



THE CITY OF SAN DIEGO

## MEMORANDUM

DATE: August 29, 2016

TO: Helene Deisher, Development Project Manager II, Development Services Department

FROM: Catherine Rom, Senior Planner, Transportation & Storm Water Department

SUBJECT: Substantial Conformance Review for Soledad Creek (Maps 11 & 12) & Flintkote (Map 9) Channel Maintenance Project

RE: Approval No. 1134892 – amended Site Development Permit (SDP)  
Application No. A-6-NOC-11-086: State Issued Coastal Development Permit (CDP)  
Project No. 42891 – Program Environmental Impact Report (PEIR)  
Map No. 9, 11, & 12 – Master Storm Water System Maintenance Program (MMP)

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The Transportation & Storm Water Department (T&SWD) formally submits this letter with the Soledad Creek & Flintkote Channel Maintenance Project (Project) Substantial Conformance Review (SCR) application package (2016 SCR) for consistency with the referenced SDP and CDP based on conformance with the PEIR Mitigation Monitoring and Reporting Program (MMRP); and the Maintenance Protocols contained in the MMP. Due to the rate of sediment deposition in the Soledad Creek (Maps 11 & 12; *Reach 3*) & Flintkote (Map 9; *Reach 7*) Channels, annual maintenance activities are required, and anticipated to occur during the 2016–2017 maintenance period, which is specified as September 15 through September 14.

### PROJECT LOCATION

The Soledad Creek Channel (Maps 11 & 12; *Reach 3*) is generally bordered by Roselle Street to the west, Sorrento Valley Road to the east, and is intersected by Sorrento Valley Boulevard. The Flintkote Channel (Map 9; *Reach 7*) is generally bordered by Flintkote Avenue to the west and is intersected in the east end by Roselle Street. The Project maintenance areas, access routes, and staging areas are located in the U.S. Geological Survey 7.5 minute Del Mar quadrangle; Los Peñasquitos watershed; City Council District 1; Torrey Pines Community Planning Area; in The City of San Diego's *appealable* Coastal Overlay Zone; and outside the City of San Diego Multi-Habitat Planning Area (MHPA). Description of these two drainage facility, or reaches, is further described below.

## **BACKGROUND**

Previous maintenance activities under the MMP for the Soledad Creek (Maps 11 & 12; *Reach 3*), & Flintkote (Map 9; *Reach 7*) Channels were conducted periodically in 2014-15 per approval of the Sorrento/Soledad/Flintkote SCR in 2013 (PTS# 344409). Maintenance activities were generally conducted between September 15 and March 15 to avoid potential impacts to nesting birds. Formal regulatory approval and implementation of detailed protocol survey mitigation measures allowed the City to conduct maintenance activities as-needed and weather permitting throughout the calendar year for these channels. Accordingly, this 2016 SCR is intended to address maintenance activities to be conducted in the 2016-2017 maintenance period, which begins September 15, 2016 and ends September 14, 2017 (2016-2017 maintenance period).

## **PROJECT DESCRIPTION**

The proposed maintenance includes mechanized removal of sediment, vegetation, trash, and debris from the concrete channels (approximately 3,390 linear feet are specified as maintenance channel in the MMP). Existing conditions and potential impacts to sensitive resources were re-assessed in 2016 in order to mitigate in advance of the 2016-2017 maintenance period. Channel conditions remain substantially similar to those described in the 2013 SCR. Details regarding biological, noise, historic, and water quality aspects related to the work are detailed in the appropriate individual assessment (IA) cover letter contained herein.

The periodic maintenance of both channels is needed to restore the channels' flood conveyance capacity to their original design condition and to protect the Los Peñasquitos Lagoon from impacts due to downstream transport of accumulated sediment, trash, and debris from the project area. The Project incorporates removal of approximately 2,125 – 4,175 cubic yards of material, occupying a total of 3.66 acres. Moreover, based on historical sediment accumulation rates within the Soledad Creek & Flintkote maintenance channels, it is expected that maintenance activities and SCR submittals will be necessary for the duration of this maintenance program.

## **EXISTING PERMITS**

As stated above, a previous Sorrento/Soledad/Flintkote SCR application package (2013 SCR) was submitted in 2013 and was approved in February 2014 under the same referenced permits. Maintenance activities in Map 9, 11, & 12 channels were conducted during the 2014-2015 annual maintenance period. Appropriate environmental permits were also issued by the California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Board (RWQCB), United States Fish and Wildlife Service (USFWS), Army Corps of Engineers (ACOE), and the California Coastal Commission (CCC) in 2012, 2013, and 2014 based on the project scope, impacts, and mitigation. Appropriate construction-related Best Management Practices and concurrent wetland compensatory mitigation have been implemented as part of the comprehensive channel maintenance project.

