

AMENDMENT 1 TO SANDAG CONTRACT NUMBER 5001331
MEMORANDUM OF AGREEMENT BETWEEN
THE SAN DIEGO ASSOCIATION OF GOVERNMENTS
AND
THE SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK
JOINT POWERS AUTHORITY

This Amendment No. 1 is to SANDAG Contract No. 5001331, Agreement Regarding Restoration of Land Within the San Dieguito River Valley ("Agreement"), by and between the San Diego Association of Governments (hereinafter referred to as "SANDAG"), 401 B Street, Suite 800, San Diego, California, and The San Dieguito River Valley Regional Open Space Park Joint Powers Authority, a local government agency created by the County of San Diego and the Cities of Del Mar, Escondido, Poway, San Diego and Solana Beach for the purpose of creating a greenway and natural open space park system in the San Dieguito River Valley ("JPA").

- A. Under the original MOA dated October 15, 2009 SANDAG and JPA entered into an agreement that established a process for the design, environmental review, consideration, and implementation of a restoration project on the Mitigation Property (east side of Interstate 5 (I-5) in the San Dieguito River Valley, just south of Via de la Valle consisting of approximately 170 acres) that includes tidal wetlands and upland habitat. This area has been identified as a location for the re-creation of tidal wetlands that will promote habitat restoration work already completed by Southern California Edison.
- B. This Amendment No. 1 is to incorporate the scope and budget of a not to exceed \$145,400 for the environmental review and plan amendment process in accordance with Section III. 4. of the Original MOA which shall include cost of consultants, technical reports, and staff time. The scope and budget (including project schedule) is attached hereto as Exhibit E. Nothing in this Amendment 1 is intended to relieve the parties of their obligations to perform as required by the MOA unless expressly stated herein.

NOW, THEREFORE, it is agreed as follows:

- 1. Section VIII. 3. of the MOA under the heading "CONSIDERATION FOR RESTORATION RIGHTS" shall be amended to instead read as follows:

In accordance with Section III, Paragraph 4, of this Agreement, SANDAG shall pay the JPA a not to exceed amount of \$145,400 for the Restoration Project's environmental review and plan amendment.

- 2. Exhibits incorporated into Memorandum of Understanding shall be amended to include the following:


Exhibit E: Scope and Budget (including Project Schedule) for the environmental review and plan amendment process

- 3. All other provisions of said MOA not amended herein, shall remain in full force and effect.

4. This Amendment 1 may be executed and delivered by facsimile signature and a facsimile signature shall be treated as an original. This Amendment No. 1 may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Amendment.

IN WITNESS WHEREOF, these parties have executed this Amendment 1 effective this First day of January, 2013.



The San Dieguito River Valley Regional Open
Space Park Joint Powers Authority (JPA)



SUSAN A. CARTER
Deputy Director

APPROVED AS TO SUFFICIENCY
OF FORM AND LEGALITY:

SAN DIEGO ASSOCIATION
OF GOVERNMENTS

GARY L. GALLEGOS
Executive Director
or Delegated Designee

APPROVED AS TO SUFFICIENCY
OF FORM AND LEGALITY:


Office of the General Counsel

Exhibit E
Scope of Work and Budget
(including Project Schedule)

Wetland Restoration at San Dieguito Lagoon

Background

SANDAG is designing a project that will create tidal and freshwater wetlands in an area of the San Dieguito Lagoon known as W19. SANDAG completed a feasibility study in 2011 which demonstrated that it is feasible to create significant new wetlands at the W19 site that will not negatively impact the adjacent Wetlands Restoration Project implemented by Southern California Edison and does not increase flooding hazards or scour. SANDAG entered into a Memorandum of Agreement (SANDAG Contract #5001331) with the San Dieguito River Park Joint Powers Authority ("JPA") whereby the JPA granted SANDAG the right to design a restoration project, the right to process the restoration project for approval by the JPA Board and all other agencies with jurisdiction over the project, and if a restoration project is approved, the right to implement the restoration project for mitigation credits, subject to various terms and conditions included in the MOA.

The conditions in the MOA states:

The JPA will prepare a scope and budget for the Restoration Project's environmental review for approval by SANDAG prior to its implementation. SANDAG shall reimburse the JPA for the actual cost of the environmental review and plan amendment process, including the cost of consultants, technical reports and staff time so long as those costs are within the scope approved by SANDAG, are reasonable, and do not exceed the amount of the budget approved by SANDAG.

Subsequent to the signing of the MOA, the JPA and SANDAG agreed to be co-lead agencies for CEQA and for the JPA to utilize SANDAG's consultants hired to prepare the CEQA/NEPA documentation. JPA staff will be (1) participating in all phases of the project design, (2) providing direction and oversight on the development of the CEQA/NEPA document, (3) coordinating with the U.S. Army Corps of Engineers on the required NEPA documentation and format, (4) coordinating in conjunctions with their attorneys with various entities such as the 22nd District Agricultural Association, Southern California Edison, the City of San Diego and the Southern California Coastal Conservancy, and (5) Public outreach and coordinating any required JPA Board briefings and approvals..

It is the intention of the parties that this scope of work and budget shall cover Preliminary Engineering, and Environmental Review and Permitting. It does not cover any work during or beyond the construction stage.

Task 1. Project Management

Schedule: 2/1/2014 to 10/15/16

Cost: \$70,300

This task includes all regular monthly meetings, stakeholder meetings, meetings and coordination with SCE, status reports to JPA Board, and review of progress reports and minutes from the meetings. This task also includes review, preparation and coordination regarding multi-agency agreements and facilitation by the JPA requiring necessary meeting between stakeholder to help develop the plan, the environmental review, and the required Park plan amendment. It is envisioned that the JPA staff will be required to coordinate with agencies including but not limited to 22nd District Agricultural Association, Southern California Edison, the City of San Diego, the Southern California Coastal Conservancy, U.S. Army Corps of Engineers, and Caltrans. JPA will also be responsible to work with SANDAG's Communication Department on public on outreach to help facilitate the project.

Deliverables: One-two page status report provided monthly or quarterly along with an invoice identifying in bullet points work done during the time period, work proposed for the time period and any challenges that have arisen.

Task 2. Develop Alternatives and Preliminary Engineering

Schedule: 2/1/2014 to 6/15/16

Cost: \$20,800

This task will require the JPA staff to work with the Project Design Team to develop a range of alternatives that will satisfy CEQA requirements and be acceptable for consideration for amending the JPA Park Plan. The JPA will review the alternatives and engineering drawing and provide input. During this phase, the JPA will amend the text of the Park Master Plan to incorporate the coastal wetland project and any proposed recreational trail. Graphics for Park Master Plan Amendment to be provided by SANDAG

Deliverables: Written and verbal comments incorporated into the Project Development Team minutes.

Task 3. CEQA/NEPA Preparation/Approval for Park Master Plan Amendment

Schedule: 2/1/2014 to 12/30/15

Cost: \$31,000

The JPA will serve as co-lead agency for CEQA. A JPA staff and SANDAG will jointly direct the SANDAG consultants preparing the environmental analysis to prepare a CEQA document that both SANDAG and JPA Board can certify. A separate environmental consultant has been hired to produce the CEQA/NEPA environmental document. The JPA will provide review and input into the Project Description, attend hearings and public meetings, prepare the Notice of Preparation, organize and attend community outreach meetings and lead a Scoping Meeting. The JPA will review and provide input to the internal draft of the EIR and environmental studies, and provide input to the Responses to Comments on the draft EIR. Finally, the JPA will review and comment on the draft and final documents. The JPA staff will take the lead to bring forward the environmental document to their Board with SANDAG's support. The JPA staff will support SANDAG who will take the lead to bring forward the environmental document to its Board. Both SANDAG and the JPA will collaborate with the U.S. Army Corps of Engineers to create a NEPA document acceptable for the Corps as the lead NEPA agency.

The JPA will be the lead on the development of an amendment to the Park Master Plan for consideration by the JPA Board.

Deliverables: Joint draft and final CEQA/NEPA document for use by SANDAG, JPA and USACOE for their consideration of the project. Develop and process the amendment to the Park Master Plan for JPA Board consideration.

