throughout the previously undisturbed portion of the site in order to ensure a conservative analysis. Three feet of excavation across this previously undisturbed area would result in approximately 27,500 cy of ground disturbance. Materials disposal activities would result in the disturbance of more than 1,000 cy of moderate to high resource potential material. Alterations in the proposed project have been required that avoid or substantially lessen this impact. Implementation of Mitigation Measure Paleo-1 would require monitoring during ground-disturbing activities in sensitive areas to identify potentially sensitive paleontological resources and ensure the resource is not damaged or altered. The identification, analysis, recordation, recovery, or other appropriate actions so the resource is adequately processed for complete evaluation would ensure that the scientific and educational importance of the resource is not lost. Implementation of this mitigation measure will reduce potential disturbance to unknown paleontological resources to less than significant.

**B. Pursuant to Section 15091(a)(3) of the State CEQA Guidelines, the JPA finds that, for each of the following significant impacts as identified in the Final EIR, specific economic, legal, social, technological, or other considerations make the mitigation measures or proposed project alternatives to reduce impacts to below significance infeasible. The impacts that will remain significant and unavoidable despite implementation of all feasible mitigation measures are as follows:**

**1. Biological Resources Impacts (temporary)**

**Impact:** The project will remove approximately 150,000 cy of vegetation and recontour the land in order to create the desired mix of functional coastal wetland habitats. W-19 restoration/materials disposal (considered together) would result in temporary direct impacts to jurisdictional wetlands and sensitive habitats; and temporary indirect noise impacts to special-status species; impacts to non-listed special-status mammal species; and impacts to wildlife movement. These temporary impacts would be considered significant and unavoidable.

**Rationale:** No potential mitigation measures are feasible to minimize this impact, as detailed in Section 5.6.5 of the Final EIR. The proposed project is designed to enhance the W-19 site and contribute to the ecological function of the San Dieguito Lagoon system as a whole. Vegetation removal and soil disturbance is unavoidable to achieve the proposed restoration. However, with the establishment of approximately 60 acres of tidal salt marsh (post-restoration acreages of low-high salt marsh, mudflat, and open water and approximately 15 acres of brackish marsh), the proposed project would result in a net gain of approximately 64 acres of wetland (Table 5.6-4). In addition, the gain in wetland habitat would result in a corresponding decrease of bare ground/disturbed habitats. Within 5 to 10 years following restoration, habitats are expected to have substantially recovered and matured. Although biological impacts would result, they would occur in order to increase the overall habitat value of the site and to increase wetlands within the San Dieguito Lagoon system. Some permanent impacts associated with habitat conversion would be intentional, to increase higher value/functioning habitat at the expense of lower-quality habitat currently existing onsite. These impacts would not be significant. However, temporary disturbance of habitat within the proposed project site is unavoidable for implementation of the proposed project and would be considered significant. These temporary impacts would cease at the end of construction activities or as the new wetland and upland habitats establish.

There is potential for temporary indirect noise impacts to wildlife species as a result of construction activities. An increase in ambient noise levels could disrupt behaviors that play an important role in the reproduction of listed and non-listed species. Noise generated by project construction would be temporary and vary dependent on the work phase. Removal of vegetation outside of the breeding season, as described in PDF-19 (Table 3-4 of the Final EIR), would limit nesting and species occurrences within the W-19 site during noise-generating construction activities. Additionally, if vegetation is removed outside of breeding season, when species seek out their habitat for breeding, the adjacent habitat would be available and more suitable for nesting conditions, while being at a greater distance from noise-generating activities. During excavation and construction, noise generated by earth-moving equipment is mobile and would continually move throughout the site. The dynamic nature of the noise-generating construction equipment throughout the proposed project site would limit the length of time any certain area is exposed to increased noise levels. Additionally, construction noise levels are typically not constant as the typical duty cycle of the equipment is varied due to times when it is not functioning at full engine power, such as worker breaks, change in construction activities, and maintenance.

