# MITIGATED NEGATIVE DECLARATION

THE CITY OF SAN DIEGO

Project No. 589554
SCH No. 2020049049

**SUBJECT:** **Beyer Park ~~SDP~~**: A ~~SITE DEVELOPMENT PERMIT~~ request for the construction and operation of 16.5-acre open space park which would include a soccer field, 3 children's fields, a 19,375-square foot skate park, a 19,450-square foot large dog park, a 14,700-square foot small dog park, a 10,400-square foot children's play area, a 450-square foot comfort station, a 350-square foot maintenance building and trash enclosure, a half basketball court, shade structures, picnic areas, and trails. The park would also have 69 on-site parking and 15 street parking stalls. In addition, various site improvements would be constructed that include associated hardscape and landscape, retaining walls, infrastructure (e.g. off-site utility connections of water, sewer), storm drain, and access. The 43-acre site is located southeast of the eastern terminus of Beyer Boulevard. The project site is designated park and open space and zoned OP-1-1 and RS-1-7 per the San Ysidro Community Plan. The project site is also within the Multi-Habitat Planning Area, the Airport Land Use Compatibility Overlay Zone (Brown Field), the Airport Influence Area (Brown Field – Review Area 2), the FAA Part 77 Noticing Area (Brown Field and NOLF Imperial Beach), the Very High Fire Hazard Severity Zone, the Parking Standards Transit Priority Area, and the Transit Priority Area. (LEGAL DESCRIPTION: A portion of the southwest quarter of the southeast quarter section 36, together with a portion of the west 27 acres of the southeast quarter of the southeast quarter of section 36, all in township 18 south, range 2 west, San Bernardino base and Meridian, according to the official plat thereof.) APPLICANT: City of San Diego Public Works.

**UPDATE:** **October 12, 2020. Revisions have been made to this document when compared to the final Mitigated Negative Declaration (MND). More Specifically, clarifications have been made to the Mitigation Monitoring and Reporting Program (MMRP) to provide timing and triggers to the mitigation measures. Additionally, the MMRP was revised to utilize City standard MMRP. In accordance with the California Environmental Quality Act (CEQA), Section 15073.5(c)(4), the addition of new information that clarifies, amplifies, or makes insignificant modifications does not require recirculation as there are no new impacts and no new mitigation identified. An environmental document need only be recirculated when there is the identification of new significant environmental impacts or the addition of a new mitigation measure required to avoid a significant environmental impact. The text modifications within the final environmental document do not**

**affect the environmental analysis or conclusions of the MND. Revisions to the MND are reflected in a ~~strikeout~~/underline format.**

I. PROJECT DESCRIPTION:

See attached Initial Study.

II. ENVIRONMENTAL SETTING:

See attached Initial Study.

III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas(s): **Biological Resources and Noise**. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

**A. GENERAL REQUIREMENTS – PART I: Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS**."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

   http://www.sandiego.gov/development-services/industry/standtemp.shtml

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY –** The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

**B. GENERAL REQUIREMENTS – PART II: Post Plan Check (After permit issuance/Prior to start of construction)**

**PRE-CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

Qualified Biologist

**Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.**

CONTACT INFORMATION:

a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – (858) 627-3200**
b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at (858) 627-3360**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) No. 589554 and/or Environmental Document No. 589554 shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc

**Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.**

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

   Not Applicable

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

   **Note: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.**

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

| **DOCUMENT SUBMITTAL/INSPECTION CHECKLIST** | | |
|---|---|---|
| Issue Area | Document Submittal | Associated Inspection/Approvals/Notes |
| General | Consultant Qualification Letters | Prior to Preconstruction Meeting |
| General | Consultant Construction Monitoring Exhibits | Prior to or at Preconstruction Meeting |
| Biology | Biologist Limit of Work Verification | Limit of Work Inspection |
| Biology | Biology Reports | Biology/Habitat Restoration Inspection |
| Noise | Acoustical Reports | Noise Mitigation Features Inspection |

| | | |
|---|---|---|
| Bond Release | Request for Bond Release Letter | Final MMRP Inspections Prior to Bond Release Letter |

## C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

~~**Biological Resources**~~

~~**BIO-1 General Measures Prior to Construction**~~

A. ~~**Biologist Verification** - The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.~~

B. ~~**Preconstruction Meeting** - The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.~~

C. ~~**Biological Documents** - The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.~~

D. ~~**BCME** - The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.~~

E. **Avian Protection Requirements** - To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

F. **Resource Delineation** - Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

G. **Education** – Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

**BIO-2 General Measures During Construction**

A. **Monitoring**- All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas,

or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

B. **Subsequent Resource Identification** - The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

**BIO-3 Post Construction Measures**

A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

**BIO-4 Habitat-based Mitigation**

A. **On-site Restoration -** To fulfill the project's mitigation requirements for impacts to Tier I and Tier II vegetation (i.e., maritime succulent scrub, disturbed maritime succulent scrub, Diegan coastal sage scrub, and disturbed Diegan coastal sage scrub), a total of 13.32 acres of mitigation is required. The following mitigation program is proposed: 6.25 acres of maritime succulent scrub and 1.54 acre of disturbed maritime succulent scrub shall be enhanced in the MHPA portion of the eastern project parcel; 2.05 acres of maritime succulent scrub and 0.59 acre of disturbed maritime succulent scrub will be enhanced outside of the MHPA; and a total of 3.70 acres of disturbed lands, both inside and outside the MHPA will be restored to maritime succulent scrub, for a total of 14.12 acres of enhancement and restoration of Tier I vegetation. Table 7 provides a breakdown of mitigation requirements and Table 8 provides a summary. A Mitigation and Restoration Plan detailing the proposed enhancement and restoration has been developed (RECON 2019).

This plan also documents the requirements for a 5-year maintenance and monitoring period and includes plant salvage of sensitive succulent species and seeding of beach goldenaster with the ultimate goal of creating habitat

suitable for burrowing owl. Currently the maritime succulent scrub within the proposed mitigation area is fragmented and contains evidence of anthropogenic impacts, through the presence of unauthorized trails used by pedestrians and vehicles. The proposed restoration and enhancement activities will remove the fragmentation and effects of the anthropogenic impacts to create one contiguous patch of maritime succulent scrub. It is anticipated that restoration of the disturbed lands to native habitat and enhancement of the disturbed maritime succulent scrub to reduce the extent of non-native invasive plants will increase the habitat quality and resiliency of the maritime succulent scrub. In addition, the County of San Diego preserve area located immediately east of the mitigation site provides connectivity to natural open space further increasing the post-restoration quality.

B. **Preservation of Occupied Burrowing Owl Habitat –** In accordance with the City's Biology Guidelines, mitigation for impacts to occupied burrowing owl habitat must be through the conservation of occupied burrowing owl habitat or conservation of lands appropriate for restoration, management, and enhancement of burrowing owl nesting and foraging requirements.

A Conceptual Burrowing Owl Mitigation Plan is included as a component of the project Mitigation and Restoration Plan and was prepared in accordance with the CDFW 2012 Staff Report or the most recent state and/or federal protocols/guidance for approval by MSCP and the Wildlife Agencies (RECON 2019). A total of 13.55 acres of occupied habitat will be impacted by the project and will require 10.42 acres of mitigation per Table 3 of the Land Development Code Biology Guidelines. The plan includes on-site mitigation for the loss of 10.42 acres of suitable occupied burrowing owl habitat based on the ratios presented for the impacts to the underlying vegetation communities through preservation of occupied habitat within the adjacent maritime succulent scrub. Table 9 presents the breakdown of these mitigation requirements. The quality of preserved suitable occupied burrowing owl habitat must be comparable to or better than the habitat being impacted, otherwise enhancement of the habitat may be included as an aspect of the mitigation plan. The land to be preserved has been established to be occupied by burrowing owl (RECON 2017f) and supports fossorial mammals. The occupied habitat is maritime succulent scrub which will be enhanced/restored for impacts to vegetation as outlined in section A and the restoration design will ensure that the habitat remains appropriate for western burrowing owl. A map showing the proposed areas for artificial burrow construction can be found in Figure 10. The site will be preserved in perpetuity as part of the City MSCP Program. Prior to the issuance of any construction permits or beginning any construction-related activity on-site, the City shall provide the location of mitigation lands to the satisfaction of MSCP and the Wildlife Agencies. In addition, long-term maintenance and monitoring of the approved mitigation land shall be conducted in accordance with the MSCP program by the City Parks and Recreation department.

Funding for maintenance would occur through the operating budget for the management of Park and Recreation Open Space lands.

**BIO-5 Beach Goldenaster Restoration**

A pre-construction survey will be conducted to determine the number of individuals present at the time of the proposed project. Impacted beach goldenaster individuals will be mitigated in-kind through restoration. The results of this pre-construction survey may inform the number of beach goldenaster to planted. A potential restoration area has been identified based on this species' preferred habitat conditions within the MHPA (see Figure 10). For restoration of this species, the following steps are recommended: seed collection from the on-site population, bulking of seed in an approved nursery, installation of container plants, hand-seeding within the restoration area during the appropriate time of year, installation of site protection, and implementation of a maintenance and monitoring program. The restoration approach for beach goldenaster is documented in the Mitigation and Restoration Plan (RECON 2019) and will be maintained and monitored for a 60-month period or until success standards are obtained.

**BIO-6. Burrowing Owl Measures Prior to Permit or Notice to Proceed Issuance**

A. As this project has been determined to be BUOW occupied or to have BUOW occupation potential, the Applicant Department or Permit Holder shall submit evidence to the ADD of Entitlements verifying that a Biologist possessing qualifications pursuant "Staff Report on Burrowing Owl Mitigation, State of California Natural Resources Agency Department of Fish and Game. March 7, 2012 (hereafter referred as CDFG 2012, Staff Report), has been retained to implement a burrowing owl construction impact avoidance program.

B. The qualified BUOW biologist (or their designated biological representative) shall attend the pre-construction meeting to inform construction personnel about the City's BUOW requirements and subsequent survey schedule.

**BIO-7. Burrowing Owl Measures Prior to Construction**

A. The Applicant Department or Permit Holder and Qualified Biologist must ensure that initial pre-construction/take avoidance surveys of the project "site" are completed between 14 and 30 days before initial construction activities, including brushing, clearing, grubbing, or grading of the project site; regardless of the time of the year. "Site" means the project site and the area within a radius of 300 feet of the project site. The report shall be submitted and approved by the Wildlife Agencies and/or City MSCP staff prior to construction or BUOW eviction(s) and shall include maps of the project site and BUOW locations on aerial photos.

B. The pre-construction survey shall follow the methods described in CDFG 2012, Staff Report -Appendix D (please note, in 2013, CDFG became California Department of Fish and Wildlife or CDFW).

C. 24 hours prior to commencement of ground disturbing activities, the Qualified Biologist shall verify results of preconstruction/take avoidance surveys. Verification shall be provided to the City's Mitigation Monitoring and Coordination (MMC) and EPS Section. If results of the preconstruction surveys have changed and BUOW are present in areas not previously identified, immediate notification to the City and WA's shall be provided prior to ground disturbing activities.

**BIO-8. Burrowing Owl Measures During Construction**

A. **Post Construction**: Best Management Practices shall be employed as BUOWs are known to use open pipes, culverts, excavated holes, and other burrow-like structures at construction sites. Legally permitted active construction projects which are BUOW occupied and have followed all protocol in this mitigation section, or sites within 300 feet of occupied BUOW areas, should undertake measures to discourage BUOWs from recolonizing previously occupied areas or colonizing new portions of the site. Such measures include, but are not limited to, ensuring that the ends of all pipes and culverts are covered when they are not being worked on, and covering rubble piles, dirt piles, ditches, and berms.

C. **On-going BUOW Detection** - If BUOWs or active burrows are not detected during the pre-construction surveys, Section "A" below shall be followed. If BUOWs or burrows are detected during the pre-construction surveys, Section "B" shall be followed. NEITHER THE MSCP SUBAREA PLAN NOR THIS MITIGATION SECTION ALLOWS FOR ANY BUOWs TO BE INJURED OR KILLED OUTSIDE **OR** WITHIN THE MHPA; in addition, IMPACTS TO BUOWs WITHIN THE MHPA MUST BE AVOIDED.

1. **Post Survey Follow Up if Burrowing Owls and/or Signs of Active Natural or Artificial Burrows Are Not Detected During the Initial Pre-Construction Survey** - Monitoring the site for new burrows is required using CDFW Staff Report 2012 Appendix D methods for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE - Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule).*

    a. If no active burrows are found but BUOWs are observed to occasionally (1-3 sightings) use the site for roosting or foraging, they should be allowed to do so with no changes in the construction or construction schedule.

b. If no active burrows are found but BUOWs are observed during follow up monitoring to repeatedly (4 or more sightings) use the site for roosting or foraging, the City's Mitigation Monitoring and Coordination (MMC) Section and Environmental and Permitting Support Section (EPS) of Public Works shall be notified and any portion of the site where owls have been sites and that has not been graded or otherwise disturbed shall be avoided until further notice.

c. If a BUOW begins using a burrow on the site at any time after the initial preconstruction survey, procedures described in Section B must be followed.

d. Any actions other than these require the approval of the City and the Wildlife Agencies.

D. **Post Survey Follow Up if Burrowing Owls and/or Active Natural or Artificial Burrows are detected during the Initial Pre-Construction Survey –** Monitoring the site for new burrows is required using Appendix D CDFG 2012, Staff Report for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE - Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule which adheres to the required number of surveys in the detection protocol).*

1. This section (B) applies only to sites (including biologically defined territory) wholly outside of the MHPA – **all direct and indirect impacts to BUOWs within the MHPA SHALL be avoided.**

2. If one or more BUOWs are using any burrows (including pipes, culverts, debris piles *etc.*) on or within 300 feet of the proposed construction area, the City's MMC and EPS Sections shall be contacted. The City's MMC Section shall contact the Wildlife Agencies regarding eviction/collapsing burrows and enlist appropriate City biologist for on-going coordination with the Wildlife Agencies and the qualified consulting BUOW biologist. No construction shall occur within 300 feet of an active burrow without written concurrence from the Wildlife Agencies. This distance may increase or decrease, depending on the burrow's location in relation to the site's topography, and other physical and biological characteristics.

a. **Outside the Breeding Season** - If the BUOW is using a burrow on site outside the breeding season (i.e. September 1 – January 31), the BUOW may be evicted after the qualified BUOW biologist has determined via

fiber optic camera or other appropriate device, that no eggs, young, or adults are in the burrow and written concurrence from the Wildlife Agencies for eviction is obtained prior to implementation.

b. **During Breeding Season** – If a BUOW is using a burrow on-site during the breeding season (February 1–August 31), construction shall not occur within 300 feet of the burrow until the young have fledged and are no longer dependent on the burrow, at which time the BUOWs can be evicted. Eviction requires written concurrence from the Wildlife Agencies prior to implementation.

3. **Survey Reporting During Construction** - Details of construction surveys and evictions (if applicable) carried out shall be immediately (within 5 working days or sooner) reported to the City's MMC and EPS Section and the Wildlife Agencies and must be provided in writing (as by e-mail) and acknowledged to have been received by the required Agencies and DSD Staff member(s).

a. Details of the all surveys and actions undertaken on-site with respect to BUOWs (i.e. occupation, eviction, locations etc.) shall be reported to the City's MMC and EPS Section and the Wildlife Agencies within 21 days post-construction and prior to the release of any grading bonds. This report must include summaries off all previous reports for the site; and maps of the project site and BUOW locations on aerial photos.

**BIO-9 Recommendations for Northern Harrier**

If any active nests of the northern harrier are identified in the MHPA within 900 feet of construction, an impact avoidance buffer is required to be established until the young are independent of the nest. Construction activities are expected to result in noise levels exceeding 60 dB(A) Leq within the adjacent MHPA lands. Prior to the commencement of any construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; OR

At least two weeks prior to the commencement of construction activities, under the direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) Leq within the northern harrier 900-foot nest avoidance area. Concurrent with the commencement of construction activities and the construction of necessary attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied

habitat area to ensure that noise levels do not exceed 60 dB(A) Leq. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or Biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

*Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) Leq or to the ambient noise level if it already exceeds 60 dB(A) Leq. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) Leq or to the ambient noise level if it already exceeds 60 dB(A) Leq. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

**BIO-10 Noise Restrictions for Coastal California Gnatcatcher –**

Between March 1 and August 15, no construction activities shall occur where construction activities would result in noise levels exceeding 60 dB(A) Leq at the edge of gnatcatcher occupied MHPA habitat. Prior to the commencement of any construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; OR

At least two weeks prior to the commencement of construction activities, under the direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) Leq at the edge of MHPA habitat occupied by coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) Leq. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or Biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

*Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) Leq or to the ambient noise level if it already exceeds 60 dB(A) Leq. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce

noise levels to below 60 dB(A) Leq or to the ambient noise level if it already exceeds 60 dB(A) Leq. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

**BIO-11 Noise Restrictions for Least Bell's Vireo**

A. Between March 15 and September 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) Leq (hourly noise equivalent of 60 A-weighted decibels [dB(A)] or less) at the edge of occupied least Bell's vireo habitat. Prior to the commencement of any construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; OR

B. At least two weeks prior to the commencement of construct ion activities, under the direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) Leq at the edge of habitat occupied by least Bell's vireo. Concurrent with the commencement of construction activities and the construction of necessary attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) Leq. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or Biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) Leq or to the ambient noise level if it already exceeds 60 dB(A) Leq. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) Leq or to the ambient noise level if it already exceeds 60 dB(A) Leq. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

**BIO-12 Coastal Cactus Wren Habitat Restoration –**

Direct impacts to occupied habitat shall be mitigated at a ratio of 1:1. In accordance with the City's Biology Guidelines, restoration of impacted coastal cactus wren habitat shall include salvage and transplantation of the following species if present: snake cholla, coast cholla, liveforevers (*Dudleya* spp.), San Diego barrel cactus, fish-hook cactus, coast prickly pear, chaparral prickly pear, chaparral candle (*Hesperoyucca whipplei*), and Mojave yucca (*Yucca*

*schidigera*) to an on-site or off-site restoration site or a receiver site approved by the City.

