

Table 1-1.
Summary of Scoping Comments

Commentor	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
	-	Agencies	
California Department of Fish and Wildlife (CDFW)	October 31, 2024	 Request for more information regarding project overlap with existing plans Recommendation to analyze project consistency with MSCP Subarea Plan Concern regarding potential impacts to Crotch's Bumble Bee Concern regarding potential impacts to CESA-listed species Recommendation to assess whether notification to CDFW is appropriate for lake and streambed alteration activities Concern about impacts from beach nourishment Concern regarding potential impacts to grunion Recommendation to discuss within the PEIR why oyster bed installation is necessary Concern regarding redistribution of non-native species General comments requesting standard CEQA analysis Recommendations for alternative considerations Request for specific biological resources assessment and recommendations for mitigation Recommendation for the use of native plans and trees Request for a Vehicle Miles of 	Section 4.9, Land use and Planning; Section 4.3, Biological Resources; Section 4.8, Hydrology and Water Quality; Chapter 6, Alternatives
Department of	28, 2024	Travel (VMT) based Traffic	Considerations

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Transportation (Caltrans)		Impact Study (TIS) for the project Request for hydrology and drainage studies for the project Request for coordination with Caltrans for projects that may affect Caltrans and the City of San Diego Request for a Traffic Control Plan and for impacts to I-5 to be addressed Caltrans is not responsible for existing or future traffic noise impacts associated with the existing configuration of I-5 An encroachment permit will be required for any work within the Caltrans' right-ofway prior to construction	
Native American Heritage Commission (NAHC)	October 4, 2024	 Recommendation to consult with California Native American tribes in the area Recommendations for cultural resources assessments 	Section 4.6 Historic Resources; Section 4.11 Tribal Cultural Resources
Friends of Rose	November	Request for the stretch of Rose	Chapter 3, Project
Canyon	1, 2024	Creek upstream of Grand Avenue to be included in the PEIR	Description
Sierra Club San Diego Chapter	November 1, 2024	 Request for the stretch of Rose Creek upstream of Grand Avenue, which was included in the 2018 plans but not in the current plans, to be included in the PEIR Request for evaluation to determine if exclusion of Rose Creek between the DeAnza 	Chapter 3, Project Description; Section 4.2, Biological Resources; Section 4.5, Greenhouse Gas Emissions; Section 4.8, Hydrology and Water Quality; Section 4.9, Land Use and Planning

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Commences	Date	Natural Plan area and Mission Bay Drive would have a potentially significant impact on biological resources, greenhouse gas emissions, hydrology and water quality, land use and planning, and mandatory findings of significance.	Addressed
DarkSky San Diego County	October 31, 2024	 Concern about proposed pathway lighting impacts Provides lighting recommendations 	Chapter 7, Other CEQA Considerations
Friends of Rose Creek	November 1, 2024	 Request to include an alternative to the proposed project that includes a portion of Rose Creek within the Improvement Fund Zone Concern about impacts from Rose Creek bike path improvements, including various biological resources, hydrology and tides, lighting, geometric hazards, and regulatory compliance Concern about impacts to Rose Creek MHPA/ MSCP lands Request coordinate planning in proximity to DeAnza Natural project Request to analyze cumulative impacts from other nearby plans Request to work with the Kumeyaay Nation Concern about impacts to Ridgeway's rail 	Chapter 6, Alternatives; Section 4.2, Biological Resources; Section 4.8, Hydrology and Water Quality; Section 4.9, Land Use and Planning; Chapter 5, Cumulative; Section 4.11, Tribal Cultural Resources

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Commentor	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
		 Concern that lack of planning efforts/timing could impact the City's Climate Action Plan deliverables 	
San Diego Bird Alliance	November 1, 2024	 Request to put Rose Creek back in the plan Request to commit to the City Charter priorities for the Improvement Fund Request for the scope to reflect the recent and ongoing planning Request to adopt lighting guidelines based on the MHPA and DarkSky recommendations Request to engage Native American communities in planning Provides scope recommendations for upland habitat expansion and preservation, shoreline restoration, seawall restoration, and wayfinding improvement Program 	Chapter 3, Project Description/ Chapter 6, Alternatives; Section 4.9, Land Use and Planning; Section 4.2, Biological Resources; Section 4.11, Tribal Cultural Resources
Environmental Center of San Diego	October 28, 2024	 Concern that lack of planning efforts/timing could impact the City's Climate Action Plan deliverables Request to analyze cumulative impacts to Rose Creek and DeAnza Natural Plan Request to include hydrology studies and analyze sea level rise Request to involve Kumeyaay partners 	Section 4.9, Land Use and Planning; Chapter 5, Cumulative; Section 4.2, Biological Resources; Section 4.8, Hydrology and Water Quality; Section 4.11, Tribal and Cultural Resources

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Commentor	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
		Recommendations for the PEIR, including ccomprehensive impact analysis on wetland restoration in the Rose Creek area, integration of the City's Coastal Resilience Master Plan, and review of shoreline restoration policies	
San Diego Coastkeeper	November 1, 2024	 Request to consider the importance of future restoration and water quality improvements in Rose Creek Emphasis on the poor quality of Rose Creek 	Section 4.8, Hydrology and Water Quality
	Τ	Community	
Paula Annicchiarico	October 27, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes 	N/A - Improvements to Fiesta Island dog park are not proposed as part of the Program and are not addressed in the EIR.
Shannon Biggs	October 25, 2024	 Request for stairs to beach in the off-leash dog park area of Mission Bay 	N/A
Susan DeLacy	October 10, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes 	N/A
Patricia De La Rosa	November 1, 2024	 Support for capital improvement projects proposed by the Fiesta Island Dog Owners Association 	N/A
Martha Farmer	October 10, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes 	N/A
Diana Griffin	October 10, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog 	N/A

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Commentor	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
		park area and concern about eroded slopes	
Caron Golden	October 25, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area 	N/A
Robert, Margie, and Hansa Johnson	October 28, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area	N/A
Jonathan Layton	October 27, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes	N/A
Ann Kavaney	October 25, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes 	N/A
Mitch Kinnamon	October 25, 2024	 Suggestion to sell engraved tiles 	N/A
Bryan Knowlton	October 28, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes 	N/A
Raquel Kramer	October 25, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area	N/A
Tamara Kruger	October 17, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes	N/A
Carlin Lockee	October 25, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes 	N/A
David Logg	October 9, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes	N/A
Debra Madden	November 1, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog 	N/A

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Commentor	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
		park area and concern about eroded slopes	
Susan Matthews	October 27, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes 	N/A
Michael McKinney	October 25, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area Request for more frequent street sweeping of Fiesta Island roads 	N/A
Alan Moss	October 25, 2025	Request to get rid of foxtails	N/A
Connie Muther	October 26, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes 	N/A
Natalie L. Olson	October 28, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes	N/A
Darlene Oolie	October 10, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes	N/A
Mary M. Parrish	November 1, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area	N/A
Ellen Parry	October 30. 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes	N/A
Michael Peña	October 20, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes	N/A
Jane Peterson	October 26, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog 	N/A

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Commentor	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
		park area and concern about unstable bluffs	
Jim Royer	October 6, 2024	 Request to restore the portion of Rose Creek in the Improvement Fund Zone 	N/A
Frances Schnack	October 16, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area	N/A
Larry Schnack	October 16, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes Notes lack of signage for reporting incidents 	N/A
Margaret Sevadjian	October 25, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about dangerous conditions	N/A
Mary Short	October 26, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area	N/A
Carla M. Smith	October 25, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area	N/A
Rebecca Stevens	October 25, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes	N/A
Marcelle Egley Sparks	October 27, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area 	N/A
Jean Spengel	November 1, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area	N/A
Christine Springer	October 25, 2024	Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes	N/A

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Commentor	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
Ryan Stock	October 9, 2024	 Request for bike path designs for e-bike safety for Rose Creek Request for expansion of the width of Bayside walk 	Section 4.12 Recreation
Cassandra Szaras	October 9, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area 	N/A
Scott Taylor	October 28, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and request for water access for dogs 	N/A
Megan Thomas	October 15, 2024	 Request to include the entirety of Rose Creek in the project Concern about invasive species and biological resources 	Section 4.2, Biological Resources
Dave Thompson	October 28, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes Request to repair entrance gate 	N/A
Jessie Thompson	October 28, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes 	N/A
Sandie Thompson- Nobile	November 1, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes Request for improvements in the Fiesta Island off-leash dog park area 	N/A
Jeffrey Tompkins	October 9, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area and concern about eroded slopes 	N/A

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Commentor	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
		 Request for improvements in the Fiesta Island off-leash dog park area 	
		Scoping Meeting Comment Cards	
Ron Askeland, Sierra Club	October 16, 2024	 Request to include the Rose Creek "tail" in the project Concern about invasive non- native plants and hydrological conditions in this area 	Section 4.2, Biological Resources; Section 4.8 Hydrology and Water Quality
Lil Barnes	October 16, 2024	Request for Rose Creek to be included in the plan	N/A
Tish Berge	October 16, 2024	 Request for stairs to beach in the Fiesta Island off-leash dog park area 	N/A
Lesley Handa, San Diego Bird Alliance	October 16, 2024	 Request for Rose Creek and West Ski Island to be included in the plan Notes Enchanted Isle as a restoration site for Least Tern habitat Requests improvements to hardened shoreline Request for reduced impact on seagrass 	N/A
Linda Kavanagh	October 16, 2024	 Concern about lighting impacts and request to observe lighting best practices established by DarkSky San Diego 	Section 4.2, Biological Resources
Stephanie Leif	October 16, 2024	 Concern about retaining wall height Concern about sidewalk maintenance 	N/A
Kimberly McAnally, Campland and Mission Bay RV Resort	October 16, 2024	Concern about wildlife impacts from construction	Section 4.2, Biological Resources

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Commentor	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
Jim Peugh, San Diego Bird Alliance	October 16, 2024	 Request to minimize hard shorelines Request for Rose Creek north to be included in the project Note that tall trees surrounding Least Tern nests support predators§ 	Section 4.2, Biological Resources
Cristina Santa Maria, San Diego Bird Alliance	October 16, 2024	 Concern about restoration site #1a's effectiveness including concern about predators and opposition to replanting Request for seasonal buffer areas between Least tern nesting areas and special event RV parking at Fiesta Island Request for water buffer from aquatic recreation at Fiesta Island Concern about multi-use path's impacts on nesting birds Suggestion for Enchanted Isle Island to be alternative nesting area instead of restoration site #1a Concern about spread of invasive species in sand amendments Request to include West Ski Island as nesting habitat Request for No Fly Zones signs for drones Request for soft shoreline instead of hard/rip rap Concern about sea level rise 	Section 4.2, Biological Resources
Muriel Spooner, San Diego Bird Alliance	October 16, 2024	 Request for accessible signage Request for Rose Creek to be added in the project 	Section 4.2, Biological Resources

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Commentor	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
		 Request for West Ski island to be included for habitat restoration Request for lighting improvements to comply with DarkSky guidelines Suggestion to reduce vegetation in Least tern areas 	
Savannah Stallings, San Diego Bird Alliance	October 16, 2024	 Request for Rose Creek north to be included in the project Request to prioritize shoreline stabilization Request for lighting to be wildlife friendly an comply with DarkSky regulations Request for noise studies to be conducted Request for the City to consult with resource agencies and San Diego Bird Alliance Concern about special event RV parking impact on Least tern nesting Note that West Ski Island is a nesting site and request for impacts to be considered 	Section 4.2, Biological Resources Section 4.10, Noise
Peter Ward	October 16, 2024	Request for Rose Creek wetland to be included in the project	N/A

Note:

N/A = comments received do not address improvements proposed or affected by the Program and are not subject to evaluation in the EIR.

AGENCIES

From: Garn, John C

To: <u>CIP CEQA Document Process; Jessie Lane@Wildlife.ca.gov; Alexander Llerandi@coastal.ca.gov;</u>

ameyer@sandiegobirdalliance.org

Cc: Zoutendyk, David; Eng, Anita; Tumaliuan, Ihyns S

Subject: [EXTERNAL] Notice of Preparation of a Program Environmental Impact Report for the Mission Bay Park

Improvements Program

Date: Friday, December 20, 2024 12:21:33 PM

Attachments: 20241220 2025-0031489-CEOA-NOP-SD Mission Bay Park Improvements Program NOP.pdf

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Good afternoon,

Happy holidays! I hope this finds you healthy.

Please see attached.

Please note - some Firewall or email security settings will strip the digital signature from the letter. Please review the attachment and if the digital signature is not intact, contact me for an alternate method of transmittal through the secure FWS fileshare program.

A hard copy letter will not follow.

Sincerely, John

John Garn
Administrative Assistant
U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
Palm Springs Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008
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United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008



In Reply Refer to: 2025-0031489-CEQA-NOP-SD

December 20, 2024 Sent Electronically

Nancy Graham Program Manager City of San Diego Engineering and Capital Projects Department 525 B Street, MS 908A San Diego, California 92101

Subject: Notice of Preparation of a Program Environmental Impact Report for the Mission

Bay Park Improvements Program

Dear Nancy Graham:

The U.S. Fish and Wildlife Service (Service) is writing in response to the City of San Diego's (City) Notice of Preparation (NOP) of a *Program Environmental Impact Report (PEIR) for the Mission Bay Park Improvements Program* (Program). We received an extension from the City on October 23, 2024, allowing us to provide comments after the November 1, 2024, deadline. The Service appreciates the City's flexibility and the additional time.

The Service provided comments on the Notice of Preparation for the PEIR for the Mission Bay Park Master Plan Update (Update; FWS-SDG-17B0418-17TA0912) and subsequently reviewed and commented on the Final Programmatic Environmental Impact Report (PEIR) for the Mission Bay Park Master Plan Update – Fiesta Island Amendment (Amendment; FWS-SDG-17B0418-19TA0639). Our recommendations on the NOP are based on these previous comments, our participation in the June 10, 2021, California Coastal Commission (CCC) hearing and decision on the Amendment, the City's Multiple Species Conservation Program (MSCP) Subarea Plan (SAP), the Mission Bay Master Plan Update (Master Plan; City 2002), the Mission Bay Park Natural Resource Management Plan (Management Plan; City 1990), and our knowledge of the sensitive and declining vegetation communities in the region.

The mission of the Service is working with others to conserve, protect, and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people. The Service also has the legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States and is responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCP) developed under section 10(a)(1) of the Act. The City participates in the HCP program by implementing its approved SAP.

The City, through voter-approved initiatives, created the "Mission Bay Park Improvement Fund" to provide funding to develop, repair, and invest in assets within Mission Bay Park. A list of priority projects, generally referred to as the 'Ten-Year Plan' for Mission Bay Park, was developed by Mission Bay Park Improvement Fund Oversight Committee for the Program. The Program will guide the allocation of the Mission Bay Park Improvement Fund for capital improvement projects within the 164-acre Mission Bay Park Improvement Zone (Improvement Zone) in the westernmost portion of central San Diego. The Improvement Zone is bounded by the communities of Pacific Beach to the north, Ocean Beach to the south, Mission Beach to the west, and Interstate 5 (I-5) to the east.

Program Elements

Wetland and water quality improvements at North Fiesta Island, Tecolote Creek and Fiesta Island Causeway, and Cudahy Creek; with shoreline restoration planned for: (1) Vacation Island Northwest, (2) Vacation Island Northeast, (3) Vacation Island Southwest, (4) Ventura Cove, (5) Crown Point, (6) West Sail Bay, (7) Bonita Cove, and (8) Bahia Point.

Expansion of habitat preserves and upland habitats at Fiesta Island and the San Diego River floodway levee.

Bicycle and pedestrian improvements bay-wide within four key areas: (1) Rose Creek Bike Path, (2) Fiesta Island Causeway, (3) Ocean Beach Bike Path, and (4) Robb Field Gateway Connectivity; and would include installation of missing portions in gaps in bicycle and pedestrian paths, signage, and lighting, as well as parking lot repairs.

Restoration of the seawall bulkhead along the ocean front at Pacific Beach and Mission Beach.

Deferred maintenance and improvements at playgrounds, comfort stations, furnishings, and parking lots.

The DPEIR will include a Preliminary Engineering Report (PER) of up to 30 percent design, estimated construction duration and project-level analysis for each location-specific element. Bay-wide elements will be analyzed at the program level. Timing for the programmatic elements, however, would not be analyzed, except for potential sequencing within the program. In addition, the Program may also include amendments to the Mission Bay Park Master Plan and Local Coastal Program.

North Fiesta Island

This letter provides more detailed comments concerning north Fiesta Island than the other areas addressed by the project because the Service has been previously engaged on planning for the Amendment. As noted in our comments on the Amendment, the conservation potential for the North Fiesta Island California least tern [Sternula antillarum browni (Sterna a. b.); tern] nest site envisioned in the Master Plan and Management Plan has not been realized as evidenced by inconsistent and infrequent tern nesting at the site. Therefore, we recommended enhancement of the North Fiesta Island nest site (nest site).

Subsequent to our comments on the Amendment, we met with the City and CCC to discuss our recommendations, some of which were then incorporated into the May 28, 2021, staff recommendation on the City of San Diego Major Amendment No. LCP-6-SAN-19-0142-2 (Fiesta Island) and the June 9, 2021, Staff Addendum to Item Th9f, Coastal Commission Local Coastal Plan Amendment Application No. LCP-6-19-0142-2. During their June 10, 2021, meeting, the CCC approval of the Amendment adopted modifications which addressed our recommendations to maximize conservation potential and revised Figure 32a (CCC 2021b) to include a seasonal, pedestrian/non-motorized bike open path rather than a year-round, two-lane road.

On November 18, 2024, the Service met with City representatives from both the Planning and Engineering and Capital Projects Departments to discuss proposed components of the Program. At the meeting and in a subsequent December 4, 2024, email, the City staff shared illustrations of the 30 percent design for the North Fiesta Island restoration that incorporated the following project components consistent with our recommendations and the CCC approval of the Amendment:

- 1. Relocation of the tern nest site from the center of the northern subarea of Fiesta Island (northern subarea) which is disconnected from bay water and surrounded by uplands rife with terrestrial predators, to the west side of the northern subarea connected to the bay waters by a recontoured, gentle (20:1), non-vegetated slope that will better support nesting, roosting, and/or foraging for the tern, the federally threatened western snowy plover {Pacific Coast population DPS [Charadrius nivosus nivosus (C. alexandrinus n.); plover]}—which is also a covered species under the City's SAP—and other migratory birds.
- 2. Restoration of tidal marsh on the eastern side of the northern subarea with tidal channels that connect with Mission Bay waters to the north towards the De Anza peninsula. Tidal marsh will benefit terns by creating nursery habitat favorable for estuarine prey fish (e.g., gobies) and providing calm shallow waters for foraging near the nest site. The tidal marsh also will provide nesting and foraging habitat for birds, including the federally and state-listed light-footed Ridgway's (=clapper) rail [Rallus obsoletus (=longirostris) levipes; rail] (which is also a covered species under the City's SAP), and the state listed endangered Belding's savannah sparrow (Passerculus sandwichensis beldingi; sparrow), and improve water quality within the adjacent bay waters.
- 3. Creation of a subtidal channel from west to east separating the northern subarea from the central subarea of Fiesta Island (central subarea) and its associated recreational activity.
- 4. Inclusion of a gated bridge across the subtidal channel to access the northern subarea from the central subarea that will be seasonally locked during the avian nesting season to preclude recreational access and public utilization of the pedestrian/non-motorized bike and maintenance path that would otherwise disturb nesting birds in both the relocated nest site and restored wetlands.

5. Removal of a paved perimeter road around the entire northern subarea to improve habitat connectivity between Mission Bay's open water and the restored habitats (i.e., relocated nest area and restored tidal wetlands) and to minimize human disturbance to nesting and roosting birds.

We appreciate the meeting with the City and inclusion of the above recommendations into the 30 percent design. To be fully consistent with our previous recommendations and the modifications to the Amendment approved by the CCC, we recommend that the North Fiesta Island restoration also address the following:

- 6. Of the two alternatives sent to us via email on December 4, 2024, the configuration of the relocated tern nest site in Alternative 1 is better for nesting success and management because there is not an elevated feature above it that blocks tern line-of-sight into the adjacent restored marsh. The adjacent marsh will provide calm waters supporting fish nursery habitat with small fish that tern fledglings can take advantage of for learning to forage. Alternative 2 has a portion of the nest site extending inland and at a higher elevation than the surrounding areas. This elevated feature will limit the nesting birds' line-of-sight to the marsh and can provide predator perches. It increases the acreage of nesting habitat that will need to be cleared of vegetation to maintain viable nesting. Unfortunately, we have observed that upland vegetation can become established and support predators of least terns in elevated constructed nest sites that are not regularly cleared of vegetation.
- 7. The nest site should only be accessible to authorized habitat management staff. We request further meetings with the City to discuss access to the northern subarea. Currently, a gated bridge crossing is proposed along the eastern periphery, however, we recommend the bridge should be placed further to the west (closer to the nest site), located in the central subarea and crossing over the subtidal channel into the northern subarea, which would then provide access both northwest to the tern nest site via a permanently gated path and east to the pedestrian/non-motorized bike path which would be seasonally gated. Anti-perching materials should be installed on all gates. Additional pedestrian pathways would be necessary to allow access over anticipated tidal channel locations.
- 8. Reduce the length of the proposed seasonal pedestrian, bicycle and maintenance path that extends north from the subtidal channel along the eastern side of Fiesta Island from 1,600 feet to 1,320 feet (approximately ¼ mile), consistent with our previous recommendations. A decrease in the path length would, increase available shoreline for tidal connections between the restored tidal wetland and the open waters east of Fiesta Island (see below).
- 9. Increase the shoreline interface between the tidal wetlands and the open water of Mission Bay on the east side of the northern subarea. Increasing the interface of wetlands and open water will improve water quality in Mission Bay and ensure adequate hydrological connections for the long-term viability of future wetlands.

These connections, in addition to the subtidal channel, were introduced in the CCC staff report recommendations (CCC 2021a).

- 10. Require construction of the relocated tern nest site and restored wetlands in the northern subarea prior to redevelopment of the southern and central subareas of Fiesta Island to maximize habitat and water quality benefits in Mission Bay Park.
- 11. Install an east-west fence with anti-perching materials across Fiesta Island that extends into bay waters south of the new subtidal channel to protect the northern subarea from recreational trespass during the avian nesting season. Similarly, fence the southern access to the nest sites north of the subtidal channel so that recreational trespass does not disturb roosting migratory birds that utilize the area outside the avian nesting season when the remaining portion of the northern subarea is open to passive recreation.
- 12. Conduct periodic (e.g., once every 7 years) replenishment/capping of the nest site with 2 feet of beach quality sand (sand which contains less than 5 percent silt and clay) augmented with crushed shells, shells, and driftwood, in coordination with the Service. This will aid in weed control and maintain substrate conditions for nesting terns (Golder *et al.* 2008).
- 13. Conduct annual management of vegetative cover on the nest site to limit cover to less than 20 percent and vegetative height to less than 16 inches tall (Service 1985; Thompson *et al.* 1997). This cover and height of vegetation allows for unfettered chick movement and protects chicks from exposure to sun and predation but does not provide cover or convenient perches for predators.
- 14. Install and maintain buoys in the bay water adjacent to the nest site and the restored wetlands to delineate a protected buffer zone, and enforcement to preclude boat access and human disturbance in nesting habitat.