Mitigation measures, including noise walls, were considered to further reduce adverse indirect noise impacts, which would occur during initial project construction and maintenance activities. Because equipment would be moving through the biological study area throughout construction, and the habitat of concern includes adjacent marsh, an intervening noise wall would have to be continually mobile or constructed in unstable soil conditions along the river edge. The impacts associated with construction of the noise walls and the introduced barriers would reduce or eliminate the value of this mitigation measure. Also, the large size of the proposed project area and continual movement of noise-generating equipment make minimizing the impacts of noise with attenuating devices, such as noise walls or barriers, infeasible.

A project schedule requiring all work to be conducted outside of the bird nesting season was considered. This would completely halt construction between February 15 and September 1. The stop and start schedule would extend the overall construction duration substantially and the longer construction period would result in additional time of disruption to birds. A longer duration would potentially result in greater impacts than temporary construction noise during the breeding season, in part because the construction equipment would be mobile and only a portion of nesting habitat would be within the range of the construction noise at any given time. A mitigation measure requiring work outside of the nesting season was determined biologically undesirable and therefore infeasible.

Because mitigation is not feasible and temporary impacts must occur for enhancement to take place, temporary direct impacts associated with jurisdictional wetlands and sensitive habitat, and indirect impacts to special-status species, non-listed special-status mammal species, and wildlife movement during W-19 restoration/materials disposal would remain significant and unavoidable (temporary).

**Impact:** Large storm events have the potential to alter restored habitats through the closure of the W-19 inlets and/or the deposition of large amounts of sediment. Wetlands maintenance activities to address these closures would facilitate the recovery of these wetlands to their designed habitat types. Wetlands maintenance activities may require the use of heavy machinery and temporary disturbance of some areas within the W-19 site that might not have been impacted by the storm. These areas could contain sensitive habitats. W-19 wetlands maintenance would result in temporary direct impacts to jurisdictional wetlands; Tier I, Tier II, Tier IIIA, or Tier IIIB habitats; sensitive habitats; and temporary indirect noise impacts to special-status species and would be considered a temporary significant and unavoidable impact.

**Rationale:** Areas requiring wetlands maintenance are anticipated to be waters/wetlands of the U.S. and/or state. Beach maintenance placement sites proposed for the proposed project are located at least partially within waters of the U.S., but impacts would consist of placement of additional sand on existing beaches and would not substantially affect beach conditions. Because of the temporary disturbance of wetlands, however, impacts to both federal and state jurisdictional resources would occur as described for proposed project implementation. Wetlands maintenance activities would improve the quality of federal and state jurisdictional waters and wetlands within the site by removing deposited sediment and facilitating habitat recovery. Therefore, no permanent adverse impacts to jurisdictional resources would occur. Best management practices would be implemented as described in Table 5.4-1 of the Final EIR, and indirect adverse impacts would be less than significant. No additional potential mitigation measures are feasible to minimize the temporary direct impacts to wetlands. The proposed project is designed to enhance the W-19 site and contribute to the ecological function of the San Dieguito Lagoon system, and periodic maintenance is necessary to maintain the wetlands conditions and habitat types

Wetlands maintenance activities are expected to use heavy machinery similar to that described above for the proposed project, and similar noise impacts would occur. Therefore, indirect adverse impacts to special-status animal species from noise generated by wetlands maintenance are expected to be the same as those described for initial construction and would be significant.

The temporary direct impacts to wetlands and sensitive habitats and the indirect impact from the generation of noise would cease at the end of the maintenance activities. As discussed for the initial construction, mitigation measures for temporary noise impacts are not feasible.

Significant adverse biological impacts identified for the proposed project are temporary and are a result of the disturbance that must occur to alter elevations to achieve appropriate wetland conditions and enhance the overall habitat value of the site. The temporary disturbance of habitat within the proposed project site is unavoidable for implementation and maintenance of the proposed project. Temporary impacts associated with wetlands and sensitive habitats and indirect noise impacts during W-19 wetlands maintenance would remain significant and unavoidable (temporary).

