



Beyer Park Development Project

Environmental Assessment

January 2024



DRAFT

BEYER PARK DEVELOPMENT PROJECT ENVIRONMENTAL ASSESSMENT

PREPARED FOR:

City of San Diego, Engineering and Capital Projects Department
525 B Street, Suite 750, MS 908A
San Diego, CA 92123

PREPARED BY:

ICF
525 B Street, Ste 1700
San Diego, CA, 92101

January 2024





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Attn: Nirvana Walder
525 B Street, Suite 750, MS 908A,
San Diego, CA 92101

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On the Cover

General Development Plan for Beyer Park Neighborhood Park

Prepared by Schmidt Design Group

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Acronyms and Abbreviations

Acronym	Definition
AB 32	Assembly Bill 32
APE	area of potential effect
BMPs	Best Management Practices
BMPs	Best Management Practices
BUOW	western burrowing owl
CAA	Clean Air Act
CARB	California Air Resources Board
CCAA	California Clean Air Act
CEQ	Council on Environmental Quality
City	City of San Diego
CNEL	Community Noise Equivalent Level
CRPR	California Rare Plant Rank
dBA	a-weighted decibel
DTSC	Department of Toxic Substances Control
EA	Environmental Assessment
EO	Executive Order
GHG	greenhouse gas
I-	Interstate
Leq	equivalent noise level
LWCF	Land and Water Conservation Fund
MHPA	Multi-Habitat Planning Area
MSCP	Multiple Species Conservation Program
NEPA	National Environmental Policy Act
NPS	National Park Service
NRHP	National Register of Historic Places
Proposed Action	Beyer Park Development Project
SB 32	Senate Bill 32
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDT	San Diego Trolley
USEPA	United States Environmental Protection Agency
VPHCP	Vernal Pool Habitat Conservation Plan

Chapter 1

Purpose, Background, Need

1.1 Purpose

The City of San Diego (City) has prepared this environmental assessment (EA) in compliance with the National Environmental Policy Act (NEPA) as well as other relevant federal and state laws and regulations. This EA discloses the environmental impacts of the Beyer Park Development Project (Proposed Action), which entails development and operation of a new 16.5-acre community park. Construction of the park will be separated into two phases of construction. The second phase of park construction is subject to funding by National Park Service (NPS) federal funding sources. The phase two improvements are approximately 9.05 acres and consist of lighted turf sports fields, picnic/gathering spaces, concrete walkways, trails and landscaped areas, dog park, comfort station, storage building, parking, and biofiltration best management practices (BMPs) (e.g., planted stormwater treatment basins, underground detention system). The Proposed Action is described in detail in Chapter 2, *Description of Alternatives*, of this EA. The City is applying for a Land and Water Conservation Fund (LWCF) state-assistance grant from the NPS, pursuant to Title 54, Section 200305, of the U.S. Code.

Issuance of an LWCF grant constitutes a discretionary federal action by NPS and is thus subject to NEPA, which requires that all federal agencies assess the effects of their actions on the human environment. The intent of this EA is to assist NPS in evaluating the impact of awarding an LWCF grant, along with the resulting consequences for the human environment, including the natural and physical environment as well as the relationship between people and that environment. In addition, the EA provides contextual information that will help the public and decision-makers understand the purpose and potential impacts of the Proposed Action.

1.2 Background

The site for the Proposed Action is the undeveloped City parkland located east of Interstate (I-) 805 at the east end of Beyer Boulevard and south, southeast, and east of residential properties along Enright Drive, Delaney Drive, and Fantasy Lane (see Figure 1, Project Vicinity Map, and Figure 2, Project Location Map). The parkland is located on three parcels (6381701800, 6381701900, and 6380707100) that total 43 acres within the San Ysidro community, which is west of the Otay Mesa community. Surrounding land uses include the immediately adjacent residential development to the northwest, a graded but currently undeveloped field that was previously a school site to the west, and undeveloped land to the north, south, and east.

The San Ysidro Community Plan describes Beyer Park as a proposed neighborhood park on San Diego Department of Parks and Recreation property (City of San Diego 2017). The Otay Mesa Community Plan refers to Beyer Park as a planned park (City of San Diego 2014). The San Ysidro and Otay Mesa Recreation Councils held the initial public meeting about the proposed park in February 2017. In September 2020, the City Park and Recreation Board approved a final General Development Plan for the park.

The park would consist of lighted turf sports fields, picnic/gathering spaces, concrete walkways, trails and landscaped areas, dog park, comfort station, storage building, parking, and biofiltration best management practices (e.g., planted stormwater treatment basins, underground detention system) (Figure 3, Site Plan). The park would be open to the public 24 hours a day, except for the skate park associated with phase one, which would be closed behind a locked gate between dusk and dawn. Access to the site for the Proposed Action would be from Beyer Boulevard via Enright Drive and Delany Drive, which are currently cul-de-sacs. The parking lot would intersect the south end of Delany Drive and an extended cul-de-sac at the south end of Enright Drive.

1.3 Need for Action

The LWCF Act of 1965 (see Public Law 88- 578, 78 Stat 897) was enacted "...to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations and visitors who are lawfully present within the boundaries of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States by (1) providing funds for and authorizing federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for the federal acquisition and development of certain lands and other areas." In 2014, in coordination with Congress, the Secretary of the Interior, State lead agencies, and interest groups, the NPS created the Outdoor Recreation Legacy Partnership (ORLP) Program, a competitive grant program administered under the authority of the LWCF Act as a compliment to the formula grant program. As designed, the purpose of the ORLP Program is to provide new or significantly improved recreation opportunities in economically disadvantaged communities consistent with the purposes and requirements of the LWCF Act.

The LWCF Act requires the States to operate and maintain by acceptable standards the properties or facilities acquired or developed for public outdoor recreation use. Further, Section 6(f)(3) of the LWCF Act (now codified at 54 U.S. Code [U.S.C.] § 200305(f)(3)) and its implementing regulations at 36 Code of Federal Regulations (C.F.R.) Part 59 requires that no property acquired or developed with LWCF assistance shall be converted to other than public outdoor recreation uses without the approval of the Secretary of the Interior (Secretary), and only if the Secretary finds it to be in accordance with the then-existing Statewide Comprehensive Outdoor Recreation Plan (SCORP) and only upon such conditions as the Secretary deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location. Parks or recreation areas acquired or developed with LWCF assistance (in whole or part) are now referred to as "LWCF-assisted areas" and/or "LWCF boundary areas."

The City is seeking NPS approval of a proposal for an LWCF grant to implement the Proposed Action. Beyer Park would provide new open space and recreational opportunities for San Ysidro and Otay Mesa residents, who do not have access to community parks or open spaces on the scale of the Proposed Action. In addition, Beyer Park would help fulfill the policies of the San Ysidro and Otay Mesa Community Plans, which recommend the development of specific City-owned park sites. The creation of outdoor recreational land would help the City meet the need for additional community parks identified in the San Ysidro and Otay Mesa Community Plans.



Figure 1
Project Vicinity Map
Task No. 15, Beyer Park Development Project

\\SDC\OTR\GIS\1\Projects - 1\City of San Diego\BWD\1015 BeyerPark\Figures\Doc\EA\Fig2_1015 BeyerPark Project Location Map.mxd User: 54054 Date: 10/21/2022

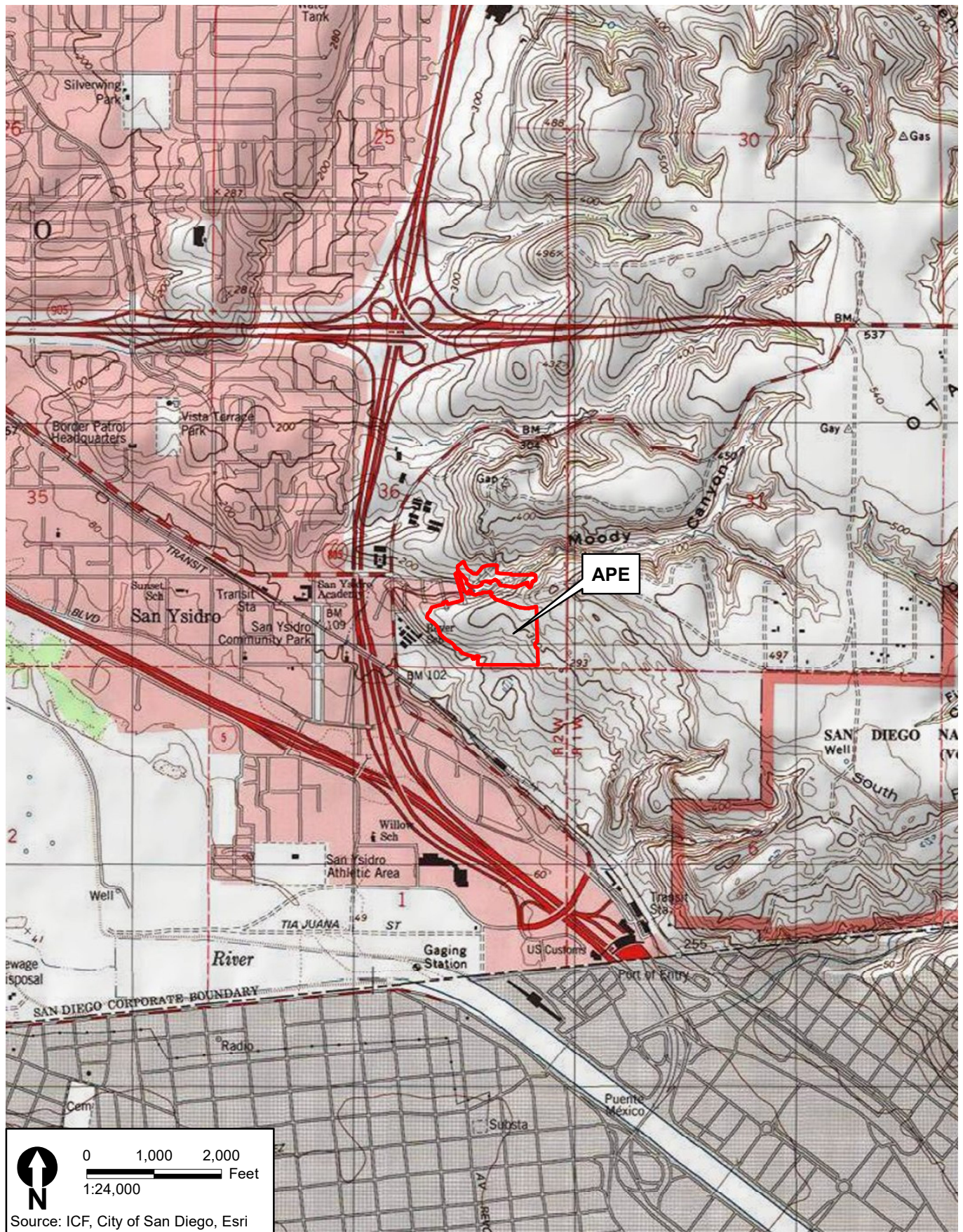


Figure 2
Project Location Map
Task No. 15, Beyer Park Development Project

Figure 3

Key

- 1 Turf Field
(1) Adult (225'x360')
(3) U12 (150'x300')
- 2 Comfort Station - 500sf. max. each with a total of 5 stalls
- 3 Enright Drive street improvements and sidewalk
- 4 Skate Park
- 5 Children's Play Area, 2-5 and 5-12 with rock climbing rock
- 6 Large Dog Park DG with Permeable Paver Plaza
- 7 Small Dog Park DG with Permeable Paver Plaza
- 8 Storage Building (+/- 500 sf) and Trash Enclosure
- 9 Picnic Area
- 10 Electrical Transformer
- 11 Amphitheater Seat Walls
- 12 Half Basketball Court
- 13 Parking lot
- 14 Fitness Node + Mile Marker Signage (3 laps = 1 mile)
- 15 Monument Sign
- 16 10'Ht. Chainlink Fence at soccer
- 17 5' Ht. Chainlink Fence at skate park
- 18 3' Ht. Lodgepole Fence
- 19 42" Ht. Lodgepole Fence with chainlink mesh
- 20 Proposed Trail
- 21 Existing Trail
- 22 12' Wide Maintenance Access Road
- 23 Bike Parking

Site Lighting

Beyer Park will use a variety of lighting fixtures to light the parking lot, walkways, and sports field. All lighting will be directed and installed with shields to prevent light from disrupting adjacent residential properties and directed away from the MHPA.

Parking

Total Spaces Required	63
Soccer Field (2 ac)	30
Parkland (6.5 ac)	33
Total Spaces Provided	69
Standard Stalls	60
Accessible Stalls	3
Future HOV/EV	6
Enright Drive Street Parking	15



CONSULTANT:

SCHMIDT DESIGN GROUP

DATE: 07/20/2020
PROJECT #: 17-001
DRAWN BY: LD, CR

SCALE: 1" = 60'-0"

COUNCIL DISTRICT:		COMMUNITY PLAN AREA:	
DATE	ACTION	REFERENCE DOCUMENTS	COST \$/TBD
2001	SITE ACQUIRED	RESO. NO.	ACRES
N/A	SITE DEDICATED	ORD. NO.	ACRES
	GDP CONSULTANT HIRED	RESO. NO.	NAME:
	PER BOARD APPROVAL	PER BOARD APPROVAL	DATE:
	INITIAL DEVELOPMENT	CIP NO.	J.O. NO.
		CIP NO.	J.O. NO.
		CIP NO.	J.O. NO.
		CIP NO.	J.O. NO.
		CIP NO.	J.O. NO.
		CIP NO.	J.O. NO.
		CIP NO.	J.O. NO.
		CIP NO.	J.O. NO.

