THE CITY OF SAN DIEGO

MITIGATED NEGATIVE DECLARATION

Project No. 679843
SCH No. TBD

SUBJECT: **EL CAPITAN DAM SPILLWAY VEGETATION REMOVAL PROJECT**: A SITE DEVELOPMENT PERMIT to remove debris and vegetation from the El Capitan Dam Spillway. The project is mandated by the Division of Safety of Dams (DSOD), part of the State of California Department of Water Resources, to remove the accumulated vegetation and debris from the spillway to allow for unimpeded spillway flow and completion of requisite annual assessments of the spillway by the DSOD. The project would remove approximately 58,900 cubic yards of debris and approximately six acres of vegetation to comply with the mandate from the DSOD described above. The 9.80-acre El Capitan Dam is located in central San Diego County, northwest of the community of Alpine and northeast of the community of Flinn Springs in San Diego County, California. (LEGAL DESCRIPTION: Portion of SECTION 7 and 8 - T15S - R2E; southeast 1/4 of northeast 1/4 - SECTION 7 - T15S - R2E".) APPLICANT: City of San Diego, Public Utilities Department.

I. PROJECT DESCRIPTION:

See attached Initial Study.

II. ENVIRONMENTAL SETTING:

See attached Initial Study.

III. DETERMINATION:

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

IV. DOCUMENTATION:

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

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

A. GENERAL REQUIREMENTS – PART I - Plan Check

1. Prior to Notice to Proceed (NTP) the issuance Bid Opening/Bid Award or beginning any construction related activity on-site, whichever is applicable, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements have been incorporated.

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

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

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

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

B. GENERAL REQUIREMENTS – PART II - Post Plan Check (Prior to start of construction)

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

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

CONTACT INFORMATION:
a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**

b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) 679843, or for subsequent future projects associated with PTS No. 679843 shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED, MMC and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.)

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

3. **OTHER AGENCY REQUIREMENTS:** Evidence that any other agency requirements or permits have been obtained or are in process shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency as applicable:

   Regional Water Quality Control Board; Federal Emergency Management Agency; California Department of Fish and Wildlife; United States Fish and Wildlife Service.

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

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

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
Biology	Biology Reports	Biology/Habitat Restoration Inspection
Archaeology	Archaeology Reports	Archaeology/Historic Site Observation
Tribal Cultural Resources	Archaeology Reports	Archaeology/Historic Site Observation

C. SPECIFIC ISSUE AREA CONDITIONS/REQUIREMENTS:

BIO-1 BIOLOGICAL RESOURCE PROTECTION DURING CONSTRUCTION

Prior to Notice to Proceed (NTP) the issuance Bid Opening/Bid Award or beginning any construction related activity on-site, whichever is applicable, the Assistant Deputy Director (ADD) Environmental Designee (ED) shall verify that the requirements for Biological Monitoring have been noted on the applicable construction documents through the plan check process.

I. Prior to Construction

A. **Biologist Verification -** The Applicant Department shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2018), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

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

C. **Biological Documents -** The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL),

project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.

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

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

F. **Resource Delineation -** Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive

biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

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

II. During Construction

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

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

III. Post Construction Measures

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

BIO-2 BIOLOGICAL RESOURCES – UPLAND HABITAT

Prior to Notice to Proceed (NTP) the issuance Bid Opening/Bid Award or beginning any construction related activity on-site, whichever is applicable, Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD) (plans, specification, details, etc.) to ensure that the Applicant Department shall mitigate for 1.36 acres of direct impacts to Tier II upland habitats (0.91

acres of Diegan coastal sage scrub and 0.45 acres of disturbed Diegan coastal sage scrub), mitigation is required at a 1:1 ratio, totaling 1.36 acres. Compensatory mitigation for Tier II habitats shall occur off-site at the PUD's Canyon View Mitigation Site, a City-owned and operated mitigation bank, which occurs within the City's MHPA. This site shall be used to allocate restoration credits at a 1:1 ratio for 1.36 acre of Diegan coastal sage scrub. A ledger accounting the withdrawal of the project's restoration credits shall be provided to the Development Services Department (DSD) Director's Environmental Designee (ED) as a condition of project approval.