We request that detailed descriptions of the above recommendations be included in the Program and PEIR to maximize the hydrological connections at North Fiesta Island and ensure the long-term viability of the North Fiesta Island term nest site for terms, plovers, and other shorebirds.

Covered Species

Shoreline modifications may impact covered species and/or their existing beach, shoreline, and wetland habitats, including the rail, sparrow, as well as numerous migratory birds known to utilize the beaches and coastal wetlands in the City for nesting, roosting and/or foraging. We recommend that where possible, existing survey information be used to identify important habitat areas within the Program area, and where appropriate, additional surveys be conducted to determine the number and distribution of federally- and state-listed or other covered or migratory species within the Program area.

The Program should avoid and minimize potential impacts to covered species and their habitats to the extent feasible. The PEIR should evaluate potential impacts and identify conservation

measures to avoid and minimize potential impacts to covered species and their habitats consistent with the SAP. For example, conditions of coverage for tern, plover, and rail in the SAP state that area specific management directives must include protection of nest sites from human disturbance during the reproductive season, and specific measures to protect against detrimental edge effects. Plovers also use the Program area during the non-breeding season, so measures to minimize disruption to roosting flocks must include the non-breeding season.

In addition to compliance with conditions of coverage, the Program and PEIR should demonstrate consistency with the SAP for all proposed Mission Bay Improvements. Relevant elements of Section 1.4 Land Use Considerations and Section 1.5 Framework Management Plan in the SAP, such as general management directives pertaining to restoration should be evaluated for project-level components and also included as a framework to guide future projects in the Program.

Avoidance and Minimization of Impacts to Existing Habitat

All future Program projects, including shoreline improvements that could require filling of open water or wetlands, should be designed to avoid and minimize potential impacts to wetlands and open water consistent with the City's SAP and Biology Guidelines. The Service is particularly concerned with the anticipated impacts to 33 acres of eelgrass identified in the Program preliminary engineering report documents. Impacts to 33 acres of eelgrass would be contrary to the Amendment that recommends the creation of eelgrass beds wherever possible in Mission Bay (CCC 2021b). Further, the PEIR should include a quantitative and qualitative assessment of pre- and post-project habitat acreages and distribution (including summary tables and graphics to depict the acreage and distribution of existing habitat types such as open water, mudflats, eelgrass beds, low-elevation salt marsh, mid- and high-elevation salt marsh, wetland-upland ecotone, dunes, coastal sage scrub, and maritime succulent scrub).

All Program projects should also provide a minimum 100-foot wetland buffer consistent with the City's SAP and Biology Guidelines. A minimum 100-foot buffer will help avoid and minimize edge effects from improper access, lighting, noise, trash, or contaminated run-off that could diminish habitat quality associated with adjacent receiving waters. For example, proposed bicycle or pedestrian paths adjacent to wetland along Rose Creek and the San Diego River should extend only the minimum width necessary and away from the wetland and not include lighting; and symbolic fencing or signage to reduce potential for incursion into the wetland should be included. We request future coordination opportunities as projects are developed under the Program.

While the Service anticipates continued coordination with the City on the design elements of the Program, the circulation of CEQA documents provides the opportunity to review and evaluate subsequent project consistency with the City's SAP. Therefore, we recommend that the following language be added to Program and PEIR:

"For future projects with biological resources in or adjacent to the project site and the option of tiering from this programmatic document, the City will coordinate with the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (i.e., Wildlife Agencies)

during the environmental review and permitting process and prior to staff-level CEQA determinations. If the City determines that the appropriate environmental documentation does not require circulation for public review, the Wildlife Agencies will be provided an opportunity to review and confirm project consistency with the City's SAP."

Thank you for the opportunity to comment on the NOP for the Program PEIR. We support the ongoing planning efforts around Mission Bay and encourage coordination between the Program, De Anza Natural Plan and Coastal Resiliency Plan to identify opportunities to maximize the restoration or creation of wetlands and eelgrass beds for the benefit of habitat and water quality in balance with the development necessary to address water quality, recreation, and coastal resiliency. We appreciate the continued partnership with the City and are available to provide assistance in the planning of future projects, particularly those that may impact open water, wetland, and SAP-covered species. If you have questions or concerns regarding this letter, please contact Anita Eng¹ of our office.

Sincerely,

for Jonathan D. Snyder Assistant Field Supervisor

cc:

Jessie Lane (California Department of Fish and Wildlife) Alexander Llerandi (California Coastal Commission) Andrew Meyer (San Diego Bird Alliance)

-

¹ anita eng@fws.gov.

LITERATURE CITED

- [CCC] California Coastal Commission. 2021a. Staff recommendation on the City of San Diego Major Amendment No. LCP-6-SAN-19-0142-2 (Fiesta Island) for Commission Meeting of June 10, 2021. May 28.
- [CCC] California Coastal Commission. 2021b. Item Th9f. Coastal Commission Local Coastal Plan Amendment Application No. LCP-6-SAN-19-0142-2 (Fiesta Island), Exhibits for the Commission Meeting. June 10.
- [City] City of San Diego. 2002. Mission Bay Master Plan Update. Adopted August 2, 1994 by Resolution No.s R-284398 R-284399 R-284400 Amendments Adopted August 1, 1995, Resolution No. 286199 May 13, 1997, Resolution No. 288657 July 9, 2002, Resolution No. 296786
- [City] City of San Diego. 1990. Mission Bay Park Natural Resource Management Plan. Park and Recreation Department.
- Golder, W., D. Allen, S. Cameron, T. Wilder. 2008. Dredged Material as a Tool for Management of Tern and Skimmer Nesting Habitats. U.S. Army Engineer Research and Development Center, Coastal and Hydraulics Laboratory, 3909 Halls Ferry Road, Vicksburg, MS, 39180-6199 Report Number ERDC TN-DOER-E24. 16 pages.
- Thompson, B.C., J.A. Jackson, J. Burger, L.A. Hill, E.M. Kirsch, and J.L. Atwood. 1997. Tern (*Sterna antillarum*). In: The Birds of North America, No. 290 (A. Poole and F. Gill, eds.). The Academy of Natural Sciences, Philadelphia, Pennsylvania, and The American Ornithologists' Union, Washington, D.C. 32 pp.
- [Service] U.S. Fish and Wildlife Service. 1985. Revised California tern recovery plan. U.S. Fish and Wildlife Service, Region 1, Portland, Oregon.

From: <u>Graham, Nancy</u>

To: <u>CIP CEQA Document Process</u>

Subject: FW: Notice of Preparation of a Draft Programmatic Environmental Impact Report for the Mission Bay Park

Improvements Project: SCH NO. 2024100048; San Diego County

Date: Friday, November 1, 2024 10:47:22 AM

Attachments: Outlook-azw250mq.pnq

202410048 NOP San Diego Mission Bay Park Improvements PEIR.pdf

Nancy Graham, AICP

Program Manager, Entitlements & CEQA City of San Diego Engineering & Capital Projects Department

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sandiego.gov

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From: Diaz-Barriga, Frida@Wildlife <Frida.Diaz-Barriga@Wildlife.ca.gov>

Sent: Thursday, October 31, 2024 3:41 PM

To: Graham, Nancy < NHGraham@sandiego.gov>

Cc: Tang, Victoria@Wildlife < Victoria. Tang@wildlife.ca.gov>; Turner, Jennifer@Wildlife

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Zoutendyk, David <david_zoutendyk@fws.gov>; Eng, Anita <anita_eng@fws.gov>

Subject: [EXTERNAL] Notice of Preparation of a Draft Programmatic Environmental Impact Report for the Mission Bay Park Improvements Project: SCH NO. 2024100048; San Diego County

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hello Nancy,

Please see the attached document for your records. Please direct all questions to Jessie Lane, Environmental Scientist, at Jessie.Lane@wildlife.ca.gov. Questions and further coordination on marine issues should be directed to Leslie Hart, Marine Environmental Scientist, at Leslie.Hart@wildlife.ca.gov.

Thank you.

Frida Diaz (She/Her) | Staff Services Analyst South Coast Region 5

3030 Old Ranch Parkway, Suite 400

Seal Beach, CA 90740

Work Cell 858-203-5876



State of California – Natural Resources Agency DEPARTMENT OF FISH AND WILDLIFE South Coast Region 3883 Ruffin Road San Diego, CA 92123

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

or Control of Control

October 31, 2024

Nancy Graham
City of San Diego
525 B Street, Suite 750, MS 908A
San Diego, CA 92101
nhgraham@sandiego.gov

SUBJECT: NOTICE OF PREPARATION OF A DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT FOR THE MISSION BAY PARK IMPROVEMENTS PROJECT, SCH NO. 2024100048, SAN DIEGO COUNTY, CA

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) of a Draft Programmatic Environmental Impact Report (DDPEIR) from the City of San Diego (City) for the Mission Bay Park Improvements Program EIR (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law² of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program (Fish and Game Code 2800 et seq.). The City of San Diego participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP) and Implementing Agreement (IA). CDFW issued the City's NCCP permit in 1997 (SCH #93121073). The City of San Diego's Multi-Habitat Planning Area (MHPA) identified in the SAP delineates core biological resource areas and corridors targeted for conservation. The DDPEIR for the proposed Project must ensure that all requirements and conditions of the SAP and IA are met. The DDPEIR should also address any biological issues that are not addressed in the SAP and IA, such as specific impacts to and mitigation requirements for sensitive species that are not covered by the SAP and IA.

PROJECT DESCRIPTION SUMMARY

Proponent: City of San Diego (City)

Objective: The City established the Mission Bay Park Improvement Fund through voter-approved Proposition C in 2008 and Measure J in 2016 to support development and maintenance within Mission Bay Park. This initiative, and the Project analyzed below, are known as the "Ten-Year Plan." It outlines key improvement projects aimed at enhancing safety, navigation, and environmental quality. Planned improvements include dredging for safety and navigation, wetland and water quality enhancements, shoreline protection, habitat expansion, and upgrades to park facilities such as playgrounds, pedestrian paths, and parking areas. The Parks and Recreation Department administers the fund, with oversight from the Mission Bay Park Improvement Fund Oversight Committee, and Project implementation is led by the City's Public Works Department. Key components of the Project are detailed below:

• Cudahy Creek Wetland and Water Quality Improvements. Plans include creating 5.2 acres of salt marsh within Cudahy Cove. Subtidal channels will be created to connect the two Cudahy storm drain outfalls and the open water of Mission Bay to

² "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

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improve tidal circulation. Other activities include installing a berm area, oyster bag slope, and fencing.

- Tecolote Creek Wetland and Water Quality Improvements. At Tecolote Creek's outfall, 16.2 acres of salt marsh habitat will be created by filling portions of open water with sediment removed from the creek's mouth. The Fiesta Island Causeway will be modified to add an open channel for better circulation and tidal flushing. Several beach areas will be replaced with sand dunes and coastal strand vegetation.
- Seawall Restoration. Five segments of seawall along Mission Beach, from Grand Avenue to Balboa Court, are slated for improvements. Planned upgrades include replacing and raising the aboveground walls to improve resilience to sea level rise, expanding existing walkways to reduce congestion, replacing stairways, relocating lamp poles for historical preservation, installing a new 375-foot segment of seawall, adding handrails and picket-style guardrails, improving accessibility, and constructing a new 75-foot by 15-foot driveway at Thomas Avenue for use by City maintenance vehicles.
- Shoreline Restoration. Restoration efforts are planned at eight locations around
 Mission Bay to improve shorelines. Proposed enhancements include relocating
 sidewalks, extending and/or elevating beaches, adding cobble berms, repairing and
 raising riprap, improving oyster habitat, installing cobble breakwater and sheet wall
 groins to reduce erosion, enhancing stormwater management, landscaping,
 extending seawalls, and adding a drainage ditch for runoff.
- Bicycle and Pedestrian Paths. Improvements are proposed for the Ocean Beach
 Bike Path, Rose Creek Bike Path, Fiesta Island Causeway, and Robb Field/Gateway
 Connectivity Path. Improvements will include removing and replacing several
 existing paths and areas with substandard pavement, replacing hand rails, creating
 segments of path to improve connections, upgrading to ADA standards including
 upgrading ramps and curbs, replacing a chain link fence, and reducing slopes,
 curves, and sharp corners.
- Deferred Maintenance. Thirteen areas around Mission Bay were identified to receive improvements such as ADA accessibility improvements, bike racks, drinking fountains, new playgrounds, paving, storm drain enhancements, and fire pits.

Location: Mission Bay Park is a 4,660-acre park within the City of San Diego. The Project area is designated the 'Mission Bay Park Improvement Zone' and is comprised of 164 acres in Mission Bay, along with several surrounding areas. Specific plan areas include Fiesta Island, Tecolote Creek, Vacation Island, West Sail Bay, Cudahy Creek, Sea World, and the seashore along Mission Beach (Attachment A).

Biological Setting: Mission Bay supports a wide variety of biological resources, including diverse marine habitats, coastal salt marsh, salt pan, coastal strand, and

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disturbed habitat (City, 1990). The Bay is an important nursery site for fish spawning, shelter, and foraging, including large areas (i.e., 'beds') of eelgrass (*Zostera marina, Z. pacifica*), a sensitive marine habitat important to many aquatic and nearshore species. Mission Bay hosts several nesting colonies for California least tern (*Sternula antillarum browni*; federal Endangered Species Act (ESA) and California Endangered Species Act (CESA) endangered; State Fully Protected (FP)), including at Mariner's Point, Federal Aviation Administration Island, Stony Point, North Fiesta Island, and West Ski Island.

Many special-status birds are known to nest or forage in the Bay, including but not limited to: light-footed Ridgway's rail (Rallus obsoletus levipes: CESA and ESA endangered; FP); Belding's savannah sparrow (Passerculus sandwichensis beldingii; CESA endangered); American peregrine falcon (Falco peregrinus anatum; FP); black skimmer (Rynchops niger; California Species of Special Concern (SSC)); black tern (Chlidonias niger; SSC); brant (Branta bernicla; SSC); California brown pelican (Pelecanus occidentalis californicus; FP); Clark's marsh wren (Cistothorus palustris clarkae; SSC); common loon (Gavia immer; SSC); northern harrier (Circus hudsonius; SSC); redhead (Aythya americana; SSC); and white-tailed kite (Elanus leucurus; FP). Additional wildlife species that may occur in the Project's upland and urban areas include, but are not limited to: monarch butterfly (Danaus plexippus; ESA candidate for listing); Southern California legless lizard (Anniella stebbinsi; SSC); northwestern San Diego pocket mouse (Chaetodipus fallax; SSC); Mexican long-tongued bat (Choeronycteris mexicana: SSC): hoary bat (Lasiurus cinereus); western red bat (Lasiurus blossevillii; SSC); western yellow bat (Lasiurus xanthinus; SSC); pallid bat (Antrozous pallidus; SSC); and western small-footed myotis (Myotis ciliolabrum). There may also be suitable upland habitat on the Project site for Crotch's bumble bee (Bombus crotchii; candidate CESA listing).

Several special-status plant species are known to occur around Mission Bay including, but not limited to: Palmer's frankenia (*Frankenia palmeri*; California Rare Plant Rank (CRPR) 2B.1); San Diego marsh-elder (*Iva hayesiana*; CRPR 2B.2); southwestern spiny rush (*Juncus acutus* ssp. *Ieopoldii*; CRPR 4.2); California seablite (*Suaeda californica*; ESA-listed Endangered; CRPR 1B.1); estuary seablite (*Suaeda esteroa*; CRPR 1B.2); and Nuttall's acmispon (*Acmispon prostratus*; CRPR 1B.1).

Project History: CDFW and the United States Fish and Wildlife Service (USFWS; collectively, the Wildlife Agencies) have engaged with the City on several plans that overlap the Project area, including extensive scoping and issuance of comment letters during periods of CEQA public review. CDFW most recently issued comment letters in response to the NOP and DEIR for the Mission Bay Park Master Plan Update-Fiesta Island Amendment (CDFW, 2017 and 2019).

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COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

Specific Comments

- 1) **Project Overlap with Existing Plans**. Several existing plans currently guide development, recreational use, and natural resource management in Mission Bay. The DDPEIR should thoroughly analyze how the Project interfaces with other existing plans for the Project area, including:
 - Mission Bay Park Natural Resource Management Plan (City, 1990)
 - Mission Bay Park Master Plan (City, 1994)
 - Mission Bay Park Master Plan Update Fiesta Island Amendment (City, 2021)
 - City of San Diego Climate Action Plan (City, 2015)
 - City of San Diego Coastal Resilience Master Plan (ongoing; NOP received 2023)

The Wildlife Agencies would like to better understand how this Project interacts with the above-mentioned plans, as well as any other applicable City plans. The USFWS requested a meeting between the City and Wildlife Agencies to obtain more information on the Project and discuss this topic, which is scheduled for November 18, 2024. CDFW may have additional comments following that meeting, which will be sent via e-mail. We appreciate the opportunity to discuss our concerns and provide further feedback as elements of the Project are clarified in ongoing meetings.

- 2) **Project Consistency with MSCP Subarea Plan.** Several Project areas proposed for wetland restoration, upland habitat restoration, and/or capital improvements occur within or adjacent to the City's Multi-Habitat Planning Area (MHPA). These areas include portions of Fiesta Island, North Fiesta Island, Tecolote Creek, the San Diego River, and the South Shores East Coastal Sage Scrub/Dune Complex shown on Figure 2 of the NOP (Attachment A). CDFW recommends that the DDPEIR analyze Project activities within and adjacent to the MHPA for consistency with the City's Biology Guidelines and MSCP SAP, including but not limited to, any species-specific conditions of coverage for covered species (MSCP Table 3-5) and the land use adjacency guidelines. For example, the MSCP conditions of coverage for California least tern require protection of nesting areas from human disturbance during the reproductive season and measures to protect against edge effects.
- 3) **Crotch's Bumble Bee**. Upland habitat areas within the Project footprint may provide suitable habitat for Crotch's bumble bee. Specific Project elements that may

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affect occupied habitat include shoreline restoration, upland habitat expansion, construction or expansion of pedestrian and bicycle paths, and other maintenance activities. Crotch's bumble bees often nest underground, sometimes occupying abandoned rodent burrows (Hatfield et al., 2015). If Crotch's bumble bees are using burrows on the Project site for nesting, direct impacts could result from ground-disturbing activities, which could lead to death or injury of adults, eggs, and larva, burrow collapse, nest abandonment, and reduced nest success.

- a. Protection Status. The California Fish and Game Commission accepted a petition to list the Crotch's bumble bee as endangered under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. Crotch's bumble bee is granted full protection under CESA. Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). In addition, Crotch's bumble bee has a State ranking of S1/S2. This means that the Crotch's bumble bee is considered critically imperiled or imperiled and is extremely rare (often five or fewer populations). Crotch's bumble bee is also listed as an invertebrate of conservation priority under the Terrestrial and Vernal Pool Invertebrates of Conservation Priority (CDFW 2017).
- b. <u>Surveys and Disclosure</u>³. CDFW recommends that the City retain a qualified biologist familiar with the species to survey the Project site for Crotch's bumble bee and habitat. Surveys for Crotch's bumble bee should be conducted during flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). The DDPEIR should provide full disclosure of the presence of Crotch's bumble bee and the Project's potential impact on Crotch's bumble bee. CDFW has published a Survey Considerations document for CESA Candidate Bumble Bees, which can be found at the following link: https://wildlife.ca.gov/Conservation/CESA. This document describes factors such as evaluating potential for presence, habitat assessment, and survey methods.
- c. <u>Mitigation</u>. The DDPEIR should include measures to first avoid impacts on Crotch's bumble bee. If Crotch's bumble bee is present, a qualified biologist should identify the location of all nests in or adjacent to the Project site. If nests are identified, 50-foot no-disturbance buffer zones should be established around nests to reduce the risk of disturbance or accidental take. If the Project cannot avoid impacts, the City should require the Project Applicant to consult CDFW to determine if a CESA Incidental Take Permit (ITP) is required. In addition, the City

³ Please note that lack of records in the CNDDB for Crotch bumble bee at the Project site does not mean that Crotch's bumble bee is not present. Reporting data to the CNDDB is voluntary and it was only recently that entry of data became strongly recommended or required for candidate species like and Crotch's bumble bee. Field verification for the presence or absence of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review.

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should require the Project Applicant to provide compensatory mitigation for removal or damage to any floral resource associated with Crotch's bumble bee. Floral resources should be replaced as close to their original location as is feasible.

- d. CESA ITP. Appropriate take authorization from CDFW under CESA may include an ITP or a Consistency Determination in certain circumstances, among other options (Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)). Early consultation is encouraged, as significant modification to the Project and mitigation measures may be required to obtain an ITP. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP for the Project unless the Project's CEQA document addresses all the Project's impact on CESA endangered, threatened, and/or candidate species. The Project's CEQA document should also specify a mitigation monitoring and reporting program that will meet the requirements of an ITP. It is important that the take proposed to be authorized by CDFW's ITP be described in detail in the Project's CEQA document. Also, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for an ITP. However, it is worth noting that mitigation for the Project's impact on a CESA endangered. threatened, and/or candidate species proposed in the Project's CEQA document may not necessarily satisfy mitigation required to obtain an ITP.
- 4) CESA. The Project area may support additional CESA-listed species that are not identified as Covered Species under the City's MSCP SAP. CDFW considers adverse impacts to a species protected by CESA to be significant. Take of any endangered, threatened, candidate species, or NPPA-listed plant species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9), or as identified as a Covered Species under the MSCP SAP. Consequently, if the Project or any Project-related activity will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options (Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)). Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA Permit.

To ensure CDFW will be able to use the City's CEQA document for the issuance of an ITP, the DDPEIR should address all Project impacts to CESA-listed species and specify a mitigation, monitoring, and reporting program that will meet the requirements of an ITP.