IMPROVEMENTS SUMMARY (DATA FROM AS-BUILT DRAWINGS)			
ITEM	QUANTITY	ITEM	QUANTITY
TOTAL SITE	16.5 AC	RESILIENT SURFACING	8,010 SF
TURF	4.77 AC	MULTI-PURPOSE CT.	4,208 SF
SHRUB PLANTING	6.36 AC	SKATE PARK	19,386 SF
D.G. PAVING	0.85 AC	MAINTENANCE ROAD	4,050 SF
CONCRETE PAVING	1.2 AC	PAVED WALKWAYS AND PLAZA	28,500 SF
		PARKING LOT	28,500 SF
		PARKING STALLS STD	66
		PARKING STALLS ADA	3
		RESTROOM	350 SF
		STORAGE BUILDING	290 SF
		REVISION	

CITY OF SAN DIEGO PARK AND RECREATION DEPARTMENT

THE GENERAL DEVELOPMENT PLAN

BEYER PARK

NEIGHBORHOOD PARK

WBS No. S-00752

LAMBERT COORDINATES: XXX-XXX

THOMAS BROTHERS PAGE:

1.4 Incorporation by Reference

NEPA allows incorporation of existing materials to reduce unnecessary bulk. This EA incorporates, by reference, information or analysis from the following technical studies: *Biological Resources Report for the Beyer Park Development Project* (RECON 2019) (Appendix A-1), Beyer Park IPaC Species List with Mitigation Table (Appendix A-2), *Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenaster for the Beyer Park Development Project* (RECON 2020) (Appendix B), *Southwest Village Beyer Boulevard Alternatives-Addendum to Beyer Park Mitigation Plan* (RECON 2021) (Appendix C), *Southwest Village Beyer Boulevard Alternatives-Revised Addendum Memo to Beyer Park Mitigation Plan* (RECON 2022) (Appendix D-1), *Southwest Village Beyer Boulevard Alternatives-Revised Addendum Memo to Beyer Park Mitigation Plan* (RECON 2023) (Appendix D-2), *Cultural Resources Technical Report for the Beyer Park Development Project* (ICF 2022) (Appendix E, Confidential, not for public distribution), *Revised Desktop Geotechnical Investigation Beyer Community Park Beyer Boulevard and Enright Drive San Diego, California* (K2 Engineering 2017) (Appendix F), *Noise Technical Report for Beyer Community Park San Diego, California* (GEP permit 2019) (Appendix G), *Beyer Park Access Analysis Report* (STC Traffic 2019) (Appendix H), USFWS (U.S. Fish and Wildlife Service) Section 7 Consultation (Appendix I), SHPO Section 106 Consultation (Appendix J), and DOI (United States Department of the Interior) Section 106 Consultation (Appendix K).

2.1 Introduction

As referenced in the Council on Environmental Quality's (CEQ's) NEPA regulations regarding the contents of an EA (40 Code of Federal Regulations [CFR] 1508.9[b]), NEPA Section 102(1)(E) requires federal agencies to develop, study, and briefly describe alternatives to any proposed action with the potential to result in unresolved resource conflicts. This chapter describes and compares the alternatives considered for construction and operation of Beyer Park Development Project: the No Action Alternative and the Proposed Action Alternative. It includes a map for each alternative considered.

2.2 Alternatives

2.2.1 Alternative 1: No Action Alternative

This EA includes an analysis of a no action alternative, in accordance with the requirements of NEPA and its implementing regulations (40 CFR 1501.5[c][2]). In this document, the no action alternative is Alternative 1: No Action Alternative. The analysis of this alternative allows decision-makers to compare effects associated with approving or not approving the Proposed Action.

Under the Alternative 1, existing conditions at the phase two portion of the undeveloped City-owned site would remain unchanged. No LWCF grant would be awarded, and no phase two improvements would be constructed. The phase two portion of the Beyer Park site would continue to function as undeveloped park space. The No Action Alternative would not provide the new phase two recreational amenities for the surrounding San Ysidro and Otay Mesa communities and would not contribute to the completion of the planned parks discussed in the community plans of both communities (City of San Diego 2014 and 2017).

2.2.2 Alternative 2: Proposed Action Alternative

As described in Chapter 1, the Proposed Action considered in this EA is construction and operation of the phase two portion of Beyer Park. The phase two site is located within the southwestern portion of the Project. The phase two improvements are approximately 9.05 acres and consist of lighted turf sports fields, picnic/gathering spaces, concrete walkways, trails and landscaped areas, dog park, comfort station, storage building, parking, and biofiltration best management practices (e.g., planted stormwater treatment basins, underground detention system) (Figure 4, Project Limits). In addition, various site improvements would be constructed, including hardscape and landscape improvements, retaining walls, infrastructure for off-site utility connections (e.g., water, sewer), storm drains, access improvements, and biofiltration BMPs (i.e., planted stormwater treatment basins, underground detention system). The parking lot would intersect the south end of Delany Drive and an extended cul-de-sac at the south end of Enright Drive. The park would be open to the public 24 hours a day, except for the skate park associated with phase one, which would be closed behind a locked gate between dusk and dawn.

The park would include a mix of surfaces, including concrete, pavement, permeable pavers, and decomposed granite, as well as planted areas. The dog park, at the south end of the park, would be part decomposed granite and part permeable pavers. Concrete would be used for central walkways. Trails would be constructed with a decomposed granite trail bed. Landscaped areas, except the turf sports fields, and stormwater treatment basins would be planted with a mix of native and non-invasive ornamental species. Only native plantings would be used where the park transitions into the surrounding natural vegetation.

The stormwater treatment basins would have four discharge points along the perimeter of the park. The stormwater treatment basins west of the dog park would outfall to the south. The basins in the northeast portion of the park would outfall to the north, just south of Moody Canyon. The basin at the west edge of the turf field would outfall to the west; the basin in the northwest portion of the park would tie in to an existing concrete brow ditch along the northwest edge of the park.

Fencing would be installed around the majority of the park perimeter as well as within the park to demarcate use areas. 3.5-foot-high fencing would be installed around the dog park and 3.5-foot-high lodge-pole fencing would be installed along trails.

Directed and/or shielded lighting would be installed at the sports fields, along concrete walkways, and in the parking lots.

The estimated duration of construction is 2 years. Construction equipment would very likely include, but would not be limited to, the following: a grader, dozer, two excavators, two backhoes, two scrapers, pickup trucks, generators, and power and manual hand tools.

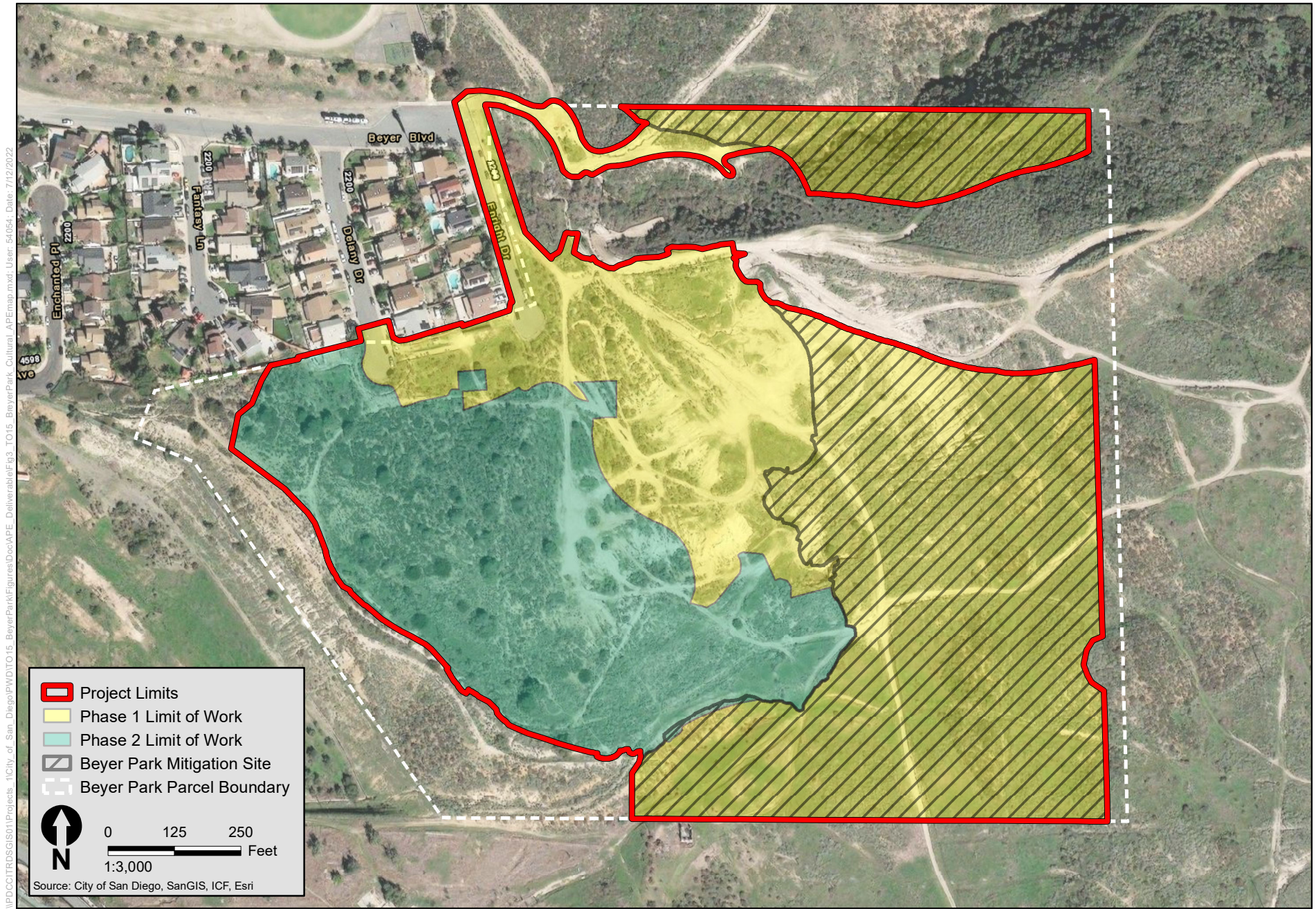


Figure 4
Project Limits
Beyer Park Development Project

3.0 Introduction

Beyer Park is in San Diego, within the San Ysidro community, which is west of the Otay Mesa community and approximately 12 miles southeast of downtown San Diego. The park would be 16.5 acres in size, with the phase two portion of the park measuring approximately 9.05 acres. LWCF funding has not been previously allocated to the site. Each of the following sections includes a description of the resources within the site for the Proposed Action.

3.0.1 Aesthetics

The phase two site is located at the southwestern portion of Beyer Park. The phase two site consists of undeveloped land with dirt roads and trails. The phase two site is surrounded by undeveloped land and single-family residences to the north and undeveloped land to the east, south, and west. There are no scenic resources (trees, rock outcroppings, or historic buildings) located on the project site.

3.0.2 Agriculture

The phase two site is located adjacent to a developed neighborhood and surrounded by residential and open space uses. The phase two site does not contain, nor is it adjacent to, any lands that have been identified as Farmland, Unique Farmland, or Farmland of Statewide Importance, and there are no Williamson Act Contract Lands on or within the vicinity of the site. The phase two site is classified as Other Land and Grazing Land (California Department of Conservation 2022).

3.0.3 Air Quality and Climate

The phase two site is in the southern portion of the San Diego Air Basin (SDAB). It is also within San Diego County, which 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 for criteria pollutants regulated by the U.S. Environmental Protection Agency (USEPA) and CARB through the National Ambient Air Quality Standards and California Ambient Air Quality Standards (NAAQS and CAAQS), respectively. Specifically, the NAAQS and CAAQS are established through the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA) and set to protect human health and prevent environmental and property damage.

In addition to air quality regulations for criteria air pollutant emissions, regulations governing greenhouse gas (GHG) emissions are also relevant to this section. The USEPA has issued an “Endangerment Finding” and a “Cause or Contribute Finding” for GHGs and established fuel economy standards for light-duty vehicles and medium- and heavy-duty engines and vehicles. In June 2019, the White House CEQ released draft guidance regarding the consideration of GHGs in NEPA documents for federal actions. This requires federal agencies to analyze the direct, indirect, and cumulative impacts of a Proposed Action’s GHG emissions and consider the impacts of climate

change on the Proposed Action. California’s Assembly Bill 32 (AB 32) and Senate Bill 32 (SB 32) set statewide goals to reduce GHG emissions to 1990 levels by 2020 and 40 percent below 1990 levels by 2030, respectively. Although not legislatively adopted, the governor issued Executive Order (EO) B-55-18, which establishes a state goal to achieve carbon neutrality as soon as possible, but no later than 2045, and achieve and maintain net negative emissions thereafter.

3.0.4 Biological Resources

This section summarizes the existing biological resources conditions on the site for the Proposed Action and incorporates by reference the *Biological Resources Report for the Beyer Park Development Project* (Appendix A-1), the *Enhancement and Restoration of Maritime Succulent Scrub as Habitat for Western Burrowing Owl and Beach Goldenaster for the Beyer Park Development Project* (Appendix B), *Southwest Village Beyer Boulevard Alternatives-Addendum to Beyer Park Mitigation Plan* (Appendix C), *Southwest Village Beyer Boulevard Alternatives-Revised Addendum Memo to Beyer Park Mitigation Plan* (Appendix D-1), and *Southwest Village Beyer Boulevard Alternatives-Revised Addendum Memo to Beyer Park Mitigation Plan* (Appendix D-2).

Physical Conditions

The survey area used in the *Biological Resources Report for the Beyer Park Development Project* (Appendix A-1) was defined as all land within the parcels for the Proposed Action and a surrounding 100-foot buffer, a total of 58.2 acres. The phase two site is located on the western end of the Otay Mesa terrace and is characterized by steep north-, south-, and west-facing slopes. San Diego has a coastal desert climate, characterized by warm temperatures year-round and a small amount of rain. Moody Canyon, which contains an unnamed tributary to the Tijuana River, occurs in the northern parcel associated with the Proposed Action.

Land Cover

Table 3-1 includes the six vegetation communities or land cover types that were mapped within the phase two site, along with their total acreage within the phase one and phase two project parcels. A description of each community is provided in Section 3.2 of the attached biological resources report.