## 2. Traffic, Access, and Circulation Impacts (temporary and cumulative)

**Impact:** During the most intensive 3-month construction period, which would include drainage improvements, trail construction, and slope protection and during wetland maintenance, construction trips would result in an increase in projected traffic, which would be substantial in relation to the existing traffic load and capacity of the street system and freeway segments and would be considered a significant temporary impact. Between the peak commute hours of 7 a.m. and 9 a.m. and 4 p.m. and 6 p.m., approximately 41 passenger car equivalents (PCEs) would be added by the proposed project during the majority of the 30-month construction period. For 3 months of the construction period, the added traffic would increase to 85 PCEs during the peak commute hours. While the 41 PCEs during the 30-month construction period would not be considered significant, this projected 3-month peak traffic increase of 85 PCEs is substantial in relation to the existing traffic load and capacity of the street system as the volume to capacity (V/C) ratios would increase by 0.05 as shown in Table 5.8-5, which exceeds the impact threshold. Traffic routed over the two-lane section of Via de la Valle and El Camino Real north of the site would exceed the existing roadway capacity during the 3-month intensive construction period and impacts would be significant.

Freeway segments within the study area currently operate at poor levels in peak directions during peak hours. This analysis assumed that all construction trips use the poor level of service (LOS) sections of Interstate 5 (I-5) or Interstate 805 (I-805) south of the merge within the same time period. In the interest of a conservative analysis, traffic impacts to these freeway segments were analyzed using the maximum trip generation value of 85 PCEs. Impacts of this level of trip generation along the offsite haul routes on I-5, I-805, El Camino Real, and Via de la Valle are shown in Tables 5.8-5 and 5.8-6. Addition of the 85 PCEs would increase the V/C ratios by 0.005 or 0.007 on many of the freeway segments currently operating at LOS F. Therefore, impacts would be significant during the 3-month intensive construction period.

Implementation of Mitigation Measure Coastal Processes-1 will not result in additional traffic impacts, because the sand will be delivered via trucks traversing the beach rather than public roadways.

Implementation of Mitigation Measure Coastal Processes-2 may result in significant impacts on local roads currently operating at capacity and other roadways within the region. Material placement per Mitigation Measure Coastal Processes-2 would require transportation on neighborhood roads to access the placement sites. Congestion on local roadways currently at capacity would

increase temporarily as material is transported to the beach and is considered a significant impact. Potential sand sources vary and could include upland quarries as well as opportunistic reuse of material generated from construction excavation or other regional wetland/river dredging. Because the source locations have not been identified, the specific roadways that may be impacted, beyond the local roadways analyzed within the Final EIR, cannot be predicted with certainty. Due to the uncertainty of which sand source will be utilized, the temporary impact to traffic, access, and circulation from Mitigation Measure Coastal Processes-2 is presumed significant and unavoidable (temporary).

**Mitigation Measure Traffic-1:** Mitigation Measure Traffic-1 would be required to address significant impacts associated with additional truck trips traversing impacted roadway segments during initial project construction. This mitigation measure specified in the Final EIR has been imposed upon the proposed project as a condition of approval requiring that advanced notification be provided to motorists that delays and traffic congestion will occur during the construction period, and will encourage roadway users to consider other transportation modes or alternative routes during peak hours. This notification may be accomplished through various measures such as information and detour routes included on the project website; traffic details included in notifications sent to local residents; traffic and alternative route information published in local media; and physical traffic control measures, such as temporary signage located at various distances from the impacted areas. Coordination with the El Camino Real Bridge/Road Widening Project operations or other applicable local projects will occur to reduce projected traffic, if project schedules overlap. The implementation of Mitigation Measure Traffic-1 would not reduce the traffic impact to below a level of significance, and the impact would remain significant and unavoidable.

**Rationale:** Upon completion of lagoon restoration, these temporary traffic impacts would be eliminated and traffic operations would revert to their previous conditions, with the exception of maintenance activities following large storm events, and the implementation of Mitigation Measure Coastal Processes-2, which would be temporary and infrequent. Alterations in the proposed project have been required that avoid or substantially lessen this impact. Also, as designed, the bulk of construction related traffic will be onsite and, as such, will not impact local roadways and freeway segments. For the offsite traffic that does occur, implementation of Mitigation Measure Traffic-1 requires advanced notification to motorists that delays and traffic congestion will occur at freeway segments (I-5 and I-805, south of the merge) and arterial roadway sections (Via de la Valle and El Camino Real) during the construction period and will encourage roadway users to consider other transportation modes or alternative routes during peak hours.