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- 5) Lake and Streambed Alteration. The Project proposes creation of 16.2 acres of new saltmarsh habitat using sediment removed from slopes at the mouth of Tecolote Creek. An additional 5.2 acres of salt marsh habitat will be created in Cudahy Cove, at the outfall of Cudahy Creek. CDFW has regulatory authority over activities in streams that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of any river. stream, or lake or use material from a river, stream, or lake. For any such activities, the Project applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSAA) with the applicant is required prior to conducting the proposed activities. CDFW's issuance of a LSAA for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. CDFW recommends that the City assess whether notification is appropriate for activities conducted in Cudahy Creek and Tecolote Creek. A Notification package for a LSAA may be obtained by accessing CDFW's Lake and Streambed Alteration Program website4.
- 6) **Beach Nourishment.** Through personal communication with the City, CDFW was informed that the Project may involve beach nourishment in Mission Bay as a component of the Project's proposed shoreline restoration. Beach nourishment, or beach and/or nearshore sediment placement, may cause increased turbidity, decreased light availability, and/or potential burial of sensitive marine species and their habitats, including eelgrass beds, via direct sediment placement or subsequent littoral drift causing substantial adverse effects. Habitat Areas of Particular Concern (HAPC), a subset of Essential Fish Habitat, are habitats of special importance to fish populations due to their rarity, vulnerability to development and anthropogenic degradation, and/or ability to provide key ecological functions. Eelgrass beds are one of the habitats that have been designated as groundfish HAPC by the Pacific Fisheries Management Council under the Magnuson-Stevens Fishery Conservation and Management Act. Eelgrass beds may occur at the potential sediment placement site(s). Additionally, Mission Bay waters support commercially and recreationally important fish and invertebrate species such as California halibut (Paralichthys californicus), California spiny lobster (Panulirus interruptus), and the important forage fish Northern anchovy (Engraulis mordax). These important species may be impacted by nearshore sediment placement activities via direct burial/smothering, increased turbidity, and/or decreased light availability. The NOP does not include details on the beach nourishment construction activities, potential sediment placement timing, potential sediment placement area(s), whether the potential placement will be on the beach and/or nearshore, and the species and habitats that may be impacted from the construction activities.

4 http://www.wildlife.ca.gov/Conservation/LSA

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CDFW recommends that the DDPEIR clarify the beach nourishment construction activities, including the anticipated timing of sediment placement and if sediment being distributed across the beach profile will involve equipment operating below the mean high tide line. All beach placement operations should avoid equipment below the mean high tide line if possible. CDFW also recommends a long-shore and cross-shore sediment transport model be used to identify appropriate sediment placement volumes and locations to avoid or minimize marine habitat impacts. Results from the sediment transport model should be included in the DDPEIR. The DDPEIR should also include proposed sediment placement area(s) and the species and habitats that may be impacted from the beach nourishment construction activities.

Potential sediment borrow sites and/or where sediments will be derived from for beach or nearshore placement should be described in the DDPEIR. Sediments should be compatible with the proposed sediment placement area(s). CDFW recommends that all proposals for sediment placement be reviewed by the Southern California Dredged Material Management Team (DMMT) prior to placement. The DMMT is comprised of regulatory and trustee agencies (i.e., United States Army Corps of Engineers, United States Environmental Protection Agency, Regional Water Quality Control Boards, California Coastal Commission, National Marine Fisheries Service (NMFS), and CDFW), and responsible for managing dredging activities and reviewing technical issues associated with proposed dredging and dredged material disposal projects.

If nearshore sediment placement is proposed, CDFW recommends that the DDPEIR quantify the amount of eelgrass that could be lost due to the Project and potential alternatives for nearshore sediment placement. Project plans should be developed to avoid and minimize potential impacts to eelgrass to the maximum extent feasible. If any unavoidable eelgrass impacts occur, these impacts should be compensated using guidance described within the California Eelgrass Mitigation Policy (CEMP) (NOAA 2014). If eelgrass habitat is identified in the Project area, comprehensive pre- and post-construction surveys for eelgrass beds or patches should be conducted consistent with the CEMP. Additionally, CDFW recommends that post-construction monitoring of any nearshore sediment placement should occur to ensure HAPCs and the commercially and recreationally important species that inhabit the HAPCs are not impacted. CDFW recommends consulting with CDFW and NOAA Fisheries on the Project's impact analysis and all proposed mitigation measures for HAPC.

If eelgrass harvest and transplanting is required for mitigation, a Scientific Collecting Permit (SCP) from CDFW will be required prior to harvest and transplanting activities. The SCP may include permit conditions such as donor eelgrass surveys, submittal of an eelgrass harvest and transplant plan, limits on number of turions collected, methods for collection and transplanting, notification of

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activities, and reporting requirements. Please visit the CDFW's SCP webpage for more information: https://wildlife.ca.gov/Licensing/Scientific-Collecting.

7) Grunion. California grunion (*Leuresthes tenuis*) is an ecologically, recreationally, and culturally important species in southern California, and an important prey species for numerous marine species. Grunion are vulnerable to disturbance from beach placement projects within the intertidal and nearshore during their reproductive cycle because they spawn and bury their eggs within the upper intertidal. Grunion have the potential to spawn from March through August. Direct impacts from the Project could include crushing incubating eggs from driving heavy equipment within egg nests and burying incubating eggs from movement of sand, which may lead to inviable eggs or eggs unable to hatch out. Through personal communication with the City, CDFW was informed that construction activities and equipment for the Project's proposed seawall replacement along Pacific Beach and Mission Beach will operate below the mean high tide line. The NOP did not address any potential impacts to grunion that may occur as a result of the seawall replacement construction and did not include the anticipated construction timeline.

CDFW recommends all beach construction activities for the Project's proposed seawall replacement occur outside of grunion spawning season (March through August). If beach construction activities do occur during grunion spawning season and the proposed beach construction site is considered suitable for grunion spawning, CDFW recommends that a grunion monitoring plan is included in the DDPEIR. If grunion spawning occurs within the Project area, work in that area below the mean high tide line should not be conducted until after the grunion eggs have hatched (2 weeks). The locations of the spawning run should be marked physically and/or by Global Positioning System (GPS) locations. The density of the grunion throughout the area should be noted using the Walker Scale. The Project should ensure that maintenance workers avoid the spawning area and that a 50foot buffer is used to avoid impacting any spawning areas adjacent to the sediment placement sites. Grunion monitoring should be conducted by a qualified biologist for 30 minutes prior to and two hours following the predicted start of each spawning event. If more than 100 fish are reported, then avoidance and minimization measures should be implemented, such as relocation/rescheduling of work/equipment or specification of acceptable vehicle routes.

8) **Oyster Bed Installation.** CDFW was informed via personal communication with the City that oyster bed installation is included in the proposed Project's shoreline restoration plans. With limited details from the NOP, CDFW is identifying the proposed infrastructure as an artificial reef as defined in Fish and Game Code Section 6421 subdivision (a). CDFW has authority for artificial reefs under a variety of roles including Statutory/Legislative Authority, Trustee and Responsible Agency Status under CEQA and the Marine Life Management Act, and an advisory role to other agencies. Fish and Game Code Section 6420-6425 established the California Artificial Reef Program (CARP) through legislation in 1985. A comprehensive CARP

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> Plan (Plan) is under development that will provide guidance on best practices for artificial reefs creation and management. Completion of the Plan is scheduled for the end of 2026 and in the interim the Department has developed the Interim Artificial Reef Project Review Framework (Framework) (Attachment B). The Framework is intended to be used by permitting agencies and applicants when applying for permits to create artificial reefs which are not related to compensatory mitigation. It reflects CDFW's position of a limited scale and scope experimental approach to artificial reef placement prior to the development of the CARP Plan to gain knowledge about the best approaches to siting, materials, design, function and performance which is consistent with Fish and Game Code section 6423 et seg. and the best available science. The Framework is guided by and consistent with CDFWs authority under the California Endangered Species Act (Cal. Code Regs.. tit. 14, §§783.0 -787.9; Fish & G. Code, §§ 2050-2115.5), other permitting authority (Cal. Code Regs. §650 et seq.; Fish & G. Code §§ 1002,1002.5, & 1003), and the California Environmental Quality Act (Cal. Code Regs., tit. 14, § 15000 et seq. (hereafter, CEQA Guidelines); Pub. Resources Code §§ 21000-21189.91).

CDFW recommends that the City follow the Framework guidelines for their shoreline restoration plans as appropriate, including the oyster bed installation. According to the Framework, any artificial reef or living shoreline project should be well-designed and sized appropriately for a pilot or experimental project to support the scientific evaluation of data gaps related to artificial reef siting, materials, design, impact, benefits, and functioning. The project should establish quantitative performance metrics, performance period, monitoring plan, and removal metrics developed in consultation with technical experts as appropriate from regulatory authorities with jurisdiction over the project site or other research institutions, agencies, and consultants with relevant expertise.

CDFW recommends providing discussion within the DDPEIR as to why the oyster beds would be necessary for the City to achieve their shoreline restoration goals. In addition, CDFW recommends including alternatives to the oyster bed installation that could still achieve similar shoreline protection goals.

CDFW is concerned artificial reefs and habitat creation could attract invasive species. CDFW recommends that the DDPEIR should include discussion on developing an invasive species monitoring plan that includes monitoring measures, adaptive management measures, and protocols if invasive species are identified. Additionally, CDFW is concerned that placement of the oyster bed installation would potentially decrease the amount of habitat for further eelgrass expansion. CDFW recommends the DDPEIR include additional discussion on whether the installation of the oyster beds would be within historic, current and/or future eelgrass habitat and whether it could prevent future expansion of eelgrass if it were to be implemented. CDFW recommends including information about how current and modeled future environmental conditions at the proposed installation site align with

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habitat requirements for native oysters and information on historic and current native oyster abundance.

9) Invasive Species Impacts. Disturbance of the bottom sediments from the Project's potential shoreline restoration construction activities (i.e., beach nourishment, oyster bed installation, rip rap replacement, or other related work) may redistribute non-native species that compete with native species. This may cause widespread adverse impacts to eelgrass and marine ecology. The invasive alga Caulerpa taxifolia is listed as a federal noxious weed under the U.S. Plant Protection Act. It occurred in Agua Hedionda Lagoon in 2000 and while deemed eradicated in 2006 is monitored for potential future emergence. Another invasive alga species found recently in Newport Bay and San Diego Bay is Caulerpa prolifera, which is also a potential threat to growth and expansion of native eelgrass beds and other native algae. Caulerpa prolifera can grow as deep as 50 meters and appears to be more tolerant of low light environments than most other macroalgae. Additionally, since all Caulerpa species pose a serious risk in harming native marine life, Fish and Game Code section 2300 was amended in 2023 so that no person shall sell, possess, import, transport, transfer, release alive in the state, or give away without consideration all species of the genus Caulerpa, with the exception of bona fide scientific research upon authorization by the CDFW.

If the proposed Project includes any bottom disturbing activities, CDFW recommends conducting pre-construction *Caulerpa spp.* surveys to identify potential existence of invasive *Caulerpa spp.* in accordance with the Caulerpa Control Protocol https://media.fisheries.noaa.gov/2021-12/caulerpa-control-protocol-v5.pdf (October 2021). Any sightings of *Caulerpa spp.* should be reported within 24 hours to CDFW (Caulerpa@wildlife.ca.gov), and NMFS at 562-980-4037 (nmfs.wcr.caulerpa@noaa.gov).

General Comments

- 1) <u>Disclosure</u>. The DDPEIR should provide an adequate, complete, and detailed disclosure about the effects which a proposed project is likely to have on the environment (Pub. Resources Code, § 20161; CEQA Guidelines, § 15151). Such disclosure is necessary so CDFW may provide comments on the adequacy of proposed avoidance, minimization, or mitigation measures, as well as assess the significance of the specific impact relative to plant and wildlife species impacted (e.g., current range, distribution, population trends, and connectivity).
- 2) <u>Project Description and Alternatives</u>. To enable adequate review and comment on the proposed Project from the standpoint of the protection of fish, wildlife, and plants, CDFW recommends the following information be included in the DDPEIR.
 - A complete discussion of the purpose and need for, and description of the proposed Project.

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- b. A range of feasible alternatives to the Project location to avoid or otherwise minimize direct and indirect impacts on sensitive biological resources and wildlife movement areas. CDFW recommends the City select Project designs and alternatives that would avoid or otherwise minimize direct and indirect impacts on biological resources. CDFW also recommends the City consider establishing appropriate setbacks from sensitive and special status biological resources. Setbacks should not be impacted by ground disturbance or hydrological changes from any future Project-related construction, activities, maintenance, and development. As a general rule, CDFW recommends reducing or clustering a development footprint to retain unobstructed spaces for vegetation and wildlife and provide connections for wildlife between properties and minimize obstacles to open space.
- c. Project alternatives should be thoroughly evaluated, even if an alternative would impede, to some degree, the attainment of the Project objectives or would be more costly (CEQA Guidelines, § 15126.6). The DDPEIR shall include sufficient information about each alternative to allow meaningful evaluation, public participation, analysis, and comparison with the proposed Project (CEQA Guidelines, § 15126.6).
- d. Where the Project may impact aquatic and riparian resources, CDFW recommends the City select Project designs and alternatives that would fully avoid impacts to such resources. CDFW also recommends an alternative that would not impede, alter, or otherwise modify existing surface flow, watercourse and meander, and water-dependent ecosystems and natural communities. Project designs should consider elevated crossings to avoid channelizing or narrowing of watercourses. Any modifications to a river, creek, or stream may cause or magnify upstream bank erosion, channel incision, and drop in water level, which may cause the watercourse to alter its course of flow.
- 3) Biological Baseline Assessment. An adequate biological resources assessment should provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project site and where the Project may result in ground disturbance. The assessment and analysis should place emphasis on identifying endangered, threatened, rare, and sensitive species; regionally and locally unique species; and sensitive habitats. An impact analysis will aid in determining the Project's potential direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW also considers impacts to Species of Special Concern (SSC) a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. The DDPEIR should include the following information.
 - a. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines, § 15125(c)). The DDPEIR should include

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measures to fully avoid and otherwise protect Sensitive Natural Communities. CDFW considers Sensitive Natural Communities as threatened habitats having both regional and local significance. Natural communities, alliances, and associations with a State-wide rarity ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting the Vegetation Classification and Mapping Program - Natural Communities webpage⁵.

- b. A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*⁶. Botanical field surveys should be comprehensive over the entire Project site, including areas that will be directly or indirectly impacted by the Project. Adjoining properties should also be surveyed where direct or indirect Project effects could occur, such as those from fuel modification, herbicide application, invasive species, and altered hydrology. Botanical field surveys should be conducted in the field at the times of year when plants will be both evident and identifiable. Usually, this is during flowering or fruiting. Botanical field survey visits should be spaced throughout the growing season to accurately determine what plants exist in the Project site. This usually involves multiple visits to the Project site (e.g., in early, mid, and late season) to capture the floristic diversity at a level necessary to determine if special status plants are present.
- c. Floristic alliance- and/or association-based mapping and vegetation impact assessments conducted in the Project site and within adjacent areas. The <u>Manual of California Vegetation</u>⁷, second edition, (Sawyer, Keeler-Wolf, & Evens, 2009) should also be used to inform this mapping and assessment. Adjoining habitat areas should be included in this assessment where the Project's construction and activities could lead to direct or indirect impacts offsite.
- d. A complete and recent assessment of the biological resources associated with each habitat type in the Project site and within adjacent areas. A full literature review includes but is not limited to CDFW's <u>California Natural Diversity</u> <u>Database</u>⁸ (CNDDB). The CNDDB should be accessed to obtain current information on any previously reported sensitive species and habitat. An assessment should include a minimum nine-quadrangle search of the CNDDB to determine a list of species potentially present in the Project site. A ninequadrangle search should be provided in the Project's CEQA document for adequate disclosure of the Project's potential impact on biological resources.

⁵ https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities

⁶ https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline

⁷ https://vegetation.cnps.org/

⁸ https://wildlife.ca.gov/Data/CNDDB

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- e. A complete, recent, assessment of endangered, rare, or threatened species and other sensitive species within the Project site and adjacent areas, including SSC and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of the Project site should also be addressed such as wintering, roosting, nesting, and foraging habitat. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See CDFW's Survey and Monitoring Protocols and Guidelines for established survey protocol. Acceptable species-specific survey procedures may be developed in consultation with CDFW and U.S. Fish and Wildlife Service.
- f. A recent wildlife and rare plant survey. A lack of records in the CNDDB does not mean that rare, threatened, or endangered plants and wildlife do not occur. Field verification for the presence or absence of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review (CEQA Guidelines, § 15003(i)). CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if Project implementation build out could occur over a protracted time frame or in phases.
- 4) <u>Direct and Indirect Impacts on Biological Resources</u>. The DDPEIR should provide a thorough discussion of direct and indirect impacts expected to affect biological resources with specific measures to offset such impacts. The DDPEIR should address the following.
 - a. A discussion of potential impacts from lighting, noise, temporary and permanent human activity, and exotic species, and identification of any mitigation measures. A discussion regarding Project-related indirect impacts on biological resources. These include resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)).
 - b. A discussion of both the short-term and long-term effects of the Project on species population distribution and concentration, as well as alterations of the ecosystem supporting those species impacted (CEQA Guidelines, § 15126.2(a)).

⁹ https://wildlife.ca.gov/conservation/survey-protocols

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- c. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the Project, should be fully analyzed and discussed in the DDPEIR.
- d. A discussion of post-Project fate of drainage patterns, surface flows, and soil erosion and/or sedimentation in streams and water bodies. The discussion should also address the potential water extraction activities and the potential resulting impacts on habitat supported by the groundwater. Measures to mitigate such impacts should be included.
- e. An analysis of impacts from proposed changes to land use designations and zoning, and existing land use designation and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the DDPEIR.
- 5) <u>Cumulative Impact</u>. Cumulative impacts on biological resources can result from collectively significant projects which are individually insignificant. The Project, when considered collectively with prior, concurrent, and probable future projects, may have a significant cumulative effect on biological resources. The Project may have the potential to substantially reduce the number or restrict the range of endangered, rare, or threatened species. Species that may be impacted by the Project include, but are not limited to, the biological resources described in this letter.

Accordingly, CDFW recommends the DDPEIR evaluate the Project's potential cumulative impacts on biological resources. The Project may have a "significant effect on the environment" if the possible effects of the Project are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (Pub. Resources Code, § 21083(b)). The City's conclusions regarding the significance of the Project's cumulative impact should be justified and supported by evidence to make those conclusions. Specifically, if the City concludes that the Project would not result in cumulative impacts on biological resources, the City, "shall identify facts and analysis supporting the Lead Agency's conclusion that the cumulative impact is less than significant" (CEQA Guidelines section § 15130(a)(2)).

6) Nesting Birds. To avoid impacts to nesting birds, CDFW recommends that clearing of vegetation occur outside of the peak avian breeding season, which general runs from February 1 through September 1 (as early as January 1 for some raptors). If Project construction is necessary during the bird breeding season, a qualified biologist with experience in conducting breeding bird surveys should conduct a nesting bird survey within three days prior to work in the area. If an active nest is

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identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. For the given Project site, CDFW generally recommends a 100-foot buffer from common avian species, 300 feet for listed or highly sensitive, and 500 feet for raptors. The buffer should be delineated by temporary fencing and remain in effect as long as construction is occurring. No Project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the Project. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

- 7) Mitigation Measures. Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in a project through the use of feasible alternatives or mitigation measures (CEQA Guidelines, §§ 15002(a)(3), 15021). Pursuant to CEQA Guidelines section 15126.4, an environmental document shall describe feasible measures which could mitigate impacts below a significant level under CEQA. Mitigation measures must be feasible, effective, implementable, and fully enforceable/imposed by the lead agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, § 15126.4).
 - a. The DDPEIR should provide mitigation measures that are specific and detailed (i.e., responsible party, timing, specific actions, location) in order for a mitigation measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).
 - b. If a proposed mitigation measure would cause one or more significant effects, in addition to impacts caused by the proposed Project, the DDPEIR should include a discussion of the effects of proposed mitigation measures (CEQA Guidelines, § 15126.4(a)(1)). In that regard, the DDPEIR should provide an adequate, complete, and detailed disclosure about the Project's proposed mitigation measure(s). Adequate disclosure is necessary so CDFW may assess the potential impacts of proposed mitigation measures.
- 8) Compensatory Mitigation. The DDPEIR should include compensatory mitigation measures for the Project's significant impacts (direct and/or through habitat modification) to sensitive and special status plants, animals, and habitats. Mitigation measures should emphasize avoidance and minimization of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore inadequate to mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement and financial

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assurance and dedicated to a qualified entity for long-term management and monitoring.

- 9) Long-term Management of Mitigation Lands. For proposed mitigation lands, the DDPEIR should include measures to protect the targeted habitat values in perpetuity. The mitigation should offset Project-induced qualitative and quantitative losses of biological resources. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate endowment should be set aside to provide for long-term management of mitigation lands.
- 10) <u>Translocation/Salvage of Plants and Animal Species</u>. Translocation and transplantation is the process of removing plants and wildlife from one location and permanently moving it to a new location. CDFW generally does not support the use of translocation or transplantation as the primary mitigation strategy for unavoidable impacts to endangered, rare, or threatened plants and animals. These efforts are experimental, and the outcome is unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving plants and animals and their habitats.
- Scientific Collecting Permit. A Scientific Collecting Permit would be necessary if there is a plan to capture and relocate wildlife. Pursuant to the California Code of Regulations, title 14, section 650, qualified biologist(s) must obtain appropriate handling permits to capture, temporarily possess, and relocated wildlife to avoid harm or mortality in connection with Project-related activities. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). A Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). For more information, please see CDFW's Scientific Collecting Permit webpage¹⁰.
- 12) Wetland Resources. CDFW, as described in Fish and Game Code section 703(a), is guided by the Fish and Game Commission's (Commission) policies 11. Through its Wetlands Resources policy, the Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement, and expansion of wetland habitat in California" (California Fish and Game Commission, 2005). It is the policy of the Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or

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https://wildlife.ca.gov/Licensing/Scientific-Collecting

¹¹ https://fgc.ca.gov/About/Policies/Miscellaneous

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conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values."

- The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, a project should include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions benefiting local and transient wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the DDPEIR and these measures should compensate for the loss of function and value.
- b. The Fish and Game Commission's Water policy guides CDFW on the quantity and quality of the waters of this State that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this State; prevent the degradation thereof caused by pollution and contamination; and, endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & G. Code, § 5650).
- 13) <u>Use of Native Plants and Trees</u>. CDFW recommends the City require the Project Applicant to provide a native plant palette for the Project. The Project's landscaping plan should be disclosed and evaluated in the DDPEIR for potential impacts on biological resources such as natural communities adjacent to the Project site (e.g., introducing non-native, invasive species). CDFW supports the use of native plants for the Project especially considering the Project's location adjacent to protected open space and natural areas. CDFW strongly recommends avoiding non-native, invasive species for landscaping and restoration, particularly any species listed as

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'Moderate' or 'High' by the <u>California Invasive Plant Council</u>¹² CDFW supports the use of native species found in naturally occurring plant communities within or adjacent to the Project site. In addition, CDFW supports planting species of trees, such as oaks (Quercus genus), and understory vegetation (e.g., ground cover, subshrubs, and shrubs) that create habitat and provide a food source for birds. CDFW recommends retaining any standing, dead, or dying tree (snags) where possible because snags provide perching and nesting habitat for birds and raptors. Finally, CDFW supports planting species of vegetation with high insect and pollinator value.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The <u>CNDDB website</u> 13 provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the Combined Rapid Assessment and Relevé Form¹⁴.