BIO-3 BIOLOGICAL RESOURCES – WETLANDS

Prior to Notice to Proceed (NTP) the issuance Bid Opening/Bid Award or beginning any construction related activity on-site, whichever is applicable, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD) (plans, specification, details, etc.) to ensure that the Applicant Department shall mitigate for 3.61 acres of direct impacts to wetlands. Mitigation would occur at a 2:1 ratio for coastal and valley freshwater marsh and a 3:1 ratio for southern cottonwood-willow riparian forest, disturbed southern cottonwood-willow riparian forest, southern riparian woodland, and southern coast live oak riparian forest is required, a totaling 10.63 acres of required wetland mitigation. Compensatory mitigation for wetland habitats shall occur off-site at the PUD's Stadium Mitigation Site, a City-owned and operated mitigation bank, which occurs within the City's MHPA.

This 1:1 mitigation component would also meet the in-kind habitat requirement through the withdrawal of reestablishment/rehabilitation credits that mostly match the impact acreages: 2.70 acre of southern cottonwood-willow riparian forest, 0.51 acre of southern riparian woodland, and 0.20 acre of southern coast live oak riparian forest. However, due to a limited amount of available reestablishment or rehabilitation credits of coastal and valley freshwater marsh at the Stadium site, it is not possible for this 1:1 mitigation component to be achieved "in-kind" for this habitat type. Instead, the required 0.20 credit-acres needed to meet this 1:1 mitigation component would be achieved through the withdrawal of reestablishment/rehabilitation credits of 0.10 acre of coastal and valley freshwater marsh and 0.10 acre of southern cottonwood-willow riparian forest.

The remaining 1:1 mitigation requirement for coastal and valley freshwater marsh would be satisfied through the use of enhancement credits for 0.20 acre of in-kind habitat at the Stadium site. The remaining 2:1 mitigation requirement for southern cottonwood-willow riparian forest, southern riparian woodland, and southern coast live oak riparian forest would be satisfied through the use of enhancement credits for 5.40 acres, 1.02 acres, and 0.40 acre of respective in-kind habitats at the Stadium site. A ledger accounting the withdrawal of the project's reestablishment, rehabilitation, and enhancement credits will be provided as a condition of project approval.

BIO-4 BIOLOGICAL RESOURCES - LEAST BELL'S VIREO (STATE ENDANGERED/FEDERALLY ENDANGERED)

Prior to the preconstruction meeting, the City Manager (or appointed designee) shall verify that the following project requirements regarding the least Bell's vireo are shown on the construction plans:

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

A. A Qualified Biologist (possessing a valid Endangered Species Act Section 10(a)(1)(a) Recovery Permit) shall survey those wetland areas that would be subject to construction noise levels exceeding 60 decibels [dB(A)] hourly average for the presence of the least Bell's vireo. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the USFWS within the breeding season prior to the commencement of construction. If the least Bell's vireo is present, then the following conditions must be met:

   I. Between March 15 and September 15, no clearing, grubbing, or grading of occupied least Bell's vireo habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; and

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

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

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

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

   I. If this evidence indicates the potential is high for least Bell's vireo to be present based on historical records or site conditions, then condition A.III shall be adhered to as specified above.
   II. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

BIO-5 BIOLOGICAL RESOURCES - WESTERN SPADEFOOT

Initial construction activities and any future maintenance of the spillway within the project impact area shall occur during the dry season when no portions of the project impact area contain areas of ponded or flowing water with the potential to support the breeding of western spadefoot. If construction or maintenance must occur during a time when portions of the site may support the breeding of this species, a Qualified Biologist shall conduct a survey of all potential western spadefoot breeding areas a no more than 3 days prior to construction impacts within these areas. If any areas are determined to be occupied by western spadefoot, these areas shall be staked or fenced by, or under the supervision of, a Qualified Biologist. No construction/maintenance activities shall occur within these avoidance areas unless authorized by the Qualified Biologist or until the western spadefoot individuals and/or larvae have left of their own accord.