Task 4. Final Design and Environmental Permitting

Schedule: 10/1/2015 to 10/15/16

Cost: \$22,500

This task will involve the JPAs efforts to coordinate final engineering and federal and state permitting. After CEQA/NEPA is completed, SANDAG consultants will generate a final design. The JPA staff will participate in the development of the final design, will review and provide comments. JPA and SANDAG will mutual address issues raised by the regulatory agencies relating to obtaining the required permits and attend meetings relating to obtaining required permits.

Deliverables: Written and verbal comments incorporated into the Project Development Team minutes. Facilitation and assistance to obtain federal and state permits to implement the project as documented in the quarterly/monthly status reports.

Budget

	Participation in Hours			
	Susan Carter	Shawna Anderson	JPA Attorney Wayne Brechtel	Total By Task
Rate per hour	\$100	\$100	\$150	
Task 1 Project Management				
1.1 Attend monthly meetings (42)	160	160		
1.2 Review progress report & action steps monthly	20	20		
1.3 Attend Coastal Commission staff meeting(s)	15	10		
1.4 Attend six stakeholder mtgs	18	20		
1.5 Act as ongoing liaison with SCE	40	20		
1.6 Coordinate multi-agency agreements	80		40	
1.7 Provide regular status reports to JPA Board & CAC	40	40		
Subtotal Hours	373	270	40	643
Subtotal Cost	\$37,300	\$27,000	\$6,000	\$70,300
Task 2 Develop Alternatives/Prelim Engineering				
2.1 Assist in development of alternatives	20	20		
2.2. Review alternatives prepared by Consultants	40	40		
2.3. Amend Park Master Plan to incorporate W19, Boudreau property, trail (does not include graphics)	40	40	8	
Subtotal Hours	100	100	8	208
Subtotal Cost	\$10,000	\$10,000	\$1,200	\$21,200
Task 3 CEQA/NEPA Preparation/Approval				
3.1. Review and Input to Project Description	8	16		
3.2. Attend hearings and public meetings (4)	16	16		
3.3. Prepare NOP (Dokken will issue)	2	8		
3.4. Organize and attend community outreach meetings	20	20		
3.5 Scoping Meeting - Lead, support, answer questions	10	20		
3.6 Review internal draft of the EIR and environmental	40	60		
3.7 Provide input to Responses to Comments on Draft EIR	8	30		
3.8 Review draft and final documents	8	20	8	
Subtotal Hours	112	190	8	310
Subtotal Cost	\$11,200	\$19,000	\$1,200	\$31,400
Task 4 Final Design & Env. Permitting				
4.1 Review and comment on final design	16	20		
4.2 Take lead on CEQA certification	8	16		
4.3 Address issues relating to Obtaining Required Permit	20	25		
4.4 Attend meetings relating to Obtaining Required Permit	40	80		
Subtotal Hours	84	141	0	225
Subtotal Cost	\$8,400	\$14,100	\$0	\$22,500
Total Hours	669	701	56	1426
Total Costs	\$66,900	\$70,100	\$8,400	\$145,400

Schedule

Task	Timeline	
	Start	Stop
Task 1 Project Management	2/1/2014	10/15/2016
Task 2 Develop Alternatives/Prelim Engineering	2/1/2014	9/30/2015
Task 3 CEQA/NEPA Preparation/Approval	2/1/2014	3/30/2015
Task 4 Final Design & Env. Permitting	10/1/2015	10/15/2016

AMENDMENT NO. 2 TO SANDAG CONTRACT NUMBER 5001331

**MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO ASSOCIATION
OF GOVERNMENTS AND THE SAN DIEGUITO RIVER VALLEY
REGIONAL OPEN SPACE PARK JOINT POWERS AUTHORITY**

This Second Amendment ("Amendment No. 2") to SANDAG Contract No. 5001331, Agreement Regarding Restoration of Land Within the San Dieguito River Valley dated October 15, 2009, ("Agreement") is made this 16th day of May, 2016, by and between the San Diego Association of Governments ("SANDAG") and the San Dieguito River Valley Regional Open Space Park Joint Powers Authority, a local government agency ("JPA").

- A. The Agreement has a seven-year term that will expire on or about October 15, 2016.
- B. This Amendment No. 2: (i) extends the Agreement an additional seven years, (ii) provides for payment of additional compensation to the JPA to address obligations to the California Coastal Conservancy with regard to the purchase of a portion of the W-19 Mitigation Property and otherwise ensure the land remains available for restoration, (iii) clarifies SANDAG's discretion to allocate mitigation credits, and (iv) provides funding for the JPA's management of the Dean Family Trust I mitigation property owned by Caltrans within the San Dieguito River Valley,

NOW, THEREFORE, it is agreed as follows:

1. The term of performance for this Amendment No. 2 to the Memorandum of Understanding (MOU) shall commence on October 16, 2016, and continue until October 15, 2023, or until such time as the JPA approves a Restoration Project, whichever occurs first.
2. Upon the signing of this Amendment No. 2, SANDAG shall pay the JPA Three Hundred Fifty-Seven Thousand Four Hundred Dollars (\$357,400.00), as compensation for the extended term and for use by JPA to satisfy any obligations it has to the California Coastal Conservancy with regard to the use of the Mitigation Property by SANDAG.
3. Upon the signing of this Amendment No. 2, SANDAG shall pay the JPA an additional one-time payment of Two Hundred Fifty-Seven Thousand Seventy-Nine Dollars (\$257,079) for the ongoing management of the property known as the Dean Mitigation Site located in the boundaries of the San Dieguito River Valley ("Management Funds"). The Dean property was used as mitigation by Caltrans for the North Coast Corridor Project and will be managed by the JPA pursuant to the Long-Term Management Plan dated September 2015 ("Management Plan"), attached to this amendment as Attachment 1, subject to final revisions and final approval by Caltrans and the JPA. The JPA shall hold, but not use any of the Management Funds until after the Management Plan has received final approval and JPA's management obligations commence. If, for any reason, the Management Plan does not receive final approval by the JPA or Caltrans, the Management Funds shall be returned to SANDAG.

4. SANDAG and JPA agree that, subject to SCE's restoration rights in Section II of the Agreement, SANDAG shall have sole discretion to determine which projects and/or entities shall receive and assign mitigation credits from a completed Restoration Project.

5. Except as set forth herein, all other provisions of the Agreement, as amended by Amendment No. 1, shall remain in full force and effect.

6. This Amendment No. 2 may be executed and delivered by scan or facsimile signature and such signature shall be treated as an original. This Amendment No. 2 may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Amendment.

IN WITNESS WHEREOF, these parties have executed this Amendment No. 2 effective this 16th day of May, 2016.

SAN DIEGUITO RIVER VALLEY REGIONAL
OPEN SPACE PARK JOINT POWERS
AUTHORITY



KEVIN MCKERNAN
Executive Director

APPROVED AS TO SUFFICIENCY OF FORM AND
LEGALITY

WORDEN WILLIAM APLC



D. WAYNE BRECHTEL, ESQ.
General Counsel

SAN DIEGO ASSOCIATION OF GOVERNMENTS



GARY L. GALLEGOS
Executive Director or Designee

APPROVED AS TO SUFFICIENCY OF FORM AND
LEGALITY:



Office of General Counsel, SANDAG

ATTACHMENT 1

LONG-TERM MANAGEMENT PLAN FOR DEAN MITIGATION SITE

See following pages.

Dean Mitigation Site

LTMP



Long-Term Management Plan

Dean Mitigation Site

San Diego County, California

11-SD-5
2E0030
1100020254

September 2015



Long-Term Management Plan

Dean Mitigation Site

San Diego County, California

September 2015

STATE OF CALIFORNIA
Department of Transportation

Prepared By:  Date: 9/03/15

for Michelle Madigan, Permits Specialist
(619) 688-0119
Environmental Stewardship and Ecological Studies
District 11, San Diego

Approved By:  Date: 9/03/15

Kim T. Smith, Senior Environmental Planner
(619) 688-0220
Chief of Environmental Stewardship and Ecological Studies
District 11, San Diego

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Chapter 1. Introduction

1.1. Purpose of Establishment

This Long Term Management Plan (LTMP) is for the upland resources on the Dean Mitigation Site (Conservation Area). The Dean Mitigation Site was selected as off-site mitigation for impacts to upland resources resulting from I-5 North Coast Corridor (NCC) projects.