Table 3-1. Vegetation Communities/Land Cover Types within the Phase Two Site

Land Cover Type	Survey Area (Acres) ^a		
	Inside MHPA	Outside MHPA ^b	Total
Maritime succulent scrub	9.68	9.98	19.67
Disturbed maritime succulent scrub	1.75	8.16	9.90
Diegan coastal sage scrub	0.32	1.62	1.94
Disturbed Diegan coastal sage scrub	–	6.15	6.15
Disturbed land	3.15	14.39	17.53
Urban/developed land	–	2.66	2.66

^a. Discrepancies in totals are due to rounding

^b. MHPA: Multi-Habitat Planning Area

Sensitive Species

For purposes of this analysis, and in accordance with the *City Guidelines for Conducting Biology Surveys*, plant and wildlife species will be considered sensitive if they are:

1. Listed by state or federal agencies as rare, threatened, or endangered or proposed for listing;
2. Designated by the City as a narrow endemic species;
3. Covered species under the Multiple Species Conservation Program (MSCP) or City Vernal Pool Habitat Conservation Plan (VPHCP);
4. Given a California Rare Plant Rank (CRPR) of 1B (considered endangered throughout its range), 2 (considered endangered in California but more common elsewhere), 3 (more information about the plant's distribution and rarity needed), or 4 (plants of limited distribution) in the California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California;
5. Considered by the California Department of Fish and Wildlife (CDFW) as rare, endangered, or threatened; or
6. Identified by another recognized conservation or scientific group as being depleted, potentially depleted, declining, rare, critical, endemic, endangered, or threatened.

Beyer Park is within the MSCP Subarea Plan boundary; portions of the phase one work area are within the City Multi-Habitat Planning Area (MHPA) boundary. Local regulations pertaining to these two boundaries are discussed in detail in Section 3.3 of the attached biological resources report.

Vegetation Communities

Four sensitive vegetation communities occur within the parcels associated with the Proposed Action. Maritime succulent scrub and disturbed maritime succulent scrub are considered Tier 1 habitats by the City (rare uplands), and Diegan coastal sage scrub and disturbed Diegan coastal sage scrub are considered Tier II habitats (uncommon uplands). These vegetation communities are described in detail in Section 3.2 of the biological resources report.

Plants

Table 3-2 presents the 6 sensitive plant species that were identified on the phase two site, along with their status and the number of individuals observed in the survey area. A description of each plant species is provided in Section 3.2 of the attached biological resources report.

Table 3-2. Sensitive Plant Species Observed within the Phase Two Site

Species	Status ^a	Estimated Number of Individuals
San Diego bur-sage (<i>Ambrosia chenopodiifolia</i>)	2B.1	16,500
South coast saltscale (<i>Atriplex pacifica</i>)	1B.2	153
San Diego County viguiera (<i>Bahiopsis laciniata</i>)	4.3	600
San Diego barrel cactus (<i>Ferocactus viridescens</i>)	MSCP, 2B.1	9
Palmer's grapplinghook (<i>Harpagonella palmeri</i>)	4.2	12
Small-flowered microseris (<i>Microseris douglasii</i> var. <i>platycarpa</i>)	4.2	20

^a. Status Codes

MSCP: Multiple Species Conservation Program covered species

California Rare Plant Rank (CRPR)

1B: Plants that are rare, threatened, or endangered in California and elsewhere

2B: Plants that are rare, threatened, or endangered in California but more common elsewhere

4: A watch list of species of limited distribution; these species need to be monitored for changes in the status of their populations

Threat Ranks

0.1: Seriously threatened in California (high degree/immediacy of threat)

0.2: Fairly threatened in California (moderate degree/immediacy of threat)

0.3 Not very threatened in California (low degree/immediacy of threat)

Wildlife

Table 3-3 presents the 4 sensitive wildlife species that were identified on and in close proximity to the phase two site, along with their status. A description of each plant species is provided in Section 3.3 of the attached biological resources report.

Table 3-3. Sensitive Wildlife Species Observed within the Phase Two Site

Species	Status ^a
Birds	
Western burrowing owl (<i>Athene cunicularia hypugaea</i>)	SSC/MSCP
Coastal California gnatcatcher (<i>Poliophtila californica californica</i>)	FT/SSC/MSCP
Least Bell's vireo (<i>Vireo bellii pusillus</i>)	FE/CE/MSCP
Mammals	
San Diego black-tailed jackrabbit (<i>Lepus californicus bennettii</i>)	SSC
Invertebrates	
San Diego fairy shrimp (<i>Branchinecta sandiegonensis</i>)	FE/VPHCP*
Reptiles	
Belding's orange-throated whiptail (<i>Aspidoscelis hyperythra beldingi</i>)	SSC/MSCP

^a. Status Codes

FE: Species listed as endangered by the USFWS

FT: Species listed as threatened by the USFWS

CE: Listed as endangered under the CESA

MSCP: Multiple Species Conservation Program covered species

VPHCP: City of San Diego Vernal Pool Habitat Conservation Plan

SSC: CDFW Species of Special Concern

Wildlife Movement Corridors

The parcels associated with the phase two improvements occur at the western edge of a large expanse of undeveloped land on Otay Mesa. Therefore, the parcels provide for the local movement of terrestrial wildlife among stands of habitat to the north, east, and south. However, with urban residential development, commercial development, I-805, and I-5 interrupting any direct connection to the Tijuana River valley to the west, the parcels associated with the phase two improvements do not function as a true wildlife movement corridor.

3.0.5 Cultural Resources

This section summarizes the existing condition for cultural and historic resources on the site for the Proposed Action. It incorporates, by reference, the *Cultural Resources Technical Report for the Beyer Park Development Project* (Appendix E Confidential, not for public distribution).

Cultural resources are archaeological, ethnographic, historical, Native American, or architectural resources that may be affected by an action being considered in the NEPA process. Cultural resources include historic properties (as defined in 36 CFR 800.16[l][1] as any prehistoric or historic district, site, built structure, or object included in or eligible for inclusion in the National Register of Historic Places [NRHP]) as well as properties of religious and cultural significance to Native American tribes and native Hawaiian organizations that have been determined eligible for inclusion in the NRHP. The latter category can include intangible places of social or cultural importance as well as certain plant and/or animal species.

There are no existing structures on the Beyer Park site. As such, there are no historic sites or structures on the site for the Proposed Action. As discussed in the cultural resources technical report, a total of 16 cultural resources were identified within the Area of Potential Effect (APE). These resources are all prehistoric in age. No historic-period resources were identified as part of the study. The resources include six sparse lithic scatter sites and 10 isolated lithic resources.

3.0.6 Geology and Paleontological Resources

This section summarizes the existing geological and paleontological conditions on the site for the Proposed Action. It incorporates, by reference, the *Revised Desktop Geotechnical Investigation Beyer Community Park Beyer Boulevard and Enright Drive* (Appendix F).

A strand of the potentially active La Nación fault crosses the phase one site in the northwest-to-southeast direction, east of the terminus of Beyer Boulevard, but is located outside of the boundaries of the phase two site. Vertical offsets, fractures, slicks, and remolded zones associated with faulting were reported in the exploratory excavations. Site topography on the phase two site is gently sloping and undulating. The proposed Beyer Park site is within the coastal plain portion of the Peninsular Ranges geomorphic province near the Southern California batholith. The general structural trend of the province is northerly to northwesterly. The coastal plain is approximately 5 to 10 miles wide, consisting of sedimentary units that are part of the San Diego Embayment.

The site for the Proposed Action is geologically underlain by river terrace deposits, the San Diego Formation, and the Otay Formation. The San Diego Formation and Otay Formation have high sensitivity for paleontological resources. The San Diego Formation is well known for its rich fossil

beds, which have yielded extremely diverse assemblages of both marine wildlife as well as land plants and wildlife. Fossils discovered in the Otay Formation include the well-preserved remains of a diverse assemblage of terrestrial vertebrates. It is now considered to be the richest source of late-Oligocene terrestrial vertebrates in California.

3.0.7 Human Health and Environmental Hazards

A search of potential hazardous materials sites compiled pursuant to Government Code Section 65962.5 was completed for the site for the phase two improvements. Several databases and resources were consulted, including the Department of Toxic Substances Control (DTSC) EnviroStor database, the State Water Resources Control Board GeoTracker database, and other sources of potential hazardous materials sites available on the California Environmental Protection Agency website. Based on the searches conducted, no contaminated sites are on or adjacent to the phase two site. Furthermore, the site was not identified on the DTSC Cortese List.

3.0.8 Hydrology and Water Quality

The site for the phase two improvements is near the northern extent of the Tijuana River watershed. Moody Canyon, which contains an unnamed tributary to the Tijuana River, occurs in the northern parcel associated with the phase two improvements. Within this area, the tributary is a channel with a natural bottom. It exits the area for the Proposed Action through a 3-foot-diameter culvert. It then flows approximately 0.5 mile southwest through stormwater channels to the Tijuana River. The Tijuana River flows approximately 5 miles westward before emptying into the Pacific Ocean.

Although the terraces on either side of the ephemeral stream channel in Moody Canyon may flood during peak flows, the water most likely does not reside long enough to develop hydric soils or primary hydrologic indicators. Hydrology indicators commonly observed in the areas along the ephemeral stream channel of the unnamed tributary include riverine sediment deposits and riverine drift deposits. Despite the wetland delineation survey's being conducted after significant rainfall, primary hydrologic indicators, such as saturation or surface water, were not observed.

3.0.9 Land Use

The phase two site has a general plan land use designation of Institutional & Public and Semi-Public Facilities (City of San Diego 2020). Per the San Ysidro Community Plan, the phase two site is designated park and open space and zoned Residential Single-Family (RS-1-7) and Open Space-Park (OP-1-1) (City of San Diego 2023a). The phase two site is also adjacent to the MHPA, within the Airport Land Use Compatibility Overlay Zone (Brown Field), within the Airport Influence Area (Brown Field – Review Area 2), and within the Federal Aviation Administration (FAA) Part 77 Noticing Area (Brown Field and NOLF Imperial Beach).

3.0.10 Mineral Resources

There are no known mineral resources on the site for the phase two improvements. The combination of the site's small size, the presence of MHPA adjacent to the eastern portion of the site, as well as the urbanized and developed nature of the vicinity would preclude the extraction of any such resources.

3.0.11 Noise

This section summarizes the existing noise conditions on the site for the phase two improvements. It incorporates, by reference, the *Noise Technical Report for Beyer Community Park* (Appendix G).

Noise Environment

The site for the Proposed Action is approximately 560 feet east of I-805 and 555 feet northeast of the San Diego Trolley (SDT) Blue Line. Brown Field Municipal Airport is approximately 2.3 miles northeast of the site. The average distance to the 65-decibel Community Noise Equivalent Level (CNEL) noise contour along I-805 is approximately 400 to 450 feet from the freeway centerline. The site for the phase two improvements is not exposed to traffic noise levels from I-805 that would exceed what is considered normally acceptable for park uses, per the City's *Land Use-Noise Compatibility Guidelines*. As discussed in the noise technical report, modeled noise levels for the SDT Blue Line indicate that existing noise levels attributable to trolley operations is approximately 60 decibels CNEL at 25 feet from the centerline of the tracks. This level of noise is not considered normally acceptable for park uses, per the City's *Land Use-Noise Compatibility Guidelines*.

According to the San Diego County Airport Land Use Commission Compatibility Policy Map, Noise, the phase two site is outside the 60- to 65-decibel CNEL contour. Therefore, although high-elevation aircraft may pass over the site, the site is not exposed to airport-related noise levels that exceed 60 decibels CNEL.

Noise Measurements and Observations

According to a study consisting of thirteen 10-minute daytime noise measurements taken in the vicinity of the site for the Proposed Action between 12:00 p.m. and 7:30 p.m. on April 8, 2018, the dominant noise source in the area is background traffic noise associated with I-805 and I-5. Ambient noise measurements were between 50.2 and 63.5 A-weighted decibels (dBA), 1-hour equivalent noise level (L_{eq}).

City of San Diego Multiple Species Conservation Program

Page 48 of the MSCP Subarea Plan (City of San Diego 1997) states that land uses within or adjacent to the MHPA should be designed to minimize noise impacts. Berms or walls should be constructed adjacent to commercial areas, recreational areas, and any other uses that may introduce noise that could affect or interfere with wildlife utilization of the MHPA. Furthermore, excessively noisy uses or activities adjacent to breeding areas must incorporate noise reduction measures and be curtailed during the breeding season of sensitive species. Adequate noise reduction measures should also be incorporated for the remainder of the year. For the purposes of this study, per direction from biologists for the Proposed Action, 60 dBA L_{eq} is the threshold for potentially significant impacts on species within the MHPA.

Other Sensitive Receptors

In addition to MSCP species, sensitive receptors in the vicinity of the phase two site that may be affected by noise generated by the Proposed Action include single-family residential units, schools, and school district offices north and northwest of the site for the Proposed Action.

3.0.12 Population and Housing

As shown in Figures 3 and 4, the existing phase two site is undeveloped parkland and the eastern portion of the site is adjacent to the MHPA. There are existing residences to the north of the site, along Beyer Boulevard and Delany Drive; however, the phase two improvements would not create housing, induce population growth, or displace housed individuals.

3.0.13 Recreation

The phase two site is designated for park and open space uses and the eastern portion is adjacent to the MHPA. In the existing condition, however, the site is undeveloped as shown in Figure 4. The Furby North County Preserve lies to the north of the phase two site, the football field associated with the San Ysidro Middle School is to the northwest, and San Ysidro Park is approximately one-quarter mile to the west.

3.0.14 Socioeconomics and Environmental Justice

EO 12898, regarding environmental justice, directs federal agencies to identify and address the disproportionately high and adverse human health and environmental effects of their actions on minority and low-income populations and communities.

Population and Demographics

Beyer Park would serve primarily the San Ysidro and Otay Mesa communities. Table 3-4 lists the demographic characteristics of the communities as well as San Diego County and California as a whole (San Diego Association of Governments 2021a, 2021b, 2021c; U.S. Census Bureau 2021).

Table 3-4. Service Area Demographic Characteristics

Community	Percentage						Dollars	
	White	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian and other Pacific Islander	Two or More Races	Hispanic or Latino	Median Household Income
California	35.2	6.5	1.7	15.9	0.5	4.2	40.2	\$78,672
San Diego County	46.0	4.8	0.5	10.6	0.5	3.4	34.2	\$72,239
Otay Mesa	18.2	5.4	0.4	16.3	0.4	1.7	57.5	\$79,357
San Ysidro	12.5	1.3	0.2	2.3	0.4	0.6	82.6	\$42,618

CalEnviroScreen

The CalEnviroScreen mapping tool uses environmental, health, and socioeconomic information to produce percentile scores for every census tract in the state. The combined CalEnviroScreen percentile is based on potential exposures to pollutants, adverse environmental conditions, socioeconomic factors, and the prevalence of certain health conditions. A high score means the population experiences a higher pollution burden than areas with lower scores. The census tract for the site for the phase two site is in the 57th percentile. The site is approximately 1,000 feet from census tracts in the 66th and 83rd percentile (California Office of Environmental Health Hazard

Assessment 2021). The census tract for the site for the Proposed Action is in the 36th percentile for unemployment.