**BIO-13 Noise Restrictions for Coastal Cactus Wren –**

Between February 15 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) Leq at the edge of occupied coastal cactus wren habitat. Prior to the commencement of any construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; OR
At least two weeks prior to the commencement of construct ion activities, under the direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) Leq at the edge of habitat occupied by coastal cactus wren. Concurrent with the commencement of construction activities and the construction of necessary attenuation facilities, noise monitoring shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) Leq. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or Biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) Leq or to the ambient noise level if it already exceeds 60 dB(A) Leq. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) Leq or to the ambient noise level if it already exceeds 60 dB(A) Leq. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

**BIO-14 San Diego Fairy Shrimp Measures Prior to Construction**

A. Temporary fencing (with silt barriers) shall be installed along the limits of project impacts (including construction staging areas and access routes) to prevent impacts to San Diego fairy shrimp-occupied habitat and prevent the spread of silt from the construction zone into adjacent habitat. Fencing shall be installed in a manner that does not impact the habitat or watershed to be avoided. Final construction plans shall include photographs that show the fenced limits of impact and all areas of San Diego fairy shrimp habitat to be impacted or avoided. If work inadvertently occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been

remedied to the satisfaction of the City. Temporary construction fencing shall be removed upon project completion.

**BIO-15 San Diego Fairy Shrimp Measures During Construction**

A. Impacts from fugitive dust that may occur during construction grading shall be avoided and minimized through watering and other appropriate measures.

B. A qualified monitoring biologist that has been approved by the City shall be on-site during project construction activities to ensure compliance with all mitigation measures identified in the environmental document. The biologist shall be knowledgeable of vernal pool species biology and ecology. The biologist shall perform the following duties:

- Oversee installation of and inspect the fencing and erosion control measures within or upslope of vernal pool restoration and/or preservation areas a minimum of once per week and daily during all rain events to ensure that any breaks in the fence or erosion control measures are repaired immediately.

- Periodically monitor the work area to ensure that work activities do not generate excessive amounts of dust.

- Train all contractors and construction personnel on the biological resources associated with this project and ensure that training is implemented by construction personnel. At a minimum, training shall include (1) the purpose for resource protection; (2) a description of the vernal pool species and their habitat(s); (3) the conservation measures that must be implemented during project construction to conserve the vernal pool species, including strictly limiting activities, and vehicles, equipment, and construction materials to the fenced project footprint to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps or on the project site by fencing); (4) environmentally responsible construction practices as outlined in measures C, D, and E, below; (5) the protocol to resolve conflicts that may arise at any time during the construction process; and (6) the general provisions of the project's mitigation monitoring and reporting program, the need to adhere to the provisions of the ESA, and the penalties associated with violating the ESA.

- Halt work, if necessary, and confer with the City to ensure the proper implementation of species and habitat protection measures. The biologist shall report any violation to the City within 24 hours of its occurrence.

- Submit regular (e.g., weekly) letter reports to the City during project construction and a final report following completion of construction. The final report shall include as-built construction drawings with an overlay of habitat that was impacted and avoided, photographs of habitat areas that were avoided, and other relevant summary information documenting that authorized impacts were not exceeded and that general compliance with all conservation measures was achieved.

C. The following conditions shall be implemented during project construction:

- Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced project footprint.

- The project site shall be kept as clean of debris as possible. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site.

- Disposal or temporary placement of excess fill, brush, or other debris shall be limited to areas within the fenced project footprint.

D. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas within the fenced project impact limits. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable in such a manner as to prevent any runoff from entering the vernal pools or their watersheds and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100 feet from the vernal pools or their watersheds. Contractor equipment shall be checked for leaks prior to operation and repaired as necessary. A spill kit for each piece of construction equipment shall be on-site and must be used in the event of a spill. "No fueling zones" shall be designated on construction plans.

E. Grading activities immediately adjacent to vernal pools shall be timed to avoid wet weather to minimize potential impacts (e.g., siltation) to the vernal pools unless the area to be graded is at an elevation below the pools. To achieve this goal, grading adjacent to avoided pools shall comply with the following:

- Grading shall occur only when the soil is dry to the touch both at the surface and 1 inch below. A visual check for color differences (i.e., darker soil indicating moisture) in the soil between the surface and 1 inch below indicates whether the soil is dry.

- ~~After a rain of greater than 0.2-inch, grading shall occur only after the soil surface has dried sufficiently as described above, and no sooner than 2 days (48 hours) after the rain event ends.~~

- ~~To prevent erosion and siltation from storm water runoff due to unexpected rains, best management practices (i.e., silt fences) shall be implemented as needed during grading.~~

- ~~If rain occurs during grading, work shall stop and resume only after soils are dry, as described above.~~

- ~~Grading shall be done in a manner to prevent runoff from entering preserved vernal pools.~~

- ~~If necessary, water spraying shall be conducted at a level sufficient to control fugitive dust but not to cause runoff into vernal pools.~~

- ~~If mechanized grading is necessary, grading shall be performed in a manner to minimize soil compaction (i.e., use the smallest type of equipment needed to feasibly accomplish the work).~~

F. ~~Permanent protective fencing along any interface with developed areas and/or use other measures approved by the City to deter human and pet entrance into on- or off-site habitat shall be installed. Fencing shall be shown on the development plans and should have no gates (accept to allow access for maintenance and monitoring of the biological conservation easement areas) and be designed to prevent intrusion by pets. Signage for the biological conservation easement area shall be posted and maintained at conspicuous locations. The requirement for fencing and/or other preventative measures shall be included in the project's mitigation program.~~

**~~BIO-16 Post-construction San Diego Fairy Shrimp Monitoring –~~**

~~The San Diego fairy shrimp population that occurs in the artificial ditch in the western portion of the project parcels shall be monitored on an annual basis for a minimum period of five years. A qualified biologist holding a valid USFWS Section 10(a)(1)(A) Recovery Permit shall conduct wet season surveys in accordance with the current USFWS Survey Guidelines for the Large Listed Branchiopods (dated November 13, 2017 at the time of preparation of this report) with the following amendment: once mature San Diego fairy shrimp have been detected in any one survey period, sampling for the species shall cease; site visits shall continue following the survey schedule identified in the guidelines only to collect hydrological data. Photo-points shall also be established to capture the occupied depression's inlet(s) and outlet(s). At a minimum, photographs will be taken annually at each photo-point.~~

**Biological Resources**

**Bio-1 BIOLOGICAL RESOURCE PROTECTION DURING CONSTRUCTION**

Prior to issuance of Notice To Proceed (NTP), the Development Services Department (DSD) Environmental Designee (ED) shall review and approve all construction documents (plans, specifications, details, etc.) to ensure these MMRP requirements are incorporated.

I. **Prior to Construction**

H. **Biologist Verification -** The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012~~8~~), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

I. **Preconstruction Meeting -** The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.

J. **Biological Documents -** The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.

K. **BCME -**The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

L. **Avian Protection Requirements -** To avoid any direct impacts to Least Bell's vireo, Northern harrier, Coastal cactus wren or California gnatcatcher and any species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of Least Bell's vireo, Northern harrier, Coastal cactus wren or California gnatcatcher on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting Least Bell's vireo, Northern harrier, Coastal cactus wren or California gnatcatcher, sensitive or MSCP-covered birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

M. **Resource Delineation -** Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

N. **Education -** Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of

invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

I. **During Construction**

C. **Monitoring -** All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

D. **Subsequent Resource Identification -** The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. **Post Construction Measures**

A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

**Bio-2 HABITAT-BASED MITIGATION (RESTORATION/CREATION)**

Prior to issuance of Notice To Proceed (NTP), the Development Services Department (DSD) Environmental Designee (ED) shall review and approve all construction documents (plans, specifications, details, etc.) to ensure these MMRP requirements are incorporated.

I. **Prior to Permit Issuance**

A. Land Development Review (LDR) Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of direct impacts to 0.91 acre of maritime succulent scrub, 4.86 acres of disturbed maritime succulent scrub, 1.41 acres of Diegan coastal sage scrub, and 4.29 acres of disturbed Diegan coastal sage scrub to be mitigated through enhancement of 10.42 acres of maritime succulent scrub and disturbed maritime succulent scrub, and restoration of 3.70 acres of disturbed land in the eastern parcel (including MHPA and non-MHPA lands) as well as impacts to beach goldenaster, number of individuals present to be determined with pre-construction surveys have been shown and noted on the appropriate landscape construction documents. The landscape construction documents and specifications must be found to be in conformance with the *Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenstar for the Beyer Park Development Project San Diego, California Plan* prepared by RECON Environmental, August 4, 2020 the requirements of which are summarized below:

B. Revegetation/Restoration Plan(s) and Specifications

1. Landscape Construction Documents (LCD) shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, Landscape Architecture Section (LAS) for review and approval. LAS shall consult with Mitigation Monitoring Coordination (MMC) and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.

2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego Land Development Code (LDC) Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City

of San Diego's LDC Biology Guidelines (July 2002). The Principal Qualified Biologist (PQB) shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, etc. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Construction Manager (CM) and Grading Contractor (GC), where applicable shall be responsible to insure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120 day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:

    a. The RMC shall be responsible for the maintenance of the upland mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted on a weekly basis throughout the plant establishment period.

    b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.

    c. MMC will provide approval in writing to begin the five-year long-term establishment/maintenance and monitoring program.

    d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.

e. The revegetation site shall not be fertilized.

f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.

g. Weed control measures shall include the following: (1) hand removal, (2) cutting, with power equipment, and (3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.

h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the five-year maintenance period. Protective mechanisms such as metal wire netting shall be used as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally acceptable manner at the discretion of the PQB or Qualified Biological Monitor (QBM) (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.

4. If a Brush Management Program is required the revegetation/restoration plan shall show the dimensions of each brush management zone and notes shall be provided describing the restrictions on planting and maintenance and identify that the area is impact neutral and shall not be used for habitat mitigation/credit purposes.

C. Letters of Qualification Have Been Submitted to ADD

1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, Principal Restoration Specialist (PRS), and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego Biological Review

References. Resumes and the biology worksheet should be updated annually.

2. MMC will provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.

3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.

4. PBQ must also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program (SWPPP) training.

II. **Prior to Start of Construction**

A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings

1. Prior to beginning any work that requires monitoring:

a. The owner/permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, Construction Manager (CM) and/or Grading Contractor (GC), Landscape Architect (LA), Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC.

b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.

c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.

2. Where Revegetation/Restoration Work Will Occur

    a. Prior to the start of any work, the PQB/PRS shall also submit a revegetation/restoration monitoring exhibit (RRME) based on the appropriate reduced LCD (reduced to 11"x 17" format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.
    b. PQB shall coordinate with the construction superintendent to identify appropriate Best Management Practices (BMP's) on the RRME.

3. When Biological Monitoring Will Occur

    a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.

4. PQB Shall Contact MMC to Request Modification

    a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

III. **During Construction**

A. PQB or QBM Present During Construction/Grading/Planting

1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with grading and construction of the park which could result in impacts to sensitive biological resources

as identified in the LCD and on the RRME. **The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.**

2. The PQB or QBM shall document field activity via the Consultant Site Visit Record Forms (CSVR). The CSVR's shall be emailed by the CM the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.

3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).

4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.

5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats mule fat scrub, maritime succulent scrub, disturbed maritime succulent scrub, Diegan coastal sage scrub, disturbed Diegan coastal sage, San Diego barrel cactus, beach goldenaster, south coast saltscale, San Diego but-sage, Palmer's grapplinghook, California box-thorn, small-flowered microseris, and San Diego County viguiera scrub as shown on the approved LCD.

6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly.

7. The PQB or QBM shall oversee implementation of BMP's, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMP's upon completion of construction activities. Removal of temporary construction BMP's shall be verified in writing on the final construction phase CSVR.

8. PQB shall verify in writing on the CSVR's that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.

9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the Notice of Completion (NOC) or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occurs or sensitive biological resources are discovered that where not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.

2. The PQB shall also immediately notify MMC by telephone of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate Best Management Practices (BMP's). After obtaining

concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMP's.

3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.

2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

## IV. Post Construction

A. Mitigation Monitoring and Reporting Period

1. Five-Year Mitigation Establishment/Maintenance Period

a. The RMC shall be retained to complete maintenance monitoring activities throughout the five-year mitigation monitoring period.

b. Maintenance visits will be conducted twice per month for the first six months, once per month for the remainder of the first year, and quarterly thereafter.

c. Maintenance activities will include all items described in the LCD.

d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size

relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC.)

2. Five-Year Biological Monitoring

   a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.

   b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.

   c. After plant installation is complete, qualitative monitoring surveys will occur monthly during year one and quarterly during years two through five.

   d. Upon the completion of the 120-days short-term plant establishment period, quantitative monitoring surveys shall be conducted at 0, 6, 12, 24, 36, 48 and 60 months by the PQB or QBM. The revegetation/restoration effort shall be quantitatively evaluated once per year (in spring) during years three through five, to determine compliance with the performance standards identified on the LCD. All plant material must have survived without supplemental irrigation for the last two years.

   e. Quantitative monitoring shall include the use of fixed transects and photo points to determine the vegetative cover within the revegetated habitat. Collection of fixed transect data within the

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

f. Biological monitoring requirements may be reduced if, before the end of the fifth year, the revegetation meets the fifth-year criteria and the irrigation has been terminated for a period of the last two years.

g. The PQB or QBM shall oversee implementation of post-construction BMP's, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to verify the removal of all temporary post-construction BMP's upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSVR.

B. Submittal of Draft Monitoring Report

1. A draft monitoring letter report shall be prepared to document the completion of the 120-day plant establishment period. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.

2. The PQB shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.

3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 30 days following the completion of monitoring.

4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.

5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.

6. MMC will provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth-year performance/success criteria and completion of the five-year maintenance period.

    a. This report may occur before the end of the fifth year if the revegetation meets the fifth-year performance /success criteria and the irrigation has been terminated for a period of the last two years.

    b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at

this time, MMC will schedule after review of report.

c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

**Bio-3 BURROWING OWL**

**A. PRECONSTRUCTION SURVEY ELEMENT**

**Prior to Permit or Notice to Proceed Issuance:**

1. As this project has been determined to be BUOW occupied or to have BUOW occupation potential, the Applicant Department or Permit Holder shall submit evidence to the ADD of Entitlements and Multiple Species Conservation Program (MSCP) staff verifying that a Biologist possessing qualifications pursuant "Staff Report on Burrowing Owl Mitigation, State of California Natural Resources Agency Department of Fish and Game. March 7, 2012 (hereafter referred as CDFG 2012, Staff Report), has been retained to implement a burrowing owl construction impact avoidance program.

2. The qualified BUOW biologist (or their designated biological representative) shall attend the pre-construction meeting to inform construction personnel about the City's BUOW requirements and subsequent survey schedule.

**Prior to Start of Construction:**

1. The Applicant Department or Permit Holder and Qualified Biologist must ensure that initial pre-construction/take avoidance surveys of the project "site" are completed between 14 and 30 days before initial construction activities, including brushing, clearing, grubbing, or grading of the project site; regardless of the time of the year. "Site" means the project site and the area within a radius of 450 feet of the project site. The report shall be submitted and approved by the Wildlife Agencies and/or City MSCP staff prior to construction or BUOW eviction(s) and shall include maps of the project site and BUOW locations on aerial photos.

2. The pre-construction survey shall follow the methods described in CDFG 2012, Staff Report -Appendix D.

3. 24 hours prior to commencement of ground disturbing activities, the Qualified Biologist shall verify results of preconstruction/take avoidance surveys. Verification shall be provided to the City's Mitigation Monitoring and Coordination (MMC) and MSCP Sections. If results of the preconstruction surveys have changed and BUOW are present in areas not previously identified, immediate notification to the City and WA's shall be provided prior to ground disturbing activities.

**During Construction:**

1. **Best Management Practices shall be employed as** BUOWs are known to use open pipes, culverts, excavated holes, and other burrow-like structures at construction sites. Legally permitted active construction projects which are BUOW occupied and have followed all protocol in this mitigation section, or sites within 450 feet of occupied BUOW areas, should undertake measures to discourage BUOWs from recolonizing previously occupied areas or colonizing new portions of the site. Such measures include, but are not limited to, ensuring that the ends of all pipes and culverts are covered when they are not being worked on, and covering rubble piles, dirt piles, ditches, and berms.

2. **On-going BUOW Detection** - If BUOWs or active burrows are not detected during the pre-construction surveys, Section "A" below shall be followed. If BUOWs or burrows are detected during the pre-construction surveys, Section "B" shall be followed. NEITHER THE MSCP SUBAREA PLAN NOR THIS MITIGATION SECTION ALLOWS FOR ANY BUOWs TO BE INJURED OR KILLED OUTSIDE **OR** WITHIN THE MHPA; in addition, IMPACTS TO BUOWs WITHIN THE MHPA MUST BE AVOIDED.

    A. **Post Survey Follow Up if Burrowing Owls and/or Signs of Active Natural or Artificial Burrows Are Not Detected During the Initial Pre-Construction Survey -** Monitoring the site for new burrows is required using CDFW Staff Report 2012 Appendix D methods for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE - Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule).*

        1. If no active burrows are found but BUOWs are observed to

occasionally (1-3 sightings) use the site for roosting or foraging, they should be allowed to do so with no changes in the construction or construction schedule.

2. If no active burrows are found but BUOWs are observed during follow up monitoring to repeatedly (4 or more sightings) use the site for roosting or foraging, the City's Mitigation Monitoring and Coordination (MMC) Section shall be notified and any portion of the site where owls have been sites and that has not been graded or otherwise disturbed shall be avoided until further notice.