SANDAG and Caltrans propose to mitigate impacts to sensitive upland habitats associated with the rail and freeway projects covered under the I-5 North Coast Corridor Public Works Plan/Transportation and Resource Enhancement Program (PWP/TREP) by restoring and establishing coastal sage scrub and enhancing and preserving southern maritime chaparral on the Dean Mitigation Site. The Dean Mitigation Site was identified within the Resource Enhancement Mitigation Package (REMP), which is the mitigation package for the NCC.

The Dean Mitigation Site began restoration work in Winter 2014 and were completed in Spring 2015. The Conservation Area was created to re-establish coastal sage scrub habitat that may be used by the coastal California gnatcatcher (*Polioptila californica californica*). The REMP Group, which includes the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), California Coastal Commission (CCC), and the U. S. Fish and Wildlife Service (USFWS), approved this site as mitigation for the projects listed above.

The Dean Mitigation Site is located along and immediately east of the Interstate 5 (I-5) right-of-way between Del Mar Heights Road and the I-5/San Dieguito Lagoon Bridge (Figure 1). The site is at latitude 35.9572 and longitude -117.2399. Immediately west of the site are the slopes of I-5, south of the site is existing southern maritime chaparral within the Crest Open Space, north of the site is riparian and open water habitat that is dedicated open space, and east of the site is land owned by the City of San Diego, some of which is used for soil disposal for the San Dieguito San Onofre Nuclear Generators (SONGs) Restoration Project.

A total of 9.48 acres of coastal sage scrub will be created/restored within the disturbed habitat. An additional 10.67 acres of coastal sage scrub will also be restored by increasing species diversity within the existing disturbed *Baccharis* scrub onsite. Existing high quality coastal sage scrub/maritime chaparral (1.45 acre) would be preserved and enhanced through some weeding. The existing dirt roads would be maintained for utility access adjacent to the site.

Table 1. Existing Habitat Onsite, I-5 North Coast Corridor Impacts and Proposed Mitigation

Habitat Type	Existing Acreage	I-5 Impacts NCC	Proposed Mitigation
Coastal sage scrub / Southern maritime chaparral	1.45	0	1.45
Disturbed baccharis scrub	10.87	0.20	10.67
Disturbed habitat	9.99	0.51	9.48
Bare ground	0.79	0.29 impacted, 0.50 to remain as is*	0
TOTAL	23.1	1.5	21.6

* Utility access road to remain as is

The coastal sage scrub habitat will provide wildlife habitat for many species including sensitive species such as the California gnatcatcher and orange-throated whiptail lizard (*Aspidoscelis hyperythra beldingi*). The disturbed Baccharis scrub onsite already supports foraging California gnatcatcher. The southern maritime chaparral onsite supports a few sensitive plants including wart-stemmed ceanothus (*Ceanothus verrucosus*), sea dahlia (*Coreopsis maritima*), scrub oak (*Quercus dumosa*), and Del Mar sand aster (*Corethrogyne filaginifolia*). Endangered Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*) will be planted in the southern maritime chaparral onsite that will be salvaged from the I-5 right of way. The restored habitats onsite will also become part of a larger open space preserve that provides wildlife corridors and a mosaic of habitats for a wide variety of plants and animals around the San Dieguito River.

1.2. Purpose of this Long-Term Management Plan

The purpose of this LTMP is to outline long-term management activities that encompass a range of activities including physical, financial, and legal protection of the Conservation Area, inventory, inspections, species management, and reporting corrective measures including adaptive management and to establish the goals and objectives of the management program for the Dean Mitigation Site. The LTMP will take effect after completion of all success criteria at the end of the 5 years of maintenance and monitoring. Activities outlined in this LTMP are intended to conserve and enhance the biodiversity of the Conservation Area ecological communities over the long term. This LTMP also ensures that the Conservation Area, once it meets all success criteria, will be transferred to, a qualified Property Owner Manager (POM) to own in fee, manage, and operate pursuant to this land management plan, and is acceptable to the regulatory and resource agencies. A conservation easement will be recorded for the Dean Mitigation Site. The conservation easement will have a deed with restrictive covenants to protect and maintain the present and future uses of the

parcel. These restrictive covenants would include a list of prohibitive uses that would be inconsistent with the conservation purposes of the parcels.

1.3. Goals and Objectives

The objectives and guidelines included in this LTMP are intended to preserve and maintain the functions and services of upland resources within the Conservation Area over the long term (following attainment of all success criteria). The primary goals of the of this LTMP are to (1) preserve and maintain the existing coastal sage scrub and southern maritime chaparral habitat; (2) control invasive exotic plant and animal species; and (3) maintain suitable habitat for the coastal California gnatcatcher and Del Mar manzanita. Identified herein are management strategies and techniques that are intended to promote long-term protection, preservation, and viability of the Conservation Area. Management guidelines provided are designed to protect and preserve the diversity, functions, and services provided by the ecosystem through long-term adaptive management, maintenance of the natural biotic community by limiting human intrusion and disturbance. Management actions will maintain habitat functions and services to benefit locally common and sensitive species, with specific attention given to the long-term success of the coastal California gnatcatcher and its habitat, and the maintenance of acceptable low levels of invasive, nonnative weed populations onsite.

1.4. Land Manager and Responsibilities

Caltrans will transfer title of the Dean Mitigation Site to a qualified POM for the long-term management, maintenance, and operation of the acquired properties in order to satisfy Caltrans mitigation requirements after the site protection instruments are in place. The San Dieguito River Park Joint Powers Authority (JPA) has agreed to take possession of the property following completion of all mitigation-associated activities, including the maintenance and monitoring necessary to meet all success criteria. The Land Manager shall be approved by USACE, RWQCB, CDFW, CCC, and USFWS.

1.4.1 Administration

Several entities will be involved in the implementation of this Long-Term Management Plan. These entities include state and federal wildlife agencies, Caltrans, and the POM. Their interactions are discussed briefly below.

1.4.2 Resource Agencies

The USACE, USFWS, CDFW, CCC, and the RWQCB, collectively referred to in this document as the regulatory and resource agencies, will provide advisory input and review to this document and may provide expertise and guidance to the POM/Land Manager on implementation and adaptive management tasks.

1.4.3 Land Owner

Caltrans is the current land owner, and is responsible for completing compensatory mitigation at the Dean Mitigation Site in full, including the associated maintenance and monitoring activities. Caltrans along with SANDAG will be responsible for the creation of a non-wasting endowment to provide funding for the implementation of this LTMP including management and inflation. Caltrans will be responsible for the site until the land is transferred to a qualified POM/Land Manager (Table 2).

Table 2: Contact People Involved in the Dean Mitigation Site.

Name	Title	Address	Phone Number
Kim Smith	Chief, Environmental Stewardship and Ecological Services	California Department of Transportation, District 11	(619) 688-0220
Sue Scatolini	Project Biologist	Environmental Division 4050 Taylor Street, MS 242, San Diego, CA 92110-2737	(619) 688-0191
Keith Greer	SANDAG EMP	SANDAG	(619) 699-7390

1.4.4 Property Owner Manager (POM)

Caltrans is the current POM/Land Manager, and the San Dieguito River Park JPA has agreed to become the POM/Land Manager after the transfer of the property. This transfer will need to be approved by the regulatory and resource agencies.

The Land Manager shall be the primary point of contact and the coordinator for overseeing long-term monitoring and management of the Conservation Area. The Land Manager shall serve as the liaison between the general public, private landowners adjacent to the Conservation Area, and public agencies, including regulatory and resource agencies. The Land Manager, with appropriate staff or assistance from private consultants or contractors, shall implement the long-term management plan, develop and implement updated management measures, and be responsible for Conservation Area monitoring and reporting. The Land Manager shall be responsible for providing (annual) reporting. The Land Manager shall be responsible for providing reports which summarize overall management activities, describe the site conditions, outline new or revised management priorities, practices and strategies for the next year period, detail priorities for the upcoming year (monitoring period) and any necessary remedial actions, and annually report on Conservation Area Activities (see section 4.4.1 for more specific reporting requirements). The Land Manager shall visit the site at least once a month to review site.