3.0.15 Transportation and Traffic

The site for the phase two improvements is southeast of the intersection of Beyer Boulevard (a four-lane, 80-foot arterial) and East Beyer Boulevard (a two-lane, 40-foot collector). The site is south of 25-foot local roads (i.e., Enchanted Place, Fantasy Lane, Delaney Drive, and Enright Drive). Construction traffic would most likely access the site via East Beyer Boulevard.

3.0.16 Utilities and Public Services

The phase two site is currently undeveloped land within no existing infrastructure or improvements. However, connections for sewage, water, electricity, and drainage infrastructure are available within the vicinity and police, and fire facilities are available to serve the phase two site.

3.0.17 Visual Light and Glare

The phase two site is undeveloped with no sources of on-site light and glare. The phase two site is surrounded by open space to the south, east, and west. Ambient lighting in the area comes from the residential developments north of the phase two site.

3.1 Proposed Action Resource Issues

The list below describes the expected resource issues resulting from implementation of the Proposed Action.

Issue #1 – Biological Resources Impacts

The phase two improvements would result in impacts to 9.05 acres. Indirect impacts may also occur as a result of park construction and operations. Construction associated with phase two of the Proposed Action would result in direct impacts on four sensitive vegetations communities: maritime succulent scrub, disturbed maritime succulent scrub, Diegan coastal sage scrub, and disturbed Diegan coastal sage scrub. In addition, construction would result in direct impacts on western burrowing owl (BUOW) and occupied BUOW habitat. Direct removal of the one burrow documented as occupied outside the impact area is not proposed. However, the impact area comes within 25 to 50 feet of the occupied burrow. The phase two improvements would result in a substantial change in the topography of the site. This is expected to decrease the suitability of the burrow site for the species. Indirect noise impacts on nesting northern harriers may occur if the species nests within the adjacent MHPA, construction activities are conducted during this species' nesting season (i.e., April 1 through July 31), and active nests are identified within a 900-foot impact avoidance area inside the MHPA, in accordance with the City's *Guidelines for Conducting Biology Surveys*. All of these impacts and associated mitigation measures are discussed in detail in Chapter 4.

Issue #2 – Noise Impacts

Existing detached, single-family residential dwelling units located north, west, and southwest of the site for the Proposed Action as well as sensitive wildlife in the vicinity may be affected by short-term noise impacts associated the transport of workers, the movement of construction materials to and from the site, and ground clearing, excavation, grading, and building activities. These impacts and associated mitigation measures are discussed in detail in Chapter 4.

4.0 Introduction

In response to increasing public awareness of the environment and concern for its degradation, NEPA was signed into law in 1970. NEPA established a national environmental policy that was intentionally focused on federal activities and the desire for a sustainable environment, which was balanced with other essential needs of present and future generations of Americans. Federal agencies must comply with NEPA before they make final decisions about actions that could have environmental effects. NEPA applies to a wide range of federal actions that include, but are not limited to, federal construction projects, plans to manage and develop federally owned lands, and federal approvals of non-federal activities such as grants, licenses, and permits. Because the City of San Diego is applying for a federal LWCF grant fund, the Proposed Action must be analyzed to determine potential impacts on the environment.

4.1 No Action Alternative

As described in Section 2.2, under the No Action Alternative, phase two of the Beyer Park Development Project would not be developed, and the disturbed open space within the phase two area would remain unchanged. The impacts of the No Action Alternative are described by resource below.

Aesthetics: Under the No Action Alternative, aesthetic impacts from construction and operation of phase two would be avoided. The phase two site would remain as an undeveloped area with dirt roads and trails.

Agriculture: The phase two site does not contain, nor is it adjacent to, any lands that have been identified as Farmland, Unique Farmland, or Farmland of Statewide Importance. The phase two site is classified as Other Land and Grazing Land (California Department of Conservation 2022). Therefore, under the No Action Alternative, which would leave the site in its current condition, there would be no adverse effects on agricultural land.

Air Quality and Climate Change: Under the No Action Alternative, air quality impacts from construction and operation of phase two would be avoided. For example, criteria pollutant and GHG emissions would not occur with the operation of heavy equipment or the transportation of cars to Beyer Park.

Biological Resources: Under the No Action Alternative, impacts on special-status species from construction and operation of phase two would be avoided, and mitigation would not be necessary. For example, the removal of vegetation communities during the installation of park infrastructure would not occur. Similarly, the degradation and disturbance of habitat from the use of vehicles and equipment during construction and from pedestrian activity during operation would not occur.

Cultural Resources: Under the No Action Alternative, no ground disturbance would occur as part of construction or operation of phase two, and there would be no potential for impacts on unknown cultural resources.

Geology and Paleontological Resources: Under the No Action Alternative, no ground disturbance would occur as part of construction or operation of phase two, and there would be no potential for impacts on paleontological resources. In addition, erosion from road building and site grading during construction and pedestrian activity during operation would not occur.

Human Health and Environmental Hazards: Under the No Action Alternative, there would be no potential impacts resulting from the use of heavy equipment and associated hazardous materials during construction or operation of phase two.

Hydrology and Water Quality: Under the No Action Alternative, impacts related to the development and operation of phase two would be avoided. For example, sedimentation associated with asphalt/concrete demolition, road building, site grading, and pedestrian activity would not occur.

Land Use: The phase two site has a general plan land use designation of Institutional & Public and Semi-Public Facilities (City of San Diego 2020). Per the San Ysidro Community Plan, the phase two site is designated park and open space and zoned Residential Single-Family (RS-1-7) and Open Space-Park (OP-1-1) (City of San Diego 2023a). Under the No Project Alternative, there would be no adverse effects because the project would not develop the Proposed Action and phase two site would remain in its existing condition.

Mineral Resources: While there are no known mineral resources on the phase two site, the No Action Alternative would keep the site in its existing undeveloped condition and therefore preclude any potential for impacts. Therefore, no adverse effects would occur.

Noise: Under the No Action Alternative, impacts related to the construction and operation of phase two would be avoided. For example, asphalt/concrete demolition and paving at the picnic/gathering spaces would not occur. Ambient noise levels would not increase as a result of operational park noise on the phase two site. Therefore, noise impacts on surrounding neighborhoods and habitats would be avoided.

Population and Housing: Under the No Action Alternative, the phase two site would remain in its undeveloped condition. Therefore, similar to the Action Alternative, since no housing would be constructed or demolished, there is no potential to create housing, induce population growth, or displace housed individuals. Therefore, no adverse effects would occur.

Recreation: The phase two site is designated for park and open space uses and the eastern portion is adjacent to the MHPA. The No Action Alternative would result in the site remaining in this existing (undeveloped) condition. As such, there is no potential to impede the use of existing recreational activities or create a demand for additional recreational facilities. Therefore, no adverse effects would occur.

Socioeconomics and Environmental Justice: Like the Proposed Action, under the No Action Alternative, there would be no impacts on socioeconomics and environmental justice because no adverse effects on the other resource areas discussed in the EA would occur.

Transportation and Traffic: Under the No Action Alternative, an increase in traffic due to construction or operation of phase two would not occur. Therefore, no impact would occur.

Utilities and Public Services: As discussed in Chapter 3, Affected Environment, the phase two site is currently undeveloped land with no existing infrastructure or improvements. While connections for sewage, water, electricity, and drainage infrastructure are available within the vicinity of the site and police and fire facilities are available within the area; the No Action Alternative would keep the site in its existing condition. Therefore, no infrastructure connections or improvements would be required and there would be no triggering of population growth or a need for any additional resources or services. No adverse effects would occur.

Visual Light and Glare: Under the No Action Alternative, the phase two site would remain in its existing undeveloped condition. There would be no need for lighting to be installed at the site and thus no new light or glare impacts would result. No adverse effects would occur.

4.2 Proposed Action

4.2.1 Aesthetics

Construction activities of the Proposed Action would result in a minor localized and temporary change in the site's visual appearance. Construction and grading would involve the use of fencing and heavy machinery but would be short term and removed before operation. Therefore, visual impact during construction would be temporary and would not cause adverse effects.

The Proposed Action would include the operation of project components such as lighted turf sports fields, picnic/gathering spaces, concrete walkways, trails and landscaped areas, dog park, comfort station, storage building, parking, and biofiltration best management practices (e.g., planted stormwater treatment basins, underground detention system). As detailed in this document, the Proposed Action would adhere to the project site's land use, zoning, and development regulations. The Proposed Action would develop high-quality recreational activities with high-quality construction materials that would beautify the project area. Additionally, the Proposed Action would not develop any structure that could significantly block views of the surrounding area. Therefore, there would be no adverse effects from operation of the Proposed Action.

Impact Determination

Aesthetic impacts during project construction would be temporary and would not cause adverse effects. The Proposed Action would adhere to the phase two site's land use, zoning, and development regulations to ensure that development of the site would not create adverse effects during operation. Therefore, the Proposed Action would not cause adverse effects in regard to aesthetics.

4.2.2 Agriculture

The site for the phase two improvements does not contain, nor is it adjacent to, any lands that have been identified as Farmland, Unique Farmland, or Farmland of Statewide Importance. The phase two site is classified as Other Land and Grazing Land (California Department of Conservation 2022). Therefore, there would be no adverse effects on agricultural land.

Impact Determination

The phase two site does not contain any agricultural lands within or adjacent to the site. Therefore, the Proposed Action would not cause adverse effects with respect to agricultural lands.

4.2.3 Air Quality and Climate

Construction activities would include grading, paving, and construction of lighted turf sports fields, picnic/gathering spaces, concrete walkways, trails and landscaped areas, dog park, comfort station, storage building, parking, and biofiltration best management practices (e.g., planted stormwater treatment basins, underground detention system). Air emissions generated during construction would include fugitive dust from grading, construction equipment exhaust, and the exhaust from workers' vehicles, delivery trucks, and haul trucks. Construction activities would be temporary, short-term sources of air emissions. Prior to the commencement of construction, the City would obtain a grading permit, which would require the City to include design elements to minimize fugitive dust emissions, such as wetting unpaved roads and staging areas and halting construction when weather and wind conditions make dust suppression difficult. The design for phase two would include implementation of BMPs to reduce particulate emissions. Odors would be generated from vehicles and equipment exhaust during construction of Beyer Park but would be temporary and not anticipated to affect a significant number of people outside the site for the Proposed Action.

Operational activities that would generate particulate emissions include vehicle trips to and from the park by community residents and the maintenance staff as well as the disturbance of loose dirt and gravel by park visitors. These activities would produce minimal air emissions; therefore, the impacts would not be considered substantial. Operation of Beyer Park is not anticipated to result in the generation of odors.

Impact Determination

Although implementation of phase two would generate criteria air pollutant emissions, the construction activities that would generate more substantial air pollutant emissions as well as odors from the use of heavy equipment would be temporary and short term in nature. Construction activities would be subject to emissions- and dust-reducing BMPs, which would prevent significant adverse effects. Operational activities would produce minimal air emissions. The Proposed Action would not result in a significant impact on air quality in the area.

4.2.4 Biological Resources

Construction activities such as grading, paving, and the installation of park infrastructure such as concrete walkways and parking areas may result in the removal individual species, habitat degradation, and the disturbance of biological resources. The Proposed Action would implement Mitigation Measure **BIO-1**, Biological Resources Protection During Construction. Implementation of this general mitigation measure, along with the species-specific mitigation measures described throughout this section, would ensure that construction activities would remain in compliance with federal, state, and local environmental laws and regulations and that the Proposed Action would not result in a significant adverse effect. Mitigation for impacts on sensitive species would be fulfilled through a combination of habitat preservation, habitat enhancement, and habitat restoration.

BIO-1 – Biological Resource Protection during Construction

Prior to issuance of Notice to Proceed, the Development Services Department Environmental Designee shall review and approve all construction documents to ensure the following Mitigation Monitoring and Reporting Plan requirements are incorporated.

- Preconstruction requirements would include retaining a Qualified Biologist, holding a preconstruction meeting with the Qualified Biologist, ensuring the Qualified Biologist submits all required biological documentation and a Biological Construction Mitigation/Monitoring Exhibit to the City's Mitigation Monitoring Coordination section, following avian protection requirements, delineating resources on site, and conducting an on-site educational session.
- During construction, the Qualified Biologist would monitor construction activities, document field activity via the Consultant Site Visit Record, and identify and flag subsequent biological resources.
- Following construction, if impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESLs, the MSCP, State CEQA guidelines, and other applicable local, state, and federal laws. The Qualified Biologist shall submit a final Biological Construction Mitigation/Monitoring Exhibit to the satisfaction of the City Mitigation Monitoring Coordination section within 30 days of construction completion.

The Proposed Action's mitigation and restoration plan (Appendix B) provides guidance for mitigation measures for impacts to maritime succulent scrub habitat, Diegan coastal sage scrub habitat, and western burrowing owl. Mitigation for both vegetation communities will be accomplished through the enhancement of adjacent maritime succulent scrub and disturbed maritime succulent scrub, and the restoration of disturbed areas to maritime succulent scrub. Artificial burrows and an earthen berm for western burrowing owls will be installed, and enhancement and restoration of maritime succulent scrub determined to be occupied by western burrowing owl will be executed so that the mitigation areas will also serve as appropriate western burrowing owl habitat. Please refer to the rest of Section 4.2.2 for additional information on impacts to these species and others in the Proposed Action area.

Impacts on Sensitive Vegetation Communities

Phases one and two of the Proposed Action have the potential to result in direct impacts on the following sensitive vegetation communities:

- Maritime succulent scrub: 0.91 acres;
- Disturbed maritime succulent scrub: 4.86 acres;
- Diegan coastal sage scrub: 1.41 acres;
- Disturbed Diegan coastal sage scrub: 4.29 acres; and
- Occupied burrowing owl habitat: 13.55 acres.