City should ensure data collected for the preparation of the DDPEIR is properly submitted.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the City in identifying and mitigating Project impacts on biological resources.

¹² https://www.cal-ipc.org/plants/inventory/

¹³ https://wildlife.ca.gov/Data/CNDDB

¹⁴ https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit

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Questions regarding this letter or further coordination on terrestrial issues should be directed to Jessie Lane, Environmental Scientist, at Jessie.Lane@wildlife.ca.gov. Questions and further coordination on marine issues should be directed to Leslie Hart, Marine Environmental Scientist, at Leslie.Hart@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Victoria Tang

Environmental Program Manager

South Coast Region

ATTACHMENTS

Attachment A: Mission Bay Park Improvements Project Site (DUDEK, Figure 2)

Attachment B: CDFW Interim Artificial Reef Project Review Framework

ec: California Department of Fish and Wildlife

Victoria Tang

Jennifer Turner

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REFERENCES

- California Department of Fish and Game. (2011). CNDDB Data Use Guidelines. Retrieved from https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27285&inline
- California Department of Fish and Wildlife. (2017). Comments on the Notice of Preparation of a Draft Program Environmental Impact Report for the Mission Bay Park Master Plan Update- Fiesta Island Amendment, SCH# 2017051034
- California Department of Fish and Wildlife. (2018). Comments on the De Anza Cove Amendment to the Mission Bay Park Master Plan NOP, SCH# 2018061024.
- California Department of Fish and Wildlife. (2019). Comments on the Draft Program Environmental Impact Report for the Mission Bay Park Master Plan Update-Fiesta Island Amendment, SCH No. 2017051034, Project No. 562189.
- California Department of Fish and Wildlife. (2021). Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities.

 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline.
- California Department of Fish and Wildlife. (2023). Comments on the De Anza Natural (Project), Draft Program Environmental Impact Report (DDPEIR), SCH# 2018061024.
- California Department of Fish and Wildlife. (2023). Comments on the De Anza Natural (Project), Final Program Environmental Impact Report (FDPEIR), SCH# 2018061024.
- California Fish and Game Commission. (2005). *Miscellaneous Policies*. Retrieved from https://fgc.ca.gov/About/Policies/Miscellaneous
- City of San Diego. May 1990. Final Mission Bay Park Natural Resource Management Plan. Prepared for the Park and Recreation Department by the Development and Environmental Planning, Planning Department, City of San Diego.
- City of San Diego. 2002. Mission Bay Park Master Plan Update, City of San Diego, Amended July 9, 2002.
- City of San Diego. 2002. Mission Bay Park Master Plan Update Fiesta Island Amendment, City of San Diego, Amended November 21, 2021.
- City of San Diego. 2012. San Diego Municipal Code Land Development Code—Biology Guidelines. Amended April 23, 2012.

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- City of San Diego. 2015. Climate Action Plan. https://www.sandiego.gov/sites/default/files/final_july_2016_cap.pdf
- City of San Diego. 2023. Coastal Resilience Master Plan Notice of Preparation.

 https://www.sandiego.gov/sites/default/files/nop_of_a_DPEIR_and_scoping_mee_ting_for_coastal_resilience_master_plan.pdf
- Hatfield, R., Jepsen, S., Thorp, R., Richardson, L. & Colla, S. 2015. *Bombus crotchii. The IUCN Red List of Threatened Species* 2015: e.T44937582A46440211. https://dx.doi.org/10.2305/IUCN.UK.2015-2.RLTS.T44937582A46440211.en. Accessed on 03 September 2024.
- NOAA (National Oceanic and Atmospheric Administration) Fisheries, West Coast Region. 2014. California Eelgrass Mitigation Policy and Implementing Guidelines.
- Sawyer, J. O., Keeler-Wolf, T., & Evens, J. M. (2009). *A Manual of California Vegetation* (Second ed.). Sacramento, CA: California Native Plant Society. Retrieved from https://vegetation.cnps.org/
- Thorp, R.W., Horning, Jr, Donald, S., Dunning, L.L. 1983. Bumble Bees and Cuckoo Bumble Bees of California. Bulletin of the California Insect Survey 23.

From: <u>Aston, Shannon@DOT</u>

To: <u>CIP CEQA Document Process</u>; <u>Graham, Nancy</u>

 Cc:
 Dodson, Kimberly@DOT; state.clearinghouse@opr.ca.gov

 Subject:
 [EXTERNAL] NOP Mission Bay Park Improvements Program EIR

Date: Monday, October 28, 2024 1:11:43 PM

Attachments: SD 5 21.50 Mission Bay Park Improvements NOP 10-28-2024.pdf

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Good afternoon Nancy,

Please find attached the Caltrans comments for: **NOP Mission Bay Park Improvements Program EIR**.

Let me know if you need anything further.

Thanks

Shannon

Shannon Aston (he/him)

Associate Transportation Planner Local Development Review (LDR) District 11 – Planning & Local Assistance

Cell: (619) 992-0628 (MS:240) Shannon.Aston@dot.ca.gov



California Department of Transportation

DISTRICT 11 4050 TAYLOR STREET, MS-240 SAN DIEGO, CA 92110 (619) 985-1587 | FAX (619) 688-4299 TTY 711 www.dot.ca.gov





October 28, 2024

11-SD-5 PM 21.50 Mission Bay Park Improvements Program EIR NOP/SCH# 2024100048

Ms. Nancy Graham Program Manager City of San Diego 525 B Street, Suite 750 San Diego, CA 92101

Dear Ms. Graham:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation (NOP) for the Mission Bay Park Improvements Program EIR located near Interstate 5 (I-5). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the City of San Diego in areas where the City and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Ms. Nancy Graham, Program Manager October 28, 2024 Page 2

Caltrans has the following comments:

Traffic Impact Study

- A Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.¹
- Please provide any local mobility analysis.
- The TIS may also need to identify the proposed project's near-term and longterm safety or operational issues, on or adjacent any existing or proposed State facilities.
- The Draft Environmental Impact Report needs to include a safety review that follows the Caltrans "Local Development Review (LDR) Safety Review Practitioner's Guidance" https://dot.ca.gov/-/media/dot-media/programs/safety-programs/documents/202402-ldr-safety-review-practitioners-guidance-ally.pdf.

Hydrology and Drainage Studies

- Please provide hydraulics studies, drainage, and grading plans to Caltrans for review.
- Provide a pre and post-development hydraulics and hydrology study. Show drainage configurations and patterns.
- Provide drainage plans and details. Include detention basin details of inlets/outlet.
- Provide a contour grading plan with legible callouts and minimal building data. Show drainage patterns.
- On all plans, show Caltrans' Right of Way (R/W).
- Early coordination with Caltrans is recommended.
- Caltrans generally does not allow development projects to impact hydraulics within the State's R/W. Any modification to the existing Caltrans drainage and/or increase in runoff to State facilities will not be allowed.
- Any discharge of water flow into Caltrans' R/W is considered as "Diversion of Flow", which is not permitted by the state. It is recommended to connect to City drainage, not Caltrans' R/W (Project Development Procedures Manual Sections 17-4, 17-21 https://dot.ca.gov/programs/design/manual-project-development-procedures-manual-pdpm).

Complete Streets and Mobility Network

Caltrans views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated

¹ California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

[&]quot;Provide a safe and reliable transportation network that serves all people and respects the environment"

Ms. Nancy Graham, Program Manager October 28, 2024 Page 3

transportation network. Early coordination with Caltrans, in locations that may affect both Caltrans and the City of San Diego, is encouraged.

To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs. Caltrans looks forward to working with the City to evaluate potential Complete Streets projects.

Bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

Hauling/Traffic Control Plan

Caltrans has discretionary authority with respect to highways under its jurisdiction and may, upon application and if good cause appears, issue a special permit to operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum limitations specified in the California Vehicle Code. The Caltrans Transportation Permits Issuance Branch is responsible for the issuance of these special transportation permits for oversize/overweight vehicles on the State Highway network. Additional information is provided online at:

http://www.dot.ca.gov/trafficops/permits/index.html

A Traffic Control Plan is to be submitted to Caltrans District 11, including the interchanges at I-5, at least 30 days prior to the start of any construction. Traffic shall not be unreasonably delayed. The plan shall also outline suggested detours to use during closures, including routes and signage.

Potential impacts to the highway facilities (I-5) and traveling public from the detour, demolition and other construction activities should be discussed and addressed before work begins.

Noise

The applicant must be informed that in accordance with 23 Code of Federal Regulations (CFR) 772, the Department of Transportation (Caltrans) is not responsible for existing or future traffic noise impacts associated with the existing configuration of I-5.

Environmental

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W. We would appreciate meeting with you to discuss the elements of the Environmental Document that Caltrans will use for our subsequent environmental compliance.

Ms. Nancy Graham, Program Manager October 28, 2024 Page 4

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to fencing, lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's draft Environmental Document.

Right-of-Way

Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.

Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Additional information regarding encroachment permits may be obtained by visiting the website at https://dot.ca.gov/programs/traffic-operations/ep. Projects with the following:

- require a Caltrans Encroachment Permit.
- have completed the Caltrans Local Development Review (LDR) process.
- have an approved environmental document.

need to have documents submitted for Quality Management Assessment Process (QMAP) process via email to D11.QMAP.Permits@dot.ca.gov. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Shannon Aston, LDR Coordinator, at (619) 992-0628 or by e-mail sent to shannon.aston@dot.ca.gov.

Sincerely,

Kimberly D. Dodson

KIMBERLY D. DODSON, GISP Branch Chief Local Development Review



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NATIVE AMERICAN HERITAGE COMMISSION

October 4, 2024

Nancy Graham City of San Diego 525 B Street Ste 750 MS 908A San Diego CA 92101

Re: 2024100048 Mission Bay Park Improvements Program Environmental Impact Report Project, San Diego County

Dear Ms. Graham:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015. If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). Both SB 18 and AB 52 have tribal consultation requirements. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of <u>portions</u> of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - **a.** A brief description of the project.
 - **b.** The lead agency contact information.
 - **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- **3.** <u>Mandatory Topics of Consultation If Requested by a Tribe</u>: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - **b.** Recommended mitigation measures.
 - **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- **4.** Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - **a.** Type of environmental review necessary.
 - **b.** Significance of the tribal cultural resources.
 - **c.** Significance of the project's impacts on tribal cultural resources.
 - **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- **5.** Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- **6.** <u>Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:</u> If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.

- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).
- **7.** Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - **a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - **b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- **8.** Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- **9.** Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- **10.** Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - **ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - **b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - **c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - **d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - **e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - **f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - **a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - **b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09-14-05-updated-Guidelines-922.pdf.

Some of SB 18's provisions include:

- 1. <u>Tribal Consultation</u>: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe. (Gov. Code §65352.3 (a)(2)).
- 2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
- **3.** <u>Confidentiality</u>: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
- 4. <u>Conclusion of SB 18 Tribal Consultation</u>: Consultation should be concluded at the point in which:
 - **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

- **1.** Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - **a.** If part or all of the APE has been previously surveyed for cultural resources.
 - **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.
- 2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

- **a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
- **b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- **4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - **a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - **b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - **c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: <u>Pricilla.Torres-Fuentes@NAHC.ca.gov</u>.

Sincerely,

Pricilla Torres-Fuentes Cultural Resources Analyst

Pricilla Torres-Fuentes

cc: State Clearinghouse

ORGANIZATIONS

From: Deborah Knight

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR Scoping comments

Date: Friday, November 1, 2024 5:50:26 PM

Attachments: EXTERNAL Mission Bay Park Improvements Program EIR Scoping comments.msq

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November 1, 2024

Attn: Nancy Graham, Program Manager City of San Diego Engineering and Capital Projects Department 525 B St., MS 908A San Diego, CA 92102

Submitted by email to CIP-CEQA@sandiego.gov

Subject: Mission Bay Park Improvements Program EIR

Dear Ms. Graham,

Friends of Rose Canyon is a community-based 501(c)(3) organization dedicated to the protection, preservation and restoration of Rose Canyon and the Rose Creek watershed. The Rose Creek watershed includes the area of Rose Creek that is in the Mission Bay Park Improvement Fund Zone as shown on the map included with this NOP. This part of Rose Creek was, naturally, included in the Mission Bay Park Improvements Program PEIR when the PEIR was kicked off in 2018. We understand that the area of Rose Creek downstream of Grand Avenue is now part of the DeAnza Natural plan. The segment of Rose Creek upstream of Grand Avenue, however, cannot, and should not, be deleted from the PEIR.

Rose Creek is the primary freshwater tributary of Mission Bay. It provides sediments and nutrients to Mission Bay on which the City's planned wetlands restoration projects in Mission Bay depend. Tides regularly carry salt water into the entire stretch of Rose Creek between Grand Avenue and the flood control channel. This area is also part of the City of San Diego's MSCP/MHPA. It is critical that this stretch of Rose Creek upstream of Grand Avenue be included in this PEIR. Future funding sources for habitat restoration in this area of Rose Creek may well depend on its inclusion in this PEIR.

We strongly support the scoping comments submitted by the following organizations:

Friends of Rose Creek San Diego Bird Alliance Sierra Club San Diego Environmental Center of San Diego

Sincerely,

Deborah Knight

Executive Director

From: Ron Askeland

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Friday, November 1, 2024 9:22:17 AM **Attachments:** SC Letter Mission Bay 20241101.pdf

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Dear Ms. Graham

Sierra Club San Diego is pleased to see that the City of San Diego if finally prioritizing the use of the Mission Bay Park Improvement Fund to protect and improve the habitat value of Mission Bay and at the same time improving public access, diverse recreational opportunities and cultural reconnection.

Please see the attached letter from Sierra Club San Diego.

Respectfully Yours,
Dr. Ronald Askeland, Chairperson
Conservation Committee
Sierra Club San Diego



8304 Clairemont Mesa Blvd., suite 101 San Diego, CA 92111-1315

November 1, 2024

Attn. Nancy Graham, Program Manager City of San Diego Engineering and Capital Projects Department 525 B St. MS 908A San Diego, CA 92101

(Submitted by email to CIP-CEQA@sandiego.gov)

Subject: Sierra Club comments on Mission Bay Park Improvements Program EIR

Dear Ms. Graham

Sierra Club San Diego is pleased to see that the City of San Diego if finally prioritizing the use of the Mission Bay Park Improvement Fund to protect and improve the habitat value of Mission Bay and at the same time improving public access, diverse recreational opportunities and cultural reconnection.

Rose Creek is the primary source of freshwater inflows providing sedimentation and nutrients to the City of San Diego's planned wetlands restoration via the DeAnza Natural Plan. The DeAnza Natural project, which is not part of the Mission Bay PEIR, includes Rose Creek from Mission Bay up to Grand Avenue.

The portion of Rose Creek downstream of the concrete channel below Mission Bay Drive is part of the City of San Diego's MSCP/MHPA conserved lands and included in the Mission Bay Park Improvement Fund Zone (see upper right corner of the map below). This area was included in the scope of this PEIR in the spring 2018 plans, but is <u>not</u> included in the current Mission Bay PEIR.

It is imperative that restoration of the portion of Rose Creek between Grand Avenue and Mission Bay Drive be included in the Mission Bay PEIR. This portion of Rose Creek needs invasive non-native plants removed and hydrology improvements to prevent stagnant water and to allow water to flow freely during heavy rainfall. An invasive species survey should be conducted to determine the level of effort to remove all invasive nonnatives from the Rose Creek Improvement Fund Zone.

Please correct this oversight by funding restoration of the "stranded" portion of Rose Creek between the DeAnza Natural Plan area and Mission Bay Drive.



Under CEQA Guidelines, the following factors must be evaluated to determine if exclusion of Rose Creek between the DeAnza Natural Plan area and Mission Bay Drive has a potentially significant impact:

Biological Resources - Rose Creek is the primary source of freshwater inflows providing sedimentation and nutrients that are essential to the Mission Bay ecosystem. Restoration of

Rose Creek is essential for aquatic plants, animals and birds that are dependent on the flow of fresh water into the bay.

Greenhouse Gas Emissions - Restoring Rose Creek will improve the health of Kendall-Frost Marsh and Northern Wildlife Preserve Wetlands, thereby sequestering more carbon in Mission Bay.

Hydrology and Water Quality - A restored Rose Creek will improve Mission Bay water quality by provided needed nutrients and sediment, thereby expanding wetlands and eelgrass beds. Please study how hydrological improvements can provide benefits by reducing water stagnation within the Rose Creek Improvement Fund Zone, improve water flow during storm events within the Improvement Fund Zone, and support the City of San Diego's Climate Action Plan goals regarding tree canopy and the air quality functions trees provide, protection and enhancement of coastal salt marshes, the protection and enhancement of Kumeyaay cultural and biological resources, community access to nature, and the services wetlands provide for marine and terrestrial wildlife.

Land Use and Planning - The portion of Rose Creek downstream of the concrete channel below Mission Bay Drive is part of the City of San Diego's MSCP/MHPA which was adopted for the purpose of avoiding or mitigating environmental effects. Restoration of this area needs to be included in the Mission Bay PEIR.

Mandatory Findings of Significance - The exclusion of the portion of Rose Creek between the DeAnza Natural Plan area and Mission Bay Drive has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, and reduce the number or restrict the range of a rare or endangered plant or animal. As stated on the City's website "Mission Bay Park is home to many rare and endangered plant, animal and bird species. Endangered bird species of Mission Bay include the California least tern and the Light-footed Ridgeway's Rail."

https://www.sandiego.gov/park-and-recreation/parks/regional/missionbay/birds#:~:text=Mission%20Bay%20Park%20is%20home,the%20Light%2Dfooted%20Ridgeway's%20Rail.

Thank you for your attention to this important matter. Sierra Club San Diego is looking forward to collaborating with the City to protect and improve the habitat value of Mission Bay, while improving public access, diverse recreational opportunities and cultural reconnection.

Respectfully Yours,
Dr. Ronald Askeland, Chairperson
Conservation Committee
Sierra Club San Diego

From: <u>Cathy Handzel</u>

To: <u>CIP CEQA Document Process</u>
Cc: <u>DarkSkySanDiego@Dark.Sky.org</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR (Submission from DarkSky San Diego County)

Date: Friday, November 1, 2024 12:14:31 AM

Attachments: <u>image001.png</u>

image002.png

Mission Bay Park Improvements PEIR - Pathway Lighting.docx

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hello, thank you for allowing us this opportunity to submit concerns and recommendations for the Mission Bay Park Improvements Program EIR. Our input is attached and is also outlined below. Please advise if we can provide any additional support or information regarding pathway lighting. May you have a wonderful day, and a tranquil, star-filled night!

October 31, 2024

RE: Mission Bay Park Improvements Program EIR

To whom it may concern:

DarkSky San Diego County was contacted by a concerned citizen seeking our support and input on the proposed addition of pathway lighting within the Mission Bay Park Improvements Program EIR as noted in the *Proposed Rose Creek Bike Path Improvements*. The citizen concern was as follows:

"This is a peaceful wild space and waterway full of wildlife and I would hate to see blazing light fixtures appear that stay on all night and overspray the human path and spray light across the water and into the wild embankment on the other side."

This area provides a critical respite of natural darkness enabling plants, bird species, and pollinators like moths, butterflies, and bees to flourish in their urban habitat. In light of San Diego's Bee City USA designation, the 'Lights Out, San Diego!' campaign to protect migrating birds, and the 2021 Mayoral Monarch Pledge to protect monarch butterflies, proper consideration must be given to the impact of artificial light on the area surrounding the pathway.

While lighting in the nighttime environment is necessary for wayfinding and provides a sense of safety and security to users of the pathway, improper aiming, over-lighting with

more lumens than necessary, or the use of white light (high in the blue spectrum) can result in disability glare, hampering nighttime visibility rather than improving it. Brighter does not equate to safer. Please refer to published research found here: https://darksky.org/resources/what-is-light-pollution/effects/safety/.

DarkSky San Diego County respectfully requests that proper consideration be given to the number and placement of new light fixtures, as well as the brightness and color temperature of the pathway lighting in order to avoid the potential for adverse environmental effects on surrounding wildlife.

LIGHTING RECOMMENDATIONS: All lighting should be fully shielded and aimed downward to keep light from spilling off the pathway and trespassing onto surrounding habitat. Use the least amount of light necessary and choose a warm color temperature (2200 or 2700 Kelvin). If possible, the lighting should be turned off between 11:00 p.m. and 6:00 a.m. The use of adaptive motion sensor technology should be considered and thoroughly tested through a pilot study, prior to installation. Placement of lighting may be analyzed through the use of global information systems (GIS) mapping techniques.

Not only will this guidance serve to protect urban wildlife, it allows users of the pathway to adapt to a more natural nighttime environment and utilize their human night vision. Chromatic adaptation allows our human eyes to quickly visualize proper colors under warm light conditions – white light is not necessary for safety.

For additional information on recommended levels of illumination, we recommend contacting the San Diego based section of the Illuminating Engineering Society, a not-for-profit organization dedicated to all aspects of the ART and SCIENCE of ILLUMINATION.

https://sandiego.ies.org/about-us/

REFERENCES:

Light pollution can disorient monarch butterflies

• https://www.uc.edu/news/articles/2022/05/lights-can-interfere-with-monarch-butterflys-navigation-abilities.html

Biologists at the University of Cincinnati found that nighttime light pollution can interfere with the remarkable navigational abilities of monarchs and that butterflies roosting at night near artificial illumination such as a porch or streetlight can become disoriented the next day because the light interferes with their circadian rhythms. Artificial light can

impede the molecular processes responsible for the butterfly's remarkable navigational ability and trigger the butterfly to take wing when it should be resting.

Light pollution harms wildlife and ecosystems

https://darksky.org/resources/what-is-light-pollution/effects/wildlife-ecosystems/

Plants and animals depend on Earth's daily cycle of light and dark to govern lifesustaining behaviors such as reproduction, nourishment, sleep, and protection from predators.

Scientific evidence suggests that artificial light at night has negative and deadly effects on many creatures, including amphibians, birds, mammals, insects, and plants.

Dazzling lights are causing ecological chaos, disrupting plants' seasonal rhythms and their fragile relationship with pollinators.

https://www.bbc.com/future/article/20230308-how-light-pollution-disrupts-plants-senses

Plants have photoreceptors used to determine day length, which triggers blooming and, for deciduous trees, when to drop leaves. By artificially extending the length of the day, light pollution can change a plant's flowering pattern.