Notifications may be accomplished via information and detour routes available on the project website; traffic details included in notifications to local residents; traffic and alternative route information published in local media; and physical traffic control measures, such as temporary signage located at various distances from the impacted areas. Mitigation Measure Traffic-1 also requires coordination with the El Camino Real Bridge/Road Widening Project operations and/or other applicable local projects to reduce projected traffic, if project schedules overlap. Because it is speculative to predict the extent to which Mitigation Measure Traffic-1 would reduce traffic impacts, and because of the already-congested state of the roadways in question, the temporary impact to traffic would remain significant and unavoidable (temporary).

Additional mitigation measures to reduce the traffic congestion on impacted roadway segments were considered, but none were found feasible to mitigate the temporary traffic impacts due to lagoon restoration activities. Many measures that would mitigate this impact would be permanent in nature, which would not be appropriate to correct a temporary impact that would be resolved once the proposed project work is complete. Similarly, measures were considered to reduce the traffic impact related to wetlands maintenance to less than significant, including alternative routes between the restoration site and the placement sites. However, the limited number of alternative roadways restricts the possibilities of alternative routes. Also, because those alternate routes would be nearly twice as long and therefore would result in a marked increase in impacts related to air quality, greenhouse gas (GHG), and traffic, no mitigation measures were found feasible for maintenance-related traffic impacts.

If construction or maintenance trips associated with the proposed project were to occur simultaneously with other cumulative projects that add traffic, require lane closures, or change the traffic flow in the immediate area, most specifically the I-5 North Coast Corridor Project or widening of Via de la Valle, it is possible that the resulting changes in traffic volumes and roadway capacities could combine to create greater congestion and traffic impacts. It is difficult to anticipate if cumulative projects would overlap because of unknown timing of project construction schedules; however, it is possible that some portion of the projects would overlap, resulting in significant cumulative impacts. Mitigation Measure Traffic-1 requires coordination with the El Camino Real Bridge/Road Widening Project operations and/or other applicable local projects to reduce projected traffic impacts, if project schedules coincide. This mitigation measure will help to mitigate cumulative traffic impacts, but if there is simultaneous construction, the impact would not be mitigated to a level below significant. Additional mitigation measures to reduce the cumulative traffic congestion were considered, but none

were found feasible to mitigate the temporary traffic impacts due to construction traffic. The limited number of roads servicing the area creates challenges in identifying feasible mitigation options. For this reason, implementation of the proposed project would make a cumulatively considerable contribution to a temporary significant cumulative traffic impact if adverse traffic impacts from various projects were to occur concurrently. As described above, additional mitigation measures detailed in Section 5.8.5 of the Final EIR were found infeasible at a project level. No additional feasible cumulative mitigation measures have been identified to further reduce the cumulative traffic impacts.

### **3. Noise Impacts (temporary)**

**Impact:** A significant temporary increase in existing ambient noise levels measured at B-1, representing residences adjacent to the southern beach placement site, could occur from the placement of material on the beach. During beach placement activities, construction noise has the potential to result in or create a significant temporary increase (>10 dBA) in existing ambient noise levels; expose people to noise levels that exceed the City's adopted noise ordinance; and create temporary construction noise that exceeds 75 dBA  $L_{eq}$  at residential receptors at the southern sand placement site and would be considered a potentially significant impact. Beach placement activities will occur during initial construction as a result of the implementation of Mitigation Measure Coastal Processes-1, and will also occur during wetlands maintenance. Implementation of Mitigation Measure Coastal Processes-1 will extend the significant noise impacts discussed above during wetland maintenance activities by approximately 2 days.

Implementation of Mitigation Measure Coastal Processes-2 will result in a total of six additional sand placement events that would occur and may extend slightly past 50 years depending on frequency of placement. Implementation of Mitigation Measure Coastal Processes-2 will increase the number of times that sand will be placed on the beach, which will result in impacts identical to the noise impacts from beach placement activities associated with wetland maintenance at the southern sand placement site represented by receptor location B-1.