Phase two improvements account for approximately 60 percent of sensitive vegetation impacts. The Proposed Action would implement Mitigation Measure **BIO-2** Habitat-based Mitigation, to ensure that construction activities would remain in compliance with federal, state, and local environmental laws and regulations and that the Proposed Action would not result in a significant adverse effect.

BIO-2 – Habitat-Based Mitigation (Restoration/Creation)

Mitigation Measure BIO-2 would ensure long-term management and monitoring in perpetuity for the proposed mitigation lands. This measure includes a requirement for a 5-year maintenance and monitoring period, plant salvage of sensitive succulent species, with the ultimate goal of creating habitat suitable for burrowing owl.

Impacts on Sensitive Plant Species

Construction activities such as grading, paving, and the installation of park infrastructure may result in the removal individual species, habitat degradation, and the disturbance of the plants on the site for phase two. Phase two would result in impacts on the six sensitive plant species presented in Table 3-2 and would account for 60 percent of impacts to sensitive plant species from the Proposed Action. No federally listed, state listed, or narrow endemic plant species would be directly affected. The direct impact area for the Proposed Action includes the full construction footprint as well as areas proposed for hardscape, trails, and turf, along with planted areas, including native and ornamental vegetation.

San Diego Barrel Cactus

One MSCP covered plant species, San Diego barrel cactus, would be directly affected by phase two of the Proposed Action. The six individual San Diego barrel cacti mapped within the phase two site are a small subset of the larger population of this species that remains extant in Otay Mesa. Although the population of this species in Otay Mesa has been declining over the years, impacts on the relatively small on-site population is not expected to threaten the regional long-term survival of this species. In addition, the salvage of San Diego barrel cactus individuals within the phase two footprint is recommended as part of on-site restoration efforts. Therefore, the phase two improvements would not result in a significant adverse effect on the San Diego barrel cactus.

Direct Impacts on Plant Species

In addition to the San Diego barrel cactus, phase two construction would directly affect the following five plant species but would not result in a significant effect: south coast saltscale, San Diego bur-sage, Palmer's grapplinghook, small-flowered microseris, and San Diego County viguiera. South coast saltscale has multiple known locations in Otay Mesa. San Diego bur-sage is a common species within the parcels. Palmer's grapplinghook is known to occur on eastern and upper Otay Mesa; it is generally widespread throughout coastal and cismontane San Diego County. Small-flowered microseris has been reported on Otay Mesa; it has a somewhat widespread distribution throughout coastal and cismontane San Diego County. San Diego County viguiera is a wide-ranging species in San Diego County, with multiple observances reported at western Otay Mesa. Therefore, the phase two improvements are not likely to threaten the regional long-term survival of these species.

Indirect Impacts on Plant Species

Phase two construction has the potential for indirect impacts on plant species observed in the phase two site. However, adherence to BMPs (e.g., dust control, use of erosion control devices) is anticipated to prevent indirect impacts from the generation and deposition of dust during construction. Phase two operation may result in indirect impacts on these species and others. By increasing visitation to the site through the creation of a community park and providing a

formalized connection to existing unauthorized trails outside the park boundary, the phase two improvements have potential to result in an increase in pedestrian activity on and adjacent to existing paths, thereby increasing the potential for trampling and/or soil compaction where the species occur. However, phase two design components include compliance with the MHPA Land Use Adjacency Guidelines, which would minimize and/or prevent indirect impacts from off-trail trespassing. Fencing and signage would protect habitat restoration areas, as well as sensitive resource/open space areas, and direct foot traffic to authorized trails. Therefore, phase two would not result in an adverse effect due to indirect impacts.

Impacts on Wildlife Species

Western Burrowing Owl

Suitable habitat within the phase two site is considered occupied by BUOW. Approximately 13.55 acres of occupied BUOW habitat and at least four potentially suitable burrows would be directly affected by the Proposed Action, and phase two would account for approximately 60 percent of these impacts. Direct removal of one burrow that has been documented as occupied outside the Proposed Action's impact area is not proposed. However, the impact area comes within 25 to 50 feet of an occupied burrow. The phase two improvements would result in a substantial change in the topography of the site. This is expected to decrease the suitability of the burrow site for the species. The Proposed Action would implement Mitigation Measures **BIO-3**, Burrowing Owl, and **BIO-4**, Occupied Burrowing Owl Habitat Mitigation to ensure that construction activities would remain in compliance with federal, state, and local environmental laws and regulations and that the Proposed Action would not result in a significant adverse effect.

BIO-3 – Burrowing Owl

Mitigation Measure BIO-3 would reduce impacts on burrowing owl to less than significant by requiring the preparation and/or implementation of a burrow exclusion plan, pre-construction surveys, BMPs, construction monitoring, and applicable reporting.

BIO-4 – Occupied Burrowing Owl Habitat Mitigation

Mitigation Measure BIO-4 would require mitigation for impacts on 13.55 acres of occupied burrowing owl habitat to occur at ratios 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 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 5-year monitoring and reporting program. Long-term management would be conducted by the City of San Diego Park and Recreation Department, Open Space Division.

Northern Harrier

Indirect noise impacts on nesting northern harriers may occur if the species nests within the adjacent MHPA, construction activities are conducted during this species' nesting season of April 1 through July 31, and active nests are identified within a 900-foot impact avoidance area inside the MHPA, in accordance with the City's *Guidelines for Conducting Biology Surveys* and required conditions of the Incidental Take Authorization to consider the species that are adequately conserved under the MSCP. Mitigation would be implemented to address potential impacts on

active nests within the MHPA and the projected area that falls within the noise contour established in the noise technical report that exceeds 60 dBA L_{eq} . Mitigation measures included in **NOI-1**, described below. Implementation of **NOI-1** would ensure that activities would remain in compliance with federal, state, and local environmental laws and regulations and that the Proposed Action would not result in a significant adverse effect.

Coastal California Gnatcatcher, Least Bells' Vireo, and Coastal Cactus Wren

Indirect impacts on coastal California gnatcatcher, least Bell's vireo, and coastal cactus wren may occur if phase two construction activities are conducted during these species' nesting seasons of March 1 to August 15, March 15 to September 15, and February 15 to August 15, respectively. Indirect impacts on nesting birds outside the MHPA would require no avoidance, minimization, or mitigation measures. However, indirect noise impacts on nesting birds within the MHPA would have the potential for an adverse effect. The Proposed Action would implement Mitigation Measures **BIO-5**, Least Bell's Vireo (State Endangered/Federally Protected); **BIO-6**, Coastal Cactus Wren Habitat Restoration; and mitigation measures from the Noise Technical Report. These measures would ensure that construction activities would remain in compliance with federal, state, and local environmental laws and regulations and that the Proposed Action would not result in a significant adverse effect.

BIO-5 – Least Bell's Vireo (State Endangered/Federally Protected)

Mitigation Measure BIO-5 would require the following requirements to be shown on construction plans and approved by the Development Services Department Environmental Designee prior to the issuance of Notice to Proceed.

- A Qualified Biologist would survey wetland areas that would be subject to construction noise exceeding 60 dBA L_{eq} or to ambient noise already exceeding the 60 dBA L_{eq} hourly average for the presence of least Bell's vireo.
- If the least Bell's vireo is present, then no clearing, grubbing, or grading would be allowed between March 15 and September 15 in occupied habitat. Restricted areas would be delineated by stakes or fences. No construction activities would be allowed in any portion of the construction site where construction noise would exceed 60 dBA L_{eq} or if ambient noise already exceeds 60 dBA L_{eq} unless appropriate noise attenuation measures and monitoring requirements are implemented to ensure construction noise does not exceed thresholds.
- If least Bell's vireo is not detected during surveys, then the Qualified Biologist will submit substantial evidence to the City Manager and applicable resource agencies that demonstrates whether or not mitigation measures are necessary between March 15 and September 15.

BIO-6 – Coastal Cactus Wren Habitat Restoration

Mitigation Measure BIO-6 would require the Development Services Department Environmental Designee to review all listed species in Table 4-1, and all species present on site would be described in a salvage plan to the satisfaction of the City. The salvage plan is required to provide appropriate species for use within City-sanctioned coastal cactus wren mitigation sites, which are currently as follows: Northern-Lake Hodges and Wild Animal Park; Southern-Rancho Jamul/San Diego National Wildlife Refuge Sites. The Qualified Biologist would verify that a coastal cactus wren plan salvage/relocation plan includes species, locations, numbers, timing,

and handling and has been approved by the City Mitigation Monitoring Coordination staff and the appropriate staff from the receiving site.

Table 4-1. Native Cactus and Succulent Species Targeted for Salvage

Scientific Name	Common Name
<i>Cylindropuntia prolifera</i> *	Coast cholla
<i>Dudlevia</i> spp.	Live-fa revers
<i>Ferocactus viridescens</i> *	Barrel cactus
<i>Mammillaria dioica</i> *	Fish-hook cactus
<i>Opuntia littoralis</i>	Coastal prickly pear
<i>Opuntia oricola</i>	Chaparral prickly pear
<i>Yucca whipplei</i>	Our Lord's candle
<i>Yucca schidigera</i>	Mojave yucca

* Represents those species present on site based on site-specific biology reports and City staff input. This list is also subject to future refinements at the discretion of the City and Wildlife Agencies.

San Diego Fairy Shrimp

Phase two has been designed to avoid direct impacts on the immediate watershed of the artificial ditch that supports San Diego fairy shrimp in the western portion of the parcels. Adherence to BMPs during construction is anticipated to avoid indirect impacts from construction-related runoff or sedimentation. The design for phase two is consistent with the VPHCP in that drainage from the site has been directed away from the San Diego fairy shrimp habitat and into a stormwater filtration basin. The Proposed Action would implement Mitigation Measure **BIO-7**, Post-Construction San Diego Fairy Shrimp Monitoring, to ensure that construction activities would remain in compliance with federal, state, and local environmental laws and regulations and that the Proposed Action would not result in a significant adverse effect.

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

Mitigation Measure BIO-7 would reduce impacts on San Diego fairy shrimp by ensuring the population that occurs in the artificial ditch in the western portion of the project parcels be monitored on an annual basis for a minimum period of 5 years. A Qualified Biologist 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.

Impacts on Wildlife Corridors

No significant direct or indirect impacts on wildlife movement are expected to occur from implementation of phase two because the site does not function as a true wildlife movement corridor.

Impact Determination

Although there is some risk of temporary or permanent biological resource impacts during construction and operation associated with phase two, implementation of mitigation measures and BMPs would reduce potential effects considerably. As such, there would be no adverse effect related to biological resources.

4.2.5 Cultural Resources

In accordance with the Section 106 regulations, the criteria of adverse effect (36 CFR 800.5) are applied to activities associated with the Proposed Action that have the potential to affect historic properties within the APE to determine if an adverse effect would occur. An adverse effect is found when an undertaking may alter, either directly or indirectly, any of the characteristics of a historic property that qualify it for inclusion in the NRHP in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

Isolated Sites

Traditionally, isolated artifacts or features are not considered eligible for the NRHP because the recordation of isolated artifacts and features has exhausted their research potential. As such, the 10 isolated cultural materials identified during the cultural resources survey were not considered for their potential to meet the eligibility requirements of the NRHP and found not to qualify as historic resources for the purposes of Section 106 of the National Historic Preservation Act.

Scatter Sites

Because of the level of previous disturbance, the topography, and the lack of well-developed soils, the APE is unlikely to have much potential for buried and intact archaeological deposits. The six archaeological sites are unlikely to possess a subsurface component. Furthermore, they lack the density and diversity of material necessary to suggest that they were anything other than one-time use sites or temporary camps at best. As sparse lithic scatters, these six resources are not directly associated with people or events that had a broad-reaching impact on the community at the local, state, or national level. They do not embody the characteristics of a distinctive type, period, or method of construction or represent the work of a master. Subsurface components of the site are unlikely to be present because of the lack of soil development in this area. In addition, the disturbed context of the resource location lacks integrity. The resources do not have the potential to yield information that would be important to an understanding of the prehistory or history of the local area, the state, or the nation. The six resources do not meet the criteria for NRHP eligibility as individual resources or as contributors to a potential archaeological district.

Impact Determination

The 16 archaeological resources identified in the APE are not eligible for inclusion in the NRHP. NPS has determined that Native American monitoring of construction-related ground-disturbing activities within the Project APE will be conducted to ensure avoidance or treatment of any unanticipated discoveries. Therefore, **CUL-1** would be implemented in order to ensure that there would be no adverse effect related to cultural resources.

CUL-1 – Archaeological Monitoring during Grounding Disturbing Activities

- Native American monitoring during construction-related ground disturbance within the Project APE shall be conducted. The Native American monitor will have Kumeyaay affiliation. The Proposed Action shall comply with the unanticipated discovery provisions of 36 C.F.R. §800.13(b)(3) which includes the agency official notifying the SHPO/THPO, any tribe or Native Hawaiian organization of any historic properties uncovered within 48 hours of discovery.

4.2.6 Geology and Paleontological Resources

The phase two site could be affected by seismic activity as a result of earthquakes on the La Nación fault, which crosses the phase one site in close proximity to the phase two site. According to the site-specific geotechnical investigation, *Revised Desktop Geotechnical Investigation Beyer Community Park Beyer Boulevard and Enright Drive* (Appendix F), the site is not considered subject to liquefaction; therefore, the primary concerns associated with seismic activity would be surface rupture and ground shaking. However, this hazard is common to Southern California. Phase two facilities would be designed and constructed in accordance with current engineering practices and building codes. Infrastructure would be small in scale and would not pose a substantial hazard to life or property because of its size and nature.

Because of the paleontological sensitivity of the area, a paleontological monitor would be present during site grading and excavation. Monitoring would ensure that activities would remain in compliance with federal, state, and local environmental laws and regulations and that the phase two improvements would not result in a significant adverse effect.

Impact Determination

Construction of phase two poses some risk of impacts on paleontological resources. However, most park infrastructure would be small in scale, thereby reducing potential for impacts. Furthermore, it would be constructed in compliance with engineering codes and standards. A paleontological monitor would reduce the potential for effects on paleontological resources. As such, there would be no adverse effects related to geological or paleontological resources.