3. If a BUOW begins using a burrow on the site at any time after the initial pre-construction survey, procedures described in Section B must be followed.

4. Any actions other than these require the approval of the City and the Wildlife Agencies.

B. **Post Survey Follow Up if Burrowing Owls and/or Active Natural or Artificial Burrows are detected during the Initial Pre-Construction Survey -** Monitoring the site for new burrows is required using Appendix D CDFG 2012, Staff Report for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE - Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule which adheres to the required number of surveys in the detection protocol).*

1. This section (B) applies only to sites (including biologically defined territory) wholly outside of the MHPA – **all direct and indirect impacts to BUOWs within the MHPA SHALL be avoided.**

2. If one or more BUOWs are using any burrows (including pipes, culverts, debris piles *etc.*) on or within 300 feet of the proposed construction area, the City's MMC Section shall be contacted. The City's MMC Section shall contact the Wildlife Agencies regarding eviction/collapsing burrows and enlist appropriate City biologist for on-going coordination with the Wildlife Agencies and the qualified consulting BUOW biologist. No construction shall occur within 300 feet of an active burrow without written concurrence from the Wildlife Agencies. This distance may increase or decrease, depending on the burrow's location in relation to the site's topography, and other physical and biological characteristics.

    a. **Outside the Breeding Season** - If the BUOW is using a burrow on site outside the breeding season (i.e. September 1 – January 31), the BUOW may be evicted after the qualified BUOW biologist has determined via fiber optic camera or other appropriate device, that no eggs, young, or adults are in the burrow. Eviction requires preparation of an Exclusion Plan prepared in accordance with CDFW Staff Report 2012, Appendix E (or most recent guidance available) for review and submittal to Wildlife Agencies. Written concurrence from the Wildlife Agencies is

required prior to Exclusion Plan implementation.

b. **During Breeding Season** - If a BUOW is using a burrow on-site during the breeding season (Feb 1-Aug 31), construction shall not occur within 300 feet of the burrow until the young have fledged and are no longer dependent on the burrow, at which time the BUOWs can be evicted. Eviction requires preparation of an Exclusion Plan prepared in accordance with CDFW Staff Report 2012, Appendix E (or most recent guidance available) for review and submittal to Wildlife Agencies. Written concurrence from the Wildlife Agencies is required prior to Exclusion Plan implementation.

3. **Survey Reporting During Construction -** Details of construction surveys and evictions (if applicable) carried out shall be immediately (within 5 working days or sooner) reported to the City's MMC, and MSCP Sections and the Wildlife Agencies and must be provided in writing (as by e-mail) and acknowledged to have been received by the required Agencies and DSD Staff member(s).

**Post Construction**:

1. Details of the all surveys and actions undertaken on-site with respect to BUOWs (i.e. occupation, eviction, locations etc.) shall be reported to the City's MMC Section and the Wildlife Agencies within 21 days post-construction and prior to the release of any grading bonds. This report must include summaries off all previous reports for the site; and maps of the project site and BUOW locations on aerial photos.

**BIO-4 Occupied Burrowing Owl Habitat Mitigation**

Mitigation for impacts to 13.55 acres of occupied burrowing owl habitat shall occur at ratios 0:1 (Tier IV) 1:1 (Tier I impact outside MHPA/mitigation inside MHPA),

1.5:1(Tier II impacts outside MHPA/mitigation outside MHPA) resulting in a requirement of 10.42 acres of on-site mitigation in accordance with *Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenstar for the Beyer Park Development Project San Diego, California* prepared by RECON (November 26, 2019: Revised August 4, 2020. Long term management of the mitigation site would commence following the completion of Initial Tasks and a five-year monitoring and reporting program. Long Term management would be conducted by City of San Diego Park and Recreation Department Open Space Division.

Prior to the pre-construction meeting and starting construction on any portion of the park the following shall be required:

1. Evidence of completion of initial tasks pursuant to burrowing owl mitigation plan stated above to the satisfaction of the City Multiple Species Conservation Program (MSCP) and Wildlife Agencies, including fencing/access control, trash/debris removal, dethatching, weed removal, berm placement, and artificial burrow installation.

**Bio-5 LEAST BELL'S VIREO (STATE ENDANGERED/FEDERALLY PROTECTED)**

1. Prior to issuance of Notice To Proceed (NTP), the Development Services Department (DSD) Environmental Designee (ED) shall review and approve all construction documents (plans, specifications, details, etc.) to verify that the following project requirements regarding the least Bell's vireo are shown on the construction plans:

   No clearing, grubbing, grading, or other construction activities shall occur between March 15 and September 15, the breeding season of the least Bell's vireo, until the following requirements have been met to the satisfaction of the City Manager:

   A. A qualified biologist (possessing a valid endangered species act section 10(a)(1)(a) recovery permit) shall survey those wetland areas that would be subject to construction noise levels exceeding 60 decibels [dB(A)] or to the ambient noise level if it already exceeds 60 dB(A) hourly average for the presence of the least bell's vireo. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of construction. If the least Bell's vireo is present, then the following conditions must be met:

   I. Between March 15 and September 15, no clearing, grubbing, or grading of occupied least Bell's vireo habitat shall be permitted.

Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and

II. Between March 15 and September 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) or to the ambient noise level if it already exceeds 60 dB(A) hourly average at the edge of occupied least bell's vireo or habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the city manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of any of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

III. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) or to the ambient noise level if it already exceeds 60 dB(A) hourly average hourly average at the edge of habitat occupied by the least Bell's vireo. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include,

but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

B. If least Bell's vireo are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the City Manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 15 and September 15 as follows:

I. If this evidence indicates the potential is high for least Bell's vireo to be present based on historical records or site conditions, then condition A.III shall be adhered to as specified above.

II. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

**Bio-6 Coastal Cactus Wren Habitat Restoration**

Prior to issuance of Notice To Proceed (NTP), the Development Services Department (DSD) Environmental Designee (ED) shall review, all listed species in Table I actually present on-site (as appropriate) shall be described in a salvage plan to the satisfaction of the City ADD of Entitlements (or Designee). The salvaged plan is required to provide appropriate species for use within City sanctioned coastal cactus wren mitigation sites. These sites are currently as follows: Northern -Lake Hodges and Wild Animal Park; Southern -Rancho Jamul/San Diego National Wildlife Refuge Sites.

**Preconstruction**

A. Prior to the first pre-construction meeting, the applicant shall provide a letter of verification to the ADD of Entitlements stating that a qualified Biologist, as defined in the City of San Diego Biological Resource Guidelines (BRG), has been retained to implement the coastal cactus wren salvage plan.

B. At least thirty days prior to the pre-construction meeting, the qualified Biologist shall verify that a coastal cactus wren plant salvage/ relocation plan (including species, locations, numbers, timing and handling, etc.) plan has been completed and approved by City Mitigation Monitoring Coordination (MMC) Staff and the appropriate contact from the receiving site (MMC can aid notification by phone and/or email).

**Construction**

A. Salvage, storage and transport requirements shall be carried out as specified in the approved salvage plan and at the preconstruction meeting.

**Post-construction**

A. Prior to the release of the grading bond, the project biologist shall submit a letter report to the Environmental Review Manager that assesses any project impacts resulting from construction. Any actions taken related to coastal cactus wren protection, including salvage of species in Table 1, shall also be included in this letter. This letter report shall be submitted to EAS, MSCP, and MMC Staff.

**TABLE 1**
**NATIVE CACTUS AND SUCCULENT SPECIES TARGETED FOR SALVAGE***
**(*this list is to be annotated with a star for those species present on-site based on site specific biology reports & City staff input – this list is also subject to future refinements at the discretion of the City and Wildlife Agencies)**

| Scientific Name | Common Name |
|---|---|
| *Cylindropuntia californica var. californica* | Snake cholla – |
| *Cylindropuntia prolifera** | Coast cholla |
| *Dudleya spp.* | Live-forevers |
| *Ferocactus viridescens** | Barrel cactus |
| *Mammillaria dioica** | Fish-hook cactus |
| *Opuntia littoralis* | Coastal prickly pear |
| *Opuntia oricola* | Chaparral prickly pear |
| *Yucca whipplei* | Our Lord's candle |
| *Yucca schidigera* | Mojave yucca |
| *Euphorbia misera* | Cliff Spurge |

**BIO-7 Post-construction San Diego Fairy Shrimp Monitoring**

The San Diego fairy shrimp population that occurs in the artificial ditch in the western portion of the project parcels shall be monitored on an annual basis for a minimum period of five years. A qualified biologist holding a valid USFWS Section 10(a)(1)(A) Recovery Permit shall conduct wet season surveys in accordance with the current USFWS Survey Guidelines for the Large Listed Branchiopods (dated November 13, 2017 at the time of preparation of this report) with the following amendment: once mature San Diego fairy shrimp have been detected in any one survey period, sampling for the species shall cease; site visits shall continue following the survey schedule identified in the guidelines only to collect hydrological data. Photo-points shall also be established to capture the occupied depression's inlet(s) and outlet(s). At a minimum, photographs will be taken annually at each photo-point.

## Noise

### NOI-1 – Operational

1. The hours of operation of Beyer Community Park shall be limited to between the hours of 7:00 AM and 10:00 PM.

### NOI-2 – Construction Noise Reduction Measures

1. During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

2. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

3. Equipment shall be shut off and not left to idle when not in use.

4. The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.

5. The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.

6. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.

7. Prior to the issuance of any construction permits for construction anticipated to occur within 1,200 of occupied MHPA habitat, the City Manager (or appointed designee) shall verify that the MHPA boundaries and the following project requirements regarding the sensitive wildlife species are shown on the construction plans:

   A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(A) recovery permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 dB(A) hourly average for the presence of the sensitive wildlife species. Surveys shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If noise sensitive species are present, then the following conditions must be met:

- Between March 1 and August 15, no clearing, grubbing, or grading of sensitive habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and

- Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding a hourly equivalent noise level (Leq) of 60 dB(A) at the edge of occupied sensitive habitat. An analysis showing that noise generated by construction activities would not exceed 60 dBA Leq at the edge of occupied habitat must be completed by a qualified acoustician and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or

- At least two weeks prior to the commencement of construction activities, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) Leq at the edge of habitat occupied by the sensitive wildlife species. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring shall be conducted, under the direction of a qualified acoustician, at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dBA Leq. If the noise attenuation techniques implemented are determined to be inadequate by measurement, then the associated construction activities shall cease until such time that adequate noise attenuation can be demonstrated, or until the end of the breeding season (August 16).

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

Federal
US Fish and Wildlife Service (23)

State
California Department of Fish and Wildlife (32)
California Natural Resources Agency (43)
State Clearinghouse (46)

City of San Diego
Mayor's Office (91)

Councilmember Moreno, District 8
Development Services Department
- EAS
- Engineering
- Geology
- Planning Review
- Park and Recreation
- DPM

Planning Department
- Long Range
- MSCP

Parks and Recreation Department (77)
MMC (77A)
Library Department - Government Documents (81)
San Diego Central Library (81A)
San Ysidro Branch Library (81EE)
Park and Recreation Board (83)
Park and Recreation (89)
Park Development (93)
City Attorney's Office (93C)
Public Notice Journal (144)

Other Organizations, Groups and Interested Individuals
Sierra Club (165)
Neighborhood Canyon Creek and Park Groups (165A)
San Diego Audubon Society (167)
Mr. Jim Peugh (167A)
California Native Plant Society (170)
Endangered Habitats League (182A)
Citizens Coordinate for Century 3 (189)
San Ysidro Community Planning Group (433)
United Border Community Town Council (434)
Applicant: City of San Diego Public Works

VII. RESULTS OF PUBLIC REVIEW:

( ) No comments were received during the public input period.

( ) Comments were received but did not address the accuracy or completeness of the draft environmental document. No response is necessary and the letters are incorporated herein.

( X ) Comments addressing the accuracy or completeness of the draft environmental document were received during the public input period. The letters and responses are incorporated herein.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program and any Initial Study material are available in the office of the Development Services Department for review, or for purchase at the cost of reproduction.

E. Shearer-Nguyen
Senior Planner
Development Services Department

April 23, 2020
Date of Draft Report

October 12, 2020
Date of Final Report

Analyst: M. Dresser

Attachments: Initial Study Checklist
Figure 1: Location Map
Figure 2: Site Plan

U.S. FISH AND WILDLIFE SERVICE
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008

CALIFORNIA DEPARTMENT OF
FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, California 92123

In Reply Refer to:
FWS/CDFW-20B0171-20TA1080

May 29, 2020
*Sent Electronically*

Ms. Morgan Dresser
Associate Planner
Development Services Department
City of San Diego
1222 First Avenue, MS 501
San Diego, California 92101

Subject: Comments on the Draft Mitigated Negative Declaration (MND) for the Beyer Park SDP, San Diego County, California (Project # 589554; SCH# 2020049049)

Dear Ms. Dresser:

1. The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (CDFW), collectively referred to as the Wildlife Agencies, have reviewed the Draft Mitigated Negative Declaration (MND) for the Beyer Park SDP dated April 23, 2020 (Project). The comments provided in this letter are based on information provided in the MND and the Biological Resources Report for the Beyer Park Development Project, San Diego, California (RECON 2019), our knowledge of sensitive and declining species and their habitats in the region, and our participation in the Multiple Species Conservation Program (MSCP) and the City's MSCP Subarea Plan (SAP).

2. The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCP) developed under section 10(a)(l) of the Act. CDFW is a Trustee Agency and a responsible Agency pursuant to the California Environmental Quality Act (CEQA), Sections 15386 and 15381, respectively. The CDFW is responsible for the conservation, protection, and management of the State's biological resources; including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the Natural Community Conservation Planning (NCCP) program. The City participates in CDFW's NCCP and the Service's HCP programs by implementing its SAP.

3. The City proposes construction and operation of a 16.5-acre open space park which would include a soccer field, 3 children's fields, a 19,375-square foot skate park, a 19,450-square foot

**City staff response(s) to the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife comment(s) letter for Beyer Park, Project No. 589554**

1. Comment noted. The comment does not address the adequacy of the draft Mitigated Negative Declaration. No further response is required.

2. Comment noted. The comment does not address the adequacy of the draft Mitigated Negative Declaration. No further response is required.

3. Comment noted. This comment summarizes the project. No response is necessary.

large dog park, a 14,700-square foot small dog park, a 10,400-square foot children's play area, a 450-square foot comfort station, a 350-square foot maintenance building and trash enclosure, a half basketball court, shade structures, picnic areas, and trails. The park would also have 69 on-site parking and 15 street parking stalls. Site improvements would include associated hardscape and landscape, retaining walls, infrastructure (e.g., off-site utility connections of water, sewer), storm drain, and access roads/trails. Grading would entail approximately 81,100 cubic yards of cut with a maximum cut depth of 21 feet. The project is anticipated to begin a year after the CEQA process has been completed.

The 43-acre site is located southeast of the eastern terminus of Beyer Boulevard. The project site is designated park and open space and zoned OP-1-1 and RS-1-7 per the San Ysidro Community Plan. Portions of the project site are within the City's MSCP Multiple Habitat Planning Areas (MHPA). The project site is also within the City's Vernal Pool HCP. The project site is bounded by residential development to the north, and designated open space to the south, east, and west.

The project impact footprint supports the following vegetation communities: Diegan coastal sage scrub, maritime succulent scrub, mulefat scrub, vernal pool, and disturbed. The project will impact 5.77 acres of maritime succulent scrub and 5.70 acres of Diegan coastal sage scrub (11.47 acres total) outside of the MHPA. The project also proposes to enhance 7.79 acres of maritime succulent scrub in the MHPA and 2.64 acres of maritime succulent scrub outside of the MHPA. In addition, 3.70 acres of disturbed, both inside and outside the MHPA will be restored to maritime succulent scrub for a total of 14.12 acres of enhancement and restoration.

3.

The project site supports the federally endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*); the federally threatened coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher); the federally threatened, state-endangered and MSCP narrow endemic Otay tarplant (*Deinandra conjugens*); four California Species of Special Concern which are also covered species under the MSCP: western burrowing owl (*Athene cunicularia*), northern harrier (*Circus cyaneus*), coastal cactus wren (*Campylorhynchus brunneicapillus*), and Southern California rufous-crowned sparrow (*Aimophila ruficeps*); and three additional MSCP covered species: Belding's orange-throated whiptail (*Aspidoscelis hyperythra beldingi*), southern mule deer (*Odocoileus hemionus*), and San Diego barrel cactus (*Ferocactus viridescens*). Although found on the site, impacts to San Diego fairy shrimp and Otay tarplant will be avoided by the project as stated in the MND.

The Wildlife Agencies offer comments and recommendations (Attachment) to assist the City in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources. Thank you for the opportunity to comment on the subject MND. If you have any questions, please contact Nasseer Idrisi of CDFW[1] at 858- 467-2720, or Patrick Gower of the Service[2] at 760-431-9440 ext. 352.

[1] Nasseer.Idrisi@wildlife.ca.gov
[2] Patrick Gower@fws.gov

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Sincerely,

CHRISTINE MEDAK
Digitally signed by CHRISTINE MEDAK
Date: 2020.05.29 06:43:44 -07'00'

for David A. Zoutendyk
Acting Assistant Field Supervisor
U.S. Fish and Wildlife Service

David A. Mayer
Environmental Programs Manager
California Department of Fish and Wildlife

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**LITERATURE CITED**

Alden Environmental. 2020. Resource Management Plan for the Turecek Off-site Mitigation Parcel. Prepared for Sunroad Enterprises San Diego Califoria. 37 pp

[ICR] San Diego Zoo's Institute of Conservation Research. 2017. Burrowing Owl Conservation and Management Plan for San Diego County. San Diego California. 86pp.