The Land Manager has specific authority to conduct and control activities within the Conservation Area. The Conservation Area may be affected by activities outside its

boundaries. Although the Land Manager will not have authority to make enforcement actions outside the Conservation Area boundaries, the Land Manager shall seek to promote a culture of cooperation with neighbors through community meetings and outreach as necessary. The regulatory and resource agencies shall be notified if any adjacent activities have the potential to negatively affect the Conservation Area.

POM/Land Manager Qualifications:

The POM/Land Manager must provide a qualified individual(s) whom is acceptable to the regulatory and resource agencies and Caltrans. This person(s) must meet the following criteria:

- B.S. or B.A. degree in wildlife management, ecology, zoology, botany, biology, or related field;
- at least 2 years of experience in field biology in southern California, preferably San Diego County;
- at least 2 years of experience in managing and protecting native upland resources;
- at least 2 years of experience in bird and general wildlife species, including the federally endangered coastal California gnatcatcher. A current USFWS permit for which is also required; and
- Demonstrated experience in similar projects or in projects requiring similar skills.

1.5 Ownership and Management Responsibility

1.5.1 Ownership

The Conservation Area is owned by Caltrans. Caltrans/SANDAG have an agreement to complete compensatory mitigation onsite (i.e., all the activities necessary to meet all success criteria) and then the site will be turned over as open space (with transfer of title) to the San Dieguito River Park JPA.

1.5.2 Management

Caltrans will be responsible for:

- Recording the approved conservation easements.
- Funding a qualified POM/Land Manager.
- Supplying the POM/Land Manager with copies of all applicable reports pertaining to the Conservation Area, particularly reports documenting habitats, wildlife use, and endangered species locations.
-

The POM/Land Manager will:

- Complete all activities listed under 1.4.4.
- Be an advocate for the Conservation Area by maintaining and protecting its physical and ecological integrity.

- Be familiar with the provisions of this LTMP, its attachments, and all documentation supporting the LTMP.
- Manage the Conservation Area in accordance with local regulations and conservation easements.
- Keep and maintain all documents provided by the owner.
- Educate the surrounding community about the presence and purpose of the Conservation Area.
- Visit the site at least once a month to review status of site.
- Document survey results and notify the regulatory and resource agencies, Caltrans in writing of any issues, problems, and proposed solutions in a timely manner.
- Coordinate with Police and Fire Departments concerning access and onsite security.

1.6 Funding Mechanism

Caltrans and SANDAG shall provide funding necessary to implement this plan. The long-term management of the Conservation Area shall be funded through a non-wasting endowment, where an initial amount will be deposited in a trust or bond and the interest generated from the principal, will be drawn to cover the cost of management activities. The endowment shall be held, managed, invested, and distributed solely for, and permanently restricted to, the long-term stewardship of the Conservation Area. The endowment shall be calculated to include a principal amount that, when managed and invested, is reasonably anticipated to cover the annual stewardship cost of the Conservation Area in perpetuity. The non-wasting endowment amount shall be determined by a PAR analysis or similar method. The long-term management cost (after 5 years) would likely require a minimum endowment of \$257,079, assuming an annual rate of return of 5.0 percent based on the PAR analysis in Appendix A. The endowment shall be held, managed, invested, disbursed, and governed as described in subdivision (a) of Section 65965 of the California Government Code, consistent with the Uniformed Prudent Management of Institutional Funds Act. Caltrans and SANDAG will fund the endowment with a financial organization with demonstrated success in managing this type of funding. The endowment will be funded in early 2016, at least three years prior to the San Dieguito River Park JPA taking over long-term management of the site.

Chapter 2. Property Description

2.1. Setting and Location

The Dean Mitigation Site is located along and immediately east of the Interstate 5 (I-5) right-of-way between Del Mar Heights Road and the I-5/San Dieguito Lagoon Bridge (Figure 1). The site is at latitude 35.9572 and longitude -117.2399. Immediately west of the site are the slopes of I-5, south of the site is existing southern maritime chaparral within the Crest Open Space, north of the site is riparian and open water habitat that is dedicated open space, and east of the site is land owned by the City of San Diego, some of which is used for soil disposal for the San Dieguito SONGs Restoration Project.

The Dean Mitigation Site is approximately 23.1 acres in size. The existing southern maritime chaparral (1.45 acres) will be preserved and enhanced through exotics removal and the 20.05 acres of remaining disturbed upland will be restored to coastal sage scrub with transitional planting adjacent to the southern maritime chaparral. The other 1.6 acres is comprised of a dirt access road (0.85 acres) to existing utilities along the boundary of the I-5 right-of-way, a sliver take of habitat along the property line for construction of the I-5 North Coast Corridor Project, and relocation of the utility along a portion of the dirt road that will be impacted.

2.2. History and Land Use

The Dean Mitigation Site was used for growing tomatoes until 2005. Since agricultural practices have ceased onsite, the site has become vegetated with a mixture of native and nonnative species. The main portion of the parcel is fallow agricultural field that is now either dominated entirely by exotic species or is dominated by coyote bush (*Baccharis pilularis*) with weedy species. Bare ground consists of the compacted dirt road on the southern and western ends of the parcel. Disturbed habitat onsite is dominated by a thick layer of filaree (*Erodium spp.*) and black mustard (*Brassica nigra*), with scattered tamarisk (*Tamarix sp.*), tree tobacco (*Nicotiana glauca*), pampas grass (*Cortaderia sp.*), goldenbush (*Isocoma menziesii*) and ice plant (*Carpobrotus edulis*). Disturbed *Baccharis* scrub is dominated by coyote bush with twiggly leaf plant (*Stephanomeria spp.*), deerweed (*Lotus scoparius*), filaree, miniature lupine (*Lupinus bicolor*), acacia (*Acacia latifolia*), and Mexican elderberry (*Sambucus mexicanus*). There is approximately 0.79 acres of bare ground, 10.87 acres of disturbed *baccharis* scrub, and 9.99 acres of disturbed habitat onsite (Figure 2). A summary of existing habitat types and acreage on the Dean parcel is provided in Table 3, below.

Table 3. Existing Vegetation Communities

Habitat Type	Acreage
Coastal sage scrub / Southern maritime chaparral	1.45
Disturbed baccharis scrub	10.87
Disturbed habitat	9.99
Bare ground	0.79
TOTAL	23.1

The southern maritime chaparral/coastal sage scrub habitat will be preserved and enhanced through weed eradication. A small sliver of the western edge of the site including 0.29 acres of bare ground, 0.20 acre of disturbed Baccharis scrub, and 0.51 acres of disturbed habitat will be impacted by construction of the I-5 North Coast Corridor Project. The rest of the existing dirt road (0.5 acre) will be left as is for the utility access road. The remainder of the site that is not dirt access road (20.15 acres); 10.67 acres of disturbed Baccharis scrub and 9.48 acres of disturbed habitat, will be restored to coastal sage scrub with some transition to southern maritime chaparral at the southern end. The entire 1.45 acres of coastal sage scrub/southern maritime chaparral will be preserved and enhanced. Exotic species will be eradicated, native plants will be planted and seeded and some temporary irrigation will be used.

2.3. Cultural Resources

Isolate P-27-029577 (exempt from further evaluation) and a portion of site CA-SDI-7296 (ineligible for the NRHP) are located within the Dean Biological Mitigation Site. As a precautionary measure, an archaeological monitoring area was delineated on plans around Site CA-SDI-7296 and an Archaeological and Native American Monitor were present during Caltrans planting activities. No cultural resources were identified during the Caltrans biological mitigation activities. In accordance with PRC 5024 MOU, Caltrans will complete a Historical Resources Compliance Report prior to the parcel transfer to San Dieguito River Park JPA, a private non-profit group. After the title transfer of the Dean Biological Mitigation Site is complete, San Dieguito River Park JPA will be fully responsible for all cultural resource compliances.