4.2.7 Human Health and Environmental Hazards

Activities associated with phase two (e.g., installation of park facilities, grading, asphalt/concrete demolition, travel to the site) would require small quantities of commonly used materials, such as fuels, oils, lubricants, hydraulic fluids, and solvents, to operate construction equipment and vehicles. Any of these materials could be accidentally released during routine use or transport and could affect construction personnel or the environment. Although these materials would be transported, used, and disposed of during the construction phase, these materials are typically used in construction and would not represent the use of acutely hazardous materials. Once the project is constructed, the routine transport, use, or disposal of hazardous materials on or through the subject site is not anticipated. Phase two improvements would comply with applicable state and federal laws, regulations, and requirements pertaining to hazardous materials and hazardous wastes, such as the Federal Toxic Substances Control Act, Clean Water Act, Clean Air Act, Solid Waste Disposal Act, and Comprehensive Environmental Responsibility, Compensation, and Liability Act. Compliance would ensure that all hazardous materials would be transported, used,

and disposed of properly, which would minimize any significant hazard to the public during the construction phase of the Proposed Action.

The phase two site is within the Brown Field and Naval Outlying Landing Field (NOLF) Imperial Beach Federal Aviation Administration (FAA) Part 77 Noticing Areas, which require noticing for projects that involve the construction of structures that are taller than 200 feet above ground level or that are near an airport and exceed the slope ratio (San Diego County Regional Airport Authority 2010, 2015). On September 13, 2023, the City filed FAA Aeronautical Study Number(s) (ASN): 2023-AWP-14311-OE, 2023-AWP-14310-OE, 2023-AWP-14313-OE, 2023-AWP-14312-OE requesting confirmation from the FAA that the Proposed Action would not penetrate the FAA notification surface and/or be greater than 200 feet above grade. The City received Determinations of No Hazard to Air Navigation from the FAA for the referenced filings on October 24, 2023. The site is not within a designated Safety Zone as identified in the Airport Land Use Compatibility Plans and would, therefore, not subject people working within the phase two site to a significant safety hazard.

Impact Determination

Construction activities associated with phase two pose some risk of temporary direct and indirect impacts for the public and environmental. However, construction activities would comply with hazardous materials regulations. Operation of the phase two site is not anticipated to require transport, use, or disposal of hazardous materials. Because of the limited duration for the use of hazardous materials, as well as compliance with local, state, and federal laws and regulations, there would be no adverse effects related to human health and environmental hazards.

4.2.8 Hydrology and Water Quality

Grading and the addition of impermeable surfaces (including seven-inch vehicular concrete paving and decomposed granite paving) throughout the phase two site pose the potential for impacts on the local drainage system and flood dynamics by changing ground contours and increasing impermeable surfaces and infrastructure. Adding impermeable surfaces could also reduce the amount of surface water infiltration. However, these changes would be localized and small. As part of the Stormwater Quality Management Plan, two water quality basins, a rain water storage system, and one proprietary biofiltration BMP (in the form of a modular wetland) would be constructed on-site. These would be implemented as part of the Proposed Action's permanent BMPs, ensuring that activities would remain in compliance with federal, state, and local environmental laws and regulations and that the Proposed Action would not result in a significant adverse effect.

Ground-disturbing activities such as grading and the installation of infrastructure would introduce the potential for increased erosion, runoff, and sedimentation, with subsequent effects on water quality. In addition, heavy equipment could have the potential to leak hazardous materials, such as oil and gasoline, and affect surface water or groundwater quality. Activities associated with phase two would comply with applicable state and federal laws, regulations, and requirements pertaining to the use, transport, and disposal hazardous materials, reducing the potential for the release of pollutants into waterways.

As described in the 2022 addendum to the Proposed Action's mitigation and restoration plan (Appendix D-1), federal and state jurisdictional waters run through the Proposed Action's northern mitigation area. A 15-foot buffer was identified on each side of the drainage to ensure

that this resource will be avoided during mitigation activities. However, as documented in the 2023 addendum to the Proposed Action's mitigation and restoration plan (Appendix D-2), all of the proposed mitigation area was moved south of the Beyer Boulevard extension in order to ensure accessibility to the mitigation lands for long-term maintenance and monitoring activities. Therefore, the jurisdictional waters will be completely avoided during mitigation activities.

Impact Determination

Construction of phase two poses some risk of temporary water quality impacts. However, construction would disturb a relatively small area. Temporary and permanent BMPs would also be implemented, further minimizing the potential for impacts. Operational activities would have minimal water quality impacts. As such, there would be no adverse effects related to hydrology and water quality.

4.2.9 Land Use

The phase two site has a general plan land use designation of Institutional & Public and Semi-Public Facilities (City of San Diego 2020). Per the San Ysidro Community Plan, the phase two site is designated park and open space and zoned Residential Single-Family (RS-1-7) and Open Space-Park (OP-1-1) (City of San Diego 2023a). As detailed in the City of San Diego General Plan, Institutional & Public and Semi-Public Facilities land use designations are areas that offer public and semi-public services to the community. Uses may include but are not limited to airports, military facilities, community colleges, university campuses, landfills, communication and utilities, transit centers, water sanitation plants, schools, libraries, police and fire facilities, cemeteries, post offices, hospitals, park and-ride lots, government offices and civic centers (City of San Diego 2015). The San Diego Municipal Code states that active, passive, and natural resources preservation uses are permitted in RS-1-7 zoned areas, and OP-1-1 zoned areas are allowed to develop active parks (City of San Diego 2023b). The Proposed Action would develop a public park with lighted turf sports fields, picnic/gathering spaces, concrete walkways, trails and landscaped areas, dog park, comfort station, storage building, parking, and biofiltration best management practices (e.g., planted stormwater treatment basins, underground detention system). The Proposed Action and its components would be consistent with the project site's General Plan land use and zoning regulations and would not cause adverse effects.

Impact Determination

The Proposed Action and its components would be consistent with the project site's General Plan land use and zoning regulations and would not cause adverse effects.

4.2.10 Mineral Resources

As discussed in Chapter 3, Affected Environment, the phase two site is currently undeveloped parkland. There are no known mineral resources on the site. The phase two improvements would develop the southwestern portion of the site (the eastern portion is adjacent to the MHPA) with active recreational uses; thus precluding any future mineral extraction.

Impact Determination

The phase two improvements would not result in a significant impact to mineral resources. As discussed, the combination of the site's small size, the presence of MHPA adjacent to the eastern portion of the site, as well as the urbanized and developed nature of the vicinity would preclude the extraction of any such resources, even if they were to be discovered within the site.

As such, implementation of the phase two improvements would not cause an adverse effect relative to mineral resources.

4.2.11 Noise

Construction

Noise

Existing single-family detached residential dwelling units located north, west, and southwest of the phase two site may be affected by short-term noise impacts associated with the transport of workers, the movement of construction materials to and from the site, ground clearing, excavation, grading, and building activities. Construction noise would vary, depending on the construction process, type of equipment involved, location of the construction site with respect to sensitive receptors, the schedule proposed for each task (e.g., number of hours and days of the week), and the duration of the construction work. Site preparation is expected to produce the highest sustained construction noise levels.

The *Noise Technical Report for Beyer Community Park* (Appendix G) modeled construction noise during grading using a worst-case scenario. For this situation, unmitigated noise levels at 50 feet from the acoustic center of construction noise have the potential to reach 83 dBA L_{eq} . However, construction noise is not expected to exceed 75 dBA L_{eq} farther than 200 feet from the acoustic center of the site or 60 dBA L_{eq} farther than 1,200 feet from the acoustic center of the site. Noise generated during grading activities would be short term and would quickly lessen as the activity moves farther from the existing homes. A construction noise level of 83 dBA L_{eq} at 50 feet would attenuate to 60 dBA L_{eq} at approximately 1,200 feet. As discussed in Section 4.2.2 of this EA, construction poses the potential for noise impacts on nearby wildlife species. If construction noise exceeds 60 dBA L_{eq} at occupied habitat within the MHPA during the breeding season, indirect impacts on noise-sensitive wildlife species would be considered significant.

Implementation of **NOI-1** and **NOI-2** would ensure that construction activities would remain in compliance with federal, state, and local environmental laws and regulations and that the Proposed Action would not result in a significant adverse effect.

NOI-1 – Noise Compliance

- Ensure that construction activities would remain in compliance with federal, state, and local environmental laws and regulations.

NOI-2 – Construction Noise Reduction Measures

- 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.
- The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.
- Equipment shall be shut off and not left to idle when not in use.
- 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.
- The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.
- The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.
- 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 shall survey habitat areas within the MHPA that would be subject to construction noise levels exceeding 60dB(A) hourly average for the presence of sensitive wildlife species. 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. Restricted areas shall be staked or fenced under 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 60 dBA Leq 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 shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dBA 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).

Vibration

Construction operations generally include a wide range of activities that can generate ground-borne vibration. Vibratory compactors or rollers, pile drivers, and pavement breakers can generate perceptible amounts of vibration at up to 200 feet. Heavy trucks can also generate ground-borne vibrations, which can vary, depending on vehicle type, weight, and pavement conditions. Potholes, pavement joints, discontinuities, or the differential settlement of pavement all increase vibration levels from vehicles passing over a road surface. Construction vibration is a greater concern than vibration from normal traffic flows on streets and freeways with smooth pavement.

The nearest structure to the phase two site is approximately 50 feet north of the proposed disturbance area. As shown in the Table 7 of the *Noise Technical Report*, construction-related ground-borne vibration would not pose a risk of architectural damage at that distance. Annoyance-related impacts would be short term and would occur only during site grading and construction activities within 100 feet of a sensitive receptor.

Operational Noise

On-site noise sources associated with operation of phase two would include vehicles starting and stopping, passenger loading and unloading, occasional car alarm activation, landscape maintenance, kids playing, fans shouting during games, ballfield noise, and noise associated with the dog park. These noise sources are standard for a community park and would not violate applicable City noise standards or be considered an adverse effect. Implementation of **NOI-3** would restrict hours of operation to ensure that the Proposed Action would not result in a significant adverse effect.

NOI-3 – Operational

The hours of operation of Beyer Community Park shall be limited to between the hours of 7:00 a.m. and 10:00 p.m.

Impact Determination

Noise generated during construction would be short term and would not violate applicable City noise standards for ambient noise or vibration. Implementation of the mitigation measures outlined in the attached *Noise Technical Report for Beyer Community Park* (Appendix G) would ensure compliance with the MSCP and reduce the potential for an increase in ambient noise levels at nearby residences. As such, there would be no adverse effect related to noise.

4.2.12 Population and Housing

As discussed in Chapter 3, Affected Environment, the phase two site is currently undeveloped parkland with no existing infrastructure or structures. The Proposed Action Alternative would not provide any additional housing; nor would it eliminate any housing or displace any housed individuals.

Impact Determination

The phase two improvements would not result in a significant impact on population and housing. As discussed, there are no existing housing units within the site; nor would the Proposed Action Alternative construct any new housing. No housing units or proposed that could trigger population growth. As such, implementation of the phase two improvements would not cause an adverse effect relative to population and housing.

4.2.13 Recreation

As discussed in Chapter 3, Affected Environment, the phase two site is currently undeveloped land with no existing infrastructure or improvements. The site consists of both native and disturbed habitat and a portion of the site is adjacent to the MHPA. There are no existing active or passive recreational uses occurring at the site. The Proposed Action Alternative would implement recreational uses on the southwestern portion of the site (outside the MHPA).

Impact Determination

The phase two improvements would increase the use of the phase two site by recreational users; but this is the intent of the Proposed Action and would be considered a beneficial effect. By providing additional recreational facilities at the site, there are not anticipated to be any adverse impacts to other nearby recreational facilities. Nor is there anticipated to be an increase in demand for additional recreational facilities as a result of the phase two improvements. No nearby recreational facilities would be directly affected by the construction of the phase two improvements. As such, implementation of the phase two improvements would not cause an adverse effect on the City's ability to provide recreational facilities.

4.2.14 Socioeconomics and Environmental Justice

Implementation of phase two improvements would result in development of a community park. Construction has the potential to present a temporary environmental justice concern to communities surrounding the site for the Proposed Action. According to the Census Demographic Data Map Viewer (U.S. Census Bureau 2020), the census tract for the phase two site comprises less than 20 percent white; therefore, there is most likely a relatively high concentration of minority populations surrounding the site in the residences to the north, west, and southwest. However, as discussed throughout this EA, adverse impacts are not expected to result from phase two construction or operation. This reduces the potential for activities to have a disproportionate impact on disadvantaged communities. In addition to impacts not being considered adverse, potential minor impacts would generally be temporary and limited to the construction phase. Construction activities would most likely rely on the local workforce, which could lead to small but beneficial economic impacts.

Impact Determination

As discussed throughout this EA, potential effects as a result of approval of phase two (e.g., temporary increases in noise during construction) would not be adverse. Generally, the addition of park space is considered a beneficial impact for a community. As such, adverse impacts on socioeconomics and environmental justice would not occur.

4.2.15 Transportation and Traffic

A site-specific access analysis report, the *Beyer Park Access Analysis Report*, was prepared by STC Traffic in October 2019 (Appendix H). The Proposed Action is anticipated to generate approximately 458 weekday trips. The analysis of existing conditions shows that both study intersections (i.e., East Beyer Boulevard/Otay Mesa Road/Beyer Boulevard and Beyer Boulevard/West Park Avenue/Alaquinias Drive) and the roadway segments (i.e., Beyer Boulevard from Enright Drive to Otay Mesa Road and Beyer Boulevard from Otay Mesa Road to West Park Avenue/Alaquinias Drive) operate at acceptable levels of service or better. Under existing conditions with the Proposed Action, both intersections and the road segments analyzed in the study would operate at acceptable levels of service or better.

Impact Determination

The phase two improvements would not result in a significant near-term impact on level of service for the intersections and roadway segments. Surrounding intersections and roadways have the capacity to function at acceptable levels of service, even with anticipated increases in traffic with the phase two improvements. As such, there would not be adverse impacts on traffic and transportation.