**Mitigation Measure Noise-2:** This mitigation measure, as detailed in the Final EIR, has been imposed upon the proposed project as a condition of approval requiring that the construction contractor provide written notification to residents within a 100-foot radius of the beach placement site prior to the start of construction activities. The contractor will establish a telephone hot-line, provided in the written notification to nearby residents, for use by the public to report any perceived substantial adverse noise conditions associated with beach placement

activities. This hot-line telephone number will be provided in written notification to nearby residents and posted at the project site during construction in a manner visible to passersby and will be maintained until the beach placement activities have concluded.

**Mitigation Measure Noise-3:** This mitigation measure, as detailed in the Final EIR, has been imposed upon the proposed project as a condition of approval requiring that, throughout the beach placement activities, the contractor document, investigate, evaluate, and attempt to resolve construction-related noise complaints.

**Mitigation Measure Noise-4:** This mitigation measure, as detailed in the Final EIR, has been imposed upon the proposed project as a condition of approval requiring that the contractor implement typical field techniques and equipment selection for reducing noise from construction activities, such as adjustment of audible alarms, acoustical upgrades on equipment, and reduction of idling time, with the purpose of reducing aggregate construction noise levels at nearby noise-sensitive receptors.

**Rationale:** Alterations in the proposed project have been required that avoid or substantially lessen this temporary impact. Mitigation Measures Noise-2, 3, and 4 would minimize construction noise during beach placement activities at nearby residences. Implementation of Mitigation Measures Noise-2, 3, and 4 would not reduce the noise impact at local residential receptors to below a level of significance. The noise impact due to material placement on the beach would remain significant and unavoidable.

Noise walls or other physical noise barriers were considered as mitigation for this temporary impact. However, the continually moving nature of construction equipment during material placement would require that the barriers be mobile and moved frequently to keep pace with the active construction area. The elevated location of the residential properties would make the barriers less effective. In addition, the barriers would have the potential to cause additional access restrictions for beach users. These challenges reduce or eliminate the value of this mitigation measure. For these reasons, the use of noise walls or other physical barriers along the beach placement sites to reduce noise levels at sensitive receptors would not be considered a feasible noise minimization measure. Because further mitigation is not available to eliminate or reduce this temporary impact during implementation of Mitigation Measure Coastal Processes-1 and Mitigation Measure Coastal Processes-2 and during W-19 wetland maintenance, temporary noise impacts from beach placement activities would remain significant and unavoidable (temporary).

### III. PROJECT ALTERNATIVES

The JPA chose to consider proposed project impacts and benefits and public/agency input in the ultimate selection of a proposed project. Because the proposed project is an enhancement effort focused on improving the W-19 site and improving the ecological function of the San Dieguito Lagoon system as a whole, substantial time and effort went into the planning for, and avoidance of, short-term and long-term impacts to species and their habitats through proposed project design features (Table 3-4 of the Final EIR). The proposed project has been identified as the preferred alternative by the JPA in the Final EIR.

As noted, the proposed project is identified as a mitigation opportunity within the I-5 North Coast Corridor Public Works Plan/Transportation and Resource Enhancement Program (PWP/TREP). Specifically, the PWP/TREP considers the proposed project as mitigation establishing approximately 50 acres of wetland habitat. The proposed project is also acknowledged as mitigation for the El Camino Real Bridge/Road Widening Project, which identifies the establishment of approximately 15 acres of brackish wetlands and 3 acres of riparian habitat, as well as enhancement of 2 acres of riparian habitat. Alternatives to the proposed project were identified in previous reports, as well as from input provided by responsible agencies and interested organizations and individuals.

In addition to alternatives associated with the W-19 restoration, an offsite option for disposal was evaluated. The offsite disposal alternative could be applied to any of the W-19 build alternatives (including the proposed project).

#### **Alternative B**

Alternative B would result in an initial habitat distribution very similar to that of the proposed project. Approximately 60 acres of tidal salt marsh would be created west of the existing utility corridor, with a western tidal connection to the San Dieguito River south of the existing least tern nesting island. A brackish marsh system (including riparian habitat) would be created east of the utility corridor. The proposed upland area would be planted with a mix of transitional and coastal scrub species, but the elevation of the upland would be lower than that identified for the proposed project and would have an elevation of approximately 10 feet to allow it to overtop during large storm events. This alternative would be influenced by both tidal exchange and upstream river (fluvial) processes, and would enable the wetland to evolve and change configuration based on river flow. River flows would enter restored wetland areas under smaller/more frequent storm events than under the proposed project and would result in larger volumes of sediment deposited within the site. Sediment maintenance activities under Alternative B are also different than those under the proposed project as the design approach for this alternative does not include construction of protecting berms between the active low flow river channel and the restored wetland areas. Sediment removal activities would be limited to the

identified inlet maintenance areas. These modifications were based on resource agency input to allow the wetland/upland habitat distribution to evolve over time based on river dynamics.