2.4. Topography and Hydrology

Topography onsite ranges from approximately 40 feet to 200 feet at the top of the slope. The site slopes to the north and towards the freeway somewhat. There are a few erosion gullies that formed during a high rain year in 2004/2005 when the tomato fields were first abandoned. There are no wetland features onsite. No grading will be completed onsite.

2.5. Soils

Soils onsite are primarily loamy sand. The main soil type onsite is Corralitos loamy sand with some terrace escarpments at the southern edge of the property on the slopes with southern maritime chaparral.

2.6. Existing Easements

There are no utility easements onsite; however, there is a utility access trail that will remain where the existing dirt road is along the western fence line. The access road from the east will also remain. Dirt roads are not included in the total mitigation acreage or the Conservation Area.

There will also be a recorded conservation easement on the property.

2.7. Adjacent Land Uses

The present uses of the areas adjacent to the mitigation site include I-5, open space, and open space that has been used for soil disposal areas from the adjacent salt marsh restoration. The future use in this area will include the same uses, except I-5 will be widened and more restoration may occur near San Dieguito Lagoon.

The adjacent uses for the site are I-5, residential homes, and open space. The future uses will remain the same, except much of the open space will be restored to native communities and will be preserved in perpetuity.

Chapter 3. Habitat and Species Descriptions

3.1.

3.2. Biological Resources Survey of Site

The site will be revegetated with coastal sage scrub species including coastal sagebrush (*Artemisia californica*), flat-topped buckwheat (*Eriogonum fasciculatum* var. *fasciculatum*), deerweed (*Lotus scoparius*), California encelia (*Encelia californica*), black sage (*Salvia mellifera*), white sage (*Salvia apiana*), lemonadeberry (*Rhus integrifolia*), laurel sumac (*Malosma laurina*), coastal prickly-pear, golden yarrow (*Eriophyllum confertiflorum*), toyon (*Heteromeles arbutifolia*), giant wild rye (*Leymus condensatus*), coast goldenbush (*Isocoma menziesii*), croton (*Croton californicus*), and purple needle-grass (*Stipa pulchra*) (Table 4). In addition, Del Mar sand aster seeds collected from the Racetrack View Mitigation Site across I-5 from Dean will be spread onsite. Del Mar sand aster will be seeded along the edges of the access road around the site. Transitional species to the southern maritime chaparral will be planted in open areas across the access road and just north of the access road near the existing southern maritime chaparral habitat. Transitional species that will be planted within the existing disturbed coastal sage scrub include wart-stemmed ceanothus, sea dahlia, Mohave yucca (*Yucca schidigera*), and scrub oak.

In addition, approximately six Del Mar manzanita will be salvaged from the I-5 prior to construction by the Del Mar Heights interchange. Cuttings and/or seed were taken from these plants in 2013, propagated in a nursery and planted onsite in the southern maritime chaparral areas where they will not be shaded out. The adult manzanita near Del Mar Heights Road will not be salvaged until just before impacts occur or as directed by the USFWS. A separate translocation plan for the Del Mar manzanita has been drafted and submitted for approval by the USFWS.

Table 4. Species to be Planted Onsite

Scientific Name	Common Name	Number of Plants	Containers	Seed
CSS				
<i>Artemisia californica</i>	coastal sage brush		Yes	Yes
<i>Eriogonum fasciculatum</i> var. <i>fasciculatum</i>	flat-topped buckwheat		Yes	Yes
<i>Lotus scoparius</i>	deerweed		Yes	Yes
<i>Encelia californica</i>	California sunflower		Yes	Yes
<i>Salvia mellifera</i>	black sage		Yes	Yes
<i>Salvia apiana</i>	white sage		Yes	No
<i>Malosma laurina</i>	laurel sumac		Yes	No
<i>Rhus integrifolia</i>	lemonadeberry		Yes	No

Chapter 3 Habitat and Species Descriptions

<i>Opuntia littoralis</i>	coast prickly pear		Yes	No
<i>Leymus condensatus</i>	Wild rye		Yes	No
<i>Heteromeles arbutifolia</i>	toyon		Yes	No
<i>Eriophyllum confertiflorum</i>	golden yarrow		No	Yes
<i>Isocoma menziesii</i>	coast goldenbush		No	Yes
<i>Croton californicus</i>	croton		No	Yes
<i>Stipa pulchra</i>	purple needle-grass		Yes	Yes
<i>Corethrogyne filaginifolia</i>	Del Mar sand aster		No	Yes
Transitional Planting				
<i>Ceanothus verrucosus</i>	Wart-stemmed lilac		Yes	No
<i>Quercus dumosa</i>	Coast scrub oak		Yes	No
<i>Yucca schidigera</i>	Mojave yucca		Yes	No
<i>Coreopsis maritima</i>	Sea Dahlia		Yes	Yes
<i>Arctostaphylos glandulosa</i> ssp. <i>crassifolia</i>	Del Mar manzanita		Salvage and/or container grown seedlings	No

A mixture of container plants and seed will be used onsite. The proposed plant list is based on the existing species onsite and within the surrounding habitat. The container plants shall be 1- gallon plants or liners. All planting will be completed during the rainy season and temporary watering may be necessary on the slope in the event of an unusually dry season.

Due to the presence of some coastal sage scrub species already occurring onsite, additional container plants will be placed in openings around existing plants, at a density of approximately 7-foot on center. Small groupings of plants will be used and plants will be placed in no apparent order. All container plants will be laid out onsite and reviewed by the biologist prior to planting. Planting will be done by hand. Seed will fill in gaps between plants. This palette should result in similar coverage of perennial and overall coverage to the reference site and a similar density and diversity of plants as the reference site described below.

All irrigation will be installed, inspected, and tested prior to backfilling the trenches and use. All irrigation will be installed prior to planting onsite.

Irrigation mainline will be installed below grade within the access road on the north and west sides of the restoration site. All other irrigation onsite will be installed on the ground surface and secured in place. Irrigation of the northern end of the site will be spray heads in a pattern that will cover the whole area. Irrigation lateral lines with quick couplers will be installed onsite to facilitate hose watering of container plants within the southern end of the site where existing vegetation is denser. All irrigation on the surface will be removed when the project is complete. Quick couplers by the main on the access road will remain in place to water any salvaged Del Mar manzanita

that may later be salvaged and placed onsite. After initial establishment of plants onsite, irrigation will mimic natural rainfall patterns, except where dry season irrigation is necessary to prevent plant death or damage.

Wildlife Use.

The site currently supports threatened coastal California gnatcatcher. Other sensitive wildlife species that could utilize the Dean Mitigation Site include northwestern San Diego pocket mouse (*Perognathus fallax fallax*), San Diego desert woodrat (*Neotoma lepida intermedia*), and orange-throated whiptail.

3.3. Summary of Site Development Plan

The long-term goal of the restoration is to create self-sustaining, functioning coastal sage scrub habitat, which may take several years to achieve. However, within five years, the sites should develop characteristics leading toward this goal. All monitoring will be completed for 5 years or until the site meets success criteria. Caltrans biologists and landscape architects will be responsible for coordinating with the landscape contractor and for performing monitoring of the site.

Vegetation and wildlife monitoring will be completed through a combination of methods. Overall progress of the site will be monitored during quarterly visits. The general condition of the vegetation and planting at the restoration site will be noted along with any maintenance requirements. Wildlife monitoring will be completed quarterly and will consist of identification of all species through direct observation or identification of tracks, scat, or vocalizations. A list of wildlife species and numbers of individuals identified will be completed. The quarterly wildlife monitoring will be included in the annual restoration site reports.

Vegetation will be quantitatively monitored onsite using two methods; permanent photo locations, and collection of permanent transect data. Vegetation monitoring onsite will be completed in April/May at the time of optimum perennial and annual growth.

I. Permanent Photo Locations

Eight permanent photo stations will be established onsite that are representative of the different habitats. These photos will show the restoration from different angles with the best views. A detailed description of the vegetation cover and its progression over time will be prepared from the photos and visual inspections.

II. Vegetation Transects

Ten permanent 30-meter transects will be established onsite to monitor cover of the perennial coastal sage scrub and maritime chaparral species and overall cover.