BIO-6 BIOLOGICAL RESOURCES - WESTERN RED BAT AND WESTERN YELLOW BAT

A. A biologist with expertise and experience with bats shall be retained as a Designated Bat Biologist. The Designated Bat Biologist shall have at least 3 years of experience in conducting bat habitat assessments, day roosting surveys, and acoustic monitoring, and have adequate experience identifying local bat species (visual and acoustic identification), type of habitat, and differences in roosting behavior and types (i.e., day, night, maternity).

B. The removal of trees or their branches, both during initial construction and any future maintenance of the spillway, shall be performed outside the bat maternity season (May 1through August 15) to avoid impacts to flightless young. If tree removal or trimming is necessary during the bat maternity season, the Designated Bat Biologist shall monitor the removal or trimming and examine the branches for nonvolant (nonflying) juvenile bats

prior to stockpiling/disposal. Any injured or potentially injured bats shall be transported by the Designated Bat Biologist to a California Department of Fish and Wildlife-licensed bat rehabilitator within 48 hours.

C. The Designated Bat Biologist shall survey any trees with potential to support western red bat and western yellow bat that are proposed for removal on the same day of and immediately prior to the vegetation removal activities. If any trees/habitat areas are determined to be occupied by either species, construction activities shall avoid these areas to the maximum extent practicable until the individuals have left of their own accord. If construction activities must occur within occupied habitat, the Designated Bat Biologist shall be present during the work.

HISTORICAL RESOURCES (Archaeology)

HIST-1 – AVOIDANCE OF KNOWN CULTURAL RESOURCES
In order to avoid impacts to known resource P-37-03888/8863-NDY-2), adherence to the following requirements shall be observed:

Prior to the start of any construction activities protective fencing shall be placed at the limits of the fieldstone wall, known resource P-37-03888/8863-NDY-2to prevent inadvertent destruction by construction equipment. Hand-removal of vegetation along the wall is required to avoid impacts. Additionally, monitoring by a qualified archaeologist and Native American monitor would be implemented during ground-disturbing activities and vegetation removal near fieldstone wall located immediately north of the area of potential effects (APE) (P-37-03888/8863-NDY-2).

HIST-2 – CONSTRUCTION MONITORING
I. Prior to Permit Issuance or Bid Opening/Bid Award

A. Entitlements Plan Check

1. Prior to Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.

3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search (quarter- mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.

3. Identify Areas to be Monitored

a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

b. The AME shall be based on the results of a site-specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).

c. MMC shall notify the PI that the AME has been approved.

4. When Monitoring Will Occur

a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

5. Approval of AME and Construction Schedule
After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall

stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.

3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.

a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.

b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE

and/or CM before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA Section 15064.5, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

(1). Note: For pipeline trenching and other linear projects in the public Right-of-Way, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."

c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

(1). Note: For Pipeline Trenching and other linear projects in the public Right-of-Way, if the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.

(2). Note, for Pipeline Trenching and other linear projects in the public Right-of-Way, if significance cannot be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.

D. Discovery Process for Significant Resources - Pipeline Trenching and other Linear Projects in the Public Right-of-Way

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities or for other linear project types within the Public Right-of-Way including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:

1. Procedures for documentation, curation and reporting

a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.

b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.

c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with

the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.

d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.

2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.

2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.

3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains ARE determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.

2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.

3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.

4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:

a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;

b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN

c. To protect these sites, the landowner shall do one or more of the following:

(1) Record the site with the NAHC;

(2) Record an open space or conservation easement; or

(3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are NOT Native American

1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.

2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).

3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.

2. The following procedures shall be followed.

   a. No Discoveries
   In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.

   b. Discoveries
   All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

   c. Potentially Significant Discoveries
   If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.

   d. The PI shall immediately contact the RE and MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night and/or weekend work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

A. Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe as a result of delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.

2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.

2. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection C.

3. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.

4. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.

5. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.

2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

TRIBAL CULTURAL RESOURCES

TCR-1

Impacts to Tribal Cultural Resources would be reduced to below a level of significance with implementation of mitigation measures outlined under Historical Resources (Archaeology).