Current planned channel maintenance activities are authorized under the permits and provisions listed in Table 1 below.

**Table 1. Summary of Permit Authorization for Maintenance of the Soledad Canyon/Sorrento Creek & Flintkote Channels (Reaches 3 & 7)**

<b>Permit Authorizations</b>	<b>Permit Date</b>
City of San Diego Site Development Permit No. 1134892	2013
California Coastal Commission Coastal Development Permit No. A-6-NOC-11-086	2012
RWQCB 401 Water Quality Certification (File No. R9-2013-0116)	2013
CDFW 1600 Streambed Alteration Agreement (1602) Operational Law (OpLaw) Letter	2013
ACOE Individual Permit (File No. SPL-2013-00432-MBS)	2013
U.S. Fish and Wildlife Service Biological Opinion (FWS-SDG-12B0118-14TA0158)	2014

## **MAINTENANCE METHODOLOGY**

The planned maintenance methods remain unchanged from the previous maintenance event and include: mobilization and demobilization of equipment, water pump diversion, and excavation and clearing of accumulated sediment, vegetation, and debris from the channel areas. The channel maintenance plans and methodologies are substantially similar to previously approved plans with minor updates as indicated below. The impacts associated with ongoing channel maintenance activities are fully mitigated through implementation of habitat and water quality mitigation measures either in progress or already complete.

Consistent with the PEIR for the MMP, the City submits an Individual Maintenance Plan (IMP) and related IA's for review and approval. The IMP identifies the scope of work, maintenance methodology and procedures, equipment, and duration for maintenance activities planned in the two channels. Maintenance will include use of three existing staging areas located within the developed areas. To provide more proactive guidance for the maintenance activities being conducted, the IMP also includes a comprehensive list of Best Management Practices (BMPs), maintenance protocols and mitigation measures derived from the applicable permits and regulations that are being implemented to avoid, minimize, and/or mitigate potential environmental effects to sensitive resources.

## **CONCLUSION**

The T&SWD's technical environmental consultants conducted a review of the previous SCR IHHA, IHA, IWQA, and INA based on current conditions. Since conditions and the project scope are generally the same as those for the 2014-2015 maintenance period, the technical environmental consultants determined that these studies are generally applicable to the work anticipated to begin in fall 2016. Cover letters for the IHHA, IHA, IWQA, and INA have been prepared to document any minor changes in conditions or methodology that may impact mitigation measure implementation.

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The PEIR for the MMP outlines a SCR process where annual plans for priority channels requiring maintenance activities are reviewed by the City's Development Services Department (DSD) and the state and federal resource agencies for consistency with the MMP permits and PEIR. The IMP and attachments have been reviewed internally and evaluated against the SCR checklist contained in the MMP. The SCR Checklist concludes that the proposed maintenance is consistent with the requirements of the MMP and PEIR.

Should you have any questions or need additional information, please contact Catherine Rom, Senior Planner, by e-mail at [crom@sanidiego.gov](mailto:crom@sanidiego.gov) or phone at (619) 527-7471.

Sincerely,



Catherine Rom  
Senior Planner

**Attachments:**

1. Individual Maintenance Plan (IMP) for Soledad Creek & Flintkote Channel
  - a. Construction Plans
  - b. Master List of Best Management Practices (BMPs), Maintenance Protocols and Mitigation Measures
  - c. Water Pollution Control Plan (WPCP)
  - d. Maintenance Methodology
2. Regulatory Permits
3. Substantial Conformance Review Checklist

**Appendices: Available on cd**

- A. Individual Hydrology and Hydraulic Assessment (IHHA)
- B. Individual Biological Assessment (IBA)
- C. Individual Historical Assessment (IHA)
- D. Individual Water Quality Assessment (IWQA)
- E. Individual Noise Assessment (INA)

**Mitigation Reports**

- El Cuervo Del Sur Conceptual Wetland Enhancement Habitat Mitigation and Monitoring Plan
- Los Peñasquitos Canyon Preserve Conceptual Wetland Enhancement Plan
- Current Condition Verification Report for the El Cuervo Wetland Mitigation Project

cc: Alan Monji, California Regional Water Quality Control Board  
Kelly Fisher, California Department of Fish and Wildlife  
Patrick Gower, US Fish and Wildlife Service  
Alex Llerandi, California Coastal Commission  
Meris Bantilan-Smith, US Army Corps of Engineers