Thank you for your time and your thoughtful consideration of the nighttime envirnoment.



Cathy Handzel
DarkSky San Diego County, Chapter President
619-504-5139
cathandzel@cox.net



Advocating to restore the night sky and protect all living things from the harmful effects of light pollution.

DarkSkySanDiego.org

DarkSky.org

<u>DarkSky Earns 'Spotlight Prize' at LIT Lighting Design Award</u>s 2023 for Harmonious Approach to Sustainable Lighting

https://litawards.com/darkskys-harmonious-approach-to-sustainable-lighting-earns-spotlight-prize-accolade-at-lit-lighting-design-awards-2023/

DarkSky International strives to promote lighting practices that reduce the negative impacts of light pollution on wildlife, biodiversity, climate change, and human health. This recognition from the lighting design community beautifully illustrates the relationship between good lighting design and responsible dark sky-friendly practices.



October 31, 2024

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While lighting in the nighttime environment is necessary for wayfinding and provides a sense of safety and security to users of the pathway, improper aiming, over-lighting with more lumens than necessary, or the use of white light (high in the blue spectrum) can result in disability glare, hampering nighttime visibility rather than improving it. Brighter does not equate to safer. Please refer to published research found here: https://darksky.org/resources/what-is-light-pollution/effects/safety/.

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Cathy Handzel
DarkSky San Diego County, Chapter President
619-504-5139
cathandzel@cox.net





From: me@karinzirk.com

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Comments on Mission Bay Park Improvements Program EIR NOP

Date: Friday, November 1, 2024 10:18:47 AM

Attachments: FriendsRoseCreek MissionBayPEIR Comments 20241101.pdf

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Dear CEQA team,

Please find the Friends of Rose Creek comments on the NOP for the Misison Bay Park PEIR in the attached PDF file.

Please advise if you have any technical difficulities with the file.

Warmly,

Karin Zirk, Ph.D. (she/her/hers)
Executive Director, Friends of Rose Creek
858-405-7503
*** Connecting Our Communities ***
SaveRoseCreek.org



Friends of Rose Creek *

"Connecting Our Communities"
4629 Cass Street #188
San Diego CA 92109



November 1, 2024

Via email transmission to CIP-CEQA@sandiego.gov.

Attn. Nancy Graham, Program Manager City of San Diego Engineering and Capital Projects Department 525 B St. MS 908A San Diego, CA 92101

RE: PROJECT NAME: Mission Bay Park Improvements Program EIR

COMMUNITY PLAN AREAS: Mission Bay Park, Pacific Beach, Mission Beach

COUNCIL DISTRICT: 1 and 2

Dear Ms Graham,

The Friends of Rose Creek is a community group who cares for the orphan stretch of Rose Creek from the southern end of Marian Bear Park to the Rose Creek Salt Marsh & Estuary where it empties into Mission Bay. We have been actively involved in planning issues for Rose Creek since 2004 and therefore have institutional memory that the City of San Diego (City) may be lacking. We are always willing to share with our partners in the City.

We will be making multiple scoping recommendations as follows:

Topics

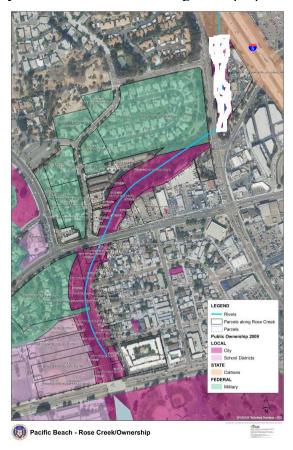
1)	Rose Creek 101	. 2
2)	Alternatives to the Proposed Project	. 2
	Rose Creek Bike Path Improvements	
	Rose Creek MHPA / MSCP Lands	
5)	DeAnza Natural	. 6
6)	Other Cumulative Impacts	. 6
	Collaboration with the Kumeyaay Nation	
	Potential Impacts to Ridgeway's Rails	
	Additional Comments	
,	References	

^{*}A member of the Rose Creek Watershed Alliance

^{*} A Friends Group of San Diego Canyonlands, Inc. Visit us on-line at https://www.SaveRoseCreek.org

1) Rose Creek 101

The portion of Rose Creek downstream of the concrete channel below Mission Bay Drive is part of the City of San Diego's MSCP / MHPA conserved lands, it is in the Mission Bay Park Improvement Fund Zone, and it serves as open space for the high-density planning area called the Balboa Avenue Station Area Specific Plan. Finally, it was identified in the Pacific Beach Community Plan of 1994 as becoming linear nature park. The Upper Salt Marsh at Rose Creek is in the Coastal Zone and the Fresh Water Riparian Woodlands is in the Coastal Overlay Zone. In the map below, the pink area to the west of Mission Bay Drive (the major north south road) downstream to Mission Bay is the area we are referring to for purposes of these comments.



2) ALTERNATIVES TO THE PROPOSED PROJECT

In the Draft Programmatic Environment Impact Report (PEIR) please include an alternative to the proposed project that includes the portion of Rose Creek within the Improvement Fund Zone (IFZ) by restoring the existing Rose Creek Upper Salt Marsh and the fresh water wooded riparian area to the Mission Bay PEIR. As shown in the image below, this area had been included in this plan since voters passed Proposition C in 2008 and can be found in City Charter Section 55.2



Mission Bay Park Improvement Fund Oversight Committee MB PEIR - Biological Information Summary

Purpose

Status:

Priority #2- Wetland and Water Quality Map



sandiego.gov

The image above is one of the slides from the Mission Bay Park PEIR kickoff meeting in the Spring of 2018. The portion of Rose Creek in the Mission Bay Park Improvement Fund Zone (IFZ) is included in the project entitled "Rose Creek Wetlands." You can find the full document on the City's website at https://www.sandiego.gov/sites/default/files/302-mbpifoc-peir-mboc-bio-presentation-030519.pdf.

Rose Creek is the primary source of fresh water inflows providing sedimentation and nutrients to the City of San Diego's planned wetlands restoration via the DeAnza Natural Plan. Therefore, in the PEIR please identify the impacts to wetlands restoration in the northeast corner of Mission Bay without planning for the restoration of the MHPA / MSCP section of Rose Creek in the IFZ.

In terms of forecasting of potential impacts of the exclusion of Rose Creek, as the City of San Diego is the lead agency on the DeAnza Natural plan to restore wetland and upland habitat at the mouth of Rose Creek, there should be some discussion between City Departments on the benefits to inclusion of Rose Creek for DeAnza Natural and other projects that City has proposed including but not limited to the Fiesta Island uplands and the Cudahy Creek Wetlands.

It is strongly recommended that the City of San Diego remove paper streets that run through the MSCP / MHPA section of Rose Creek in the IFZ.

Please note this area is not part of the De Anza Natural Plan.

While the direct, indirect, and cumulative impacts of **EXLUCSION** of the Rose Creek IFZ cannot be measured, the indirect and cumulative impacts of **INCLUSION** of the Rose Creek IFZ can be measured as it intersects with other large-scale planning efforts in Mission Bay including De Anza Natural, the Cudahy wetlands, and Fiesta Islands uplands. Furthermore, the indirect and cumulative impacts on the health of the existing Kendall-Frost Marsh and Northern Wildlife Preserve Wetlands can be measured.

As Rose Creek is the largest source of fresh water inflows into Mission Bay, it is critical that it be included in planning efforts if the other wetlands and habitat project goals are to be achieved.

Please study positive impacts to the DeAnza wetlands of including the portion of Rose Creek in the IFZ and identify the negative impacts to the DeAnza wetlands of omitting the Rose Creek IFZ from the Mission Bay PEIR.

3) ROSE CREEK BIKE PATH IMPROVEMENTS

While improvements to the bike path are needed, we have significant concerns that these improvements will come to the detriment of the biologic resources in these MSCP / MHPA lands.

Topic #1

Please study high tide levels relative to the existing Rose Creek Bike Path under crossings at Grand and Garnet Avenues. Please survey high tides at the highest of the two daily high tide on the Full and New moons in November, December January, and/or February to identify the tidal impacts in the area that will be necessary for the City to fully understand opportunities and constraints. It would also be beneficial to study these high tides when a heavy rain event is happening as well.

Topic #2

As portions of the Rose Creek Bike Path between Grand and Garnet Avenues are alongside heritage aged site-specific native plants, please identify how these critical biological resources will be preserved. Please identify direct and indirect impacts to migratory waterfowl, sensitive insect species and the plants upon which they depend from the proposal to widen the bike path and add a retaining wall.

Topic #3

Please perform a complete biological survey of the Rose Creek MSCP / MHPA lands as part of 30% design on bike path improvements.

Please study the negative impacts to biologic resources in the Rose Creek MSCP / MHPA lands from construction and existence of any retaining walls and how native vegetation will grow in said retaining walls. Plants within the MSCP / MHPA support multiple bird, butterfly, and bee species.

Topic #4

Please look at alternative to the construction of a retaining wall as that will change the aesthetic, biologic, and cooling effects of Rose Creek.

Topic #5

Please analyze how lighting will impact sensitive insect, bird, and mammal species along Rose Creek. Please identify the lighting that is least disruptive to wildlife.

Specifically, we are asking that the PEIR study the impacts to wildlife based on using Low Sodium vs LED Light.

If LED Lights are used along pedestrian pathways, the bike path and in areas near habitat, lights should have a color temperature of 2200-2700 Kelvin or lower to closely mimic the warm light of low-pressure sodium lamps and further reduce blue light emissions.

- All lighting adjacent to habitat should be in accordance with the MHPA guidelines to minimize wildlife disruption.
- Please minimize and orient lighting away from sensitive areas.
- Use fully shielded fixtures to direct light downward and prevent spillover into the Rose Creek waterways and adjacent habitat.
- Limit the lumen levels to the necessary minimum, ideally between 300-700 lumens for pedestrian areas.

Topic #6

Please create an environmental monitoring plan (EMP) to identify impacts to wildlife from increased usage of the bike path and added lighting, the frequency upon which the EMP will be conducted and incorporate adaptive lighting controls to adjust lighting as dictate by the results of the EMP.

Topic #7

Please study the feasibility of including curb cuts to and from the bike path on Garnet and Grand Avenues as well as making improvements to the ingress/egress paths from Garnet Avenue to the bike path. The current 90 degree turns in and off the access paths are very dangerous, especially coming onto very narrow sidewalks over the creek on Garnet Avenue.

Please study the feasibility of strategies to protect bike riders from overshooting the 90-degree angle turns coming off the bike path at Grand and Garnet Avenues to improve safety for riders of all skill levels.

Topic #8

Please study the feasibility of maintaining a tree canopy along the Rose Creek Bike Path to maintain the cooling, aesthetic, and habitat services that the tree canopy provides. Of course, we would like to focus on replacing non-native eucalyptus, Peruvian pepper trees with site appropriate natives as the non-native tree reach end-of-life or become hazardous.

Topic #9

Please ensure that any modifications to the bike path are full complaint with the California Coastal Act Sections 30116, 30231, and 30233 (c) and any other relevant sections regarding protection of coastal wetlands. See References.

4) Rose Creek MHPA / MSCP Lands

As the Rose Creek portion in the IFZ overlaps the Rose Creek MHPA / MSCP lands, please study how to avoid ANY intrusion into the MHPA. Studies should identify where habitat restoration in the existing embankments can be undertaken at a future date to enhance this critical coastal wetland by providing upland habitat for wildlife. This work has been ongoing by volunteer groups since the mid-1990s, and is a critical step to creating a more natural environment and expanding upland habitat.

Topic #1

Please study how to modify the fresh water riparian habitat between Garnet Avenue and Mission Bay Drive to prevent pools of stagnate water and allow the flow of the creek to continue uninterrupted even during the summer months.

Topic #2

Please do an invasive species survey to determine the level of effort to remove all invasive nonnatives from the Rose Creek IFZ.

5) DEANZA NATURAL

While the DeAnza Natural project is not part of the Mission Bay PEIR, both projects are in proximity and both depend on water quality improvements in Rose Creek. De Anza Natural is proposing modifications to the bike path downstream of Grand Avenue and any planning for the area upstream of Grand Avenue must be done in conjunction with this adjacent plan. Please study how these projects will coordinate their work.

In the Mission Bay PEIR, maps and plans should reflect the De Anza Natural land use plan adopted by the City Council in May of 2024, in the same way they reflect the Fiesta Island Master Plan amendment approved in 2021.

6) OTHER CUMULATIVE IMPACTS

The Balboa Avenue Station Area Specific Plan did not analyze the impact to Rose Creek and the Rose Creek Bike Path as it specifically excluded these resources from the planning area (see https://www.sandiego.gov/sites/default/files/balboa_station_area_specific_plan_september_2019
pdf) while concluding that "No Signiant impacts are foreseeable."

The DeAnza Natural Plan did not study the portion of Rose Creek in the IFZ above Grand Avenue because at the time, the Mission Bay PEIR was planning to do so. Therefore, a significant omission exists. Please see the section "2) Alternatives to the Proposed Project"

Please study how widening the bike path will increase its usage and what the impacts on wildlife will be from increased usage when the cumulative impacts from this project, the DeAnza Natural Plan, and the Balboa Avenue Station Area Specific Plan are included.

This project should also reference the South Shores GDP and the proposed construction at 2662 Garnet Avenue overlooking the creek as part of a cumulative impacts analysis.

7) COLLABORATION WITH THE KUMEYAAY NATION

We request that the City of San Diego work closely with the Kumeyaay Nation to identify appropriate plants for habitat restoration and increase "first foods" in the restored areas. We would also love to see a collaborative management plan for all habitat restoration between the City of San Diego, the Kumeyaay Nation, and non-profits working in the area. Together we can achieve more!

8) POTENTIAL IMPACTS TO RIDGEWAY'S RAILS

The US Fish and Wildlife Services has noted that Kendall-Frost Reserve in Mission Bay supports a large population of federally endangered Ridgway's rail [Rallus obsoletus levipes (Rallus longirostris l.); Ridgway's rail].1 During the 2014 breeding season, 23 pairs of Ridgway's rails were detected at Kendall-Frost Reserve (Zembel et. al 2014). Though Rose Creek MHPA / MSCP lands support only a small amount of suitable habitat, Ridgway's rails may use Rose Creek to disperse inland from Mission Bay. Therefore, please conduct focused surveys along Rose Creek to determine the presence of Ridgway's rails within and adjacent to any planned work sites.

9) Additional Comments

Topic #1

We are aware this is a Programmatic Environmental Impact Report (PEIR) and understand that further project development, funding sources, and collaboration between the City and non-profits will determine the timing and implementation of the improvements. However, without the planning efforts, it will be much harder for non-profits to fund wetlands and water quality improvements in the Improvement Fund Zone. This will hamper the City's Climate Action Plan deliverables as we believe the City will be depending on outside funding sources to complete all this work and partnership between the City and non-profits will be critical to our collective success.

Topic #2

Currently, we are writing to make sure that the cumulative impacts to Rose Creek and the potential for impacts to the City of San Diego's DeAnza Natural project are studied wholistically. Additionally, we have shared an alternative to the plan that restores an area recently omitted. Finally, we wish to identify issues that should be studied as part of improvements to the Rose Creek Bike Path between Mission Bay Park and the Rose Creek Bikeway, which begins at the northern end of the Rose Creek IFZ.

Topic #3

Specifically, we are encouraging the City to study how hydrological improvements can have cobeneficial uses by reducing water stagnation within the Rose Creek Improvement Fund Zone (IFZ), improving water flow during storm events within the IFZ, and supporting the City of San Diego's Climate Action Plan goals regarding tree canopy and the air quality functions trees provide, protection and enhancement of coastal salt marshes, the protection and enhancement of Kumeyaay cultural and biological resources, community access to nature, and the services wetlands provide for marine and terrestrial wildlife.

Topic #4

We are concerned that the City will not have enough detail in the PEIR to answer specific and critical questions about hydrology, sea level rise and its impacts on habitat and access, but then will not offer those answers up through a transparent EIR-governed process. Ensure that the PEIR has enough information to allow for informed decision-making at the public and City level.

Topic #5

Commit to following the Charter priorities

The City Charter identifies the list of priorities for the Improvement Fund, and the City should commit in this PEIR process to prioritizing Section 55.2.C.b "Wetland expansion and water quality improvements and the protection and expansion of eelgrass beds"

In closing, we thank you for your consideration of these critical points. We look forward to collaborating with the City on this project and would love to leaded a guided tour of this area to any interested City staff.

On behalf of the Friends of Rose Creek,

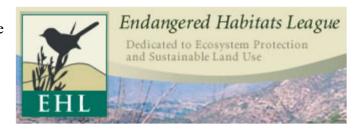
Karin Zirk, Ph.D. (she/her/hers)

Executive Director Friends of Rose Creek

858-405-7503

SaveRoseCreek.org

On behalf of the Endangered Habitats League Dan Silver, Executive Director Endangered Habitats League https://ehleague.org



10) REFERENCES

Zembal, R., Hoffman, S., and J. Konecny. 2014. Status and distribution of light-footed clapper rail in California; 2013 Season. Prepared for State of California Department of Fish and Wildlife South Coast Region. October 15.

California Coastal Act excerpts

Section 30116 Sensitive coastal resource areas

"Sensitive coastal resource areas" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following:

(a) Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the coastal plan.

Section 30231 Biological productivity; water quality

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233 (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Wildlife, ... shall be limited....

From: Andrew Meyer

To: <u>CIP CEQA Document Process</u>

Cc: Savannah Stallings; Jim Peugh; Muriel Spooner

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR comments from San Diego Bird Alliance

Date: Friday, November 1, 2024 10:21:16 AM

Attachments: 2024-11-01 Mission Bay Park Improvement Fund Programmatic Environmental Impact Report SDBA Comments

FINAL.pdf

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hello Ms. Graham,

Here are comments seeking to improve the habitat value, ecological scope and process for the MBPIF NOP that is just starting up. Please reach out with any questions and comments, and we hope to help move this important work along expeditiously.

Our main concern is that the entire project scope should be included in the stretch of Rose Creek from Mission Bay to the stormwater channel; that would improve the ecological foundation for the project and identify projects that community organizations can get working on and supporting.

Take care.

Andrew (and Jim and Muriel)

Andrew Meyer (he/his)
Director of Conservation

858.273.7800 X101

sandiegobirdalliance.org



November 1, 2024 Attn. Nancy Graham, Program Manager City of San Diego Engineering and Capital Projects Department 525 B St. MS 908A San Diego, CA 92101

(Submitted by email to CIP-CEQA@sandiego.gov)

Subject: Mission Bay Park Improvements Program EIR

Dear Ms. Graham

The San Diego Bird Alliance (SDBA) is a 3,000+ member non-profit organization with a mission to foster the protection and appreciation of birds, other wildlife, and their habitats, through education and study, and to advocate for a cleaner, healthier environment. We have been involved in conserving, restoring, managing and advocating for wildlife and their habitat in the San Diego region since 1948. We changed our name from the San Diego Audubon Society in August, 2024, but have the same mission and same deep connection to Mission Bay.

We are excited to see the City prioritize the use of the Mission Bay Park Improvement Fund for its voter-prioritized goals, and want the City to get a transparent and ecologically-focused plan done as quickly as possible. The years that have elapsed since the voters prioritized "[w]etland expansion and water quality improvements and the protection and expansion of eelgrass beds" in Section 55.2 (c) of the City Charter (see below for Charter language) are lost years. Beginning the planning process with this NOP sixteen years after the voters gave clear guidance and amended the City Charter is unacceptable and should push the City to prioritize this planning and action. The climate crisis and the City's obligations under the Climate Action Plan, the City's goals in ResilientSD, and the continued loss of our elders that remember what we now call Mission Bay before it was drastically rearranged, all compel the City to plan and act expeditiously.

SDBA has the following recommendations on how the City can further protect and improve the habitat value of Mission Bay while simultaneously encouraging public access, diverse recreational opportunities and cultural reconnection.

General Comments and Scope of NOP

Put Rose Creek back in the plan



- The portion of Rose Creek downstream of Santa Fe Street flood control channel is in the City's MSCP, is in the Mission Bay Park Improvement Fund Zone, and was included in the scope for this PEIR in the spring 2018 plans shared with the public. There is no justification for removing it; the DeAnza Natural Plan only covers a small portion of Rose Creek closest to the Bay.
- Include projects that address habitat expansion and preservation as well as shoreline resilience in this longer stretch of Rose Creek so that this important watershed is morefully addressed as the main freshwater input to the Bay and the largest habitat connection from the coast.
- Prioritize the De Anza Natural promises for restoring habitat and improving water quality in Rose Creek,
- The Balboa Ave. Station Area Specific Plan included the opportunity to connect Mission Bay Park to the Trolley through the Rose Creek corridor, and this highlights the need to include all of Rose Creek up to Santa Fe Drive in this plan.

Commit to following the Charter priorities

• The City Charter identifies the list of priorities for the Improvement Fund, and the City should commit in this PEIR process to accomplishing priorities B, C, and D before accomplishing the many park improvements listed under priority E. Priority A is already accomplished.

Ensure that the Scope reflects the recent and ongoing planning

- In public meetings about the City of San Diego's South Shores Amendment to the Mission Bay Park Master Plan, the public very clearly prioritized low-impact, accessible and habitat-focused land uses for South Shore areas. Ensure that these priorities are reflected in the Scope.
- Maps and plans should reflect the De Anza Natural land use plan adopted by the City Council in May of 2024, in the same way they reflect the Fiesta Island Master Plan amendment approved in 2021.
- We are concerned that the City will not have enough detail in the PEIR to answer specific and critical questions about hydrology, sea level rise and its impacts on habitat and access, but then will not offer those answers up through a transparent EIR-governed process. Ensure that the PEIR has enough information to allow for informed decision-making at the public and City level.
- The City's Coastal Resilience Master Plan is also a plan that should be incorporated into this plan so that work isn't duplicated and so that actions are in line with the City's prioritization of nature-based, natural infrastructure.

Lighting design, especially in the Rose Creek bike path section



- Lighting is called out in the City Charter as a priority for the Improvement Fund in subsection E. Lighting used along pedestrian pathways, the bikepath and in nearby areas should be in accordance with the MHPA guidelines to minimize wildlife disruption. Minimize and orient lighting away from sensitive areas. The City should adopt lighting guidelines based on MHPA and DarkSky recommendations:
 - o If LED lights are used instead of Low Sodium they should have a color temperature of 2200-2700 Kelvin or lower to closely mimic the warm light of low-pressure sodium lamps and further reduce blue light emissions.
 - Limit the lumen levels to the necessary minimum, ideally between 300-700 lumens for pedestrian areas.
 - o Implement timers and motion sensors to reduce the duration and intensity of lighting, ensuring lights are only on when necessary. Luminaires activated by motion detection shall automatically turn off or return to their dimmed state no more than [5] minutes after activity is no longer detected.
 - O Use fully shielded fixtures to direct light downward and prevent spillover into the Rose Creek waterways and adjacent habitat. Luminaire light sources shall not be visible from federal or state designated wilderness, natural area, habitat, or reserves, and Light Trespass shall measure no greater than 0.1 Lux.
 - o Incorporate adaptive lighting controls and regular environmental monitoring as integral parts of the lighting plan.