RECON. 2019. Biological Resources Report for the Beyer Park Development Project, San Diego, California. Prepared for Mr. Darren Genova City of San Diego Public Works – Engineering San Diego California. 175 pp

Schaefer Ecological Solutions. 2019. Burrowing Owl Mitigation Plan for the Metropolitan Airpark Project. Prepared for Metropolitan Airpark, LLC San Diego California. 69 pp

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**ATTACHMENT**

**Wildlife Agencies' Comments on the City of San Diego's Draft Mitigated Negative Declaration (MND) for the Beyer Park SDP, City of San Diego, California**

1. The MSCP requires that occupied burrowing owl habitat be mitigated with occupied, or occupiable (i.e., with enhancement) habitat at ratios reflective of impacts/conservation within or outside of the MHPA. If a proposed mitigation parcel is not within, or amended into via a Boundary Line Adjustment, the City's MHPA, the mitigation acreage requirement would be higher. The MSCP allows active or passive protocols for burrowing owl as approved by the Wildlife Agencies. This species has fared extremely poorly over the course of 20 years of MSCP implementation and it is important to ensure that positive conservation outcomes will be obtained when impacts to this species are proposed. To achieve this, and to be consistent with requirements applied to development projects elsewhere in the City, the City needs to develop a comprehensive habitat enhancement and resource management plan to address the proposed burrowing owl mitigation site, and submit a draft of this plan for review and eventual approval by the Wildlife Agencies. This plan needs to thoroughly evaluate the proposed mitigation site's existing conditions and include any necessary measures to enhance the site in order to support burrowing owls. This begins with providing an initial local/regional contextual review of the site and adjoining lands. Additionally, the site's soils, vegetation composition and condition, proximity to development, and other factors must be evaluated relative to compatibility for burrowing owls. The site's soils are particularly important to determine if they can support a robust population of fossorial mammals (e.g., ground squirrels). The San Diego Zoo's Institute of Conservation Research (ICR) has provided guidance materials to evaluate soils and other factors in selecting a potential burrowing owl mitigation site (ICR 2017). An earthen berm may need to be constructed to provide suitable fossorial habitat on the mitigation site. Artificial burrows may also be necessary to provide immediately available burrow habitat as refugia to support owls until sufficient natural burrows become established by squirrels. If artificial burrows are employed, they must be maintained at least twice a year, once in the fall and once just prior to the pre-spring breeding season, unless the site has demonstrated that the ground squirrel population has established sufficient, well-developed burrows to support owls without the need for artificial burrows. The Wildlife Agencies recommend following the recently approved (by the City and Wildlife Agencies) Resource Management Plan for the Turecek Off-site Mitigation Parcel (Alden Environmental 2020) or the Burrowing Owl Mitigation Plan for the Metropolitan Airpark Project (Schaefer Ecological Solutions 2019) as examples for burrowing owl mitigation. Both documents are available through the City of San Diego's MSCP Division.

4.

2. The 2016/2017 protocol surveys for fairy shrimp has reached the 3-year time limit as per Attachment I Sample Protocol Survey Requirements of the City's Land Development Manual – Biology Guidelines; therefore, before project construction can begin, new protocol surveys should be completed. The Wildlife Agencies request that

5.

4. The final Mitigated Negative Declaration has been revised to include City standard Burrowing Owl Mitigation Measures. Additionally, the *Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenaster for the Beyer Park Development Project San Diego, California* (Recon, November 2019, revised September 2020) was prepared for the project and is included as an appendix to the MND. This will serve as the mitigation plan for MSS and BUOW, habitat enhancement, and resource management plan. The document evaluated the proposed mitigation site's existing conditions and proposes measures to enhance and restore the mitigation site to support burrowing owl. A local/regional contextual review of the site and the adjoining lands is included. The site was evaluated by RECON Environmental Inc. and Natural History Museum specialists in conjunction with City of San Diego staff. Factors that were evaluated include but are not limited to the soil, vegetation composition and condition, and proximity to development. The presence of fossorial mammals was confirmed. The installation/maintenance of artificial burrows is provided; however, the Plan has been revised to include the addition of an earthen berm. The language and specifications for the earthen berm are modeled after the *Resource Management Plan for the Turecek Off-site Mitigation Parcel*. Artificial burrow design is based on the design recommended by San Diego Zoo Conservation Research in the report titled, *2018 Project Report: Advancing Burrowing Owl Conservation in San Diego County through Mitigation Measures using Science and Adaptive Management*. The evaluation of the site and measures outlined in the plan for the enhancement and restoration of the mitigation site to support burrowing owl were based on several published documents for burrowing owl conservation. These include the 2012 CDFW *Staff Report on Burrowing Owl Mitigation* and 2017 San Diego Zoo Institute for Conservation Research *Conservation and Management Plan for San Diego County*. In addition, information was gathered through breeding season surveys (*Results of the 2017 Burrowing Owl Breeding Season Surveys for Beyer Park Development Project*) and repeated site visits outlined in the *Biological Resource Report for the Beyer Park Development Project*.

5. The watershed containing San Diego fairy shrimp is illustrated in Figure 7c of the Biological Resource Report for the Beyer Park Development Project and discussion on how the project will not negatively impact the vernal pool's watershed can be found in Section 5.3.1.2 and Section 5.3.2.2 of the report. Additionally, Section V. of the MND contains mitigation measures to ensure no impacts to the vernal pool or the associated watershed would occur. These mitigation measures follow the guidelines within the City of San Diego Vernal Pool Habitat Conservation Plan (2017). The City will conduct a verification survey prior to construction to determine whether existing conditions observed during the protocol surveys in 2016/2017 have been altered. This survey would assess whether mapped depressions are still present, relative size of the depressions and whether new depressions are present within the project impact area. The survey would also document the presence of VPHCP species, if observed. A memorandum outlining the verification survey results will be provided to MSCP and the Wildlife Agencies upon completion.

5. the final MND demonstrate that the project will not negatively impact the vernal pool's watershed or result in changes to the hydrology.

6. 3. The Wildlife Agencies recommend permanent barriers/fencing should be installed along the park/MHPA boundary to preclude human entrance into the MHPA outside of approved entrances. These barriers should be described in Section 3.2.3 of the MND.

7. 4. Because the proposed project is sponsored by the City's Parks Department, the MND should provide Area Specific Management Directives (ASMDs) to reduce impacts to cactus wrens and to ensure the Park activities are compatible with long-term habitat of the cactus wren. The Wildlife Agencies recommend that trails and active uses at the park property are located as far as possible from mature cactus habitat.

8. 5. Pre-construction surveys must be performed to ensure that any active nests of northern harrier are provided a 900-foot buffer from construction activities, as required by the MSCP.

9. 6. The Proposed Mitigation Design (Figure 8) in the Biological Resources Report shows Otay tarplant along a trail that will be closed, but this trail continues outside of the mitigation area. The Wildlife Agencies recommend fencing be erected to protect Otay tarplant along the remaining trail segments on City property.

10. 7. Figure 8c (Jurisdictional Waters – City of San Diego Wetlands) in the Biological Resources Report shows the 100-foot wetlands avoidance buffer overlapping with the project impact area. Project impact areas should be located outside the 100-foot wetlands avoidance buffer.

11. 8. The Wildlife Agencies recommend the North/South trail that is located within the MHPA (as depicted in Figure 10 in the Biological Resources Report) be moved to the boundary of the developed area. This action would be consistent with City's MSCP SAP Public Access, Trails, and Recreation Priority 1, which states that: "#2 *Locate trails, view overlooks, and staging areas in the least sensitive areas of the MHPA. Locate trails along the edges of urban land uses adjacent to the MHPA, or the seam between land uses (e.g., agriculture/habitat), and follow existing dirt roads as much as possible rather than entering habitat or wildlife movement areas. Avoid locating trails between two different habitat types (ecotones) for longer than necessary due to the typically heightened resource sensitivity in those locations.*"

12. 9. The Biological Resources Report (page 91) specifies that the mitigation site will be maintained and monitored by the City Parks and Recreation Department, but it does not address the conservation mechanism that will be in place to preserve the land into perpetuity. The Wildlife Agencies recommend that the mitigation site adjacent to the MHPA be incorporated through a Boundary Line Adjustment into the MHPA.

13. 10. Mitigation Measure BIO-14: San Diego Fairy Shrimp Measures Prior to Construction states that, "*If work inadvertently occurs beyond the fenced or demarcated limits of*

6. Permanent barriers will be installed along the park boundary adjacent to the MHPA as well as along the habitat side of any paths within the park. Additionally, the majority of the MHPA overlaps with the mitigation site and permanent three wire cable fencing or equivalent will be installed along the perimeter of the mitigation site as described in Section 3.2.3 of the Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenaster for the Beyer Park Development Project. Additionally, the MND has been revised to include information pertaining to barriers adjacent to the MHPA as well as adjacent to habitat along paths within the park.

7. The ASMDs for cactus wren are outlined below with the associated section in the Biological Resource Report for the Beyer Park Development Project in which the ASMD is addressed.

*The restoration of maritime succulent scrub habitat as specified in the Otay Ranch RMP and GDP must occur at the specified 1:1 ratio.*

No impacts to occupied cactus wren habitat will occur as a result of this project. However, mitigation for unoccupied maritime succulent scrub will be satisfied. Mitigation for impacts to maritime succulent scrub are being mitigated at a 1:1 ratio as illustrated in table 7 of the Biological Resource Report for the Beyer Park Development Project.

*Area management directives must include restoration of maritime succulent scrub habitat, including propagation of cactus patches, active/adaptive management of cactus wren habitat, monitoring of populations within preserves and specific measures to reduce or eliminate detrimental edge effects.*

As outlined in the Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenaster for the Beyer Park Development Project maritime succulent scrub would be restored and enhanced. The area chosen for restoration/enhancement has existing cactus onsite as illustrated in Figure 7b of the Biological Resource Report for the Beyer Park Development Project. Cactus within the project footprint will be transplanted to the restoration/enhancement area as outlined in Section 3.2.1 of the Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenaster for the Beyer Park Development Project. Specific measures to reduce or eliminate detrimental edge effects such as fencing around the mitigation site and having the mitigation site adjacent to County Lands to extend the preservation of maritime succulent scrub are discussed in Sections 2.3.1.

*No clearing of occupied habitat may occur from the period of February 15 through August 15.*

Park active use areas were designed in locations within the project footprint to avoid impacts to cactus wren during park use. Direct impacts to mature cactus habitat will not occur as a result of this project. During surveys for cactus wren it was observed that mature cactus habitat (Cactus Scrub Type 1 and Cholla Type 1) was present north of the project site. Additional fragments of cactus habitat observed were of lower quality (Cactus Scrub Type 3 or 4 and Cholla Type 2 or 3) and were highly fragmented. This is described in the Biological Resource Report for the Beyer Park Development Project in Section 2.7, Section 3.3.4.1.i and

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is illustrated in Figure 7c. Noise modeling was conducted to determine the potential extent of noise encroachment during park construction and operations into occupied cactus wren habitat. Figure 9 within the Biological Resource Report for the Beyer Park Development Project illustrates that the anticipated 60 dB(A) Leq noise contour from park operations would be approximately 250 feet from the closest mature cactus habitat. Locations of active use areas within the park are located as far as possible from the mature cactus stands.

There is a trail currently present between the park and the mature cactus stand that is used by border patrol. The project will not alter this existing trail or any of the trails that are designated trails according to the Otay Mesa Community Plan.

8. The final Mitigated Negative Declaration has been revised to include City standard northern harrier Mitigation Measures. Specifically, pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting Least Bell's vireo, Northern harrier, Coastal cactus wren or California gnatcatcher, sensitive or MSCP-covered birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided.

9. The perimeter of the mitigation site will be fenced using permanent three wire cable fencing or equivalent as described in Section 3.2.3 of the Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenaster for the Beyer Park Development Project. Additionally, the City concurs that a lodge pole fence or similar barrier should be erected along the designated trails that are termed "trails to remain open" in Figure 8 of the Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenaster for the Beyer Park Development Project to deter trespass within the City parcel.

10. Per the San Diego Municipal Code Section 143.0141(b) a 100-foot wetland avoidance buffer should be provided for all identified wetlands within the Coastal Overlay Zone. The Beyer Park Project is not located within the Coastal Overlay Zone. Per Section II.A.1.b.:
"A wetland buffer shall be maintained around all wetlands as appropriate to protect the functions and values of the wetland. Section 320.4(b)(2) of the U.S. Army Corps of Engineers General Regulatory Policies (33CFR 320-330) list criteria for consideration when evaluating wetland functions and values. These include wildlife habitat (spawning, nesting, rearing, and foraging), food chain productivity, water quality, ground water recharge, and areas for the protection from storm and floodwaters." Therefore, the width of the avoidance buffer may be reduced from 100-feet as long as the functions and values of the wetland are protected. A 100-foot avoidance buffer is illustrated in the Figure 8c and it is acknowledged in Biological Resource Report for the Beyer Park Development Project in Section 5.5 that the project overlaps with this area. However, an analysis is provided (Section 5.5) using the U.S. Army Corps of Engineers General Regulatory Policies (33CFR 320-330) list criteria and concludes that park improvements will likely have a positive effect on wildlife habitat, food chain

13. *impact, all work shall cease until the problem has been remedied to the satisfaction of the City.*" Given the special status of this species, mitigation measure BIO-14 should be amended to include notification, reporting, and coordination with the Wildlife Agencies regarding next steps.

14. 11. Page 5 of the MND (section E) states that, "*The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation).*" The Wildlife Agencies recommend that pre-construction surveys occur no more than 3 days prior to the start of construction.

productivity, water quality, ground water recharge and areas for the protection from storm and floodwaters.

11. The North/South trail that is located within the MHPA is an existing trail/ dirt access road and is therefore the least sensitive area. No new trails are proposed as part of this project. In addition, the North/South trail is a designated trail per the Otay Mesa Community Plan and moving the existing trail would potentially impact more sensitive resources. As stated in response 6, the City concurs that a lodge pole fence or similar barrier should be erected along the designated trails that are termed "trails to remain open". This measure along with the perimeter fencing of the park which directs the public to established trails would minimize long term impacts.

12. The project does not encroach within the MHPA and the project was redesigned to avoid all impacts within the MHPA. Therefore, a MHPA boundary line adjustment was not warranted. The parcel was selected for restoration mitigation because it is contiguous with the MHPA and with conservation lands in the adjacent County owned preserve. The mitigation site is City-owned property and would be managed consistent with the adjacent MHPA in accordance with the Management Framework Plan of the MSCP Section 1.5.2. I. Additionally, the mitigation area and on-site MHPA will be added as a HabiTriak gain and depicted as City owned and managed upon issuance of the Notice To Proceed for a City project.

13. The final Mitigated Negative Declaration has been revised to include City standard Mitigation Measures. Additionally, The project would be subject to measures within the City of San Diego Vernal Pool Habitat Conservation Plan, which would be made a condition of approval, to ensure that the project would not result in any indirect impacts to the vernal pools onsite.

14. The 10-day period is standard language for all City projects for general avian bird requirements. Surveys can occur no more than 10 days prior to construction but will be conducted at the discretion of the project biologist to ensure impacts are avoided. Any required protocol surveys will be conducted per established protocols.

**INITIAL STUDY CHECKLIST**

1. Project title/Project number: Beyer Park ~~SDP~~ / 589554

2. Lead agency name and address: City of San Diego, 1222 First Avenue, San Diego, California 92101

3. Contact person and phone number: Morgan Dresser / (619) 446-5404

4. Project location: Southeast of the eastern terminus of Beyer Boulevard, San Diego, California

5. Project Applicant/Sponsor's name and address: City of San Diego Public Works Department

6. General/Community Plan designation: Park and Open Space

7. Zoning: OP-1-1 and RS-1-7

8. Description of project (Describe the whole action involved, including but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation.):

   A ~~SITE DEVELOPMENT PERMIT~~ request for the construction and operation of 16.5-acre open space park which would include a soccer field, 3 children's fields, a 19,375-square foot skate park, a 19,450-square foot large dog park, a 14,700-square foot small dog park, a 10,400-square foot children's play area, a 450-square foot comfort station, a 350-square foot maintenance building and trash enclosure, a half basketball court, shade structures, picnic areas, and trails. The park would also have 69 on-site parking spaces (60 standard stalls, 3 accessible stalls, and 6 future HOV/EV Stalls) and 15 street parking stalls. In addition, various site improvements would be constructed that include associated hardscape and landscape, retaining walls infrastructure (e.g. off-site utility connections of water, sewer), storm drain, and access.

   The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego Landscape ordinances and standards. Drainage would be directed into appropriate storm drain systems designated to carry surface runoff, which has been reviewed and accepted by City Engineering staff. Ingress and egress would be via Enright Drive and Delany Drive.

   Grading would entail approximately 81,100 cubic yards of cut with a maximum cut depth of twenty-one feet.

9. Surrounding land uses and setting:

   The 43-acre site is located southeast of the eastern terminus of Beyer Boulevard. The project site is bounded by residential development to the north, and designated open space to the south, east and west. Vegetation on-site consists of a variety of native vegetation. Topographically, the site varies from gently sloping and undulating to steep walls in the Moody Canyon area. The western area is gently sloping and undulating, with elevations ranging from about 233 feet above mean sea level (amsl) at the base of the ridge to

elevations 181 to 200 feet amsl along the western slope. Steeply graded and heavily eroded slopes exist in the eastern portion of the site, with elevations ranging from approximately 245 feet amsl to about 285 feet amsl. In addition, the project site is located within a developed area currently served by existing public services and utilities.