Herbaceous and annual species will be included in the overall cover values. At least two of the transects will be within the coastal sage scrub /chaparral transition planting area. The transect locations will be recorded using a Trimble® Global Positioning System (GPS). Line intercept method will be used to determine the amount of coastal sage scrub shrub and herb species cover. Any areas of open space greater than 5 meters in years 3 through 5 will be noted and examined for action to fill in the gap. Transect monitoring will be completed in April/May to quantify spring growth of annuals as well as perennials.

Ecological Performance Standards

There are three different plant communities on this site: coastal sage scrub, preserved southern maritime chaparral, and the transitional coastal sage scrub /southern maritime chaparral habitat. Success of the native habitats onsite will be determined through a number of success criteria proposed as follows:

Exotic vegetation: Exotic perennial plants will be removed from the site initially and periodically as needed for at least 5 years. All flowering heads will be cut and bagged prior to initial removal. There shall be zero percent cover of perennial exotic plants and plants listed on the Cal IPC Lists A and B. There shall be less than 5 percent cover of other annual exotic species onsite.

Self-sufficiency: Plant survival and growth shall be sustained for at least three dry seasons without irrigation or human intervention. Irrigation, where used, will be gradually withdrawn from the restoration site overtime.

Species Diversity: Community composition and species diversity for both perennial and annual species shall be similar to that in similar upland habitats found at the reference site.

Wildlife Use: Numbers of wildlife species and individuals will be monitored quarterly as an indication of habitat function and values. Numbers of wildlife species should be similar to the adjacent habitat. Any nesting birds, particularly sensitive species (coastal California gnatcatcher), will be identified to indicate that the habitat is functional for these species.

3.4. Endangered and Threatened Species

The site currently supports threatened coastal California gnatcatcher. Other sensitive wildlife species that could utilize the Dean Mitigation Site include northwestern San Diego pocket mouse (*Perognathus fallax fallax*), San Diego desert woodrat (*Neotoma lepida intermedia*), and orange-throated whiptail (*Cnemidophorus hyperythrus*).

3.5. Rare Species and Species of Special Concern

The site currently supports threatened coastal California gnatcatcher. Other sensitive wildlife species that could utilize the Dean Mitigation Site include northwestern San Diego pocket mouse, San Diego desert woodrat, and orange-throated whiptail. Wart-stemmed ceanothus, coast scrub oak, sea dahlia, and Del Mar sand aster are listed as sensitive plants by the California Native Plant Society (CNPS) and these plants already occur onsite and additional plants will be planted. . In addition, cuttings from the endangered Del Mar manzanita plants growing along I-5 have been propagated and will be planted onsite.

Chapter 4. Management and Monitoring

4.1. Biological Resources

The Land Manager of Dean Mitigation Site will oversee all surveys and monitoring onsite. Surveys for listed species will be completed by permitted biologists. The annual surveys will include a general wildlife survey and a field survey by a plant ecologist. The Land Manager or their representative/field technicians will monitor use of the site by native species, such the coastal California gnatcatcher, northwestern San Diego pocket mouse, San Diego desert woodrat, and orange-throated whiptail. In addition, the coverage of rare plants onsite will be monitored. The results of these surveys will be included in an annual report.

Any change in the topography of the Dean Mitigation Site, including grading, excavation, or any manmade or mechanical disturbance of the Conservation Area, is prohibited except when necessary to accomplish the conservation purposes of this LTMP and is subject to approval from the regulatory and resource agencies. Any division, subdivision, or partitioning of the Conservation Area is prohibited. Notwithstanding the fact that, at the date the Conservation Area is conveyed to a qualified POM/Land Manager, the Conservation Area might be comprised of separate legal parcels, the terms and conditions of the LTMP shall apply to the Conservation Area as a whole, and that properties shall not be sold, transferred, or otherwise conveyed except as a whole, intact, single piece of real estate; it being expressly agreed that neither the POM/Land Manager, their representatives, heirs, successors, or assigns shall sell, transfer, or otherwise convey any portion of the Conservation Area that constitutes less than the entire site. The existence of any separate legal parcels, if any, as of the effective date of the LTMP shall not be interpreted to permit any use or activity on an individual legal parcel that would not have been permitted on such individual legal parcel under the terms and conditions of the LTMP as applied to the Conservation Area as a whole.

4.1.1. Covered Habitat

The annual biological surveys at the Conservation Area will include a habitat assessment of the coastal sage scrub and southern maritime chaparral.

4.1.2. Threatened/Endangered Plant Species Monitoring

The Del Mar manzanita planted onsite will be monitored for continued cover and potential expansion. A few sensitive plants including wart-stemmed ceanothus, sea dahlia, scrub oak, and Del Mar sand aster exist onsite. These plants will be surveyed

for in regular botanical surveys. The POM shall avoid inadvertent take and expand the population, as feasible.

4.1.3. Threatened/Endangered Animal Species Monitoring

An annual habitat assessment will be conducted for coastal California gnatcatcher. Protocol surveys for California gnatcatcher will be completed.

The annual biological spring surveys will monitor the use of the site by invasive animal species such as the brown-headed cowbird; as well as the spread into the site by invasive plant species, including pampas grass, fennel, tamarisk, black mustard, Indian sweetclover, and castor bean. Invasive plants will be controlled a minimum of twice a year for the first two years and then a minimum of once a year by handpulling or spraying.

Except when necessary to accomplish the purposes of this LTMP or as part of any planned restoration, creation and/or enhancement of native species, the deliberate introduction of seeds, plantings, grasses, clovers, other plant species, including exotic plants, or animal species is prohibited.

4.1.4. Vegetation Management

Non-native plant removal will be conducted a minimum of twice a year for the first two years and then a minimum of once a year on an ongoing basis by the long-term manager of the Conservation Area.

- The removal, cutting or destruction of native vegetation is prohibited except as necessary to accomplish the conservation purposes of this LTMP and/or as required by law for (1) fire breaks, (2) maintenance of existing foot trails or roads, (3) prevention or treatment of disease, or (4) actions authorized by existing easements or other instruments already recorded in the chain of title for the properties. If monitoring indicates mowing, cutting, trimming, grazing, burning or other vegetation management methods are necessary as an Adaptive Management technique it will be subject to review and approval by the San Dieguito River Park JPA and the regulatory and resource agencies.
- Non-native plant removal will occur at least 100 feet from active bird nests if conducted between February 15 and August 31.
- Except when necessary to accomplish the conservation purposes of this LTMP and in compliance with all applicable laws and regulations and in a manner consistent with the protection of the conservation purposes of this LTMP, the use of fertilizers, pesticides, herbicides, biocides or other agricultural chemicals ("Agricultural Chemicals") is prohibited. Should monitoring indicate that such activities are necessary as an Adaptive Management technique, it will be subject to review and approval by the San Dieguito River Park JPA and the regulatory and resource agencies.

4.2. Cultural Resources

Isolate P-27-029577 (exempt from further evaluation) and a portion of site CA-SDI-7296 (ineligible for the NRHP) are located within the Dean Biological Mitigation Site. As a precautionary measure, an archaeological monitoring area was delineated on plans around Site CA-SDI-7296 and an Archaeological and Native American Monitor were present during Caltrans planting activities. No cultural resources were identified during the Caltrans biological mitigation activities. In accordance with PRC 5024 MOU, Caltrans will complete a Historical Resources Compliance Report prior to the parcel transfer to San Dieguito River Park JPA, a private non-profit group. After the title transfer of the Dean Biological Mitigation Site is complete, San Dieguito River Park JPA will be fully responsible for all cultural resource compliances.

4.3. Safety, Security, and Public Access

The metal habitat restoration signs at the site will be periodically checked for maintenance and assessed for needed repairs or replacement by the POM of the Conservation Area. The POM has installed signs stating access restrictions and prohibitions with relevant ordinances to allow for enforcement. Fencing will be maintained and replaced as necessary by the Land Manager.

4.3.1. Trash And Trespass

The Land Manager of the Conservation Area will remove debris deposited onsite quarterly. During each quarterly site visit the Land Manager will note location(s) of trespassing and any associated damages, including unauthorized trails that need to be rectified (habitat restored to their previous condition).