4.2.16 Utilities and Public Services

As discussed in Chapter 3, Affected Environment, the phase two site is currently undeveloped land with no existing infrastructure or improvements. The Proposed Action Alternative would provide connections for sewage, water, electricity, and drainage infrastructure. In addition, police and fire facilities are available within the area.

Impact Determination

The phase two improvements would not result in a significant impact on utilities or public services. As discussed, there are existing connections available and the City's police and fire resources are available within the area. No housing units or other facilities are proposed that could trigger population growth. There would be a minimal increase in water demand due to the need for water at the comfort station and for landscaping irrigation. The phase two improvements propose to use bio-infiltration to avoid an increase in stormwater demand. As such, implementation of the phase two improvements would not cause an adverse impact on the City's ability to provide utilities or services.

4.2.17 Visual Light and Glare

The Proposed Action would add lighting in the park for visibility and safety purposes. The Proposed Action would comply with outdoor lighting standards in San Diego Municipal Code Section 142.0740, which would require all outdoor lighting installed to be 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. Additionally, San Diego Municipal Code Section 142.0730 requires that all exterior materials utilized for proposed structures be limited to specific reflectivity ratings. The phase two improvements propose minimal structures which would consist of wood siding, wood shingles, adobe and concrete blocks, brick, stucco, concrete or natural stone.

Impact Determination

With adherence to the city's Municipal Code, the phase two improvements would not result in significant adverse effects regarding light and glare.

5.0 Introduction

Cumulative effects are defined as those effects on the environment resulting from the incremental effect of the Proposed Action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time (40 CFR Part 1508.7).

5.1 Cumulative Impact Assessment Methodology

The cumulative impact analysis in the following resource sections addresses the combined effects from phase two construction and operation in conjunction with future projects and development in the region. The analysis of effects is based on professional judgment and informed by current standards of care specific to each resource topic. Consistent with CEQ's cumulative effects guidance, the analysis focuses on aspects of the regional cumulative effects to which phase two of the Proposed Action has the potential to contribute; cumulative effects to which the Proposed Action would not contribute are not discussed or analyzed in detail.

Study Area: The geographic boundaries of the cumulative effects area are generally those of the site for phase two, adjusted as appropriate according to the nature of the resources affected and the distance that such effects may travel. As an example, increased sedimentation in waterways that results from a project is limited to the watershed in which it occurs. As a result, it is necessary to examine effects only within that watershed. In contrast, air quality emissions from a project can travel over far greater distances and, therefore, necessitate analysis on a county, air basin, or regional level.

Approaches: Cumulative effects result from the incremental effects of phase two, which, when combined with other past, present, and reasonably foreseeable future actions in an affected area, may collectively cause more substantial effects.

The cumulative impact analyses in each section below considers the potential for the phase two to result in a cumulatively considerable contribution to impacts for each resource area.

5.2 Cumulative Impacts Analysis by Resource

Aesthetics: Construction of the Proposed Action would cause temporary visual impacts that would cease before operations commence. The Proposed Action would be developed to adhere to the project site's land use, zoning, and development regulations, which would not cause adverse effects during operation. Additionally, the Proposed Action would not develop any structure that could significantly block views of the surrounding area. Since the Proposed Action would not cause adverse effects during construction and operation, the Proposed Action would not be cumulatively considerable regarding aesthetics.

Agriculture: The phase two site does not contain, nor is it adjacent to, any lands that have been identified as Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site is classified as Other Land and Grazing Land (California Department of Conservation 2022). Other projects may have adverse impacts on agricultural resources, but the Proposed Action would not contribute to those adverse impacts. Therefore, there would be no adverse effects on agricultural land and impacts would not be cumulatively considerable.

Air Quality and Climate Change: The evaluation of air quality and climate change effects requires an inherently cumulative approach because criteria pollutant and GHG emissions, once emitted, mix in the atmosphere and affect a larger area than any individual project area. As discussed in Chapter 4, *Environmental Consequences*, phase two would not generate a significant amount of criteria air pollutants or GHG emissions. Thus, implementation of phase two would not interfere with applicable emission reduction strategies to attain the NAAQS and CAAQS. Accordingly, phase two of the Proposed Action would not result in adverse cumulative effects on air quality or climate change.

Biological Resources: Phase two may result in temporary, short-term adverse impacts on some biological resources due to ground disturbance and construction activities that require the use of heavy equipment. However, implementation of mitigation measures would ensure that the Proposed Action would remain in compliance with federal, state, and local environmental laws and regulations and that the Proposed Action would not result in a significant adverse effect. Therefore, although other projects may have adverse effects on biological resources, phase two of the Proposed Action would not contribute to those adverse effects with inclusion of the mitigation measures outlined in the biological resources report.

Cultural and Historic Resources: The Proposed Action is not anticipated to affect cultural or historic resources because no buildings exist on the site, and the archaeological resources observed on the site are not eligible for inclusion in the NRHP. Furthermore, Native American monitoring during construction-related ground disturbance within the Project APE will ensure avoidance and treatment of unanticipated discoveries. Other projects may have adverse impacts on cultural resources, but phase two of the Proposed Action would not contribute to those adverse impacts.

Geology and Paleontological Resources: Phase two includes a risk of temporary impacts on geological and paleontological resources due to ground disturbance and construction activities (e.g., grading, paving, installing park infrastructure) that require the use heavy equipment. However, temporary and permanent BMPs would be implemented to control erosion and reduce the potential for related impacts. In addition, a paleontological monitor would be present during ground-disturbing activities to reduce the potential for an adverse effect on paleontological resources. Therefore, adverse impacts on geological and paleontological resources are not anticipated. Although other projects may have adverse effects on geological and paleontological resources, phase two of the Proposed Action would not contribute to those adverse effects in the long term.

Human Health and Environmental Hazards: Phase two includes a risk of temporary impacts related to hazardous materials due to construction activities (e.g., grading, paving, installing park infrastructure) that require the use heavy equipment. However, to result in an additive cumulative effect, multiple spills or releases would need to occur in the same area or in hydrologically connected areas. This is considered unlikely, particularly because construction would be temporary and short term and the hazardous materials used would be in compliance with local, state, and federal regulations. As such, adverse effects related to spills or releases of hazardous materials are not anticipated. Phase two construction would not subject people working on the site to an airport

safety hazard, as it is outside the designated Safety Zone for the Brown Field and NOLF Imperial Beach airports. Even if other projects in the region have adverse effects related to human health and environmental hazards, phase two of the Proposed Action would not contribute to those adverse effects in the long term.

Hydrology and Water Quality: Phase two includes a temporary risk of impacts on hydrology and water quality due to construction activities (e.g., grading, paving, installing park infrastructure) that require the use heavy equipment. However, the Proposed Action would generally be small in scale and would use relatively small amounts of fuel and other hazardous materials during construction. In addition, implementation of BMPs would decrease the risk of impacts. Furthermore, Federal and state jurisdictional waters will be completely avoided during mitigation activities. As such, adverse effects on hydrology and water quality are not anticipated. Although other projects may have adverse effects on hydrology and water quality, phase two of the Proposed Action would not contribute to those adverse effects in the long term.

Land Use: The phase two site has a general plan land use designation of Institutional & Public and Semi-Public Facilities (City of San Diego 2020). Per the San Ysidro Community Plan, the phase two site is designated park and open space and zoned Residential Single-Family (RS-1-7) and Open Space-Park (OP-1-1) (City of San Diego 2023a). As detailed in the City of San Diego General Plan, Institutional & Public and Semi-Public Facilities land use designations are areas that offer public and semi-public services to the community. Uses may include but are not limited to airports, military facilities, community colleges, university campuses, landfills, communication and utilities, transit centers, water sanitation plants, schools, libraries, police and fire facilities, cemeteries, post offices, hospitals, park and-ride lots, government offices and civic centers (City of San Diego 2015). The San Diego Municipal Code states that active, passive, and natural resources preservation uses are permitted in RS-1-7 zoned areas, and OP-1-1 zoned areas are allowed to develop active parks (City of San Diego 2023b). The Proposed Action would develop a public park with lighted turf sports fields, picnic/gathering spaces, concrete walkways, trails and landscaped areas, dog park, comfort station, storage building, parking, and biofiltration best management practices (e.g., planted stormwater treatment basins, underground detention system). The Proposed Action and its components would be consistent with the phase two site's General Plan land use and zoning regulations, would not cause adverse effects, and would not be cumulatively considerable.

Mineral Resources: There are no known mineral resources on the site for the phase two improvements. The urbanized and developed nature of the site and vicinity would preclude the extraction of any such resources. Therefore, even in combination with any other future projects in the vicinity, the phase two improvements are not anticipated to contribute to any adverse cumulative impacts to mineral resources in the long-term.

Noise: Phase two includes a risk of temporary noise impacts due to construction activities (e.g., grading, paving, installing park infrastructure) that require the use heavy equipment. However, implementation of mitigation measures would ensure that the Proposed Action would remain in compliance with federal, state, and local environmental laws and regulations and not result in a significant adverse effect. Other projects may have adverse noise effects due to similar noise-generating activities, but phase two of the Proposed Action would not contribute to those adverse effects in the long term, given the short-term nature of construction and inclusion of the mitigation measures outlined in the noise technical report.

Population and Housing: The phase two improvements would not create housing, induce population growth, or displace housed individuals. Other projects in the vicinity may propose housing units or other facilities that could induce population growth or displace existing house. However, the Proposed Action Alternative would not contribute to any such adverse cumulative impacts in the long-term. As such, adverse effects relative to population and housing are not anticipated and would not be cumulatively considerable.

Recreation: As discussed in Chapter 3, Affected Environment, the site is currently undeveloped land with no existing infrastructure or improvements. The site consists of both native and disturbed habitat and a portion of the site is adjacent to the MHPA. There are no existing active or passive recreational uses occurring at the site. The phase two improvements would increase the use of the site by recreational users; but this would be considered a beneficial effect. Should other recreational projects be implemented within the vicinity, they would likely experience a similar increase in activity by recreational users. However, the addition of park space is generally considered a beneficial impact to a community. As such, implementation of the phase two improvements would not cause an adverse cumulative impact on recreational facilities in the long-term.

Socioeconomics and Environmental Justice: Phase two is not anticipated to have an adverse effect on socioeconomics or environmental justice communities. None of the resource areas reviewed in this EA include significant adverse effects, and potentially adverse effects that may result from the Proposed Action would be short term. Generally, the addition of park space is considered a beneficial impact on a community. Therefore, although other projects may have adverse effects on socioeconomics and environmental justice, phase two of the Proposed Action would have no effect and would not contribute to those adverse effects in the long term.

Transportation and Traffic: Phase two includes a risk of impacts related to an increase in traffic traveling to and from the site for the Proposed Action during construction and operation. However, area roads are anticipated to operate at an acceptable level of service and be capable of serving the Proposed Action's transportation needs. As such, adverse effects related to transportation and traffic are not anticipated. Even if other projects in the region have adverse effects related to transportation and traffic, phase two of the Proposed Action would not contribute to those adverse effects in the long term.

Utilities and Public Services: As discussed in Chapter 3, Affected Environment, the phase two site is currently undeveloped land with no existing infrastructure or improvements. The phase two improvements under the Proposed Action Alternative would provide connections for sewage, water, electricity, and drainage infrastructure. The phase two improvements would result in a small increase in demand for utilities and public services at the park site during operation but would not result in population growth or trigger a need for additional utilities or public services beyond those already available at the site. No housing units or other facilities are proposed that could trigger population growth. Therefore, while other projects could construct additional recreational facilities within the area that could similarly cause small increases in demand for utilities and services; the phase two improvements would not contribute to adverse cumulative effects in the long-term.

Visual Light and Glare: The Proposed Action would comply with outdoor lighting standards in San Diego Municipal Code Section 142.0740 and glare regulations in San Diego Municipal Code Section 142.0730 and would, therefore, not cause significant light or glare spillover to the surrounding areas. Although other projects may have adverse effects on light and glare, phase two of the Proposed Action would not contribute to those adverse cumulative effects in the long term.

6.0 Public Involvement

As required by NEPA and Director's Order 12 (DO-12), this Draft EA is available for public and agency review for a minimum of 30 days, between January 29, 2024 and February 28, 2024 available in both hard copy and electronic copy formats. Following the close of the 30-day comment period, comments on the Draft EA will be considered and incorporated as applicable to the Final EA.

Hard copies of the Draft EA are available for review at the following City of San Diego Public Libraries:

San Diego Central Library

330 Park Blvd., San Diego, CA 92101

San Ysidro Brach Library

4235 Beyer Blvd., San Diego, CA 92173

The Draft EA is also available electronically from the following website:
<https://www.sandiego.gov/ceqa/draft>

Comments on the Draft EA are to be submitted to:

City of San Diego Engineering and Capital Projects Department

Attn: Nirvana Walder

525 B Street, Suite 750, MS 908A

San Diego, CA 92101

or electronically to NWalder@sandiego.gov

Notices of Availability for the Draft EA were placed in a local newspaper of general circulation, The Daily Transcript, and on the City of San Diego's CEQA website (<https://www.sandiego.gov/ceqa/draft>).

6.1 Agency Consultation and Coordination

6.1.1 Section 7 of the Endangered Species Act

Coordination between the National Park Service (NPS) and the U.S. Fish and Wildlife Service (USFWS) occurred on May 29, 2020, in accordance with Section 7 of the Endangered Species Act (Appendix I). The joint USFWS/California Department of Fish and Wildlife Service (CDFW) comment letter identified recommendations to avoid, minimize, and adequately mitigate project-related impacts to biological resources. These recommendations were incorporated into the project's mitigation measures.