Alternative B would increase the volume of disposal from 1,100,000 cy under the proposed project to 1,200,000 cy. The increase for Alternative B is the result of less need for material onsite. This increase, while increasing the duration of the construction, would not result in substantial changes to the onsite or offsite disposal options described for the proposed project.

Alternative B would lessen the significant and unavoidable noise impact at the southern beach placement site due to a smaller volume of material requiring beach placement associated with wetlands maintenance activities. Because the wetlands maintenance activities would not occur to the same extent as the proposed project, Alternative B could result in slightly slower water velocities, which would decrease the erosion risk along channels in the restoration area. However, mitigation measures associated with sand placement over the proposed project life would offset those smaller maintenance volumes. The proposed project would cause a substantially smaller reduction in sediment delivery to the littoral zone as compared to Alternative B. Slightly more sensitive habitat would be impacted during construction of Alternative B; however, the biological impacts are generally similar to the proposed project. Visual impacts would be less for the proposed project as the volume of material placed on the disposal site would be 100,000 cy less than Alternative B, so the resulting elevational increase would be less. Traffic impacts would vary slightly during different phases of the alternatives with more trips occurring during the prolonged construction period of Alternative B, while more truck trips would be associated with wetlands maintenance under the proposed project. Air quality impacts associated with the proposed project would be slightly less than the other alternatives due to a reduced amount of excavation and transport of material. Similarly, GHG emissions would be less for the proposed project than Alternative B.

Alternative B would reduce the severity of some impacts and increase others, but would not change significance conclusions for any issue area as compared to the proposed project. This alternative does not substantially lessen the significant impacts associated with the proposed project, although impacts may occur to a slightly lesser extent than the proposed project.

Alternative B is undesirable from a public policy standpoint because Alternative B may not satisfy mitigation needs due to the predicted loss of wetland habitat over time due to the influence by both tidal exchange and upstream river processes that would enable the wetland to evolve and change configuration based on river flow. This alternative may therefore be unable to meet the project objectives to the same extent as the proposed project. Most specifically, it may not achieve the following objectives: (1) establish a functional mix of coastal wetlands; and (2) promote a sustainable system of native wetland and terrestrial vegetation communities. Therefore, the JPA finds that Alternative B is rejected because specific economic, legal, social, and other considerations make this alternative infeasible.

## **Alternative C**

Alternative C would provide systems representative of both the proposed project and Alternative B and would result in habitat distribution consisting of two separate tidal channel systems, one directly adjacent to the San Dieguito River and one separated from the river by a vegetated berm. Approximately 70 acres of tidal salt marsh would be created west of the existing utility corridor, with approximately one-third of that (22 acres) located adjacent to the river and approximately two-thirds (47 acres) protected by a vegetated berm at an elevation of 20 to 22 feet, similar to the proposed project. A brackish marsh system (including riparian habitat) would be created east of the utility corridor. A deliberate design feature of Alternative C includes restoration of salt marsh adjacent to the active low flow river channel, which would allow the salt marsh to be directly influenced by river dynamics and evolve over time. Sedimentation would occur at a much higher rate in the portion of tidal wetlands located directly adjacent to the San Dieguito River and would bury most of the site. Other areas of the site would be eroded as a new river channel would develop during/after severe storm events. The purpose of this design is to allow the natural dynamics of the river to dictate the site and modify elevations and habitats naturally over time. Similar to the proposed project, maintenance would be required after large storm events (25-year event or greater) to remove accumulated sediment from the inlet connections of the protected wetlands to reduce large-scale conversion of habitat and/or water quality impairments.