The use of any motorized vehicles off designated roadways is prohibited, except for purposes to solely accomplish the purposes of this LTMP. The use of motorized vehicles for recreational purposes is prohibited. The use, dumping, storage, or other disposal of non-compostable refuse, trash, sewer sludge or unsightly or toxic or Hazardous Materials or agricultural chemical is prohibited. The establishment of any commercial or industrial uses is prohibited. The growing of crops, including but not limited to commercial production of fruits, forage and timber, is prohibited. The storage or disassembly of inoperable automobiles, machinery, equipment and trucks for purposes of storage, sale, or rental of space for any such purpose is prohibited. The construction, reconstruction, or replacement of any roadways is prohibited except when necessary to accomplish the purposes of this LTMP or if authorized by a preexisting easement or other preexisting document recorded in the chain of title for the Conservation Area.

4.3.2. Fire Hazard Reduction

The Land Manager shall maintain the Conservation Area as required for fire control while avoiding/limiting impacts to natural resources. The removal, cutting, or destruction of native vegetation is prohibited except as necessary to accomplish the purposes of this LTMP and/or as required by law for firebreaks. In no event may timber or plants be collected or used for commercial purposes unless as salvage in the event of a fire. There are currently no firebreaks or fuel modifications zones onsite. The resource and regulatory agencies shall be consulted if fire control is required in the future.

4.4. Infrastructure and Facilities

The exercise of any of the following development rights associated with the Conservation Area is prohibited, including, without limitation, the construction or placement of any commercial, residential, or other buildings, bridges, camping accommodations, house-trailers, permanent tent facilities, quonset huts or similar structures, golf courses, underground tanks, billboards, signs, or other advertising, and/or other structures or improvements. In addition, street lights, utility structures or power lines, sewer systems or sewer line, water system or water lines are prohibited unless used solely for the benefit of the purposes of this LTMP.

4.4.1. Fences And Gates

Fencing helps deter trash dumping and illegal encroachments. There is four-strand barbed wire along the northern boundary of the access road onsite with one metal access gate for people. Fence maintenance and replacement will be the responsibility of the Land Manager. The Land Manager will check on the fences biannually for maintenance and repair/replacement needs. Fencing that is no longer structurally sound or no longer functional as a barrier shall be replaced within 90 days. Signage that is broken, illegible, or missing shall be replaced within 90 days.

4.5. Reporting and Administration

Meetings will be conducted, as needed, by long-term managers, owners, and agency personnel of the Conservation Area to assess the progress of the site and to report any issues associated with long-term management.

4.5.1. Annual Report

A report will be prepared annually during the long-term management of the site. The report will provide a summarization of the status of the Conservation Area, including:

- trash accumulation and removal, trespassing issues or problems, project signage and fencing, erosion and sedimentation;
- a description of the measures undertaken (person hours expended) to control or remove invasive species or weeds species, a review of the effectiveness of those actions or actions performed in prior years (as appropriate);
- an update of the status of any remedial or restoration measures called for the previous annual report;
- results from plant and wildlife surveys and habitat assessments;
- photo-documentation as required;
- status of the funding generated by the endowment, describing expenses incurred in performing site management, and a summary of actions to be performed in the coming year and approximate cost; and
- recommendations for (1) habitat enhancement/repair/remedial efforts deemed necessary, (2) problems that need prompt, near-term attention (e.g., invasive species outbreak, fence repair, unauthorized impacts/damages, erosion control, removal of excess sediment), and (3) changes in the monitoring or management program that appear to be warranted based on monitoring results.

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The photostations will occur at similar locations to those conducted during the five-year monitoring period. Initial photographs will serve as baseline photographs for comparison to future photographs. The Land Manager shall prepare a key showing permanent photo documentation locations and include GPS locations with compass bearings. The graphics shall include color photographs from each location. Each year photos shall be re-taken from each location and compared to the baseline photographs and the previous photographs to visually document the condition of the site. Photo documentation shall be included in the annual report every fifth year. After the first five years, only photos from the current year, previous year, and every fifth year (baseline, fifth, tenth, etc...) will be included in the annual report. A summary of the maintenance and monitoring schedule for the Conservation area is provided in Table 5. The reports will be submitted annually to the regulatory and resource agencies. After the site is transferred, Caltrans also requests a courtesy copy of the annual report. The report can be sent to: Sue Scatolini, District Biologist, California Department of Transportation, Environmental Division, MS-242, 4050 Taylor Street, San Diego, CA 92110.

Table 5. Maintenance and Monitoring Schedule

Management Item	Maintenance/Monitoring Frequency	Activity
Invasive Species and Weed Control	Years 1 and 2 semi-annually, then at least annually	Weed control via hand pulling, hand tools or spot spraying/wicking with herbicide
General Biological Monitoring	Semi-annually	Review site conditions including plant cover, weed/invasive cover, hydrology, erosion, sedimentation/burial, fencing and signage, water quality etc.
Trash Removal	Quarterly	Collect all trash and remove from site, excluding natural debris.
Infrastructure Maintenance	Quarterly	Trespassing assessment and remediation, maintenance of signs, fencing, gates, locks.
Annual Reporting	Annually	Prepare and submit annual report
Vegetation Management	Annually	Trim/remove vegetation at outfalls, adjacent utility/maintenance roads.
Sensitive Plant and Wildlife Surveys	Annually (springtime)	Monitor floral and wildlife diversity, abundance, locations, trends and threats. Survey for threatened and endangered species. Note condition of habitat corridors and linkages.
Photo-documentation	Every year	Conduct photo documentation

4.6. Adaptive Management

If adaptive management measures are identified by the Land Manager, they shall be implemented within 12 months of the first recommendation. Adaptive management for upland habitats on site will be initiated at the discretion of the Land Manager, or whenever fire, major flooding, drought, or other disturbance events result in significant change or damage (i.e., approximately 15% or more loss of the Conservation Area vegetation). Where possible, the Conservation Area will be allowed to naturally restore itself, with close monitoring by the Land Manager. The adaptive management program will provide corrective actions where resources are threatened, current management activities are not adequate or effective, or enforcement difficulties are identified. The following are examples of some potential actions:

- a. Erect signs, fencing, or redirect trails to protect habitat areas from adverse direct impacts.

- b. Remove or control problematic non-native animal and insect species (e.g., cowbirds, feral cats, Argentine ants) to protect native animal populations. Restore habitat using native cuttings, seed, or plants to reverse the effects of habitat disturbance, or improve habitat quality for through active and passive restoration. Reintroduce plant species in areas where populations have been diminished or into historical but currently unoccupied areas.

4.7. Annual Reports

The annual report will include a table of contents, maps and photographs, and the following information:

- a. A general habitat assessment and summarization of the status of the Conservation Area, including a summary of weed and invasive species control, trash accumulation and removal, trespassing issues or problems, project signage and fencing, and any pronounced erosion and sedimentation.
- b. An identification, quantification, and description (graphically) of common and sensitive plant and animal species identified within the Conservation Area.
- c. A description of the measures undertaken to control or remove invasive species and weeds species, a review of the effectiveness of those actions or actions performed in prior years (as appropriate), and identification measures (methods, locations, etc.) to be performed in the coming year.
- d. An update of the status of any remedial or restoration measures called for in the previous annual report.
- e. A summary of the status of the funds generated by the endowment, describe expenses incurred in performing site management, and a summary of actions to be performed in the coming year and approximate cost.
- f. Recommendations for 1) habitat enhancement/repair/remedial efforts deemed necessary, 2) problems that need prompt, near-term attention (e.g., invasive species outbreaks, fence repair, unauthorized impacts/damages, erosion control, removal of excess sediment), and 3) changes in the monitoring or management program that appear to be warranted based on monitoring results.

Chapter 5. Transfer and Amendments

5.1. Transfer

At this time, Caltrans has plans to transfer title of the property (the Conservation Area) to the San Dieguito River Park JPA to serve as the POM/Land Manager for the long-term management, maintenance, and operation of the acquired property to satisfy Caltrans' long-term mitigation requirements. The transfer of the title of the Conservation Area will not be completed until the majority of the mitigation maintenance and monitoring is completed. Long-term management responsibility can be transferred or assigned to another party. A conservation easement will need to be recorded.