The project site is designated park and open space and zoned OP-1-1 and RS-1-7 per the San Ysidro Community Plan. The project site is also within the Multi-Habitat Planning Area, the Airport Land Use Compatibility Overlay Zone (Brown Field), the Airport Influence Area (Brown Field – Review Area 2), the FAA Part 77 Noticing Area (Brown Field and NOLF Imperial Beach), the Very High Fire Hazard Severity Zone, the Parking Standards Transit Priority Area, and the Transit Priority Area. (LEGAL DESCRIPTION: A portion of the southwest quarter of the southeast quarter section 36, together with a portion of the west 27 acres of the southeast quarter of the southeast quarter of section 36, all in township 18 south, range 2 west, San Bernardino base and Meridian, according to the official plat thereof.)

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

None required.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

In accordance with the requirements of Public Resources Code 21080.3.1, the City of San Diego provided formal notifications to the Iipay Nation of Santa Ysabel and the Jamul Indian Village, both traditionally and culturally affiliated with the project area; requesting consultation on October 11, 2018.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

| | | | | | |
|---|---|---|---|---|---|
| ☐ | Aesthetics | ☐ | Greenhouse Gas Emissions | ☐ | Population/Housing |
| ☐ | Agriculture and Forestry Resources | ☐ | Hazards & Hazardous Materials | ☐ | Public Services |
| ☐ | Air Quality | ☐ | Hydrology/Water Quality | ☐ | Recreation |
| ☒ | Biological Resources | ☐ | Land Use/Planning | ☐ | Transportation/Traffic |
| ☐ | Cultural Resources | ☐ | Mineral Resources | ☐ | Tribal Cultural Resources |
| ☐ | Geology/Soils | ☒ | Noise | ☐ | Utilities/Service System |
| | | | | ☐ | Mandatory Findings Significance |

## **DETERMINATION:** (To be completed by Lead Agency)

On the basis of this initial evaluation:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact answer should be explained where it is based on project specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses", as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration. *Section 15063(c)(3)(D).* In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used. Identify and state where they are available for review.

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated", describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

    a. The significance criteria or threshold, if any, used to evaluate each question; and

    b. The mitigation measure identified, if any, to reduce the impact to less than significant.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| I. AESTHETICS – Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☐ | ☒ |

The project site is not located within, or adjacent to a designated scenic vista or view corridor that is identified in the San Ysidro Community Plan. Therefore, the project would not have a substantial adverse effect on a scenic vista. No impact would result.

| | | | | |
|---|---|---|---|---|
| b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ |

The project is situated adjacent to a developed neighborhood comprised of residential and open space uses. There are no scenic resources (trees, rock outcroppings, or historic buildings) located on the project site. The project would not result in the physical loss, isolation, or degradation of a community identification symbol or landmark, as none are identified by the General Plan or community plan as occurring in the project vicinity. Therefore, no impact would result.

| | | | | |
|---|---|---|---|---|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | ☐ | ☐ | ☐ | ☒ |

The project site is vacant and is generally surrounded by residential and open space uses. The project would create a neighborhood park and preserve existing open space land. The topography of the site would be minimally altered to allow for the development of the park. The project is compatible with the surrounding development and permitted by the General Plan, community plan land use and zoning designations. The project would not substantially degrade the existing visual character or quality of the site and its surroundings; therefore, no impact would result.

| | | | | |
|---|---|---|---|---|
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☒ | ☐ |

***Lighting***

The project would comply with the outdoor lighting standards in Municipal Code Section 142.0740 (*Outdoor Lighting Regulations*) that require all outdoor lighting be installed, shielded, and adjusted so that the light is directed in a manner that minimizes negative impacts from light pollution, including trespass, glare, and to control light from falling onto surrounding properties. Therefore, lighting installed with the project would not adversely affect day or nighttime views in the area, resulting in a less than significant lighting impact. Additionally, the project would comply with Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines lighting requirements which states lighting adjacent to the MHPA should be directed away from the MHPA and the project should provide adequate shielding with non-invasive plant materials, berming and/or other methods to protect the MHPA and sensitive species.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

***Glare***

The project would comply with Municipal Code Section 142.0730 (Glare Regulations) that require exterior materials utilized for proposed structures be limited to specific reflectivity ratings. The project proposes minimal structures which would consist of wood siding, wood shingles, adobe and concrete blocks, brick, stucco, concrete or natural stone. The project would have a less than significant glare impact.

As such, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area; impacts would be less than significant.

II. AGRICULTURAL AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |

The project site is located within a developed neighborhood surrounded by residential and open space uses. As such, the project site does not contain nor is it adjacent to any lands identified as Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as show on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency. Therefore, the project would not result in the conversion of such lands to non-agricultural use. No impact would result.

| | | | | |
|---|---|---|---|---|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract? | ☐ | ☐ | ☐ | ☒ |

Refer to response II (a), above. There are no Williamson Act Contract Lands on or within the vicinity of the site. Furthermore, the project would not affect any properties zoned for agricultural use or affected by a Williamson Act Contract, as there are none within the project vicinity. Agricultural land is not present on the site or in the general vicinity of the site; therefore, no conflict with the Williamson Act Contract would result. No impact would result.

| | | | | |
|---|---|---|---|---|
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | ☐ | ☐ | ☐ | ☒ |

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. No designated forest land or timberland occur onsite. No impacts would result.

| | | | | |
|---|---|---|---|---|
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |

Refer to response II(c) above. Additionally, the project would not contribute to the conversion of any forested land to non-forest use, as surrounding land uses are built out. No impacts would result.

| | | | | |
|---|---|---|---|---|
| e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |

Refer to response II (a) and II (c), above. The project and surrounding areas do not contain any farmland or forest land. No changes to any such lands would result from project implementation. Therefore, no impact would result.

III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make the following determinations – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☒ | ☐ |

The project site is located in the San Diego Air Basin (SDAB) and is under the jurisdiction of the San Diego Air Pollution Control District (SDAPCD) and the California Air Resources Board (CARB). Both the State of California and the Federal government have established health-based Ambient Air Quality Standards (AAQS) for the following six criteria pollutants: carbon monoxide (CO); ozone (O3); nitrogen oxides (NOx); sulfur oxides (SOx); particulate matter up to 10 microns in diameter (PM10); and lead (Pb). $O_3$ (smog) is formed by a photochemical reaction between NOx and reactive organic compounds (ROCs). Thus, impacts from $O_3$ are assessed by evaluating impacts from NOx and ROCs. A new increase in pollutant emissions determines the impact on regional air quality as a result of a proposed project. The results also allow the local government to determine whether a proposed project would deter the region from achieving the goal of reducing pollutants in accordance with the Air Quality Management Plan (AQMP) in order to comply with Federal and State AAQS.

The SDAPCD and San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the SDAB. The County Regional Air Quality Strategy (RAQS) was initially adopted in 1991 and is updated on a triennial basis (most recently in 2009). The RAQS outlines the SDAPCD's plans and control measures designed to attain the state air quality standards for ozone ($O_3$). The RAQS relies on information from the CARB and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in San Diego County and the cities in the county, to project future emissions and then determine the strategies necessary for the reduction of emissions

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by San Diego County and the cities in the county as part of the development of their general plans.

The RAQS relies on SANDAG growth projections based on population, vehicle trends, and land use plans developed by the cities and by the county as part of the development of their general plans. As such, projects that propose development that is consistent with the growth anticipated by local plans would be consistent with the RAQS. However, if a project proposes development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the RAQS and may contribute to a potentially significant cumulative impact on air quality.

The project is consistent with the General Plan, community plan land use designation, and the underlying zone. Therefore, the project would be consistent with the RAQS and would not obstruct implementation of the RAQS. No impacts would result.

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| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ☐ | ☐ | ☒ | ☐ |

***Short-Term (Construction) Emissions.*** Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emissions include fugitive dust from grading activities; construction equipment exhaust; construction-related trips by workers, delivery trucks, and material-hauling trucks; and construction-related power consumption.

Variables that factor into the total construction emissions potentially generated include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on or offsite.

Fugitive dust emissions are generally associated with land-clearing and grading operations. Construction operations would include standard measures as required by City of San Diego grading permit to limit potential air quality impacts. Therefore, impacts associated with fugitive dust are considered less than significant and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. No mitigation measures are required.

***Long-Term (Operational) Emissions.*** Long-term air emission impacts are those associated with stationary sources and mobile sources related to any change caused by a project. The project would produce minimal stationary sources emissions. The project is compatible with the surrounding development and is permitted by the General Plan, community plan land use and zoning designation. Based on the land use, project emissions over the long-term are not anticipated to violate any air quality standard or contribute substantially to an existing or projected air quality violation. Impacts would be less than significant, and no mitigation measures are required.

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| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal | ☐ | ☐ | ☒ | ☐ |

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | | | | |

As described above, construction operations could temporarily increase the emissions of dust and other pollutants. However, construction emissions would be temporary and short-term in duration; implementation of Best Management Practices (BMPs) would reduce potential impacts related to construction activities to a less than significant level. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a non-attainment under applicable federal or state ambient air quality standards. Impacts would be less than significant.

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| d) Create objectionable odors affecting a substantial number of people? | ☐ | ☐ | ☒ | ☐ |

***Short-term (Construction)***

Odors would be generated from vehicles and/or equipment exhaust emissions during construction of the project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and architectural coatings. Such odors are temporary and generally occur at magnitudes that would not affect a substantial number of people. Therefore, impacts would be less than significant.

***Long-term (Operational)***

In the long-term operation, parks, are not uses typically associated with the creation of such odors nor are they anticipated to generate odors affecting a substantial number or people. Therefore, project operations would result in less than significant impacts.

IV. BIOLOGICAL RESOURCES – Would the project:

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| a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐ | ☒ | ☐ | ☐ |

A Biological Resource Report was prepared by RECON Environmental, Inc. (RECON) to address potential biological resource impacts for the project site (November 2019). Additional reports prepared include; Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenaster for the Beyer Park Development Project (November 26, 2019), Jurisdictional Waters/ Wetland Delineation Report for the Beyer Park Development Project (March 20, 2017), Post-survey Report for the 2016-2017 Wet Season Fairy Shrimp Surveys for the Beyer Park Development Project (June 7, 2017), Results of the 2017 Burrowing Owl Breeding Season Surveys for the Beyer Park Development Project (August 23, 2017), Results of the 2017 Coastal California Gnatcatcher Presence/Absence Survey for the Beyer Park Development Project (August 3, 2017), Results of the 2017 Dry Season Fairy Shrimp Survey for the Beyer Park Development Project (October 25, 2017), Results of the 2017 Least Bell's Vireo Presence/Absence Survey for the Beyer

Park Development Project (September 15, 2017), Results of the 2017 Quino Checkerspot Butterfly Presence/Absence Survey for the Beyer Park Development Project ( July 17, 2017), and the Burrowing Owl Habitat Assessment Summary Report for the Beyer Park Development Project prepared by Busby Biological Services (April 24, 2017).

The survey for the Biological Resources Report encompassed 58.2 acres which includes a 100-foot buffer and a focus on the 15-acre impact footprint. The project site lies within the boundaries of the City's Multiple Species Conservation Plan (MSCP) Subarea. Furthermore, the Multi-Habitat Planning Area (MHPA) is mapped on-site and adjacent to the project. The results of this analysis are discussed below.

Eight vegetation communities were mapped within the survey area including mule fat scrub, maritime succulent scrub, disturbed maritime succulent scrub, Diegan coastal sage scrub, disturbed Diegan coastal sage scrub, disturbed land, ornamental plantings, and urban/developed. The project would result in direct impacts to 11.47 acres of sensitive vegetation communities including 0.91 acre of maritime succulent scrub, 4.86 acres of disturbed maritime succulent scrub, 1.41 acres of Diegan coastal sage scrub, and 4.29 acres of disturbed Diegan coastal sage scrub. These impacts would be mitigated through enhancement of 10.42 acres of maritime succulent scrub and disturbed maritime succulent scrub, restoration of 3.70 acres of disturbed land in the eastern parcel (including MHPA and non-MHPA lands). A total of 13.55 acres of occupied western burrowing owl habitat would be directly impacted and would require mitigation at the same ratio as required by impacts to the sensitive vegetation communities.

Thirteen sensitive plant species were observed within the project area. The project would directly impact eight of the observed species including San Diego barrel cactus, beach goldenaster, south coast saltscale, San Diego ~~but~~ bur-sage, ~~Plamer's~~ Palmer's grapplinghook, California box-thorn, small-flowered microseris, and San Diego County viguiera. Direct impacts to beach goldenaster would be considered significant and would be mitigated through restoration of beach goldenaster within the project site. Indirect impacts to sensitive plant species would be minimized and/or avoided ~~by~~ with implementation of MHPA land use adjacency guidelines and would not be significant.

Thirteen wildlife species were observed within or adjacent to the project site and four additional sensitive wildlife species were identified as having a high or moderate potential to occur. The project would result in significant direct impacts to western burrowing owl. Direct impacts to western burrowing owl and its habitat would be mitigated through preparation and/or implementation of a habitat restoration plan, a burrow exclusion plan, pre-construction surveys, grading restrictions, and construction monitoring. Indirect construction related impacts to San Diego fairy shrimp would be avoided through implementation of avoidance measures and minimization measures in compliance with the City's Vernal Pool Habitat Conservation Plan. These measures would reduce the level of impact to less than significant.

Indirect noise impacts to least Bell's ~~verio~~ vireo, California gnatcatcher, northern harrier, and coastal cactus wren would be mitigated through implementation of noise attenuation measures and/or noise monitoring, if construction occurs during the nesting season.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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Within the survey area, jurisdictional wetlands and waters were delineated in Moody Canyon and a small depression near the western edge of the survey area. These include 0.07 acre of U.S. Army Corps of Engineers non-wetland waters of the U.S./California Department of Fish and Wildlife (CDFW) streambed/Regional Water Quality Control Board (RWQCB) unvegetated streambed in Moody Canyon, and 0.02-acre RWQCB isolated waters within the small depression. No direct impacts to jurisdictional wetlands or waters are proposed as part of the project.

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed in Section V of the Mitigated Negative Declaration would be implemented. With implementation of the MMRP, potential biological resources impacts would be reduced to below a level of significance.

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| b) Have a substantial adverse effect on any riparian habitat or other community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐ | ☒ | ☐ | ☐ |

As detailed in the project Biological Resources Report (RECON 2019), the project site supports a number of wetland and upland plant communities which are identified as important in local, state, and/or federal planning efforts. The project would result in direct impacts to 11.47 acres of sensitive vegetation communities. Proposed Impacts to Vegetation Communities, would include 0.91 acre of maritime succulent scrub, 4.86 acres of disturbed maritime succulent scrub, 1.41 acres of Diegan coastal sage scrub, and 4.29 acres of disturbed Diegan coastal sage scrub. In addition, a total of 13.55 acres of occupied western burrowing owl habitat would be directly impacted.

In order to mitigate project impacts, the project would implement mitigation measures BIO-1 (Biological Resource Protection During Construction), BIO-2 (Habitat Based Mitigation (Restoration/Creation), BIO-4 (Burrowing Owl), BIO-4 (Occupied Burrowing Owl Habitat Mitigation), BIO-5 (Least Bell's Vireo (State Endangered/Federally Protected)), BIO-6 (Coastal Cactus Wren Habitat Restoration), and BIO-7 (Post Construction San Diego Fairy Shrimp Monitoring). ~~BIO-4 (sensitive vegetation communities), BIO-5 (sensitive plant species), BIO-6-8 (Western Burrowing Owl), BIO-9 (Northern Harrier), BIO-10 (Coastal California Gnatcatcher), BIO-11 (Least Bell's Vireo), BIO-12-13 (Coastal Cactus Wren), and BIO 14-16 (San Diego Fairy Shrimp).~~

The project would result in significant direct impacts to 11.47 acres of Tier I and Tier II habitat. Per the Biological Guidelines, impacts to Tier I would require mitigation within the MHPA at a ratio of 1:1 and outside the MHPA at a ratio of 2:1. Impacts to and Tier II habitat would require mitigation within the MHPA at a ratio of 1:1 and outside of the MHPA at a ratio of 1.5:1. The project would provide enhancement of 6.25 acres of maritime succulent scrub and 1.54 acres of disturbed maritime succulent scrub within the MHPA; restoration of 2.05 of maritime succulent scrub and 0.59 acres of disturbed maritime succulent scrub outside of the MHPA; and the restoration of 3.70 acres of disturbed lands to maritime succulent scrub, both inside and outside of the MHPA. Thus, sensitive upland impacts would be reduced to below a level of significance.

To ensure the proposed on-site mitigation lands described above would be managed and maintained in perpetuity, long-term management would be required. Mitigation Measure BIO-2

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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~~BIO-4~~ provides for the long-term maintenance and monitoring in perpetuity. This measure includes a requirement for a 5-year maintenance and monitoring period, plant salvage of sensitive succulent species and seeding of beach goldenaster with the ultimate goal of creating habitat suitable for burrowing owl. Overall, this measure would ensure adequate long-term management of the biological open space area.

Overall, the project would result in impacts to sensitive upland ~~and wetland habitats and~~ therefore, mitigation measures BIO-1 through BIO-7~~BIO-5 through BIO-16~~ would be required.

A Mitigation Monitoring Reporting Program (MMRP), as detailed in Section V of the Mitigated Negative Declaration would be implemented. With implementation of the MMRP, potential biological resources impacts would be reduced to below a level of significance.

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| c) Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☐ | ☒ |

Per the Jurisdictional Waters/Wetlands Delineation Report (RECON 2017), the project site contains habitats under the jurisdiction of Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW). However, the project would have no impact to jurisdictional habitats. The project would be subject to measures within the City of San Diego Vernal Pool Habitat Conservation Plan, which would be made a condition of approval, to ensure that the project would not result in any indirect impacts to the vernal pools onsite.

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| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☐ | ☐ | ☒ |

The project site does not function as a true wildlife corridor due to the residential development, commercial development, Interstate 805, and Interstate 5 interrupting any direct connection to the Tijuana River valley to the west. The site contributes as a stepping-stone connection for avian and other winged species and as evident by observations of migratory bird species nearby. The site also contributes to available habitat for terrestrial animals. However, the project ~~sire~~ site does not serve as a regional connection for large terrestrial wildlife.