Like Alternative B, Alternative C would increase the volume of disposal from 1,100,000 cy under the proposed project to 1,200,000 cy. The increase for Alternative C is the result of the additional excavation to create the riverside wetlands. This increase, while increasing the duration of the construction, would not result in substantial changes to the onsite or offsite disposal options described for the proposed project.

Like Alternative B, Alternative C would lessen the significant and unavoidable noise impact at the southern beach placement site due to a smaller volume of material requiring beach placement associated with wetlands maintenance activities and also result in slightly slower water velocities, which would decrease the erosion risk along channels in the restoration area. However, mitigation measures associated with sand placement over the project life would offset those smaller maintenance volumes. Additionally, tidal flows under Alternative C would be slightly slower than those under Alternative B and would incrementally reduce the risk of scour exposing undergrounded utilities in the riverbed. The proposed project would cause a substantially smaller reduction in sediment delivery to the littoral zone as compared to Alternatives B and C. The residency time of water in the wetland system would be less with the proposed project, specifically compared to the unprotected wetland areas of Alternative C. As compared to the proposed project, slightly more sensitive habitat would be impacted during construction of Alternative C; however, the biological impacts are generally similar to the proposed project. Visual impacts would be less for the proposed project as the volume of material placed on the disposal site would be 100,000 cy less than Alternatives B and C, so the resulting elevational increase would be less. Traffic impacts would vary slightly during different

phases of the alternatives with more trips occurring during the prolonged construction period of Alternatives B and C, while more truck trips would be associated with wetlands maintenance under the proposed project. Air quality impacts associated with the proposed project would be slightly less than the other alternatives due to a reduced amount of excavation and transport of material. Similarly, GHG emissions would be less for the proposed project than for Alternatives B and C.

Alternative C would reduce the severity of some impacts and increase others, but would not change significance conclusions for any issue area as compared to the proposed project. This alternative does not substantially lessen the significant impacts associated with the proposed project, although impacts may occur to a slightly lesser extent than the proposed project.

Alternative C is undesirable from a public policy standpoint because Alternative C may not satisfy mitigation needs due to the predicted loss of wetland habitat over time due to the influence by both tidal exchange and upstream river processes that would enable the wetland to evolve and change configuration based on river flow. This alternative may therefore be unable to meet the project objectives to the same extent as the proposed project. Most specifically, it may not fully achieve the following objectives: (1) establish a functional mix of coastal wetlands and uplands that achieves the mitigation need; (2) establish brackish wetlands and riparian habitat that achieves the mitigation needs; and (3) promote a sustainable system of native wetland and terrestrial vegetation communities. Therefore, the JPA finds that Alternative C is rejected because specific economic, legal, social, and other considerations make this alternative infeasible.

### **No Project Alternative**

The No Project Alternative would not modify existing conditions and no actions would take place. Thus, no significant environmental impacts would occur from this alternative. However, implementation of the No Project Alternative would result in the continued expansion of ruderal and nonnative habitats and vegetation communities within the W-19 site. No restoration of the W-19 site would occur and additional wetlands would not be created on the site to complement adjacent restoration projects. Regional coastal wetlands would not be increased and the identification of alternative mitigation areas for the North Coast Corridor and El Camino Real Bridge/Road Widening Project would be required. The Park Master Plan would not be expanded, and benefits associated with increased tidal system and public access would not be realized, although future restoration of the site would not be precluded. While no significant adverse impacts would occur, none of the beneficial or positive impacts that occur with implementation of one of the proposed project alternatives would result under the No Project Alternative.

As a result, the No Project Alternative does not achieve the CEQA project objectives. Most specifically, it does not achieve the following objectives: (1) establish a functional mix of coastal wetlands and uplands that achieves the mitigation need; (2) establish brackish wetlands and

riparian habitat that achieves the mitigation needs; (3) enhance connectivity of the San Dieguito River to the river valley to promote functionality of the broader lagoon ecosystem; (4) promote a sustainable system of native wetland and terrestrial vegetation communities; (5) promote recreational trail connectivity and enhancement of public access; and (6) complement existing restoration efforts (e.g., SCE's restoration project). This alternative is undesirable from a public policy standpoint because it does not feasibly attain primary objectives of the proposed project. Therefore, the JPA finds that the No Project Alternative is rejected because specific economic, legal, social, and other considerations make this alternative infeasible.