Engage Native American communities in planning from the beginning

- Use historical ecology information to understand the habitats and human management that existed in the Cudahay and Tecolote Creek wetland areas and the Fiesta Island wetland and upland habitat areas.
- Conduct outreach events and actively engage with tribal partners to share and get feedback from the original stewards of Mission Bay.

Upland Habitat Expansion and Preservation

- Partner with Indigenous groups to co-plan the habitat and human value of restoration sites on Fiesta Island, emphasizing shared management and culturally-important plants and activities.
- Avoid and eliminate raptor perching sites near ground-nesting bird preserves.
- The Scope should include habitat improvements and seasonal closures needed for CLTEs and other wildlife at the San Diego River Mouth, including a channel that would better-protect shoreline, dune and wetland habitat from human and dog disturbances.
- Sea World Drive Site #1a is unfortunately not acceptable California Least Tern habitat. The area is too busy with too many raptor perches nearby and has not been used by

California Least Terns for over 30 years (see California Least Tern Long-term Management Plan, 2022). The City should update the Mission Bay Natural Resource Management Plan to identify and manage needed nesting preserves, and in this PEIR, the City should prioritize improving management for native plants and animals at this site. SDBA would be happy to be a partner in that process.

- The Scope should include assessing Enchanted Isle in Enchanted Cove as a bird nesting preserve.
- The Scope should assess habitat management and protection of West Ski Island as a valuable preserve for seabirds.
- The Scope should include a long-term plan and prioritization for sand amendments at seabird nesting sites.
- The new Fiesta Island CLTE nesting area should have a 500ft seasonal buffer for special events, as the other existing CLTE nesting preserves (Mariner's Point, Stony Point, North Fiesta Island) have.

Shoreline Restoration

- All proposed shoreline restoration projects should include clear economic and management projections that compare the proposals to more-natural alternatives
- The NOP should include a sand replenishment plans, which investigate sand amendments over time to replace lost sand, especially as a way of increasing the habitat value of areas that must be riprap/cobble or otherwise armored.
- The City's shoreline management of beach wrack should be analyzed as part of the Scope, and the habitat value of beach wrack as well as the shoreline protection value should be part of the planning for shoreline projects.
- Alternate designs for shoreline improvements should include designs that minimize the destruction of existing eelgrass habitat and in keeping with California Natural Resources Agency's agenda to preserve eelgrass as a natural, highly-efficient carbon sequestering habitat. Continuing to survey and map eelgrass habitat is crucial.

Seawall Restoration

• The proposed Seawall Restoration proposal should be carefully reviewed and updated with more current models of sea level rise and with justification for the expenditure based on the projected life of wall and continuing destruction from hide tide and storm events. Natural barriers on the existing beach should be considered.

Wayfinding Improvement Program



- For the Parks-within-a-Park concept, northern Crown Point, Area 3, is tidal wetland habitat and should be demarcated and referred to as a component of Area 4, Rose Creek.
- Add the title "Smiley Lagoon and Dune Habitats" to Area 11 River Park and Dog Beach, to reflect the new focus on habitat value that the Rangers and Open Space staff are leading.
- The Scope should include signs that identify the on leash areas throughout Mission Bay and phone numbers to report off leash dogs.
- The Scope should include signs and plans for addressing drone activity that degrades the habitat value of nesting preserves and can cause seabirds to abandon active nests.

Mission Bay is host to a dynamic, ever-changing, biologically sensitive ecosystem that should be managed appropriately. In addition to federally- and state-endangered species the Bay is critical habitat for thousands of birds and hundreds of species as migratory stopovers and wintering grounds as part of the Pacific Flyway. Mission Bay is an Important Bird Area, and an important area in the recovery plans for endangered species and in the City's MSCP. Coastal dune and tidal wetland habitats are extremely rare in the state and need to be restored. At the same time, public access to a thriving Bay is required. SDBA hopes to be a constructive partner with the City and other stakeholders as this important planning project continues.

Sincerely,

Muriel Spooner

Conservation Committee co-chair

San Diego Bird Alliance

James Peugh

Conservation Committee co-chair

James Q Peigh

San Diego Bird Alliance



Appendix 1

City Charter Section 55.2 (c) states:

To achieve these goals, all of the following identified priorities are intended to be authorized, have a funding plan adopted by City Council, and proceed to completion in the order provided below, subject to section (c)(2) below authorizing projects to proceed concurrently:

- (A) Restoration of navigable waters within Mission Bay Park and elimination of navigational hazards. When depth conditions no longer support and ensure safe navigation, those areas that pose a danger or impede the passage of watercraft shall be dredged in accordance with the Mission Bay Baseline Chart.
- (B) Wetland expansion and water quality improvements and the protection and expansion of eelgrass beds as identified in the Mission Bay Park Master Plan.
- (C) Restoration of shoreline treatments within the Mission Bay Park Improvement Zone including restoration of beach sand and stabilization of erosion control features.
- (D) Expansion of endangered or threatened species preserves and upland habitats on North Fiesta Island and along the levee of the San Diego River floodway as identified in the Mission Bay Park Master Plan.
- (E) Deferred maintenance projects that are also Capital Improvements within the Mission Bay Park Improvement Zone as may be recommended by the Mission Bay Park Improvement Fund Oversight Committee and approved by the City Council such as, but not limited to, completion of bicycle and pedestrian paths and bridges as identified in the Mission Bay Park Master Plan, installation of sustainable lighting in the Mission Bay Park Improvement Zone, installation of signage and landscaping at points of entry to Mission Bay Park and the South Shores, the repair, resurfacing and restriping of parking lots within the Mission Bay Park Improvement Zone, the repair of playgrounds and comfort stations, and the restoration of the seawall and bulkhead on Oceanfront Walk to a condition no less than the quality of restoration previously performed in 1998 from Thomas Street to Pacific Beach Drive or to conditions as may be required by historic standards.

From: Pam Heatherington San Diego
To: CIP CEQA Document Process

Subject: [EXTERNAL] Mission Bay Park Improvements Programatic EIR

Date: Monday, October 28, 2024 11:52:11 AM

Attachments: ECOSD Scoping Letter Mission Bay PEIR 28Oct2024.docx

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Please accept the attached letter from the Environmental Center of San Diego regarding the above referenced Subject.

Thank you, Pamela Heatherington Board of Directors Environmental Center of San Diego 805-835-1833



October 28, 2024

Via email transmission to CIP-CEQA@sandiego.gov.

Attn. Nancy Graham, Program Manager City of San Diego Engineering and Capital Projects Department 525 B St. MS 908A San Diego, CA 92101

RE: PROJECT NAME: Mission Bay Park Improvements Program EIR

COMMUNITY PLAN AREAS: Mission Bay Park, Pacific Beach, Mission Beach

COUNCIL DISTRICT: 1 and 2

Dear Ms. Graham,

On behalf of the Board of Directors of the Environmental Center of San Diego, we submit these comments on the Mission Bay Park Improvements Program EIR. It is imperative to address protection of the environment and the species that depend on it while still achieving the goals of the Mission Bay Park Improvement process. The Environmental Center is dedicated to the protection and enhancement of the natural environment throughout San Diego, with access to nature, where feasible.

We agree with our colleagues at Friends of Rose Creek that project development, funding sources, and collaboration between the city and non-profits will determine the timing and implementation of the improvements. Without the planning efforts, it will be much harder for NGOs to fund wetlands and water quality improvements in the Improvement Fund Zone. Furthermore, this impacts the city's ability to achieve its expectations for the Climate Action Plan.

In addition, the city if falling short by not looking at the cumulative impacts to Rose Creek and what those impacts mean for the DeAnza Natural Plan. Please expand your PEIR to include hydrology studies to inform reducing stagnation in the Improvement Fund Zone; increase knowledge of the impacts of sea level rise and the impacts it will have on critical habitat and access. The city must safeguard

not only the hydrology and habitat but they must be inclusive of our Kumeyaay partners, who hold much needed Tribal Ecological Knowledge that is germane to a successful PEIR. Informed, transparent decision making, inclusive of the public, will make the process informative and fair.

We ask for the following to strengthen the PEIR:

- Identify ALL the impacts that will contribute to wetland restoration in the northeast corner including the Rose Creek area.
- Identify plans for the restoration of the MHP/MSCP section of Rose Creek in the IFZ.
- Study ALL impacts, direct, indirect and cumulative, to the DeAnza wetlands -inclusive of omitting the Rose Creek IFZ from the Mission Bay PEIR.
- Rose Creek is the largest source of fresh water that flows into Mission Bay, it is critical
 that it be included in planning efforts if the other wetlands and habitat project goals are
 to be achieved
- The PEIR must study all impacts to the federally endangered Ridgeway's Rail. This must include habitat areas inclusive of Rose Creek.
- The City's Coastal Resilience Master Plan must be incorporated into this plan to avoid duplicating efforts and to make sure actions are in line with the City's prioritization of nature-based, natural infrastructure
- Regarding shoreline restoration: Analysis of the city's ongoing policy of dredging the
 east bay for navigation then stabilizing the shoreline with rip-rap when it erodes, needs
 to be analyzed. What is the purpose beyond providing an amenity and source of profit
 for the hotel? And what is the cost in regards to first, dredging, second, shoreline
 stabilization, third, Environmental mitigation (eelgrass planting) and finally, how all this
 rip-rap affects public access to the bay.

Mission Bay is a biologically sensitive ecosystem that requires careful management. It supports endangered species and serves as a crucial habitat for thousands of migratory birds along the Pacific Flyway. Rare coastal dune and tidal wetland habitats within the Bay need restoration, while maintaining public access to a thriving environment. The Environmental Center of San Diego looks forward to working with the city to get this right for the environment, the species that depend on this important area and the people who will benefit from its natural and inclusive restoration.

In closing, the Environmental Center of San Diego agrees with the comments submitted by San Diego Bird Alliance and the Friends of Rose Creek. We continue to be partners in achieving the restoration of the natural environment in the northeast corner of Mission Bay.

Sincerely,

Pamela Heatherington Board of Directors Environmental Center of San Diego From: phillip musegaas

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] San Diego Coastkeeper Scoping Comments re: Mission Bay Park PEIR

Date: Friday, November 1, 2024 5:17:58 PM

Attachments: SDCK Scoping Comments Mission Bay Park PEIR 11 1 24.pdf

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Please find attached our comments regarding the Mission Bay Park PEIR.

Thank you, Phillip

Phillip Musegaas | Executive Director and Coastkeeper 619.609.0860 | he/him/his



San Diego Coastkeeper® | 8305 Vickers Street, Suite 209 | San Diego, CA 92111

Show your support for protecting and restoring fishable, swimmable, and drinkable waters in San Diego County with a <u>donation today</u>.



November 1, 2024

Attn. Nancy Graham, Program Manager
City of San Diego
Engineering and Capital Projects Department
525 B St. MS 908A
San Diego, CA 92101
Via email to CIP-CEQA@sandiego.gov

RE: San Diego Coastkeeper Comments on Mission Bay Park Improvements PEIR

Dear Ms. Graham,

Please accept the following comments on behalf of San Diego Coastkeeper (Coastkeeper) regarding the above-referenced environmental review process. Coastkeeper¹ is San Diego's leading clean water advocacy organization, using community science, grassroots outreach, education and legal enforcement of environmental laws to protect and restore swimmable, drinkable and fishable waters in San Diego County.

Coastkeeper hereby supports and incorporates by reference the comments filed by Friends of Rose Creek on November 1, 2024. In particular, we would stress the importance of considering future restoration and water quality improvements in Rose Creek as inextricably linked to the future success of the DeAnza Natural Plan and expansion of Kendall Frost Marsh.

Coastkeeper launched our Mission Bay Watershed Watch program in September 2023, which includes the monthly collection and analysis of water quality at ten locations in Mission Bay. This includes a location in Rose Creek just upstream of the Bay. Our monthly data shows that Rose Creek is chronically burdened with poor water quality, including high bacterial counts, and is fouled with huge volumes of trash and plastic debris. As one of the main freshwater inputs to Mission Bay, it is imperative that restoration of Rose Creek is integrated into future Mission Bay improvement plans. Our water quality data can be found here.

¹ For more information, please check out <u>www.sdcoastkeeper.org</u>



Coastkeeper appreciates the opportunity to provide these comments. Please feel free to contact me at phillip@sdcoastkeeper.org, or 914-806-0916, if you have any questions or need more information regarding our input.

Respectfully,

Phillip Musegaas

Executive Director and Coastkeeper

Phillip Musegoon

COMMUNITY LETTERS

(None Received)

COMMUNITY EMAILS

From: Paula Annicchiarico

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Please Plan Needed Improvements to our Mission Bay dog park.

Date: Sunday, October 27, 2024 3:00:21 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hello,

I'm writing to ask for my city to please include the fenced off-leash dog park area of Mission Bay for your improvement planning to help make our dog park safer for all visitors. By including 2 sets of stairs to your improvement planning project, visitors can safely access the beach part of the park from the upper level of the park.

We used to go down the sloped area to access the beach from the upper area cliff. However, there has been a lot of erosion near the least tern preserve making that completely unsafe for both myself and all the other people who visit this part of the park daily.

Thank you,

-- From Paula Annicchiarico 31256 Orleans East San Diego, CA 92110

Re, Project name:

Mission Bay Park Improvements Program EIR

-- Community Plan Areas:

Mission Bay Park, Pacific Beach, Mission Beach

-- Districts: Council District 1 and 2

From: S Biggs

To: CIP CEQA Document Process

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR, Mission Bay Park, Pacific Beach, Mission Beach

Date: Friday, October 25, 2024 1:03:24 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Shannon Biggs 3100 6th Avenue Unit 501 San Diego, CA 92103

My name is Shannon Biggs and I frequent the off leash dog park at Fiesta Island several times a week. I heard that stairs from the berm to the beach were not going to be included in the plan under consideration.

I just turned 60, and in the last five years both the berm and my knees have deteriorated greatly. Sets of stairs would be so welcome. You see, it is scrambling out on the steep berm that is the problem. I will soon be unable to do so without hurting myself and will have to stop going.

I thought I would let you know that it really is an accessibility issue. There are probably many more people with injuries or disabilities who have already had to stop.

Thank you so much for reading my thoughts,

Shannon (resident since 2004)

From: Susan DeLacy

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements EIR

Date: Thursday, October 10, 2024 1:24:28 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Dear Council Members:

I am writing on behalf of the very popular and much loved Fiesta Island Dog Park that is used by many happy dogs along with their owners. I understand the MB Park Improvement has many valuable projects, and I am hoping you will consider funding for two stairways from the berm to the beach. The existing conditions of the south slopes have been greatly eroded and it is essential to place two stairways for safer coastal access of our residents and dogs. As a handicapped person, I have not been able to access the southern slopes for fear of injury. If steps were installed it would make for a much safer condition. Did you know the dog park was voted most popular in the USA? Let's show our local residents and visitors how valued our dog park is and add some much needed stairways. Thank you for your consideration.

Susan DeLacy 1918 Emerald St. #209 San Diego, CA 92109

Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach

Council 1 and 2

From: Patricia De La Rosa

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Re: Support for FIDO"s recommendations

Date: Friday, November 1, 2024 11:13:40 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

The previous email is reference to:

- -- Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Districts: Council District 1 and 2

On Fri, Nov 1, 2024, 11:10 PM Patricia De La Rosa < trishdelarosarealestate@gmail.com wrote:

I am writing to express my support for the capital improvement projects proposed by FIDO (Fiesta Island Dog Owners) association.

The fenced enclosed dog park on Fiesta Island is used by thousands of City of San Diego residents as well as other residents throughout the area. Recently, the national newspaper named Fiesta Island Dog Park as #1 in the nation based on a nation wide vote. The projects proposed by FIDO address fundamental safety and preservation efforts regarding the coastal edge and berm around the dog park.

I strongly appeal to and encourage the City to make every effort to fund all or provide significant support via City staff and resources to execute these projects proposed by FIDO.

Respectfully, Patricia De La Rosa 5655 Bellevue Ave La Jolla, CA 92037 619 788 2147 From: <u>Martha Farmer</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Thursday, October 10, 2024 2:47:32 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hi,

My name is Martha Farmer & I am a dog walker & a supporter of FIDO. I take my dogs to Fiesta Island every day. I love this open space for the dogs to run & have fun. Most people (myself included) like to walk the shoreline & on the ridge. Most hike up and down the slopes from the beach to the top of the berms/ridges in the off-leash dog area. The existing conditions of the slopes have been greatly eroded and it is **essential for safer coastal access.** FIDO is requesting **at least two sets of stairs up and down the berms** inside the dog park.

Please add to the capital improvement projects in the off-leash area, including stairways from the berm to the beach (a proposed FIDO project), that will provide safer coastal access.

Thanks,

Martha Farmer 4417 Kamloop Ave San Diego, CA 92117

- -- Project name: Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Council District 1 and 2

From: <u>Diana Griffin</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Thursday, October 10, 2024 4:27:28 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hi,

My name is Diana Griffin and am an active supporter of Fiesta Island Dog Owners FIDO. Although I live in East El Cajon, I take my dogs to Fiesta Island every day. I love this open space for the dogs to run & have fun and consider this a vital activity for myself every morning. Most people (myself included) like to walk the shoreline & on the ridge. Most hike up and down the slopes from the beach to the top of the berms/ridges in the off-leash dog area. The existing conditions of the slopes have been greatly eroded and it is **essential for safer coastal access.** FIDO is requesting **at least two sets of stairs up and down the berms** inside the dog park.

Please add to the capital improvement projects in the off-leash area, including stairways from the berm to the beach (a proposed FIDO project), that will provide safer coastal access.

Thanks,

Diana Griffin

2230 Eucalyptus Drive

El Cajon, CA 92021

- -- Project name: Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Council District 1 and 2

From: <u>Caron Golden</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Comment on Fiesta Island Dog Park Improvements

Date: Friday, October 25, 2024 2:38:14 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

- Project name: Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Districts: Council District 1 and 2

Dear Committee Members,

I am a longtime lover of Fiesta Island's dog park. I've been taking my dogs there from where I live in Tierrasanta since 2002. But in the past few years I've had to stop for two reasons: the presence of foxtails which never seem to go away and forced me to take one of my dogs to the vet after a few went into her nose—and accessing the berms between the water and the top of the park. They've eroded badly and I can't safely walk up or down them.

There have been attempts to carve "steps" but they inevitably erode. It would be so helpful to have permanent stairways built in a couple of spots to help young families with kids, people who are getting older like me, and others who, also like me, have a fear of heights that makes the unsteadiness of the berms prevent them from attempting to tackle them.

I miss FI and these two projects would make a huge difference to my dogs and me—as well as to a huge population that loves spending time there.

Sincerely, Caron Golden 10625 Esmeraldas Dr. San Diego, CA 92124

Caron Golden

carondg@gmail.com

858-699-2635

goldenwriting.com

Post

Facebook (personal) or Facebook (business)

Linkedin

<u>Instagram</u>

Threads

Deactivated Twitter/X for obvious reasons

My working day may not be your working day. Please don't feel obliged to reply to this e-mail outside of your normal working hours.

From: Robert Johnson

To: <u>CIP CEQA Document Process; Fiesta Island Dog Owners (FIDO)</u>
Subject: [EXTERNAL] MISSION BAY PARK IMPROVEMENTS PROGRAM EIR

Date: Monday, October 28, 2024 11:57:19 AM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

ATTN: Fiesta Island Dog Park

Thousands of Dog Owners utilize the Fiesta Island Dog Park on a weekly basis. Happy Dog Owners translate into *Tax Revenue* (vets, food, supplies, licences)

Please consider:

A 'BACKHOE' GRADED ACCESS-SLOPE FROM BERM TO BEACH ON WEST AND SOUTH SIDE OF FIESTA ISLAND DOG PARK.

A gentle walking slope would be most welcome by all of us Seniors walking their dogs, while retaining the adventure of the Park's hiking trails. 'Stairs' could be more costly and difficult for Seniors to walk up and down on. Also, the manifestation of formal <u>stairs</u> could spark unwanted attention from the ADA (American Disabilities Act).

Robert Lee Johnson Margie Rae Johnson Hansa Sunshine Johnson 1967 Goldfield St, San Diego, CA 92110 Mission Bay Park Improvements Program EIR Mission Bay Park, Pacific Beach, Mission Beach Council District 1 and 2 From: jonathan layton

To:

CIP CEQA Document Process
[EXTERNAL] Stairwell Project for Fiesta Island Off-Leash Area Subject:

Date: Sunday, October 27, 2024 1:05:52 PM

Attachments: Stairwell projects for Fiesta Island Off-Leash area.pdf

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

CIP-CEQA@sandiego.gov

- -- Project name: Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Districts: Council District 1 and 2

October 27, 2024

Dear City of San Diego,

I'm writing to ask the city of San Diego to add two capital improvement projects in the off-leash area of Fiesta Island in Mission Bay Park. The projects are to install two (2) sets of stairways from the main area berm down to the beach, one at the south end of the SW corner facing west to the main section of the bay, and one at the west end of the SW corner facing south towards Sea World.

The embankments at these main access points are eroding, and these projects will provide safer coastal access for the thousands of people, both residents and visitors, that hike up and down the slopes from the beach to the top of the berms in order to access the California Coastal Trail that runs around this part of the park.

The proposed projects do not include any other projects in the fenced, off-leash dog park even though important visitor-serving and maintenance projects are included in the applicable plan.

Sincerely,

Jonathan Layton 3135 Mount Acmar Ct San Diego, CA 92111 From: Ann Kavaney

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Fiesta Island Off Leash Dog Park

Date: Friday, October 25, 2024 2:20:40 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

I go to Fiesta Island Off leash dog park 1-2x/week year round. My dogs love going there. There is a reason it was voted Best Dog Park in the US by USA Today. This is in my opinion, the best dog park in the city. It is large allowing for plenty of room for dogs and people to walk and run without being crowded. The view is amazing around the park, and I feel it really show cases our wonderful city. It is a peaceful park that brings dog lovers together and creates a sense of community.

The dog park attracts all types of visitors from the young, to the young at heart. The dogs are also of variable ages. As you know, each week thousands of people, both residents and visitors, hike up and down the slopes from the beach to the top of the berms in order to access the California Coastal Trail that runs around this part of the park. It is hard to navigate up and down the berms, especially if the walker has some mobility issues or just stiff joints. A hand rail would help to navigate and prevent falls as well promote usage of the park for all. The existing conditions of the slopes have been greatly eroded and it is **essential for safer coastal access** to move forward with analysis of **at least two sets of stairs up and down the berms** inside the dog park.