Overall, the project would not substantially interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Impacts would be less than significant.

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| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☐ | ☒ |

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The project would not conflict with any local policies and/or ordinances protecting biological resources. No impact would result.

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| f) | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☒ | ☐ | ☐ |

The City's MSCP Subarea Plan has been prepared to meet the requirements of the California Natural Communities Conservation Planning (NCCP) Act of 1992. This Subarea Plan describes how the City's portion of the MSCP Preserve, the MHPA, would be implemented. The MSCP identifies a MHPA that is intended to link all core biological areas into a regional wildlife preserve.

The project site lies within the boundaries of the City San Diego Multiple Species Conservation Plan (MSCP) Subarea Plan. The City's Multi-Habitat Planning Area (MHPA) is mapped onsite. MHPA Lands are those that have been included within the City's MSCP Subarea Plan for habitat conservation. These lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. A field survey and a biological technical report was prepared by RECON Environmental (2019) to assess the vegetation communities on site and determine what impacts would result through project implementation. Refer to Section IV.a - e, Biological Resources discussion for further details.

Due to the presence of the MHPA, on and adjacent to the site, the project would be required to comply with the MHPA Land Use Adjacent Guidelines (Section 1.4.3) of the City's MSCP Subarea Plan to ensure that the project would not result in any indirect impacts to the MHPA. Per the MSCP, potential indirect effects from drainage, toxics, lighting, noise, barriers, invasives, and brush management from project construction and operation must not adversely affect the MHPA.

More specifically, drainage would be directed away from the MHPA, and/or would not drain directly into these areas. The project's storm water drainage would be conveyed away from the MHPA and into bio-retention basins where water would be pre-treated and released into the existing storm drain system. Light would be directed away from the MHPA and be consistent with the City's lighting regulations which would require exterior lighting to be low-level lights and directed away from native habitat or shielded to minimize light pollution. Landscape plantings would consist of only native plant species. Brush Management Zone One would occur outside of the MHPA and within the development footprint. Brush Management Zone Two would not occur within the MHPA. In addition, no staging/storage area would be allowed to be located within or adjacent to sensitive biological areas and no equipment maintenance would be permitted. With respect to grading, the limits of grading would be clearly demarcated by the biological monitor to ensure no impacts occur outside those area delineated. Additionally, the project does not anticipate establishment of any new barriers that would affect the normal functioning of wildlife movements in the adjacent MHPA.

The project would be consistent with the MHPA Adjacency Guidelines and indirect impacts to the MHPA would be avoided. Furthermore, the project as designed would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Permanent barriers will be installed

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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along the park boundary adjacent to the MHPA as well as along the habitat side of any paths within the park. Additionally, the majority of the MHPA overlaps with the mitigation site and permanent three wire cable fencing or equivalent will be installed along the perimeter of the mitigation site.

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed in Section V of the Mitigated Negative Declaration would be implemented. With implementation of the MMRP, potential land use (MHPA Land Use Adjacency Guidelines) impacts would be reduced to below a level of significance.

V. CULTURAL RESOURCES – Would the project:

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| a) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5? | ☐ | ☐ | ☐ | ☒ |

The purpose and intent of the Historical Resources Regulations of the Land Development Code (Chapter 14, Division 3, and Article 2) is to protect, preserve and, where damaged, restore the historical resources of San Diego. The regulations apply to all proposed development within the City of San Diego when historical resources are present on the premises. Before approving discretionary projects, CEQA requires the Lead Agency to identify and examine the significant adverse environmental effects which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource may have a significant effect on the environment (sections 15064.5(b) and 21084.1). A substantial adverse change is defined as demolition, destruction, relocation, or alteration activities, which would impair historical significance (sections 15064.5(b)(1)). Any historical resource listed in, or eligible to be listed in the California Register of Historical Resources, including archaeological resources, is considered to be historically or culturally significant.

The City of San Diego criteria for determination of historic significance, pursuant to CEQA, is evaluated based upon age (over 45 years), location, context, association with an important event, uniqueness, or structural integrity of the building. Projects requiring the demolition and/or modification of structures that are 45 years or older can result in potential impacts to a historical resource. There are no existing structures on site. Therefore, no impacts would result.

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| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | ☐ | ☐ | ☐ | ☒ |

Many areas of San Diego County, including mesas and the coast, are known for intense and diverse prehistoric occupation and important archaeological and historical resources. The region has been inhabited by various cultural groups spanning 10,000 years or more. The project area is located within an area identified as sensitive on the City of San Diego Historical Resources Sensitivity Maps. Per the San Diego Land Development Manual-Historical Resources Guidelines an Archaeological survey is required when development is proposed on previously undeveloped parcels when a known resource is identified on site or within a one-mile radius, when a previous survey is more than 5 years old if the potential for resources exists, or based on a site visit by a qualified consultant or knowledgeable City staff. Based on this information, there is a potential for buried cultural resources to be impacted through implementation of the project. Therefore, an Archaeological Resources Survey for the Beyer Park Development Project was completed by RECON Environmental,

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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Inc. dated August 2018, which included literature review, record search, Native American Consultation, and completion of a pedestrian field survey of the parcel along with a Native American monitor from Red Tail Monitoring & Research, Inc. on January 18, 2017, per the City's requirements. The results and conclusions of the technical report are summarized below.

The records search from the California Historical Resources Information System South Coast Information Center (SCIC) indicated four previous investigations have surveyed portions of the project site. Additionally, one additional survey was completed by Tierra Environmental in 2007 which covered a similar project footprint and identified five lithic scatters, a lithic shell scatter, and one isolated hammerstone. Based on the SCIC records and the 2007 survey, a total of 55 prehistoric sites, 7 historic sites, 16 isolated prehistoric artifacts, one isolated historic artifact, and two multi-component sites have been recorded within one-mile radius of the project site. Five of these sites are located within the survey area and one isolate is located within the area of potential effect (APE).

During the field survey, two previously recorded cultural resources, two prehistoric resources and four new prehistoric isolated artifacts were located within the survey area. The four newly recorded isolates and one of the previously recorded cultural resources are not considered significant because they lack characteristics that would qualify them for listing on the NRHP, CRHR, or City of San Diego Historical Resources Register. The other cultural resource and two prehistoric resources have the potential to qualify under criteria D-4 (potential to yield information important to prehistory).

The project impact area would avoid the three potentially significant resources; therefore, a testing program is not required, and no monitoring would be required. The project impact area has been highly disturbed, and the chances of finding unknown buried cultural resources is considered low. Therefore, the project would not result in a significant impact.

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| c) | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☒ | ☐ |

According to the site-specific Revised Desktop Geotechnical Investigation prepared by K2 Engineering, Inc. dated December 13, 2017, the project site is underlain by river terrace deposits, San Diego Formation, and Otay Formation. San Diego Formation and Otay Formation have a high sensitivity for paleontological resources.

San Diego Formation is well known for its rich fossil beds that have yielded extremely diverse assemblages of marine clams, scallops, snails, crabs, barnacles, sand dollars, sharks, rays, bony fishes, sea birds, walrus, fur seal, sea cow, dolphins, and baleen whales. In addition, rare remains of terrestrial mammals including cat, wolf, skunk, peccary, camel, antelope, deer, horse, and gomphothere have also been recovered from the formation. Rounding out this impressive fossil record is the occurrence of fossil wood and leaves including the remains of pine, oak, laurel, cottonwood, and avocado. Taken together this diverse assemblage of fossil organisms represents one of the most important sources in the world of information on Pliocene marine organisms and environments.

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The San Diego Formation is exposed extensively throughout the southwestern portion of the County from the International Border north to Mission Valley with isolated occurrences stretched out along the Rose Canyon Fault Zone at Tecolote Canyon, Balboa Avenue, Rose Canyon and all along the southern slopes of Mount Soledad from I-5 to the sea cliffs at Pacific Beach. Due to the extremely important remains of fossil marine mammals, sea birds, and molluscs recovered from this rock unit, it is assigned a high paleontological resource sensitivity.

The Otay Formation has yielded numerous fossil localities in the upper sandstone-mudstone member and the middle gritstone member. No fossils are recorded from the angular conglomerate member. Prior to residential and commercial development in the Eastlake area, the Otay formation was not known to be fossilferous. Fossils from the formation discovered during this development include well preserved remains of a diverse assemblage of terrestrial vertebrates such as tortoise, lizards, snake, birds, shrews, rodents, rabbit, dog, fox, rhinoceros, camels, mouse-deer, and oreodonts. Based on these recent discoveries the Otay Formation is now considered to be the richest source of late Oligocene terrestrial vertebrates in California.

The Otay Formation is exposed throughout the southwestern portion of the Coastal Plain Province, from approximately the latitude of SR-94 south to the International Border, and from I-805 east to the base of the San Ysidro Mountains and San Miguel Mountain. The lower fanglomerate portion of the formation is exposed extensively in the area around Lowe Otay Lake, as well as in patches along the northern side of the San Ysidro Mountains as far east as Sycamore Canyon. The upper sandstone portion of the Otay Formation has produced extremely important vertebrate fossil remains and is assigned a high paleontological resource sensitivity. The lower gritstone and fanglomerate portion of the formation has produced vertebrate fossils from only a few localities and is assigned a moderate resource sensitivity.

According to the City of San Diego's Significance Determination Thresholds, more than 1,000 cubic yards of grading at depths of greater than 10 feet (less than 10 feet if the site has been graded) into formations with a high resource sensitivity rating could result in a significant impact to paleontological resources, and mitigation would be required.

Grading operations would entail approximately 81,100 cubic yards of cut with a maximum cut depth of twenty-one feet. The projects grading exceeds the CEQA Significance Determination Thresholds, therefore, ~~the project would subject to the grading ordinance and the requirement for paleontological monitoring, which would be made conditions of approval. Regulatory compliance would therefore preclude impacts to this resource; thus, impacts would be identified as less than significant.~~ the project would require paleontological monitoring during grading and/or excavation activities in accordance with SDMC Section 142.0151 (Paleontological Resources Requirements for Grading Activities). Compliance with these SDMC regulations are assured through permit conditions. Implementation of the Paleontological Resources Requirements for Grading Activities, as required by SDMC Section 142.0151, would ensure that impacts to paleontological resources would be less than significant.

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| d) | Disturb ~~and~~ ~~any~~ human remains, including those interred outside of dedicated cemeteries? | ☐ | ☐ | ☐ | ☒ |

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While there is a very low possibility of encountering human remains during subsequent project construction activities, it is noted that activities would be required to comply with state regulations that are intended to preclude impacts to human remains. Per CEQA Section 15064.5(e), the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5), if human remains are discovered during construction, work would be required to halt in that area, and no soil would be exported off-site until a determination could be made regarding the provenance of the human remains via the County Coroner and other authorities as required.

VI. GEOLOGY AND SOILS – Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

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| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | ☐ | ☐ | ☒ | ☐ |

The project site is not located within an established Alquist-Priolo Earthquake Fault Zone. The La Nacion Fault/Sweetwater Fault Zone is located within the project site. The La Nacion fault is exposed in an approximate 10-foot-high cut slope in the eastern portion of the site just south of the cul-de-sac on Enright Drive. The lack of geomorphic expression of the fault throughout most of its length from the Mexico Border to the San Diego State University area, suggests that the faults making up this fault zone have not been active during the Holocene age. It is recommended that habitable structures be setback at least 25 feet from the fault area, however, this project does not propose any habitable structures. The project would be required to comply with seismic requirement of the California Building Code, utilize proper engineering design and standard construction practices, to be verified at the building permit stage, in order to ensure that would reduce impacts to people or structures to an acceptable level of risk. Therefore, impacts would be less than significant.

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| ii) Strong seismic ground shaking? | ☐ | ☐ | ☒ | ☐ |

The site could be affected by seismic activity as a result of earthquakes on major active faults located throughout the Southern California area. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would reduce the potential impacts associated with seismic ground shaking to an acceptable level of risk. Therefore, impacts would be less than significant.

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| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☒ | ☐ |

Liquefaction generally occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. According to the site-specific geotechnical investigation, the site is not considered subject to liquefaction due to the dense soil, grain-size distribution, and the deep

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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groundwater table. The project would be required to comply with the California Building Code that would reduce impacts to people or structures to an acceptable level of risk. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from regional geologic hazards would remain less than significant.

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| iv) Landslides? | ☐ | ☐ | ☒ | ☐ |

Two major landslides have been documented in the vicinity of the project site, the Moody Canyon landslide and the San Ysidro landslide. According to the site-specific Geotechnical Investigation, the limits of the San Ysidro landslide has a static safety factor of 1.5 and a seismic safety factor of at least 1.1 against deep seated landslides. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts would be reduced to an acceptable level of risk. Impacts would be less than significant.

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| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ |

Demolition and construction activities would temporarily expose soils to increase erosion potential. The project would be required to comply with the City's Storm Water Standards, which requires the implementation of appropriate best management practices (BMPs). Grading activities would be required to comply with the City of San Diego Grading Ordinance as well as the Storm Water Standards, which would ensure soil erosion and topsoil loss is minimized to less than significant levels. Furthermore, permanent storm water BMPs would also be required post-construction consistent with the City's regulations. Therefore, the project would not result in substantial soils erosion or loss of topsoil; therefore, impacts would be less than significant.

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| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☐ | ☒ | ☐ |

As discussed in Section VI(a) and VI(b), the project site has a low potential to be subject to landslides, and the potential for liquefaction and subsidence is negligible. The soils and geologic units underlying the site are considered to have a "low to very high" expansion potential. The project design would be required to comply with the requirements of the California Building Code ensuring hazards associated with expansive soils would be reduced to an acceptable level of risk. As such, impacts due to expansive soils are expected to be less than significant.

| | | | | |
|---|---|---|---|---|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | ☐ | ☐ | ☒ | ☐ |

The project site is considered to have low to very high expansive soil potential. The project would be required to comply with seismic requirements of the California Building Code that would reduce

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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impacts to people or structures due to local seismic events to an acceptable level of risk. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from regional geologic hazards would remain less than significant.

| | | | | |
|---|---|---|---|---|
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | ☐ | ☐ | ☐ | ☒ |

The project site is located within an area that is already developed with existing infrastructure (i.e., water and sewer lines) and does not propose any septic system. In addition, the project does not require the construction of any new facilities as it relates to wastewater, as services are available to serve the project. No impact would occur.

VII. GREENHOUSE GAS EMISSIONS – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☒ | ☐ |

***Climate Action Plan***

The City adopted the Climate Action Plan (CAP) in December 2015 (City of San Diego 2015). With implementation of the CAP, the City aims to reduce emissions 15% below the baseline to approximately 11.1 million metric tons of carbon dioxide equivalent (MMT CO2E) by 2020, 40% below the baseline to approximately 7.8 MMT CO2E by 2030, and 50% below the baseline to approximately 6.5 MMT CO2E by 2035. The City has identified the following five CAP strategies to reduce GHG emissions to achieve the 2020 and 2035 targets: (1) energy- and water-efficient buildings; (2) clean and renewable energy; (3) bicycling, walking, transit, and land use; (4) zero waste (gas and waste management); and (5) climate resiliency. The City's CAP Consistency Checklist, adopted July 12, 2016, is the primary document used by the City to ensure project-by-project consistency with the underlying assumptions in the CAP and thereby to ensure that the City would achieve the emission reduction targets identified in its CAP.

***CAP Consistency Checklist***

The CAP Consistency Checklist is the City's significance threshold utilized to ensure project-by-project consistency with the underlying assumptions in the CAP and to ensure that the City would achieve its emission reduction targets identified in the CAP. The CAP Consistency Checklist includes a three-step process to determine project if the project would result in a GHG impact. Step 1 consists of an evaluation to determine the project's consistency with existing General Plan, Community Plan, and zoning designations for the site. Step 2 consists of an evaluation of the project's design features compliance with the CAP strategies. Step 3 is only applicable if a project is not consistent with the land use and/or zone, but is also in a transit priority area to allow for more intensive development than assumed in the CAP.

Under Step 1 of the CAP Consistency Checklist, the project is consistent with the existing General Plan and Clairemont Mesa Community Plan land use designations and zoning for the site. Therefore,

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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the project is consistent with the growth projections and land use assumptions used in the CAP. Furthermore, the project would not be subject to Step 2 because the project is a permit that does not result in the expansion or enlargement of a building which would require a certificate of occupancy. Thus, the project is consistent with the CAP. Step 3 of the CAP Consistency Checklist would not be applicable, as the project is not proposing a land use amendment or a rezone.

Based on the project's consistency with the City's CAP Consistency Checklist, the project's contribution of GHGs to cumulative statewide emissions would be less than cumulatively considerable. Therefore, the project's direct and cumulative GHG emissions would have a less than significant impact on the environment.

| | | | | |
|---|---|---|---|---|
| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☒ | ☐ |

Refer to Section VII (a). Impacts would be less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☒ | ☐ |

Construction of the project may require the use of hazardous materials (fuels, lubricants, solvents, etc.), which would require proper storage, handling, use and disposal. Although minimal amounts of such substances may be present during construction of the project, they are not anticipated to create a significant public hazard. Once constructed, due to the nature of the project, the routine transport, use, or disposal of hazardous materials on or through the subject site is not anticipated. Therefore, impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☐ | ☒ | ☐ |

As noted in previous response VIII (a), no health risks related to the storage, transport, use, or disposal of hazardous materials would result from the implementation of the project. Therefore, impacts would be less than significant.

| | | | | |
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| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☐ | ☒ |

San Ysidro Adult School and San Ysidro Middle School located within one-quarter mile of the site. The area within one-quarter mile is developed with homes or commercial/retail uses. However, the

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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proposed project would not be expected to emit hazardous materials or substances that would affect any existing or proposed schools in the area. No impact would occur.