Additionally, a search of the USFWS Information and Planning and Consultation (IPaC) system was conducted in August 2023 (Appendix A-2). The search identified the following federally threatened and endangered species with potential to exist on the project site and surrounding area: Pacific pocket mouse (*Perognathus longimembris pacificus*), California least tern (*Sterna antillarum browni*), Coastal California gnatcatcher (*Polioptila californica californica*), Least Bell's vireo (*Vireo bellii pusillus*), Light-footed clapper rail (*Rallus longirostris levipes*), Southwestern willow flycatcher (*Empidonax traillii extimus*), Western snowy plover (*Charadrius nivosus nivosus*), Monarch butterfly (*Danaus plexippus*), Quino checkerspot butterfly (*Euphydryas editha quino*), Riverside fairy shrimp (*Streptocephalus woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), California Orcutt grass (*Orcuttia californica*), Otay mesa-mint (*Pogogyne nudiuscula*), Otay tarplant (*Deinandra* [= *Hemizonia*] *conjugens*), Salt marsh bird's-beak (*Cordylanthus maritimus ssp. Maritimus*), San Diego ambrosia (*Ambrosia pumila*), San Diego button-celery (*Eryngium aristulatum var. parishii*), San Diego thornmint (*Acanthomintha ilicifolia*), and Spreading navarretia [=prostrate navarretia] (*Navarretia fossalis*). In addition to listing the federally threatened and endangered species, Appendix A-2 identifies whether suitable habitat exists on the project site to support these species; identifies results of protocol-level surveys conducted for certain species, including the presence or absence of the species; references applicable avoidance, minimization, and mitigation measures that will be implemented by the Proposed Action for each species; and provides the complete text for each applicable mitigation measure.

Based on the USFWS/CDFW joint comment letter and the information presented in Appendix A-2, NPS made a No Effect to Threatened and Endangered Species determination on August 25, 2023. Compliance with Section 7 of the Endangered Species Act has been completed.

6.1.2 Section 106 of the National Historic Preservation Act

Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR Part 800), OGALS, on behalf of NPS, initiated consultation with the California (CA) SHPO in a letter dated September 1, 2022. The letter briefly described the Project and defined the APE. On September 6, 2022, CA SHPO responded acknowledging the APE with no additional comment and advising that the horizontal and vertical APE boundaries may necessitate reconsideration and additional Section 106 work should (1) the undertaking change in scope from the described work and/or (2) should historic properties be identified with visual and/or physical boundaries that extend beyond the APE reviewed for this consultation. The CA SHPO also provided advisement on future consultations involving the identification and evaluation of historic properties, and on development of the Finding of Effect, specifically calling attention to pertinent sections of 36 CFR

800 regarding documentation standards, level of effort, application of National Register criteria, application of the criteria of adverse effects, and effects determination.

On February 23, 2023, OGALS on behalf of NPS responded with a letter. The letter described historic property identification efforts, Section 106 consultation efforts. A revised APE map that included the entire boundaries of archaeological sites intersecting the APE and the cultural resources technical report prepared for the Project were attached to the letter. OGALS on behalf of NPS requested CA SHPO comments on the adequacy of the revised delineation of the APE map; requested consensus on the eligibility determinations of five archaeological sites and eight isolates as not eligible for listing in the National Register of Historic Places; and requested concurrence with the finding of “No Historic Properties Affected” for the undertaking based on the research and the cultural resources studies completed.

The CA SHPO responded on March 29, 2023. CA SHPO had no additional comments on the revised APE; concurred with the determinations of eligibility (not eligible for the NRHP) and concurred with the finding of “No Historic Properties Affected” for the undertaking. The NPS has considered the analysis and input from the CA SHPO and the affiliated tribal governments consulted on this project. In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and as set forth in the Advisory Council on Historic Preservation rules (36 CFR 800.2(a)(4)), the NPS has made the determination of No Historic Properties Affected for this undertaking with tribal monitoring during ground disturbing activities. The response and effects determination letter from CA SHPO are provided in Appendix J.

6.1.3 Tribal Consultation

Detailed in the United States Department of Interior (DOI) consultation letter with SHPO (Appendix K), the NPS notified 19 Tribal Historic Preservation officers and tribal government representatives affiliated with the project area to seek input on any potential impacts to areas with cultural or religious significance to those tribes. Nineteen tribes were contacted with the following four tribal responses, three of which request onsite monitoring. These tribes included the following: Barona Group of the Capitan Grande, Campo Band of Diegueno Mission Indians, Ewiiapaayp Band of Kumeyaay Indians, Iipay Nation of Santa Ysabel, Inaja-Cosmit Band of Indians, Jamul Indian Village, Kwaaymii Laguna Band of Mission Indians, La Posta Band of Diegueño Mission Indians, Manzanita Band of Kumeyaay Nation, Mesa Grande Band of Diegueño Mission Indians, San Pasqual Band of Mission Indians, Sycuan Band of the Kumeyaay Nation, Viejas Band of Kumeyaay Indians. Five tribes responded to the consultation invitation, two of which requested onsite monitoring.

The Ewiiapaayp Band of Kumeyaay Indians and the Inaja-Cosmit Band of Indians each responded via telephone on October 3, 2022. Both tribes declined to consult on the project.

The Viejas Band of Kumeyaay Indians responded via email on October 3, 2022. The tribe requested a Kumeyaay monitor to be present during project construction and to be informed of discoveries but did not request consultation. The NPS emailed an official invitation to consult letter to the Viejas Band of Kumeyaay Indians along with supplemental project documents on February 14, 2023. The tribe requested more information on February 14, 2023, and that information was emailed on February 15, 2023. The tribe then replied on February 15, 2023, stating that after review of the proposed project, it determined that the project site has cultural significance or ties to Viejas. The Viejas Band requested that a Kumeyaay Cultural Monitor be on site for ground disturbing activities and to be informed of any new developments such as inadvertent discovery of cultural artifacts,

cremation sites, or human remains. The NPS has confirmed that the City of San Diego will have a Native American monitor with Kumeyaay affiliation on site during the ground disturbing activities.

On September 30, 2022, the Campo Band of Diegueno Mission Indians responded via email and requested consultation. A consultation meeting between the City and the tribe occurred via teleconference on November 1, 2022. The City sent a summary of the consultation meeting to the Campo Band of Diegueno Mission Indians on November 2, 2022. Consultation resulted in the City agreeing to the tribe's request for archaeological and Kumeyaay monitoring and to be informed of the study findings. The NPS emailed an official invitation to consult letter to the tribe along with supplemental project documents on February 14, 2023, to inquire if the tribe needed any further information or consultation efforts. No response has been received from the tribe to date.

On October 24, 2022, the San Pasqual Band of Mission Indians requested government-to-government consultation and to be informed of study findings. Follow up emails were sent to the San Pasqual Band of Mission Indians on November 3 and November 10, 2022. No response was received. The NPS emailed an official invitation to consult letter to the San Pasqual Band of Mission Indians along with supplemental project documents on January 12, 2023. The NPS and the tribe participated in a consultation call on February 23, 2023, in which the tribe requested that a tribal monitor from their tribe be on site during ground disturbing activities. An onsite visit of Beyer Park followed on April 25, 2023, with the San Pasqual Band of Mission Indians, State Parks, City of San Diego and NPS representatives participating. During this site visit City of San Diego staff shared renderings of proposed education signage identifying the first nations and native plants. The Tribal representatives agreed with the proposed signage and did not request any changes. Educational signage will be installed during Phase I.

The NPS emailed an official invitation to consult letter to the Rincon Band of Luiseno Indians along with supplemental project documents on February 3, 2023. In an email on February 24, 2023, the tribe stated that the project location is not within the Band's specific Area of Historic Interest. The tribe had no additional information to provide and recommended NPS contact a tribe that is closer to the project and may have pertinent information.

NPS has made a determination of No Historic Properties Affected for this undertaking with Native American monitoring during construction-related ground disturbance within the Project APE. The Native American monitor will have Kumeyaay affiliation. NPS has also indicated the Proposed Action shall comply with the unanticipated discovery provisions of 36 C.F.R. §800.13(b)(3) which includes the agency official notifying the SHPO/THPO, any tribe or Native Hawaiian organization of any historic properties uncovered within 48 hours of discovery.

Responses have not been received from the other tribal contacts.

Chapter 7

Summary of Potential Impacts, BMPS, Mitigation, and Regulatory Compliance

No potentially significant impacts have been identified for the project. Table 7-1 provides a summary of potential impacts by environmental resources, as well as a summary of BMPs and mitigation measures to be considered, as necessary, to support a finding of no significant impact.

No anticipated environmental impacts were identified in relation to the No-Action Alternative.

Table 7-1. Environmental Consequences for the Proposed Action Alternative and the No-Action Alternative

Resource	No-Action Alternative	Proposed Action Alternative	Phase	Applicable Mitigation Measures (MM), Best Management Practices (BMPs), and Regulatory Compliance
Aesthetics	No effect	Minor	Construction and Operation	N/A
Agriculture	No effect	No effect	Construction and Operation	N/A
Air Quality and Climate	No effect	Minor	Construction	<p>The Project would implement the BMP control measures listed below:</p> <ul style="list-style-type: none"> • A minimum of two applications of water during grading between dozer/scrapper passes; • Paving, chip sealing, or chemical stabilization of internal roadways after completion of grading; • Termination of grading if winds exceed 25 miles per hour (mph); • Maintenance of a minimum soil moisture of 12 percent in all exposed surfaces; • Stabilization of dirt storage piles by chemical binders, tarps, fencing, or other erosion control; and • Vehicle speeds would be limited on the project site and/or unpaved roads to 15 mph.
Air Quality and Climate	No effect	Negligible	Operation	N/A
Biological Resources	No effect	Moderate (adverse and beneficial)	Construction and Operation	<p>MM BIO-1 Biological Resource Protection during Construction: Requires a pre-construction plan and as applicable, a post-construction plan to ensure that the project would have less than significant impacts on biological resources.</p> <p>MM BIO-2 Habitat-Based Mitigation (Restoration/Creation): Creates a long-term maintenance and monitoring period for the proposed mitigation lands.</p> <p>MM BIO-3 Burrowing Owl: Requires a burrowing owl impact avoidance plan, pre-construction surveys, BMPs, construction monitoring, and applicable reporting.</p> <p>MM BIO-4 Occupied Burrowing Owl Habitat Mitigation: Requires mitigation for the impacted burrowing owl habitat and post-development management.</p>

Resource	No-Action Alternative	Proposed Action Alternative	Phase	Applicable Mitigation Measures (MM), Best Management Practices (BMPs), and Regulatory Compliance
				<p>MM BIO-5 Least Bell's Vireo (State Endangered/Federally Protected): Provides specific construction schedule requirements, pre-construction surveys, and, if needed, noise monitoring for the Least Bell's Vireo.</p> <p>MM BIO-6 Coastal Cactus Wren Habitat Restoration: Requires a salvage plan to provide appropriate species for use within City-sanctioned coastal cactus wren mitigation site.</p> <p>MM BIO-7 Post-construction San Diego Fairy Shrimp Monitoring: Requires a post-construction monitoring plan to ensure detection of mature San Diego Fairy Shrimp.</p>
Cultural Resources	No effect	Minor	Construction and operation	<p>CUL-1 – Archaeological Monitoring during Grounding Disturbing Activities: Native American monitoring during construction-related ground disturbance within the Project APE shall be conducted. The Native American monitor will have Kumeyaay affiliation. The Proposed Action shall comply with the unanticipated discovery provisions of 36 C.F.R. §800.13(b)(3) which includes the agency official notifying the SHPO/THPO, any tribe or Native Hawaiian organization of any historic properties uncovered within 48 hours of discovery.</p>
Geology and Paleontological Resources	No effect	Minor	Construction and operation	<p>Facilities associated with the Proposed Action would be designed and constructed in accordance with current engineering practices and building codes.</p> <p>A paleontological monitor would be present during site grading and excavation. Monitoring would ensure that activities would remain in compliance with federal, state, and local environmental laws and regulations and that the Proposed Action improvements would not result in a significant adverse effect</p>
Human Health and Environment	No effect	Negligible	Construction and operation	N/A
Hydrology and Water Quality	No effect	Minor	Construction	As part of the Stormwater Quality Management Plan, two water quality basins, a rainwater storage system, and one proprietary biofiltration BMP (in the form of a modular wetland) would be constructed on-site.

Resource	No-Action Alternative	Proposed Action Alternative	Phase	Applicable Mitigation Measures (MM), Best Management Practices (BMPs), and Regulatory Compliance
				Federal and state jurisdictional waters will be completely avoided during mitigation activities.
Hydrology and Water Quality	No effect	Minor	Operation	BMP would consist of developing a modular wetland.
Land Use	No effect	No effect	Construction and Operation	N/A
Mineral Resources	No effect	No effect	Construction and Operation	N/A
Noise	No effect	Moderate	Construction	MM NOI-1 Noise Compliance: Would ensure that construction activities would remain in compliance with federal, state, and local environmental laws and regulations. MM NOI-2 Construction Noise Reduction Measures: Implement measures such as equipment mufflers, equipment staging, delivery routes and times to minimize noise impacts.
Noise	No effect	Minor	Operation	MM NOI-3 Hours of Operation: Limit hours of operation of Beyer Community Park shall be between the hours of 7:00 a.m. and 10:00 p.m.
Population and Housing	No effect	No effect	Construction and Operation	N/A
Recreation	Moderate (adverse)	Moderate (beneficial)	Operation	N/A
Socioeconomics and Environmental Justice	Moderate (adverse)	Minor (adverse) Moderate (beneficial)	Construction and Operation	N/A
Transportation and Traffic	No effect	Negligible	Construction and Operation	N/A
Utilities and Public Service	No effect	Minor	Construction and Operation	N/A
Visual Light and Glare	No effect	Minor	Construction and Operation	The Proposed Action would comply with outdoor lighting standards in San Diego Municipal Code Section 142.0740, which would require all outdoor lighting installed to be shielded, and adjusted so that the light

Resource	No-Action Alternative	Proposed Action Alternative	Phase	Applicable Mitigation Measures (MM), Best Management Practices (BMPs), and Regulatory Compliance
				is directed in a manner that minimizes negative impacts from light pollution, including trespass, glare, and to control light from falling onto surrounding properties. Additionally, San Diego Municipal Code Section 142.0730 requires that all exterior materials utilized for proposed structures be limited to specific reflectivity ratings.

Chapter 8

Conclusions

The findings of this EA indicate that no significant effects would result from implementation of the Proposed Action, assuming standard BMPs, mitigation measures, and regulatory requirements discussed in Chapter 7, Summary of Potential Impacts, BMPs, Mitigation, and Regulatory Compliance, and summarized in Table 7-1, are implemented. As a result, preparation of an EIS is not required. A Finding of No Significant Impacts (FONSI) will be prepared for this Proposed Action.

Chapter 9

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