Please add the Fiesta Island off Leash Dog Park to the list for capital improvements.

Thank you

Ann Kavaney, Fiesta Island Off Leash Dog Park Lover

From: <u>Mitch Kinnamon</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Improvements to Fiesta on Mission Bay Park Improvements Program EIR -- Community Plan Areas:

Mission Bay Park, Pacific Beach, Mission Beach -- Districts: Council District 1 and 2

Date: Friday, October 25, 2024 5:58:38 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

I have a suggestion that might pay for the steps that we need at Fiesta Island. We could do like they did in Ocean Beach several years back that is sell tiles. People could put their own names and the names of their dogs on their tiles you could charge them \$25 each and incorporate the tiles into the stairs. I think you will have a great deal of participation if you were to try ,thank you my name is Mitchell Kinnamon Address is 1247 Gertrude St. Sd CA 92110(629) 210-3387 thank you Sent from my iPhone

From: Appraise All - Bryan Knowlton

To: CIP CEQA Document Process

Subject: [EXTERNAL] Fiesta Island off leash dog park improvements: Mission Bay Park Improvements Program EIR

Date: Monday, October 28, 2024 3:14:20 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

My wife and I have been weekend users of the off leash park on Fiesta Island for over 15 years now. We sure do love that park and am very happy this area is not up for development. The only issues we have had are access issues due to erosion. As you know FIDO is proposing at least two sets of stairs inside the dog park. We would absolutely LOVE this! Please continue to make this park accessible to all people.

Thank You,

Bryan Knowlton 4404 Onondaga Ave San Diego, CA 92117

- -- Project name: Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Districts: Council District 1 and 2

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Appraise All 858-232-3348 3952 D Clairemont Mesa Blvd #208, San Diego, CA 92117 http://www.appraiseallrealestate.com From: Raquel Kramer

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Friday, October 25, 2024 6:33:05 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Raquel Kramer 1501 India Street #608 San Diego, CA 92101

Project name: Mission Bay Park Improvements Program EIR

Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach

Districts: Council District 1 and 2

We're grateful to have the most amazing dog park in America! Thank you to our city leadership for ensuring it remains accessible and safe.

However, hiking up and down the slopes from the beach to the top of the berms in order to access the California Coastal Trail that runs around this part of the park is very difficult. It would be incredibly appreciated if two sets of stairs up and down the berms would be built.

Thank you so much! Raquel Kramer

From: TAMARA KRUGER

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR Comments

Date: Thursday, October 17, 2024 11:07:40 AM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Project name: Mission Bay Park Improvements Program EIR

Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach

Council District 1 and 2

Subject: Request for Improved Coastal Access at Fiesta Island Dog Park

Hello,

I hope this message finds you well. I am writing to propose that the City of San Diego consider allocating funding towards improving access within the off-leash dog park on Fiesta Island, particularly by installing two stairways on the eroding berms that connect the beach access to the rest of the park.

As someone who frequents this park weekly, I've witnessed many people and their pets struggle to safely traverse the steep slopes. Unfortunately, the current state of the berms, which are noticeably eroding, poses a significant challenge—especially for individuals and animals with disabilities. The park's beach access is a central feature that draws visitors, but the deteriorating slopes limit access for those who most benefit from it.

I recently spoke with an elderly man whose wife no longer accompanies him to the dog park. She can no longer navigate the berms safely, which means their pet—who loves playing in the water—misses out on the park's best feature. It was heartbreaking to hear their story, and I can't help but think about others who face similar challenges.

On a personal note, my own dog has anxiety, and access to the water at this off-leash park has played an instrumental role in building his confidence and strength. I can't imagine being in a situation where the best part of the park is no longer safe or accessible for us.

Thousands of visitors—residents and tourists alike—use the berms to access the beach area, and the current conditions compromise safety and inclusivity. The proposed city projects in Mission Bay Park currently do not include any improvements for the dog park, despite its importance as a visitor-serving amenity.

I urge the City to consider conducting an analysis for the construction of at least two sets of stairs to provide safer access and improve the experience for all who visit Fiesta Island Dog Park. I believe these improvements will ensure that everyone—regardless of age or physical ability—can safely enjoy the park with their pets.

Thank you for your time and consideration. I look forward to hearing from you.

Sincerely,
Tamara Kruger
R.kruger1@cox.net
8643 Jackie Dr. San Diego, CA 92119

From: <u>Carlin Lockee</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Friday, October 25, 2024 2:47:40 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Mission Bay Park, pacific Beach, Mission Beach Council District 1 and 2

Residents and visitors love Fiesta Island Dog Park! I'm in my 70's and take my dog nearly every day. But the paths down to the beach have eroded so much that it's difficult for me to move from the berms to the beach (have had a few falls!). I understand that there is a FIDO plan to assess the possibility of building at least 2 sets of stairs from the berms to the beach. Please consider this to your improvements program. I'm not getting any younger!

Thanks for considering this.

Carlin Lockee

Sent from my iPhone. Please excuse typos.

From: <u>david logg</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Planned Mission Bay Improvement **Date:** Wednesday, October 9, 2024 4:35:28 AM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

The slopes from the bay to the top of the dog park are eroding and becoming dangerous. Please move forward with adding at least 2 sets of stairs up and down the berms inside the dog park.

Thank You, David Logg 10344 Amada Place Santee CA. From: <u>mrslomadden (null)</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Project: Mission Bay Park Improvements Program EIR

Date: Friday, November 1, 2024 6:26:18 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

PROJECT NAME: MISSION BAY PARK IMPROVEMENTS PROGRAM EIR

COMMUNITY PLAN AREAS: Mission Bay Park, Pacific Beach, Mission Beach

DISTRICTS: Council District 1 and 2

I support the proposed Fiesta Island causeway improvement but am concerned that there are no projects currently identified in the southwest off-leash area of Fiesta Island. The most important improvements in this area are to improve coastal access, along the Cal. Coastal Trail perimeter trail by building 2 sets of stairs to create safer access from the berm area down to the beach along all of the island's southern shoreline and around to Hidden Anchorage. I would like to see stair projects as a high priority in order to provide access to this wonderful area.

I use this area 4 to 5 times a week, but accessing the beach areas is becoming more difficult due to erosion and no maintenance. It provides me with great exercise and I am always amazed how I can forget I live in a very large and noisy urban city while I'm walking that perimeter trail.

Comments from Debra Madden

1611 Alta La Jolla Dr. La Jolla, CA. 92037 mrslomadden@aol.com From: <u>Susan Matthews</u>

To: <u>CIP CEQA Document Process</u>
Subject: [EXTERNAL] Fiesta Island

Date: Sunday, October 27, 2024 3:09:12 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hi -- I am a San Diego resident writing to ask that you add capital improvement projects in the off-leash area of Fiesta Island, including stairways from the berm to the beach, that will provide safer coastal access. My family and I visit this off leash area on a regular basis with our dog. As a lifelong dog owner who has lived in 6 different major cities, I can't express to you enough how special Fiesta Island is to dog owners and non-dog owners alike. Maintaining it should be a priority.

As you know, each week thousands of people, both residents and visitors, hike up and down the slopes from the beach to the top of the berms in order to access the California Coastal Trail that runs around this part of the park. The existing conditions of the slopes have been greatly eroded and it is essential for safer coastal access to move forward with analysis of at least two sets of stairs up and down the berms inside the dog park. The proposed project description does not include any projects in the fenced, off-leash dog park even though important visitor-serving and maintenance projects are included in the applicable plan.

Thank you for your consideration,

Susan Matthews 1070 Tarento Dr, San Diego, CA 92107

Project name: Mission Bay Park Improvements Program EIR

Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach

Council District 1 and 2

From: <u>Michael Mckinney</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission bay park improvement program

Date: Friday, October 25, 2024 2:50:25 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Sent from my iPhone

my family goes to the Mission Bay Park off leash with our dogs multiple times a week. We help people train their dogs in the midfield, run them in the fenced in area and the remaining areas outside the fenced in park. In addition, I ride my bike several times a week around fiesta Island. As a 50 year resident and homeowner in San Diego, it is one of the best public areas San Diego has. Stairways would be a good addition to making the area safe and maintain the bluffs. Also more frequent street sweeping of the roadway would be beneficial for the thousands of cyclist who ride weekly on the roads. With individuals using their four wheel vehicles and kicking sand and debris on the roads makes it difficult for cyclist. A road bike with a 1 inch wide tire becomes unstable and dangerous when the sand on the road gets more than a quarter of an inch thick. The roadway at the north end usually is not wide enough for a bicycle and a car, making it dangerous For a car to pass the bicyclist.

Thank you

Michael McKinney

From: <u>alan moss</u>

To: <u>CIP CEQA Document Process</u>
Subject: [EXTERNAL] Fiesta dog park
Date: Friday, October 25, 2024 3:28:

Date: Friday, October 25, 2024 3:28:10 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Need to get rid of foxtails Sent from my iPhone From: <u>Connie Muther</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Saturday, October 26, 2024 9:31:19 AM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Fiesta Island Dog Park has been voted the BEST DOG PARK in the country. Many dog owners are older -- I am 80. Climbing up and down the berms is essential -- but it is eroding the island. PLEASE INCLUDE at least 2 sets of stairs for everyone to walk safely. Thank you.

- -- Project name: Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Districts: Council District 1 and 2

Connie Muther 6180 Caminito del Oeste San Diego, CA 92111 860-649-9517 From: <u>Natalie</u>

To: CIP CEOA Document Process
Subject: [EXTERNAL] San Diego Dog Park
Date: Monday, October 28, 2024 6:27:18 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hello,

I am a resident of San Diego. My dog and I regularly go to the Fiesta Island Dog Park. We greatly appreciate the opportunity to be in nature right next to the water. It is beautiful and we are able to see a diverse group of people and dogs from all cultural backgrounds, both residents and visitors. We love that!

Please prioritize the safety of the attendees and maintenance of such a beautiful environment. People hike up and down the slopes from the beach to the top of the berms quite a bit. The existing conditions of the slopes are terribly eroded and not good for the sustenance of this area or safe for people and dogs alike. It would be best if we maintain a safer coastal access to move forward with analysis of at least two sets of stairs up and down the berms inside the dog park.

My full name is Natalie Lin Olson at 5116 Hawley Blvd, San Diego, CA 92116

- -- Project name: Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Districts: Council District 1 and 2

Thank you for your time and consideration. Best regards. Natalie L. Olson From: <u>Darlene Oolie</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Thursday, October 10, 2024 4:11:25 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Regarding:

- Project name: Mission Bay Park
 Improvements Program EIR
- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- Council District 1 and 2

I am a 62-year-old resident of San Diego county and have a balance and mobility disability that requires me to walk with two walking sticks. I also frequently take my dog to Fiesta Island Dog Park.

As you know, each week thousands of people, both residents and visitors, hike up and down the slopes from the beach to the top of the berms in order to access the California Coastal Trail that runs around this part of the park. The existing conditions of

the slopes have been greatly eroded and it is **essential for safer coastal access** to move forward with analysis of **at least two sets of stairs up and down the berms** inside the dog park. It is especially difficult for me, with my mobility disability, to climb the slopes from the beach to the top of the berms in order to access the trail that runs around the park. On many occasions I have nearly slid down the slopes while trying to navigate my dog and I up them.

The proposed project description does not include any projects in the fenced, off-leash dog park even though important visitor-serving and maintenance projects are included in the plan.

I strongly urge the planning committee to include two sets of stairs, allowing access up and down the berms, providing safe access for all who utilize the dog park, disabled and able bodied alike.

Sincerely,
Darlene Oolie
2926 Rosedale Ct
Spring Valley, CA 91977

__

From: <u>Kathy Parrish</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Friday, November 1, 2024 7:37:31 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

I'm writing to strongly urge you to include important safety improvements to the Fiesta Island Dog Park.

Fiesta Island Dog Owners has been working on a plan for stairs from the upper area down to the beach on the south side, across from Sea World. This will make it much safer for people going down the berm.

I just read from the Park & Rec minutes from 9/19 that over \$5,000,000 is being spent for a dog park in Rancho Bernardo, much of which is amenities. The stairway project for the Fiesta Island Dog Park would be so much less expensive and is for safety, not a nicety.

Thank you for your consideration.

Mary K. Parrish 1614 Thomas Ave. San Diego, CA 92109

- -- Project name: Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Districts: Council District 1 and 2

From: Ellen Parry

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Please Plan Needed Improvements to our Mission Bay dog park

Date: Wednesday, October 30, 2024 1:07:38 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hello,

I'm writing to ask for my city to please include the fenced off-leash dog park area of Mission Bay for your improvement planning to help make our dog park safer for all visitors.

By including 2 sets of stairs to your improvement planning project, visitors can safely access the beach part of the park from the upper level of the park.

We used to go down the sloped area to access the beach from the upper area cliff. However, there has been a lot of erosion near the least tern preserve making that completely unsafe for both myself and all the other people who visit this part of the park daily.

Thank you,

From Ellen Parry 10252 Perez Ct San Diego, Ca 92124

Re:

Mission Bay Park Improvements Program EIR
-- Community Plan Areas:
Mission Bay Park, Pacific Beach, Mission Beach

-- Districts: Council District 1 and 2

From: <u>Mike Pena</u>

To: <u>CIP CEQA Document Process</u>

Cc: <u>info@fidosd.org</u>

Subject: [EXTERNAL] Stairs to shoreline needed at Fiesta Island

Date: Sunday, October 20, 2024 3:33:46 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hello,

I live in San Diego and visit Mission Bay Park at least weekly throughout the year because Fiesta Island is an essential amenity for our dog's mental and physical well-being. Please consider adding capital improvements to the fenced, off-leash area – namely, two sets of stairs to access the shoreline as requested by the Fiesta Island Dog Owners group, which I belong to.

Without them, elderly and physically limited friends and loved ones cannot fully enjoy the California Coastal Trail that runs around this part of the park as we do. The existing conditions of the slopes have been greatly eroded and it is essential for safer coastal access to move forward with analysis of at least two sets of stairs up and down the berms inside the dog park.

Without the stairs, these steep slopes pose risks for humans and their pets year-round. In the winter, when the berms are muddy, I've personally slipped and almost fallen all the way down. Meanwhile, my dog and others risk injuries by plunging down the slopes because there's no designated path at the highly used junctures where we're proposing these stairs.

Thank you for your consideration, and please don't hesitate to contact me if you need any additional information.

Sincerely,

Michael Peña San Diego, CA 92119 From: <u>Jane Peterson</u>

To: CIP CEQA Document Process
Subject: [EXTERNAL] PUBLIC COMMENTS
Date: Saturday, October 26, 2024 3:15:25 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

TO: Mission Bay Parks Improvement Program EIR

FROM: Jane Peterson 4640 73rd Street La Mesa, CA 91942

Project Name: Mission Bay Park Improvements Program EIR

Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach

Districts: Council District 1 and 2

Having reviewed the proposed improvements plan elements, I ask that you consider a capital improvement infrastructure project: the addition of two sets of stairs to the enclosed dog park area between the top of the bluff and the shoreline on either side of the least tern bird sanctuary. I noticed that you do not have any proposed Capital Improvements to this area of the park.

I have been a Fiesta Island dog park enthusiast since the '70s, first with my family and our dogs as a child, and as an adult with many dogs of my own. Over the years, I have noticed the instability of the bluffs worsening as we are witnessing erosion from the tolls of climate change. Approving the addition of two sets of staircases to the Fiesta Island and the San Diego River floodway levee will significantly improve visitor safety, ensure shoreline access, and address my concerns. Thank you

From: Jim Royer

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Rose Creek in Improvement Fund zone

Date: Sunday, October 6, 2024 11:51:32 AM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Please restore the portion of Rose Creek in the Improvement Fund Zone to the Mission Bay PEIR. What happens in Rose Creek ends up in Mission Bay. The Pacific Beach community plan from 1994 identifies this stretch of Rose Creek as a linear park. It's been 30 years and we are still waiting. Habitat restoration at the mouth of Rose Creek in Mission Bay is dependent on a healthy habitat upstream.

Jim Royer 2710 Ariane Dr, San Diego, CA 92117 443-852-2563 From: <u>fran schnack</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Wednesday, October 16, 2024 2:03:57 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

To whom it may concern,

In regards to the community plan areas for Mission Bay Park, Pacific Beach and Mission Beach (Council District 1 and 2), I would like to submit my request for including stairways from the berm at Fiesta Island Dog Park to the beach for consideration in your capitol improvements.

I am an aging frequent visitor to the Fiesta Island Dog Park and strongly request that for the safety of myself and for thousands of others, safe access to the beach from the berm be provided. I have to very carefully negotiate down the slippery slope down to the beach area and it scares me every time. When you have to share the slippery slope with running dogs, it becomes even more dangerous. Please, I love visiting the dog park but safe access to the beach is really necessary. I hope you will add this to your budget for capital improvements.

Thank you very much for your consideration in regard to this matter.

Frances Schnack 3404 Brandywine St. San Diego, CA 92117 From: <u>Larry Schnack</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Wednesday, October 16, 2024 1:31:49 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

- -- Project name: Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Council District 1 and 2

I am a bit disappointed that the proposed project description does not include any projects in the fenced, off-leash dog area. A large number of people visit the area daily and it is clearly used by probably more people than any other part of the island on a continuing basis... but still you don't seem to include any new projects to increase the safety and enjoyment of the area.

The area is rated as the Best **Dog Park** in the U.S, which attracts locals from all around San Diego as well as domestic and international visitors... but still you don't seem to include any new projects to increase the safety and enjoyment of the area.

There are clearly many areas, especially around the berms, that make public coastal access (which is a goal of city, county, state, and coastal commission), difficult and in many places unsafe, due to erosion. Putting up signs that say "stay back, dangerous cliffs" at many of the only reasonable locations to gain coastal access, is not providing safe and enjoyable coastal access. ... but still you don't seem to include any new projects to increase the safety and enjoyment of the area.

I am also disappointed in the lack of signage telling people important information like who to call (24 hours) for injured or dead sea mammals, how to report your location if you are injured or need help, and who to call for lost dogs.

I believe that it is important to provide capital and maintenance programs in the plan, as well as explore public/private partnerships to reduce red tape as well as provide additional funding and input for projects.

Larry Schnack 3404 Brandywine St. San Diego, CA 92117 From: Rickie S

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Friday, October 25, 2024 10:21:08 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

To whom it may concern:

I am a senior citizen with two dogs, a dog owner all my adult life, a nearby resident and a frequent visitor to Fiesta Island. I fully support, and strongly urge you to approve at least two sets of stairs up and down the berms inside the the dog park on Fiesta Island for safe access between the slopes of the beach and the California Coastal Trail. Please do NOT let this area become any more dangerous than it already is! Please do NOT force me to discontinue my dog walks because of the treacherous conditions.

I will greatly appreciate your approval.

Margaret Sevadjian 3429 Ullman Street San Diego, CA 92106 From: Mary Short

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Improvements to off leash area **Date:** Saturday, October 26, 2024 9:25:05 AM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

I am a long time user of the FIDO off leash area and as I am getting older and the slopes to the beach are getting steeper it would be nice to have a stair option. Please consider this in your plan. Thanks. Marye Short Sent from my iPad

From: <u>Carla Smith</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] PROPOSED FIDO PROJECT
Date: Friday, October 25, 2024 3:10:23 PM

Importance: High

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Please add capital improvements in the off-leash area - we would like at least two sets of stairs inside the dog park. We bring our dog to this dog park everyday and she loves it, having these improvements would help to better an already amazing park of San Diego.

Thank you so much!!!

Project name: Mission Bay Park Improvements Program EIR

Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach

Districts: Council District 1 and 2

Carla M. Smith
DIETZ, GILMOR & CHAZEN APC
9665 Granite Ridge Drive, Suite 110
San Diego, CA 92123-2659
(619) 236-8550 (main #)
(858) 503-8925 (direct #)

From: Rebecca Roman Stevens
To: CIP CEQA Document Process

Subject: [EXTERNAL] NOP for EIR for Mission Bay Park

Date: Friday, October 25, 2024 3:24:23 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hi There,

I am writing to advocate for at least 2 sets of stairs in the Fiesta Island off-leash dog park. The berms from the park down to the water are getting highly eroded and dangerous to go up and down. I have been a regular user of the park for the last 10 years and have personally witnessed falls a couple of times. As the berms get steeper and steeper, our safety would greatly benefit from some stairs.

Thank you for considering this addition to your plans.

Rebecca Stevens 619-942-6443 From: <u>Marcelle Egley-Sparks</u>
To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] EIR for Mission Bay Park (Fiesta Island)

Date: Sunday, October 27, 2024 3:10:52 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Good afternoon as a business owner with two locations and a homeowner in the city of San Diego, I'm asking for your consideration for the following item:

Capital improvement projects for the off-leash area, including the stairways from the berm to the beach, providing safer coastal access. I'm asking for two sets of stairs to access the shoreline on behalf of FIDO.

Thank you and I hope you are enjoying your weekend.
Marcelle Egley Sparks
ABA Recovery Service
San Diego, CA
Since 1968
State License Number RA869
619-981-6866 cell

619-265-0525 office

From: <u>Jean Spengel</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvement Program EIR

Date: Friday, November 1, 2024 6:15:58 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Regarding:

-Project name:MB Park Improvement Program EIR

-Community Plan Areas:MB Park, Pacific Beach, Mission Beach

-District: Council District 1 and 2

Dear Staff:

I have been using the fenced off-leash dog area on Fiesta Island since the late 1990's. Since then the area has become one of, if not the most, heavily used areas in Mission Bay. I'm asking that the city consider Capital Improvement Funds for projects in that area. At this time, stairways on the southern shoreline (opposite Sea World) and near the southern end of the western shoreline, would make it easier and safer to access the shoreline from the berm above.

The Coastal Commission supports increased shoreline access and the stairways would support that.

Regards,

Jean Spengel 1611 Alta La Jolla Dr La Jolla. 92037 858-454-2205

Sent from my iPhone

From: <u>Christine Springer</u>

To: <u>CIP CEQA Document Process</u>

Cc: <u>info@fidosd.org</u>

Subject: [EXTERNAL] capital improvement projects in the off-leash area, including stairways from the berm to the beach

(a proposed FIDO project),

Date: Friday, October 25, 2024 3:30:56 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Regarding Project name: Mission Bay Park Improvements Program EIR Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach

-- Districts: Council District 1 and 2

Good afternoon,

- -- As you know, each week thousands of people, both residents and visitors, hike up and down the slopes from the beach to the top of the berms in order to access the California Coastal Trail that runs around this part of the park. The existing conditions of the slopes have been greatly eroded and it is **essential for safer coastal access** to move forward with analysis of **at least two sets of stairs up and down the berms** inside the dog park.
- -- The proposed project description does not include any projects in the fenced, off-leash dog park even though important visitor-serving and maintenance projects are included in the applicable plan.