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| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ |

A search of potential hazardous materials sites compiled pursuant to Government Code Section 65962.5 was completed for the project site. Several databases and resources were consulted including the Department of Toxic Substances Control (DTSC) EnviroStor database, the California State Water Resources Control Board GeoTracker database, and other sources of potential hazardous materials sites available on the California EPA website. Based on the searches conducted, no contaminated sites are on or adjacent to the project site. Furthermore, the project site was not identified on the DTSC Cortese List. Therefore, the project would not create a significant hazard to the public or the environment. No impacts would result.

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| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two mile of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |

The project is consistent with the General Plan, community plan, and zoning designations. The project is within the Airport Land Use Compatibility Overlay Zone (Brown Field), the Airport Influence Area (Brown Field – Review Area 2), the FAA Part 77 Noticing Area (Brown Field and NOLF Imperial Beach), as depicted in the 2014 Airport Land Use Compatibility Plan (ALUCP). However, the project site is not within a designated Accident Potential Zone (APZ) or Safety Zone as identified in the ALUCP and would, therefore, not subject people working or residing within the project area to a significant safety hazard. The proposed development would not penetrate the FAA notification surface and is nor proposed at greater than 200 feet above grade, therefore, the proposal is not required to notify the Federal Aviation Administration (FAA) per Municipal Code Section 132.1520(c). The use and density are considered consistent with the ALUCP and would not result in a safety hazard for people residing or working in the area. Therefore, a less than significant impact would result.

| | | | | |
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| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |

Refer to response VIII(e) above. The project site is not in proximity to any private airstrip. Therefore, no impacts will occur.

| | | | | |
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| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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The project would not impair the implementation of, or physically interfere with, an adopted emergency response plan or evacuation plan. No roadway improvements are proposed that would interfere with circulation or access. No impacts would occur.

| | | | | |
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| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ☐ | ☐ | ☐ | ☒ |

Brush Management is required for development that is adjacent to any highly flammable area of native or naturalized vegetation. These fire hazard conditions currently exist for the proposed development. Where brush management is required, a comprehensive program is required to reduce fire hazards around all structures by providing an effective firebreak between structures and contiguous area of flammable vegetation. The firebreak is required to consist of two distinct brush management zones; a 35-foot-wide brush management zone one and a 65-foot-wide brush management zone two, which are required per the Land Development Code. The project would implement Brush Management Zones consistent with the City's Landscape Regulations, which have been reviewed and accepted by staff; therefore, impacts would be less than significant.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

| | | | | |
|---|---|---|---|---|
| a) Violate any water quality standards or waste discharge requirements? | ☐ | ☐ | ☒ | ☐ |

Potential impacts to existing water quality standards associated with the project would include minimal short-term construction-related erosion/sedimentation and no long-term operational storm water discharge. According to the City's Storm Water Requirements Applicability Checklist, the project is considered to be a Priority Development Project and therefore required to prepare a Storm Water Quality Management Plan (August 2018) to identify and implement required best management practices (BMPs) for storm water pollutant control (BMP Design Manual Chapter 5, Part 1 of Storm Water Standards). Thus, seven biofiltration basins, a detention pond/vault for hydromodification, and one proprietary Biofiltration BMP (in the form of a modular wetland) would be constructed onsite, which would be implemented as the project's permanent ~~project~~ BMP's. These requirements would be implemented during construction and post-construction, which have been reviewed by qualified staff and would be re-verified during the ministerial process. Adherence with the standards would ensure adverse impacts associated with compliance with quality standards and waste discharge requirements are avoided. Impacts would be less than significant.

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| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | ☐ | ☐ | ☐ | ☒ |

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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The project does not require the construction of wells or the use of groundwater. Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The project would connect to the existing public water system. No impact would result.

| | | | | |
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| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? | ☐ | ☐ | ☒ | ☐ |

A site-specific Drainage Study was prepared by RBF Consulting (January 2007), which identified the following. The existing drainage conveyance is natural and offsite is conveyed through the site but bypasses the disturbed areas. The site runoff generally flows to the west and north. Stormwater runoff travels across the site via an existing small water courses, gullies and concrete ditches. Portions of the southwesterly area flows to an existing inlet in the terrace ditch prior to discharging offsite. Portions of the northwesterly area discharge to Filoi Avenue via an existing concrete ditch. The runoff from the northerly side of the site surface flows to Delany Avenue and Enright Avenue. Runoff from remainder of the area furthest north flows directly to Moody Canyon north of the disturbed area. Runoff from the site ultimately flows to the Pacific Ocean by way of the Tijuana River. The proposed drainage pattern would be altered slightly to accommodate the development and to facilitate the conveyance of the runoff to the proposed biofiltration BMP's. Outflow from the proposed BMP's is discharged to an existing conveyance system including concrete ditch and dirt swales. The site is designed to reduce the overall 100-year peak flow rate from 38.90 to 37.39 cubic feet per seconds (cfs) a 1.52 cfs reduction.

There are no streams or rivers located on-site and thus, no such resources would be impacted through the proposed grading activities. Although grading would be required for the project, the project would implement BMPs to ensure that substantial erosion or siltation on or off-site would not occur. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site? | ☐ | ☐ | ☒ | ☐ |

Refer to XI(c), the project would not significantly alter the overall drainage pattern for the site or area, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Although site drainage would be altered, the flows would comply with San Diego Municipal Code Section 143.0142(f). Impacts would be less than significant.

| | | | | |
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| e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide | ☐ | ☐ | ☒ | ☐ |

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| substantial additional sources of polluted runoff? | | | | |

The project would be required to comply with all City storm water standards during and after construction. Appropriate best management practices would be implemented to ensure that water quality is not degraded; therefore, ensuring that project runoff is directed to appropriate drainage systems. Any runoff from the site is not anticipated to exceed the capacity of existing storm water systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| f) Otherwise substantially degrade water quality? | ☐ | ☐ | ☒ | ☐ |

Refer to Section IX (a). The project would be required to comply with all City storm water standards both during and after construction, using appropriate best management practices that would ensure that water quality is not degraded. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | ☐ | ☐ | ☐ | ☒ |

The project site is not located within a 100-year flood hazard area or any other known flood area. Therefore, no impacts would occur.

| | | | | |
|---|---|---|---|---|
| h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows? | ☐ | ☐ | ☐ | ☒ |

The project site is not located within a 100-year flood hazard area or any other known flood area. Therefore, no impacts would occur.

X. LAND USE AND PLANNING – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |

The project is compatible with the surrounding development and permitted by the General Plan, community plan land use and zoning designations. The project would not substantially change the nature of the surrounding area and would not introduce any barriers or project features that could physically divide the community. Thus, the project would result in no impact related to physically dividing an established community. No impact would occur.

| | | | | |
|---|---|---|---|---|
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☐ | ☒ |

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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The project site is designated Residential and zoned OP-1-1 and RS-1-7 per the San Ysidro Community Plan area. The project is consistent with the underlying zone and the land use designation. The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, community plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. No impact would result.

| | | | | |
|---|---|---|---|---|
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☐ | ☒ |

As previously identified, the project site partially lies within the boundaries of the City San Diego Multiple Species Conservation Plan (MSCP) Subarea Plan. The City's Multi-Habitat Planning Area (MHPA) is mapped onsite; more specifically, the project site lies partially within the MHPA of the City's MSCP along the eastern boundary. MHPA Lands are those that have been included within the City's MSCP Subarea Plan for habitat conservation. These lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region.

The proposed development associated with the park is approximately 300 feet from all environmentally sensitive lands (ESL). Due to the presence of the MHPA, "edge effects" could result because of the potential introduction of drainage, toxics, lighting, noise, invasives, grading, barriers and brush management that can indirectly affect adjacent habitat and wildlife species. Indirect impacts to the MHPA would be avoided through implementation of the MHPA Land Use Adjacency Guidelines (LUAG) as outlined in the City's MSCP Subarea Plan (Section 1.4.3).

Further, the project site is also located adjacent to a developed residential neighborhood. Although the project site contains ESL, such lands would (ESL/MSCP lands) would not be impacted by the proposed project. The project as designed would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Impacts would not result. Refer to Land Use Section X(c) for further details. No other adopted conservation plans affect the project site. No impacts would result.

XI. MINERAL RESOURCES – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☒ |

There are no known mineral resources located on the project site. The urbanized and developed nature of the project site and vicinity would preclude the extraction of any such resources. No impacts would result.

| | | | | |
|---|---|---|---|---|
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local | ☐ | ☐ | ☐ | ☒ |

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| general plan, specific plan or other land use plan? | | | | |

See XI (a), above. The project site has not been delineated on a local general, specific or other land use plan as a locally important mineral resource recovery site, and no such resources would be affected with project implementation. Therefore, no impacts were identified.

| XII. NOISE – Would the project result in: | | | | |
|---|---|---|---|---|
| a) Generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☒ | ☐ | ☐ |

A site-specific Noise Technical Report was prepared by GEPermit. (April 2019) to assess potential impacts associated with the project. The technical study evaluated impacts associated with construction and operation of the project. The following is a summary of the report.

***Construction Noise***

The City of San Diego Noise Abatement and Control Ordinance (Ordinance) contains the regulations governing construction and operational (stationary) noise levels within the City. The Ordinance prohibits construction activities between the hours of 7:00 p.m. and 7:00 a.m. that create disturbing, excessive or offensive noise. The Ordinance also prohibits construction activities from generating an average noise sound level greater than 75 dB from 7:00 a.m. to 7:00 p.m. at or beyond the property lines of any property zoned residential.

Construction activities would include grading, building construction, site utilities, paving, architectural coating, and associated and landscaping, with site preparation expected to produce the highest sustained construction noise. Construction noise could be as high as 83 to 85 A-weighted decibels average sound level [dB(A) $L_{eq}$] measured at 50 feet from the acoustic center of the construction. Noise levels are not anticipated to exceed 75 dB(A) $L_{eq}$ past 200 feet from the acoustic center of construction or exceed 60 dB(A) $L_{eq}$ past 1,200 feet from the acoustic center of construction. Therefore, impacts from construction noise would remain less than significant.

If construction noise exceeds 60 dB(A) $L_{eq}$ at occupied habitat within the MHPA during breeding season, indirect impacts to noise sensitive wildlife species would be considered significant. Mitigation measures are required to ensure impacts to noise sensitive wildlife species within the MHPA are avoided. Therefore, impacts would be less than significant.

***Operational Noise***

The project site is located adjacent to I-805, I-5, Brown Field Municipal Airport and the San Diego Trolley Blue Line, where vehicular, airplane and trolley traffic is the dominant noise source. Existing ambient noise levels range were measured ranging from 50.2 dB(A) $L_{eq}$ and 63.5 dB(A) $L_{eq}$ between the hours of 12:00pm and 7:30pm. Noise impacts associated with project implementation would include project generated vehicle traffic, landscape maintenance, kids playing, fans during games, skate park noise, ball field/basketball noise, and associated dog park noise. Existing traffic noise levels plus the projects modeled traffic noise levels range between 49.72 CNEL and 65.17 CNEL. The increase in ambient noise levels along Enright Drive would be greater than 3 dB (4.3 dB), however,

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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the resulting noise levels would not exceed applicable noise/land use compatibility standards of 65 CNEL. Peak park operational noise levels are modeled at 51.3 dB(A) $L_{eq}$ at the closest sensitive receptors, which would not exceed the City noise standards. Additionally, the peak park operational noise levels are not expected to exceed 60 dB(A) $L_{eq}$ at the MSCP MHPA boundary.

Although peak hour operations are unlikely to occur between the hours of 10:00pm and 7:00am, park hours of operation would be restricted to the hours of 7:00am and 10:00pm as a mitigation measure to ensure the City's applicable nighttime noise standards would not be violated. Therefore, impacts would be less than significant.

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the MND, would be implemented. With implementation of the monitoring program, potential impacts related to noise (operational and construction) would be reduced to less than significant.

| | | | | |
|---|---|---|---|---|
| b) Generation of, excessive ground borne vibration or ground borne noise levels? | ☐ | ☐ | ☒ | ☐ |

Vibration levels in the project area would be influenced by construction activities including vibratory rollers and bulldozers. Velocity or acceleration is used to describe vibration, which is measured by peak particle velocities (PPV). A vibratory roller could produce 0.21 PPV and a large bulldozer could produce up to 0.09 PPV at 25 feet. At 50 feet or the nearest residential structures, the worst-case vibrator roller would produce 0.11 PPV and a bulldozer would produce 0.07 PPV, which would be well below the ground borne vibration below any risk of architectural damage. Additionally, the vibration levels would be short-term; therefore, impacts would be less than significant.

| | | | | |
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| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ |

The project would not significantly increase long-term noise levels. The project would not introduce a new land use, or significantly increase the intensity of the allowed land use. Post-construction noise levels and traffic would not substantially increase as compared to the existing residential use. Therefore, no substantial permanent increase in ambient noise levels is anticipated. A less than significant impact would occur.

| | | | | |
|---|---|---|---|---|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing without the project? | ☐ | ☐ | ☒ | ☐ |

The project would not expose people to a substantial increase in temporary or periodic ambient noise levels. Construction noise would result during grading, demolition, and construction activities, but would be temporary in nature. Construction-related noise impacts from the project would generally be higher than existing ambient noise levels in the project area but would no longer occur once construction is completed. In addition, the project would be required to comply with the San Diego Municipal Code, Article 9.5, Noise Abatement and Control. Implementation of these standard measures would reduce potential impacts from an increase in ambient noise level during construction to a less than significant level.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

Although the project site is located in Airport Influence Area – Review Area 2 for the Brown Field Municipal Airport, it is located outside the airport noise contours. As such, the project would not expose people to working in the area to excessive aircraft noise levels. No impact would result.

| | | | | |
|---|---|---|---|---|
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

The project is not located within the vicinity of a private airstrip. No impacts would occur.

XIII. POPULATION AND HOUSING – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☐ | ☒ |

The project is located within a developed residential neighborhood and is surrounded by residential development and open space. The project site currently receives water and sewer service from the City, and no extension of infrastructure to new areas is required. As such, the project would not induce substantial population growth in the area. Impacts would not occur.

| | | | | |
|---|---|---|---|---|
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |

No such displacement would result. The project site is currently vacant, and a park would be constructed. No impacts would occur.

| | | | | |
|---|---|---|---|---|
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |

No such displacement would result. The project site is currently vacant, and a park would be constructed. No impacts would occur.

XIV. PUBLIC SERVICES

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Would the project result in substantial adverse physical impacts associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services: | | | | |
| i) Fire protection | ☐ | ☐ | ☒ | ☐ |

The project site is located in an urbanized area where fire protection services are provided. The project would not adversely affect existing levels of fire protection services to the area and would not require the construction of new or expanded governmental facilities. Impacts to fire protection would be less than significant.

| | | | | |
|---|---|---|---|---|
| ii) Police protection | ☐ | ☐ | ☒ | ☐ |

The project site is located in an urbanized area where police protection services are provided. The project would not adversely affect existing levels of police protection services to the area and would not require the construction of new or expanded governmental facilities. Impacts to fire protection would be less than significant.

| | | | | |
|---|---|---|---|---|
| iii) Schools | ☐ | ☐ | ☒ | ☐ |

The project would not affect existing levels of public services and would not require the construction or expansion of a school facility. The project site is located in an urbanized and developed area where public school services are available. The project would not significantly increase the demand on public schools over that which currently exists and is not anticipated to result in a significant increase in demand for public educational services. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| iv) Parks | ☐ | ☐ | ☒ | ☐ |

The project site is located in an urbanized and developed area where City-operated parks are available. The project would construct a new park within a community; therefore, the project would not significantly increase the demand on existing neighborhood or regional parks or other recreational facilities over that which presently exists and is not anticipated to result in a significant increase in demand for parks or other offsite recreational facilities. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| v) Other public facilities | ☐ | ☐ | ☒ | ☐ |

The project site is located in an urbanized and developed area where City services are already available. The project would not adversely affect existing levels of public services and not require the construction or expansion of an existing governmental facility. Impacts would be less than significant.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| XV. RECREATION | | | | |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☒ | ☐ |

The project would not adversely affect the availability of and/or need for new or expanded recreational resources as the project is creating a new neighborhood park. The project would not adversely affect existing levels of public services and would not require the construction or expansion of an existing governmental facility. The project would not significantly increase the use of existing neighborhood or regional parks or other recreational facilities. Therefore, the project is not anticipated to result in the use of available parks or facilities such that substantial deterioration occurs, or that would require the construction or expansion of recreational facilities to satisfy demand. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? | ☐ | ☐ | ☐ | ☒ |

Refer to XV (a) above. The project would create a neighborhood park and would therefore include recreational facilities. The project would not require additional expansion of existing recreational facilities and would therefore not have an adverse effect on the environment. No impact would occur.

| | | | | |
|---|---|---|---|---|
| XVI. TRANSPORTATION/TRAFFIC – Would the project? | | | | |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | ☐ | ☐ | ☒ | ☐ |

A site-specific Access Analysis Report was prepared by STC Traffic (October 2019). The project is anticipated to generated approximately 458 weekday trips per day, which includes 18 AM peak hour trips (9 in and 9 out) and approximately 37 PM peak hour trips (19 in and 18 out). The analysis of existing conditions shows that both study intersections (E. Beyer Boulevard/ Otay Mesa Road/ Beyer Boulevard and Beyer Boulevard/ W. Park Avenue/ Alaquinas Drive) and roadway segments (Beyer Boulevard from Enright Drive to Otay Mesa Road and Beyer Boulevard from Otay Mesa Road to W. Park Avenue/Alaquinas Drive) operate at acceptable LOS C or better. Under existing plus project conditions, both study intersections and roadway segments would operate at acceptable LOS C or

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

better. Additionally, analysis was conducted to forecast traffic generated for Opening Year 2020 conditions which included projects in the area that are approved or pending. Both study intersections and roadway segments would operate at acceptable LOS C or better. Therefore, the project would not cause a significant near-term impact to the roadway segments and intersections levels of service. Additionally, the project does not propose any changes to the public transit system, bicycle lanes, or pedestrian circulation. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | ☐ | ☐ | ☒ | ☐ |

Refer to response XVI (a). The project would not conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | ☐ | ☐ | ☒ | ☐ |

The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks in that the project would be consistent with land use plans and underlying zones. Implementation of the project would not result in a change in air traffic patterns, as they would not be constructed at a height that would impair air travel; nor result in either an increase in traffic levels or a change in location that results in substantial safety risks in that the project would be consistent with land use plans and underlying zones. The project would not result in a substantial safety risk. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☐ | ☒ |

The project would not alter existing circulation patterns. No design features or incompatible uses that would increase potential hazards are proposed. The project would not affect emergency access to the project site or adjacent properties. Access would be provided to the project site Enright Drive and Delany Drive. The project has been designed in accordance with the City's street design manual and Municipal Code regulations and would include adequate sight distances at the project driveways. No impacts would result.

| | | | | |
|---|---|---|---|---|
| e) Result in inadequate emergency access? | ☐ | ☐ | ☐ | ☒ |

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

The project is consistent with the community plan designation and would not result in inadequate emergency access. The project design would be subject to City review and approval for consistency with all design requirements to ensure that no impediments to emergency access occur. No impacts would result.

| | | | | |
|---|---|---|---|---|
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | ☐ | ☐ | ☐ | ☒ |

The project would not alter the existing conditions of the project site or adjacent facilities with regard to alternative transportation. Construction of the project would not result in design measures or circulation features that would conflict with existing policies, plan, or programs supporting alternative transportation. No impacts would result.