### **Offsite Materials Disposal Option**

An alternative to disposing the excavated material onsite was evaluated as a feasible option within the proposed project or build alternatives. With the offsite materials disposal option, excavated material would be exported to various locations offsite. The excavated material would have too much fine sand content to be suitable for disposal at Miramar Landfill; however, based on preliminary soil investigations, sediment characteristics are suitable for use as fill for regional infrastructure or development projects, or for disposal at private disposal sites (Appendix C). At the time of this document's release, development or disposal sites with the necessary capacity have not been identified within 1 mile of the proposed project site.

Given the small likelihood of an appropriate project occurring nearby, and the prohibitive cost of disposal at private sites (up to \$1000/truck load), excavated material would need to be marketed to individual projects under construction at the appropriate time. While specific locations that would utilize the material are not known, assumptions can be made that travel routes to the freeway would extend along El Camino Real to Via de la Valle or Del Mar Heights Road and then extend north or south along the I-5 corridor to the ultimate destination. Disposal of the full amount of project-generated sediment via this option would result in approximately 100,000 to 150,000 truck round trips to various construction sites within the region (Appendix C). The combination of the smaller truck and additional time required for the longer soil transport trips under this alternative would approximately double the duration of the grading/hauling phase and extend the overall construction period from approximately 2½ to 4 years.

Due to the extended construction time period, temporary significant and unavoidable impacts to biological resources would be greater under the offsite disposal option. The cost of hauling the material over the greater distance would significantly increase the cost of the proposed project and likely make the proposed project infeasible. The JPA finds that the Offsite Materials Disposal Option is rejected because significant impacts to biological resources would be increased, and specific economic, legal, social, and other considerations make this alternative infeasible.

## **Environmental Comparison of the Alternatives**

The alternatives identified in this section represent a reasonable range of variations on the proposed project that are designed to reduce one or more significant impacts of the proposed project. Each of the action alternatives provide a different array of functional coastal wetlands. Each issue area analyzed in Chapter 5 is addressed for the alternatives, and results of this comparison are summarized in Table 10-3. As Table 10-3 shows, both Alternatives B and C would reduce the severity of some impacts and increase the severity of others, but would not change significance conclusions for any issue area as compared to the proposed project. Importantly, because all of the action alternatives involve removal of vegetation and recontouring the land, they result in similar temporary biological, traffic, and noise impacts. Alternatives that meet the project objective of establishing a functional mix of coastal wetlands while also eliminating temporary impacts to biology, traffic, and noise were determined to be infeasible. While both alternatives would initially meet mitigation requirements outlined in the PWP/TREP, sea level rise and storm events could affect or alter initial habitat acreages (detailed in Final EIR Section 10.1), as habitats for both alternatives would be designed to allow for natural influences and evolution over time.

## **Environmentally Superior Alternative**

CEQA Guidelines (Section 15126.6(e)(2)) require that an environmentally superior alternative be identified among the alternatives considered. The environmentally superior alternative is generally defined as the alternative that would result in the least adverse environmental impacts to the proposed project site and surrounding area.

The No Project Alternative would result in the fewest significant environmental impacts, all of which are temporary in nature (Table 10-3), and could be considered environmentally superior for this reason. However, implementation of the No Project Alternative would result in the continued deterioration of the habitats, vegetation communities, and hydrologic conditions within the W-19 site. No wetland acreage would be established under the No Project Alternative, which would render the No Project Alternative inconsistent with the overall purpose of the proposed project and this alternative would not achieve any of the project objectives (Section 3.2).

Among the action alternatives, the proposed project is identified as the Environmentally Superior Alternative. The proposed project requires the smallest volume of material removal and disposal (100,000 cy less than Alternatives B and C), which generally results in a lesser degree of impact. Many of the impacts identified for the proposed project and alternatives are short-term impacts that would cease at the end of the construction period and as the new wetlands establish; thus, the proposed project's smaller volume of material removal would abbreviate the construction period and result in the shortest temporal impacts among the alternatives. Furthermore, the proposed project would result in more predictable habitats that will be less subject to alteration from natural influences over time than the other action alternatives.

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