Please add capital improvement projects in the off-leash area, including stairways from the berm that will provide safer coastal access. FIDO supports two sets of stairs to access the shoreline.

Thank you, Sincerely,

Christine Springer 13684 Mar Scenic Drive Del Mar, CA 92014 From: Ryan Stock

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvement comment

Date: Wednesday, October 9, 2024 7:07:26 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hello,

My comments on the Mission Bay Park Improvement CIP

For Rose Creek - please consider that this path will be used by e-bikes, and that there will be more e-bikes in the future if adoption continues. Therefore, consider safe design for higher speeds. Wider paths and turns, and mirrors at turns.

For the Bayside walk improvements, consider designing to allow for the option to expand the width of Bayside walk in the future.

Best,

Ryan Stock

From: cjszaras@gmail.com
To: CIP CEQA Document Process

Subject: [EXTERNAL] Mission Bay Improvement Program EIR Fiesta Island stairs

Date: Wednesday, October 9, 2024 11:40:08 AM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

I have taken my dog to Fiesta Island for years and unfortunately the access to the beach from the top of the berms have become more and more difficult. Access to the beach is so important and having two sets of stairs from the berm to the beach areas inside the fenced in area of the dog park is essential for the safety of the thousands of people and pets who use the park every year. Please include these stairs in the improvement plan – they would a significant improvement for the best dog park in the country!

Cassandra Szaras 2950 Erie Street San Diego CA 92117

Mission Bay Park Improvements Program EIR

Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach Council District 1 and 2 From: Scott Taylor

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Monday, October 28, 2024 1:56:06 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Mission Bay Park Improvements Program EIR Mission Bay Park, Pacific Beach, Mission Beach Council District 1 and 2

This email concerns the Mission Bay Park Improvements Program EIR. I go to Fiesta Island Dog Park with my dog every week. We thoroughly enjoy the off-leash dog area. I strongly urge the city to add the following capital improvement projects to the off-leash area of Fiesta Island:

- 1. Two sets of stairs from the berm to the beach to access the shoreline. I have seen some people fall when trying to access the shoreline due to erosion.
- 2. Water access in the off-leash dog area for our beloved dogs.

Thank you for your consideration.

Scott Taylor 4558 40th St. San Diego, CA 92116 From: <u>SDGov Webmaster</u>

To: <u>CIP CEQA Document Process</u>

Subject: Public Comment from Megan Thomas **Date:** Tuesday, October 15, 2024 10:36:21 AM

Submitted on Tue, 10/15/2024 - 10:36

NOP/SCOPING MEETING:

Mission Bay Park Improvements Program EIR

MEETING DATE:

10/01/2024

NAME:

Megan Thomas

EMAIL ADDRESS:

myceliummeganashley@gmail.com

COMMENT:

The entirety of Rose Creek needs to be included in the Mission Bay Improvement project. Just restoring the mouth of the creek that meets the bay will be a waste. The animals utilize the entire creek habitat and invasive species from upstream will eventually end up in the bay. This delicate ecosystem in a rare microclimate needs to be treated holistically in order to survive.

From: <u>Dave Thompson</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR -- Community Plan Areas: Mission Bay Park, Pacific

Beach, Mission Beach -- Districts: Council District 1 and 2

Date: Monday, October 28, 2024 1:31:42 PM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hi

Our names are Linda and Dave Thompson, 1020 LaJolla Rancho Road, 92037 writing on behalf of ourselves and our four legged friends Teddy and Gracie

We have been daily visitors to the off lease park at Fiesta Island for 15 years and consider if one of the crown jewels of the city. We have an immediate need for some help specifically some steps from the beach up to the surface on both ends of the tern bird sanctuary. Erosion has eliminated what we used to use which was also incredibly unsafe as it is steep and uncertain footing. It is actually really surprising no one was hurt over the years falling backwards down the cliff faces.

The projects would be two wooden staircases of approximately 20 feet each. This should not be particularly time consuming nor expensive

We would also like to get one entrance gate repaired where somebody hit is with their car at speed and the city employees removed the damaged gate. It is currently locked which is problematic

Thank you

Regards Dave

Dave Thompson davet777@gmail.com

From: <u>Jessie Blake Thompson</u>
To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Monday, October 28, 2024 11:26:30 AM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Hello,

I understand the current proposed Mission Bay improvement plan does not include any restoration of crucial shore access within the Fiesta Island dog park. I implore you to consider looking at the need for at least two sets of stairs up and down the berms inside the dog park, allowing for safe coastal access. These areas are used by thousands of people, including my family, and the "paths" up and down to the beach have become more and more dangerous. My parents, agile but in their 70s, no longer feel safe navigating the climb. It is has been so sad to watch what used to be a gentle slope get eroded into a dangerous cliff. Please consider adding much-needed improvements to the off-leash area.

Thank you, Jessie Thompson 4881 Chateau Dr San Diego, CA 92117

Mission Bay Park Improvements Program EIR

- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Districts: Council District 1 and 2

From: Sandie Nobile

To: <u>CIP CEQA Document Process</u>

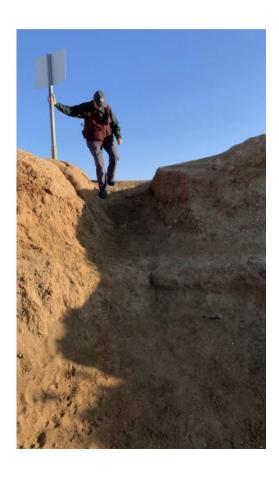
Subject: [EXTERNAL] Mission Bay Improvements Program EIR

Date:Friday, November 1, 2024 7:06:12 PMAttachments:Screenshot 2024-11-01 at 6.45.27 PM.pnq

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

As a native San Diegan of 66 years, I respectfully request that the City of San Diego add a VERY MUCH NEEDED capital improvement project within the fenced, off-leash dog area at Fiesta Island:

• Two (2) stairways from the berm to the beach to provide SAFER coastal access. It is virtually impossible to currently transverse from the berm to the shoreline. The organically carved out steps are unsafe and I can no longer just slide down on my rear end without facing significant physical harm. This picture depicts the current situation:



• Thousands of people, both residents and visitors, hike up and down the slopes from the beach to the top of the terms in order to access the California Coastal Trail that runs around this part of the park. The existing conditions of the slopes have been greatly eroded and it is **essential for safer coastal access** to move forward with analysis of at least two sets of stairs up and down the berms inside the dog park (which, by the way,

was recently voted the Best Dog Park in the country by USA Today readers for the second time in recent years!).

• The proposed project description does not include any projects in the fenced, off-leash dog park even though important visitor-serving and maintenance projects are included in the applicable plan.

Please carefully consider and support this much-needed project. Thank you!

Respectfully,

Sandra Thompson-Nobile 7720 Roseland Drive La Jolla, CA 92037

Project Name: Mission Bay Park Improvements Program EIR

Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach

Districts: Council District 1 and 2

From: <u>Jeffrey Tompkins</u>

To: <u>CIP CEQA Document Process</u>

Subject: [EXTERNAL] Mission Bay Park Improvements Program EIR

Date: Wednesday, October 9, 2024 10:52:05 AM

This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.

Dear Council Members,

I am reaching our regarding:

- -- Project name: Mission Bay Park Improvements Program EIR
- -- Community Plan Areas: Mission Bay Park, Pacific Beach, Mission Beach
- -- Council Districts 1 and 2

As you may know, thousands of residents and visitors hike the slopes between the beach and the California Coastal Trail in the park. Unfortunately, these slopes have become severely eroded, creating unsafe conditions for public access. As someone who walks my dogs at Fiesta Island dog park every afternoon, I have personally witnessed numerous people, including elderly individuals, slip or fall while trying to navigate these slopes. At least once a week, I find myself assisting someone to safely make their way down.

To improve safety and provide more sustainable coastal access, I strongly urge the City to prioritize an analysis of potential solutions, such as installing at least two sets of stairs on the berms within the dog park area.

Furthermore, I noticed that the current project proposals overlook improvements to the fenced, off-leash dog park, despite the importance of visitor-serving and maintenance projects outlined in the applicable planning documents. I believe this area deserves further consideration.

Thank you for your attention and support.

- -- Jeffrey Tompkins
- -- 2156 Dunhaven, San Diego, CA, 92110

--

Regards,

Jeffrey Tompkins

jeffstompkins@gmail.com

SCOPING MEETING COMMENT CARDS



PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NAME:RON_	Asteland		
ADDRESS: 11371	Penanova St.	city: San Die go	_ZIP: 93/29
EMAIL ADDRESS: _	rask 420/in.	Com	
	Sierra Club		
Do you wish to be	added to the project m	ailing list? Ճ YES □ N	10

Please drop comments in the Comment Box or mail them to:

Nancy Graham, Program Manager, City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.

CIP-CEQA@sandiego.gov

The purpose of this comment card is to solicit input regarding the scope and content of the Environmental Impact Report (EIR). Please submit comments for the record that pertain to the *environmental issues* to be addressed in the EIR (please print).

The Rosp Creek "tail" north of Grand Avenue
must be included in the Improvement fund
Zone. The channel needs invasive non-native
plants removed and hydrology improvements
to prevent stagnant water and to allow
nater to thom treely dains many raintall.

PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NAME: LIC	BARNES		
ADDRESS: U	Box 6150	city: <u>SØ</u>	ZIP: 92/66
EMAIL ADDRESS:	travel junkiegoo	13 @ hota	ail. Com
REPRESENTING:	travel junkie 200 seg - Auguson	Consorvata	Commutby, property
Do you wish to b	e added to the project ma	iling list? ☐ YES	□ NO

Please drop comments in the Comment Box or mail them to:

Nancy Graham, Program Manager, City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.

CIP-CEQA@sandiego.gov

The purpose of this comment card is to solicit input regarding the scope and content of the Environmental Impact Report (EIR). Please submit comments for the record that pertain to the *environmental issues* to be addressed in the EIR (please print).

Y lly Consums are too extensure of he liert or have
De I will all now to be amailed later
- Rose Creek, North of grand needs to he indules
in The stan - you carret operate no ognery of
entructe platerily of the crock to the MB wetland - no next
loaved to De Anzi plan
- repose in key aresion ales moster make the flooder 49
in Blession Beach + South nesseen at full noon high toles wallse -
Written comments must be submitted to the City of San Diego by

Friday, November 1, 2024 at 5:00 p.m.

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PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NAME:	SH BERGE	<u>.</u>	
		CITY: SAN DIEGO ZIP:	92122
EMAIL ADDRESS:			
REPRESENTING:	SELF		
		ailing list? YES 🗆 NO	

Please drop comments in the Comment Box or mail them to:

Nancy Graham, Program Manager, City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.

CIP-CEQA@sandiego.gov

The purpose of this comment card is to solicit input regarding the scope and content of the Environmental Impact Report (EIR). Please submit comments for the record that pertain to the *environmental issues* to be addressed in the EIR (please print).

Thank you for the opportunity to provide input. 30 year resident and I love Mission Bay I ask that the City add capital improvement projects in the off-leash area, including stairways from the berm to the beach to provide safer coastal access. Specifically two sets of stairs to access the shoreline.

PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

AME:	Lesley Handa
DDRE	ss: 4010 Morena Blud <u>CITY: San Diego</u> ZIP: 92117
MAIL A	ADDRESS: Lesley, Handu e grail can
	ENTING: San Diego Bird Allianee
	wish to be added to the project mailing list? 🖄 YES 🗆 NO
	Please drop comments in the Comment Box or mail them to:
·	Nancy Graham, Program Manager,
	City of San Diego Engineering & Capital Projects Department,
	525 B St., MS 908A, San Diego, CA 92101.
	CIP-CEQA@sandiego.gov
) Rose	tain to the environmental issues to be addressed in the EIR (please print). Well should be included in the plan "it down't make sense
to fra	grand the watershod from the rest of mission bay
2) We	est ski Island showly be included in this plan as this is a
nes re	esome for senbird breeding as of 2020 & is critical neoty
	charted isle would be a good nestwation sito for Least
	Habitat
t) get	rid /reduce hardered shareline
5) Re	Written comments must be submitted to the City of San Diego by
-	Written comments must be submitted to the City of San Diego by

Friday, November 1, 2024 at 5:00 p.m.

PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NAME: "Linda Kavanagh
ADDRESS: 90 80X 178175 CITY: SD ZIP: 92177
EMAIL ADDRESS: Lindakavadaa) amail.comy
REPRESENTING: 58/F CHIZEN, Matwalst, and open space trail good
Do you wish to be added to the project mailing list? YES NO
bo you wish to be duded to the project maning list. El 125 El 140
Please drop comments in the Comment Box or mail them to:
Nancy Graham, Program Manager,
City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.
CIP-CEQA@sandiego.gov
of the Environmental Impact Report (EIR). Please submit comments for the record that pertain to the environmental issues to be addressed in the EIR (please print). Please observe the lighting best practices established by WWW, darksky sandlego organizations and chapter President the Cathy Handsel specifically and or example in the Broyde and Pedestrian Paths planned improvement of Adalighting" For example, Rose Creek Waterway and opposite side wild embank with short and not have lighting overspray impacts nor should the lighting be continuous. Rather I should be winter and lighting be continuous. Rather I should be winter and lighting november 1, 2024 at 5:00 pm. Whitten continuous be submitted to the City of San Diego by and lighted to the hyman path only of the continuous of the city of the cit

PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NAME: Stephanie Leif
ADDRESS: 5010 Baxtor St CITY: San Diog ZIP: 92/17
ADDRESS: 5010 Baxtor St CITY: San Diog ZIP: 97/17 EMAIL ADDRESS: Stephleifor qmail. Com
REPRESENTING: <u>sef</u>
Do you wish to be added to the project mailing list? YES 🗆 NO

Please drop comments in the Comment Box or mail them to:

Nancy Graham, Program Manager, City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.

CIP-CEQA@sandiego.gov

The purpose of this comment card is to solicit input regarding the scope and content of the Environmental Impact Report (EIR). Please submit comments for the record that pertain to the *environmental issues* to be addressed in the EIR (please print).

that pertain to the entire time and to be addressed in the Ent (prede printy).
1) Very concerned that adding height to
retaining wall will make beach access
more hazordous. Currently there is a
Fairly long gap between stair access.
Increasing the height but keeping the same shape
Increasing the height but keeping the same shape just makes it a worse fall.
a) I don't solink that sidewalks that whenly
go nowhere should be 'Feffered maintenance"
Written comments must be submitted to the City of San Diego by You will just Friday, November 1, 2024 at 5:00 p.m. Teal 900 d.

PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NAME: Kimberley M. Anally
ADDRESS: 2211 Pacific Beach Dr CITY: San Diego ZIP: 92109
EMAIL ADDRESS: Kimberteym Emission bay Rycesorts con
REPRESENTING: Campland + Mission Bay 12/ Resort
Do you wish to be added to the project mailing list? ▼YES □ NO

Please drop comments in the Comment Box or mail them to:

Nancy Graham, Program Manager, City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.

CIP-CEQA@sandiego.gov

The purpose of this comment card is to solicit input regarding the scope and content of the Environmental Impact Report (EIR). Please submit comments for the record that pertain to the *environmental issues* to be addressed in the EIR (please print).

How much thought will be put into the displacement of the many species of birds to ther wildlife that will be impacted by the removal of Campband and all it's above to underground infastructure. The trees (40) type old sewer lines / wiring / whatever was used as landfill to create where Campband sits, All of the above will be a tremendors undertaking and will the existing wetland (Kendall Frost)

Written comments must be submitted to the City of San Diego by

Friday, November 1, 2024 at 5:00 p.m.

able to survive the ordea

PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NAME:	Jim Peugh
	s: 2776 Nipoma St. CITY: Sc. Diego ZIP: 92100
	DDRESS: pergha cox. ne ?
REPRESE	ENTING: S.D. BIED Alliana
Do you v	wish to be added to the project mailing list? \square YES \square NO
Г	· · · · · · · · · · · · · · · · · · ·
	Please drop comments in the Comment Box or mail them to:
	Nancy Graham, Program Manager, City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.
	CIP-CEQA@sandiego.gov
of the Er	pose of this comment card is to solicit input regarding the scope and content nvironmental Impact Report (EIR). Please submit comments for the record tain to the environmental issues to be addressed in the EIR (please print).
Please	manufee the hard shorelines. It will reduce
the 1	wildlife support value significantly
	e include the segment of Rose Creek north
65	the project. It is inappropriate precentaling and
	likely to result in projects that do not work
	together and waste money
a Leas	+ Tern nest la 15 surrounded by tall tress

Written comments must be submitted to the City of San Diego by

Friday, November 1, 2024 at 5:00 p.m.

PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NAME: Cristina Santa Maria	! :	•	
			_
ADDRESS: 5889 Schuyler St. city: Jan Diego	ZIP:	a213°	1
EMAIL ADDRESS: CSantamaria @ sandiegobirdal	lian	Ce.O	ro
REPRESENTING: San Diego Bird Alliance			<i>ل</i> ۔
Do you wish to be added to the project mailing list? YES DO)	1	

Please drop comments in the Comment Box or mail them to:

Nancy Graham, Program Manager, City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.

CIP-CEQA@sandiego.gov

The purpose of this comment card is to solicit input regarding the scope and content of the Environmental Impact Report (EIR). Please submit comments for the record that pertain to the *environmental issues* to be addressed in the EIR (please print).

Restoration Site #19 hosn't been a priductive

Least Fern nesting site in a white - adding sand

raptor Would be inneffective unless all the adjacent

permit spalm trees are removed and LARGE amounts of

vegetheron is removed. Replanting is not needed.

In regards to the Fresta Island concept plan,

there should be seasonal buffer areas between

the Least Fern nesting area and special

Written comments must be submitted to the City of San Diego by *Friday, November 1, 2024 at 5:00 p.m.*

event RV parking. In addition a water
buffer to protect the area from aguatic
recreation.
· Mutti-usc paths would not make sense
to go around the northern area due to
impacts to nesting birds
· Instead of restoration site #1A, Enchanted
Isle Island would make a great alternative
nosting area.
· Ensure the sand amendments are send-free
to prevent spread of invisive plants
· Consider & include West Ski Island as
critical mesting habitat for scabinds
· Signage to include NO Fly zones for drones
to reduce impact to nesting areas
· Soft shorcline increases habitant value
and should be prioritized over hard/rip rap.
· Plan for sea level risk near wast ten
. Misting area as the north area tends to
flood over - I would hate for the site to be
lost over time.

SD

PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NAME: Muriel Spooner				
ADDRESS: 5048 San Joaquin Dr CITY: San Diego ZIP: 92109				
EMAIL ADDRESS: Murie/spooner @ gmail . com				
REPRESENTING: Sun Diego Bird Alliance				
Do you wish to be added to the project mailing list? YES NO				
Please drop comments in the Comment Box or mail them to:				
Nancy Graham, Program Manager, City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.				
CIP-CEQA@sandiego.gov				
The purpose of this comment card is to solicit input regarding the scope and content of the Environmental Impact Report (EIR). Please submit comments for the record that pertain to the environmental issues to be addressed in the EIR (please print). Signage - accesse bie? will the anguage have braille				

Described by Covers a small partion, upstream needs to binducted a West ski Island has become an important perfing site and formation should be a part of habitat restoration - wind surveys Pederstian pathway improvements lighting should comply with Bart Slay guidelines to protect the wildlife while providing safety.

5) reduce vegetation in least Tern areas is use some board	15
Dreduce vegetation in heard Tern areas is use some board a Causeway brothing should also be in compliance with Dark Sky quidelines	
with Dark Sky guidelinso	

· · · · · · · · · · · · · · · · · · ·	
*	

PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NAME: SAVANNAH STALUNGS
ADDRESS: 737 W UNIVERSITY CITY: SAN DIEGO ZIP: 92103
EMAIL ADDRESS: SSTALLINGS @ SANDIEGDBIRD GLIANCE. ORG
REPRESENTING: SAN DIEGO BIRD AWANCE
Do you wish to be added to the project mailing list? ☑ YES ☐ NO

Please drop comments in the Comment Box or mail them to:

Nancy Graham, Program Manager, City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.

CIP-CEQA@sandiego.gov

The purpose of this comment card is to solicit input regarding the scope and content of the Environmental Impact Report (EIR). Please submit comments for the record that pertain to the *environmental issues* to be addressed in the EIR (please print).

Rose creek north of grand avenue should be induded in
water quality Projects to improve buy quality, its outside the
Scope of De Anza. (There should also be a prioritization of
hubural shareline Stabilization for shorelind foraging When
possible. Additionally, wildlife friendly lighting should be
considered + utilized in all capital improvements. Noise studies
should be conducted throughout many hours of day to understand
Impact of sea world fireworks to natural resources + uses. Written comments must be submitted to the City of San Diego by

Written comments must be submitted to the City of San Diego by Friday, November 1, 2024 at 5:00 p.m.

investing in improved habitat that is still heavily
Impacted + disturbed would be unfurturate.
lighting -as mentioned before - should be backsky
regulatione on warm lighting, Shielding + motion sensor
lighting due to hegative impacts to birds & other
pollinators + wildiffe. We appreciate the priortization
of notlands, habitat restoration, and natural shoreline
solutions. We hope the city consults with resource
agencies + SAN Diego Bird Milance in the restoration of
least tern stes & restoration goals. Special event
er parking should not be allowed immediately
adjacent to reast tern parting sites during nesting
seasons. Additionally, W. ski Island is a recent
seability nesting site & should be considered with
other impacts such as noise impacts in MB park.



PUBLIC SCOPING MEETING / OPEN HOUSE

MISSION BAY PARK IMPROVEMENTS PEIR PROJECT OCTOBER 16, 2024 6:00 p.m.

NIA NA E+	PETER WARD
	55: 2605 PICO & PL 214 CITY: San Diego ZIP: 92109
	ADDRESS: privard cruis e @gmail.com
REPRES	ENTING:
Do you	wish to be added to the project mailing list? ☐ YES ☐ NO
	Please drop comments in the Comment Box or mail them to:
	Nancy Graham, Program Manager, City of San Diego Engineering & Capital Projects Department, 525 B St., MS 908A, San Diego, CA 92101.
	CIP-CEQA@sandiego.gov
of the Ethat per Why Chark and is ti	pose of this comment card is to solicit input regarding the scope and content nvironmental Impact Report (EIR). Please submit comments for the record tain to the environmental issues to be addressed in the EIR (please print). Are Rose Creek Wetlands Excluded from the scope? Creek Wetlands are proposed The priortization and creation of wetlands mely with the De Anza Plan in process: sed Rose Creek Bike Path Improvements are go Rose Creek Should be considered art of Mission Bay within itly.