XVII. TRIBAL CULTURAL RESOURCES – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

| | | | | |
|---|---|---|---|---|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | ☐ | ☐ | ☐ | ☒ |

The project would not cause a substantial adverse effect to tribal cultural resources, as there are no recorded sites listed or sites eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined by the Public Resources Code. No impact would result.

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| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | ☐ | ☒ | ☐ | ☐ |

Tribal Cultural Resources include sites, features, places, cultural landscapes, and sacred places or objects that have cultural value or significance to a Native American Tribe. Tribal Cultural Resources include “non-unique archaeological resources” that, instead of being important for “scientific” value as a resource, can also be significant because of the sacred and/or cultural tribal value of the resource. Tribal representatives are considered experts appropriate for providing substantial evidence regarding the locations, types, and significance of tribal cultural resources within their traditionally and cultural affiliated geographic area (PRC § 21080.3.1(a)).

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

The City of San Diego, as Lead Agency, determined that Tribal Cultural Resources pursuant to subdivision Public Resources Code Section 5024.1(c) would not be potentially impacted through project implementation, as the project site has been developed and is located within an urban area. Notification, as required by Public Resources Code section 21074, was provided to the Iipay Nation of Santa Ysabel and Jamul Indian Village of Kumeyaay Nation. City of San Diego Development Services Department staff notified these two Native American communities of the proposed project by email on October 11, 2018. The Iipay Nation of Santa Isabel and the Jamul Indian Village responded within the 30-day formal notification period declining the consultation request. Both tribes concurred with the City's determination that the area of potential effect does not contain Tribal Cultural Resources. Therefore, no impact would occur.

XVIII. UTILITIES AND SERVICE SYSTEMS – Would the project:

| | | | | |
|---|---|---|---|---|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | ☐ | ☐ | ☒ | ☐ |

Implementation of the project would not interrupt existing sewer service to the project site or other surrounding development. The project is not anticipated to generate significant amount of wastewater. Wastewater facilities used by the project would be operated in accordance with the applicable wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). Existing sewer infrastructure exists within roadways surrounding the project site and adequate services are available to serve the project. Thus, impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ |

See XVII (a) above. Adequate services are available to serve the site and the project would not require the construction or expansion of existing facilities. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☒ |

The project would not exceed the capacity of the existing storm water system and require the construction of new or expanded treatment facilities of which would cause significant environmental effects. The project was reviewed by qualified City staff who determined that the existing facilities are adequately sized to accommodate the proposed development. No impacts would result.

| | | | | |
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| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | ☐ | ☐ | ☒ | ☐ |

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

The project does not meet the CEQA significance thresholds requiring the need for the project to prepare a water supply assessment. The existing project site currently receives water service from the City, and adequate services are available to serve the site without requiring new or expanded entitlements. Impacts would be less than significant.

| | | | | |
|---|---|---|---|---|
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ☐ | ☐ | ☒ | ☐ |

Construction of the project would not adversely affect existing wastewater treatment services. Adequate services are available to serve the site without requiring new or expanded facilities. Impacts would be less than significant.

| | | | | |
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| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | ☐ | ☐ | ☒ | ☐ |

The project would be served by a landfill with sufficient permitted capacity to accommodate the project's disposal needs. Construction debris and waste would be generated from the site preparation, grading and construction of the park. All construction waste from the project site would be transported to an appropriate facility, which would have adequate capacity to accept the limited amount of waste that would be generated by the project. Long-term operation of the proposed park is anticipated to generate typical amounts of solid waste associated with recreational uses. Furthermore, the project would be required to comply with the City's Municipal Code (including the Refuse and Recyclable Materials Storage Regulations (Municipal Code Chapter 14, Article 2, Division 8), Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division 7), and the Construction and Demolition (C&D) Debris Deposit Ordinance (Municipal Code Chapter 6, Article 6, Division 6)) for diversion of both construction waste during the demolition phase and solid waste during the long-term, operational phase. Impacts are considered to be less than significant.

| | | | | |
|---|---|---|---|---|
| g) Comply with federal, state, and local statutes and regulation related to solid waste? | ☐ | ☐ | ☒ | ☐ |

The project would comply with all Federal, State, and local statutes and regulations related to solid waste. The project would not result in the generation of large amounts of solid waste, nor generate or require the transport of hazardous waste materials, other than minimal amounts generated during the construction phase. All demolition activities would comply with any City of San Diego requirements for diversion of both construction waste during the demolition phase and solid waste during the long-term, operational phase. Impacts would be less than significant.

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| XIX. MANDATORY FINDINGS OF SIGNIFICANCE – | | | | |
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☒ | ☐ | ☐ |

As documented in this Initial Study, the project may have the potential to degrade the quality of the environment, notably with respect to Biological Resources and Noise. As such, mitigation measures have been incorporated to reduce impacts to less than significant as outlined within the Initial Study.

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| b) Does the project have impacts that are individually limited but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | ☐ | ☐ | ☒ | ☐ |

Cumulative environmental impacts are those impacts that by themselves are not significant, but when considered with impacts occurring from other projects in the vicinity would result in a cumulative impact. Related projects considered to have the potential of creating cumulative impacts in association with the project consist of projects that are reasonably foreseeable and that would be constructed or operated during the life of the project. The project would be located in a developed area that is largely built out. No other construction projects are anticipated in the immediate area of the project.

As documented in this Initial Study, the project may have the potential to degrade the environment as a result of Biological Resource and Noise impacts, which may have cumulatively considerable impacts when viewed in connection with the effects of other potential projects in the area. As such, mitigation measures have been identified to fully mitigate and reduce impacts to a less than significant level. Other future projects within the surrounding area would be required to comply with applicable local, State, and Federal regulations to reduce potential impacts to less than significant, or to the extent possible. As such, the project is not anticipated to contribute to potentially significant cumulative environmental impacts. Project impacts would be less than significant.

| | | | | |
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| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☒ | ☐ |

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

As discussed throughout this document, it is not anticipated that the demolition, construction, and operation of the project would not cause environmental effects that would significantly directly or indirectly impact human beings. All impacts identified as being significant have been mitigated to below a level of significance. For this reason, all environmental effects fall below the thresholds established by the City of San Diego. Impacts would be less than significant.

**INITIAL STUDY CHECKLIST**
**REFERENCES**

**I. Aesthetics / Neighborhood Character**

☐ City of San Diego General Plan
☒ Community Plans: Clairemont Mesa Community Plan

**II. Agricultural Resources & Forest Resources**

☒ City of San Diego General Plan
☐ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973
☐ California Agricultural Land Evaluation and Site Assessment Model (1997)
☐ Site Specific Report:

**III. Air Quality**

☐ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990
☐ Regional Air Quality Strategies (RAQS) - APCD
☐ Site Specific Report:

**IV. Biology**

☐ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997
☐ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" Maps, 1996
☒ City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997
☐ Community Plan - Resource Element
☐ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001
☐ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California, "January 2001
☐ City of San Diego Land Development Code Biology Guidelines
☒ Site Specific Report:

Biological Resources Report for the Beyer Park Development Project prepared by RECON Environmental, Inc. dated November 26, 2019

Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenaster for the Beyer Park Development Project prepared by RECON Environmental, Inc. dated November 26, 2019

Jurisdictional Waters/ Wetland Delineation Report for the Beyer Park Development Project prepared by RECON Environmental, Inc. dated March 20, 2017

Post-survey Report for the 2016-2017 Wet Season Fairy Shrimp Surveys for the Beyer Park Development Project prepared by RECON Environmental, Inc. dated June 7, 2017

Results of the 2017 Burrowing Owl Breeding Season Surveys for the Beyer Park Development Project prepared by RECON Environmental, Inc. dated August 23, 2017

Results of the 2017 Coastal California Gnatcatcher Presence/Absence Survey for the Beyer Park Development Project prepared by RECON Environmental, Inc. dated August 3, 2017

Results of the 2017 Dry Season Fairy Shrimp Survey for the Beyer Park Development Project prepared by RECON Environmental, Inc. dated October 25, 2017

Results of the 2017 Least Bell's Vireo Presence/Absence Survey for the Beyer Park Development Project prepared by RECON Environmental, Inc. dated September 15, 2017

Results of the 2017 Quino Checkerspot Butterfly Presence/Absence Survey for the Beyer Park Development Project prepared by RECON Environmental, Inc. dated July 17, 2017

2017 Burrowing Owl Habitat Assessment Summary Report for the Beyer Park Development Project prepared by Busby Biological Services dated April 24, 2017

☐ City of San Diego Historical Resources Guidelines
☒ City of San Diego Archaeology Library
☐ Historical Resources Board List
☐ Community Historical Survey:
☒ Site Specific Report:

Archaeological Resources Survey for the Beyer Park Development Project, prepared by RECON Environmental, Inc. dated August 28, 2018

**VI. Geology/Soils**

☒ City of San Diego Seismic Safety Study
☐ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975
☒ Site Specific Report:

Revised Desktop Geotechnical Investigation and Slope Stability Analysis Proposed Beyer Community Park prepared by K2 Engineering, Inc. dated December 13, 2017

**VII. Greenhouse Gas Emissions**

☒ Site Specific Report: Climate Action Plan Consistency Checklist

**VIII. Hazards and Hazardous Materials**

☒ San Diego County Hazardous Materials Environmental Assessment Listing
☐ San Diego County Hazardous Materials Management Division
☐ FAA Determination
☐ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized
☐ Airport Land Use Compatibility Plan
☐ Site Specific Report:

**IX. Hydrology/Drainage**

☐ Flood Insurance Rate Map (FIRM)
☐ Federal Emergency Management Agency (FEMA), National Flood Insurance Program-Flood Boundary and Floodway Map
☐ Clean Water Act Section 303(b) list, http://www.swrcb.ca.gov/tmdl/303d_lists.html
☒ Site Specific Report:

Preliminary Drainage Assessment Beyer Community Park prepared by RBF Consulting dated January 27, 2007

Preliminary Drainage Study for Beyer Park prepared BWE Engineering dated August 2018

**X. Land Use and Planning**

☒ City of San Diego General Plan
☒ Community Plan
☐ Airport Land Use Compatibility Plan
☒ City of San Diego Zoning Maps
☐ FAA Determination:
☐ Other Plans:

**XI. Mineral Resources**

☐ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification
☐ Division of Mines and Geology, Special Report 153 - Significant Resources Maps
☐ City of San Diego General Plan: Conservation Element
☐ Site Specific Report:

**XII. Noise**

☒ City of San Diego General Plan
☐ Community Plan
☐ San Diego International Airport - Lindbergh Field CNEL Maps
☐ Brown Field Airport Master Plan CNEL Maps
☐ Montgomery Field CNEL Maps
☐ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes
☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
☒ Site Specific Report:
Nosie Technical Report Beyer Community Park prepared by GEPermit dated April 2019

**XIII. Paleontological Resources**

☒ City of San Diego Paleontological Guidelines
☐ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996
☒ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," *California Division of Mines and Geology Bulletin* 200, Sacramento, 1975
☐ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977
☐ Site Specific Report:

**XIV. Population / Housing**

☐ City of San Diego General Plan
☐ Community Plan
☐ Series 11/Series 12 Population Forecasts, SANDAG
☐ Other:

**XV. Public Services**

☐ City of San Diego General Plan

☐ Community Plan

**XVI. Recreational Resources**

☐ City of San Diego General Plan
☐ Community Plan
☐ Department of Park and Recreation
☐ City of San Diego - San Diego Regional Bicycling Map
☐ Additional Resources:

**XVII. Transportation / Circulation**

☐ City of San Diego General Plan
☐ Community Plan:
☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
☐ San Diego Region Weekday Traffic Volumes, SANDAG
☒ Site Specific Report:
Beyer Park Access Analysis Report prepared by STC Traffic dated October 14, 2019

**XVIII. Utilities**

☐ Site Specific Report:

**XIX. Water Conservation**

☐ Sunset Magazine, *New Western Garden Book*, Rev. ed. Menlo Park, CA: Sunset Magazine

**XX. Water Quality**

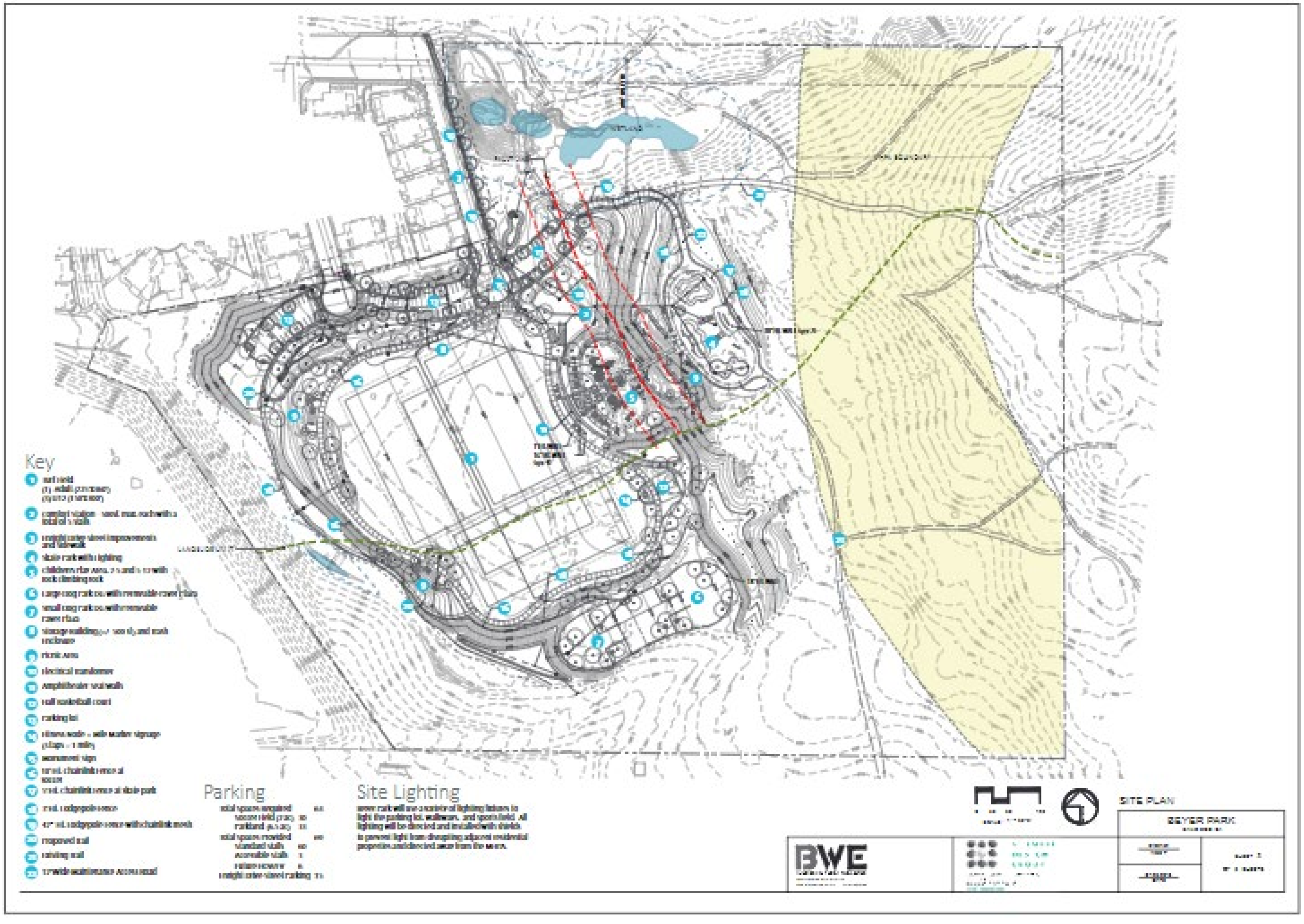
☐ Clean Water Act Section 303(b) list, http://www.swrcb.ca.gov/tmdl/303d_lists.html
☒ Site Specific Report:
Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP) Beyer Park prepared by BWE Engineering dated August 21, 2018

Revised: August 2018


# Project Location Map

**Beyer Park– southeast of the eastern terminus of Beyer Boulevard**
**PROJECT NO. 589554**

North




# Site Plan

**Beyer Park SDP–southeast of the eastern terminus of Beyer Boulevard**
**PROJECT NO. 589554**

North