5.2. Amendments

The Land Manager shall have the discretion to amend the LTMP to reflect effective management decisions, strategies, and remedial measures that have been verified over the previous years. This plan will have to be revised and finalized after completion of mitigation implementation and monitoring activities onsite and prior to transfer of the property to the POM. The Land Manager shall be responsible for circulating such amendment to the regulatory and resource agencies for written approval prior to implementation. In general, it is expected that the LTMP may require revision every 5-10 years. Amendments will be added as needed for any contingencies during the long-term management of the Conservation Area. Future revisions of this LTMP should be consistent with the greater monitoring plans for San Diego County based on those being developed for the Multiple Species Conservation Programs (MSCP). Contingency expenses will be accounted for in the Habitat Planning In Perpetuity: Property Analysis Record, which has been completed and included in Appendix A.

Chapter 6. Funding and Task Prioritization

6.1. Funding

Caltrans shall provide funding necessary to implement this LTMP. The long-term management of the Conservation Area shall be funded through a non-wasting endowment, where the initial amount will be deposited in a trust or bond and the interest generated from the principal will be drawn to cover the cost of management activities. To ensure it remains non-wasting, the principal will not be drawn from to cover any costs of management activities. The cost and funding analysis were completed using the Center for Natural Land Management (CNLM's) Property Analysis Report (PAR) software. The results of the PAR are presented in Appendix A. The initial and capital cost of implementation of this LTMP is \$0 because the property will be transferred upon completion on the compensatory mitigation goals and sign off. The annual, on-going costs are \$9,424. Each of the costs includes a 10% contingency on management cost and 24% contingency on administrative costs. Therefore, annual funding required will be in the amount of \$12,854. The long-term management, maintenance and operation of the Conservation Area (after 5 years) would require a minimum endowment of approximately \$257,079, assuming an annual rate of return of 5.0 percent. A formal assessment of the endowment shall be conducted after ten years to ensure that it is performing as expected and anticipated funding levels are sufficient.

6.2. Task Prioritization

Tasks are prioritized based on the anticipated needs of maintenance and monitoring during long-term management of the Conservation Area and are as follows:

1. Habitat Maintenance: exotic plant removal with a water-soluble herbicide;
2. General Maintenance: truck hauling of exotic plant debris from the site and fees for dumping the plant debris and any trash at a landfill;
3. Biotic Surveys: general wildlife and plant surveys and project management meetings;
4. Repair of fencing and other maintenance onsite; and
5. Reporting: annual reports prepared and submitted to the resource and regulatory agencies and photo documentation of the site.



Figure 1. Dean Mitigation Site





Figure 2. Dean Mitigation Site Existing Vegetation and California Gnatcatcher Locations



Appendix A Habitat Planning In Perpetuity: The Property Analysis Record

**AMENDMENT NO. 3 TO SANDAG CONTRACT NO. 5001331
MEMORANDUM OF AGREEMENT BETWEEN
THE SAN DIEGO ASSOCIATION OF GOVERNMENTS
AND THE SAN DIEGUI TO RIVER VALLEY
REGIONAL OPEN SPACE PARK JOINT POWERS AUTHORITY**

This Amendment No. 3 to SANDAG Contract No. 5001331 concerns a memorandum of agreement (MOA) by and between the San Diego Association of Governments (hereinafter referred to as "SANDAG"), 401 B Street, Suite 800, San Diego, California, and the San Dieguito River Valley Regional Open Space Park Joint Powers Authority, a local government agency ("JPA").:

- A. Under the original MOA dated October 15, 2009, this Agreement is regarding the Restoration of Land Within the San Dieguito River Valley.
- B. This Amendment No. 3 is to modify the budget and schedule for the Restoration Project's Scope of Work. Nothing in this Amendment No. 3 is intended to relieve the parties of their obligations to perform as required by the MOU unless expressly stated herein.
- C. All other provisions of the Scope of Work, as amended by Amendment No. 1 (Exhibit E) and Amendment No. 2 (Attachment 1), remain the same.

NOW, THEREFORE, it is agreed as follows:

- 1. The Budget attached to this Amendment No. 3 as Exhibit A amends the budget originally approved in Amendment 1, Exhibit E. The project schedule is also hereby amended to reflect the following schedule:

Task 1: Project Management	February 1, 2014 – February 27, 2019
Task 2: Develop Alternatives and Preliminary Engineering	October 13, 2014 – June 7, 2016
Task 3: California Environmental Quality Act/National Environmental Policy Act Preparation/Approval	February 1, 2014 – December 31, 2018
Task 4: Final Design/Environmental Permitting	August 2, 2018 – February 27, 2019

- 2. All other provisions of said MOA and its corresponding amendments, shall remain in full force and effect.
- 3. This Amendment No. 3 may be executed and delivered by facsimile signature and a facsimile signature shall be treated as an original. This Amendment No. 3 may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Amendment.

IN WITNESS WHEREOF, these parties have executed this Amendment No. 3 effective this 2nd
day of August, 2018.

SAN DIEGO ASSOCIATION OF GOVERNMENTS

SAN DIEGUITO RIVER VALLEY REGIONAL OPEN
SPACE PARK JOINT POWERS AUTHORITY

Eisathias

[Signature]

for
CHARLES "MUGGS" STOLL
Department Director of Land Use and
Transportation

KEVIN MCKERNAN
Executive Director

APPROVED AS TO FORM AND LEGALITY:

[Signature]

Office of the General Counsel

N/A

Exhibit:

☒ Amended Budget and Schedule (Exhibit A)

EXHIBIT A
AMENDED BUDGET AND SCHEDULE

CONTRACT 5001331, EA #1200230, AMENDMENT #2	Participation in Hours			Total By Task
	Exec Director Kevin McKernan	Principal Planner Shawna Anderson	JPA Attorney Wayne Brechtel	
<i>Rate per hour</i>	\$125	\$100	\$175	
Task 1 Project Management				
1.1 Attend monthly PDT meetings (21 meetings)	42	42	6	90
1.2 Review progress report & action steps monthly	10	10	0	20
1.5 Attend Coastal Commission staff meeting(s)	15	24	8	47
1.6 Attend 4 stakeholder meetings	8	16	4	28
1.7 Ongoing meetings/liaison with SCE (10 meetings)	40	40	40	120
1.8 Multi-agency agreements	40	40	40	120
1.9 Provide regular status reports to JPA Board & CAC	8	12	4	24
Subtotal Hours	163	184	102	449
Subtotal Cost	\$20,375	\$18,400	\$17,850	\$56,625
Task 2 Develop Alternatives/Prelim Engineering				
This task is complete.	0	0	0	0
Subtotal Hours	0	0	0	0
Subtotal Cost	\$0	\$0	\$0	\$0
Task 3 CEQA/NEPA Preparation/Approval				
3.1. Review and Input to Project Description - Complete	0	0	0	0
3.2. Attend hearings and public meetings (4)	16	16	8	40
3.3. Prepare NOP (Dokken will issue) - Complete	0	0	0	0
3.4. Organize and attend community meetings (2)	10	10	0	20
3.5. Scoping Meeting - Lead, support - Complete	0	0	0	0
3.6 Review EIR drafts and environmental studies - Complete	0	0	0	0
3.7 Input to Responses to Comments and Final EIR	8	24	16	48
3.8 Final documents and CEQA Findings	8	24	16	48
Subtotal Hours	42	74	40	156
Subtotal Cost	\$5,250	\$7,400	\$4,000	\$16,650
Task 4 Final Design & Env. Permitting				
4.1 Review and comment on final design	8	8	0	16
4.2 Address issues relating to Obtaining Required Permits	20	40	8	68
4.3 Attend meetings relating to Obtaining Required Permit	40	80	8	128
Subtotal Hours	68	128	16	212
Subtotal Cost	\$8,500	\$12,800	\$2,800	\$24,100
Total All Hours	273	386	158	817
Total All Costs	\$34,125	\$38,600	\$24,650	\$97,375

Task	Timeline	
	Start	Stop
Task 1 Project Management	2/1/2014	2/27/2019
Task 3 CEQA/NEPA Preparation/Approval	2/1/2014	12/31/2018
Task 4 Final Design & Env. Permitting	8/2/2018	2/27/2019