VI. PUBLIC REVIEW DISTRIBUTION:

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

Federal
US Fish and Wildlife Service (23)
U.S. Environmental Protection Agency (19)
U.S. Army Corps of Engineers (26)
U.S Forest Service
State of California
California Department of Fish and Wildlife (32)
California Natural Resources (43)
Regional Water Quality Control Board, Region 9 (44)
Department of Water Resources (45)
State Clearinghouse (46)
Department of Safety of Dams
County of San Diego
County of San Diego Department of Planning Land Use
City of San Diego
Mayor's Office (91)
Development Services Department
- Engineering - Karen Vera
- Planning Review - Philip Lizzi
- Transportation - Ismail Elhamad
- Plan - Historic - Suzanne Segur
- PUD - Water & Sewer - Gary Nguyen

MMC (77A)
Library Department - Government Documents (81)
San Diego Central Library (81A)
City Attorney's Office (93C)
Historical Resources Board (87)
Public Notice Journal (144)
Wetland Advisory Board (171)
Other Organizations, Groups and Interested Individuals
Sierra Club (165)
San Diego Audubon Society (167)
Mr. Jim Peugh (167A)
California Native Plant Society (170)
Endangered Habitats League (182A)
Carmen Lucas (206)
South Coast Information Center (210)
San Diego History Center (211)
San Diego Archaeological Center (212)
San Diego Natural History Museum (213)
Save Our Heritage Organization (214)
Ron Christman (215)
Clint Linton (215B)
Frank Brown (216)

Campo Band of Mission Indians (217)
San Diego County Archaeological Society, Inc. (218)
Native American Heritage Commission (222)
Kumeyaay Cultural Heritage Preservation (223)
Kumeyaay Cultural Repatriation Committee (225)
Native American Distribution (225 A-S)
Clint Linton
Lisa Cumper
Jesse Pinto
Angelina Gutierrez
John Stump
Richard Drury, Lozeau Drury LLP
Molly Greene, Lozeau Drury LLP
Rob Hutsel, San Diego River Park Foundation
Sharon Tapia
Brandon Cruz

VII. RESULTS OF PUBLIC REVIEW:

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

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

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

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

E. Shearer-Nguyen
Program Manager
Development Services Department

May 3, 2022
Date of Draft Report

Date of Final Report

Analyst: Morgan Dresser

Attachments: Initial Study Checklist
Figure 1: Regional Location
Figure 2: Project Location on Aerial Photograph

INITIAL STUDY CHECKLIST

1. Project title/Project number: El Capitan Dam Spillway Vegetation Removal Project/679843

2. Lead agency name and address: City of San Diego, 1222 First Avenue, MS-501, San Diego, California 92101

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

4. Project location: The project site is located at El Capitan Dam, which occurs along the San Diego River at the western end of the El Capitan Reservoir within El Monte Valley and northwest of the community of Alpine in central San Diego County, California.

5. Project Applicant/Sponsor's name and address: City of San Diego, Public Utilities Department, 9192 Topaz Way, San Diego, CA 92123

6. General/Community Plan designation: Public Agency Lands/Public Agency Lands

7. Zoning: A-70 Limited Agriculture

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

   The project is requesting a SITE DEVELOPMENT PERMIT to remove debris and vegetation from the El Capitan Dam Spillway. The spillway consists of four distinct sections: the Upper Spillway, the Spillway Chute, the Lower Spillway, and the Discharge Channel (Figure 3). Over the years, differing amounts and characteristics of sediment and vegetation accumulation have occurred in each section due to their different physical characteristics. The accumulated sediment includes soils, silt, rocks, landslide materials, and boulders. Vegetation, from grass and shrubs to fully matured trees, has also taken root and is quite dense in some areas.

   The Division of Safety of Dams (DSOD), part of the State of California Department of Water Resources, has mandated that the City of San Diego (City) remove the accumulated vegetation and debris from the spillway to allow for unimpeded spillway flow and completion of requisite annual assessments of the spillway by the DSOD. The City's Public Utilities Department (PUD) is proposing the removal of sediment and vegetation within the four sections of the spillway in an effort to comply with the mandate from the DSOD.

   The project would remove approximately 58,900 cubic yards of debris and approximately six acres of vegetation from the spillway to comply with the mandate from the DSOD described above . Vegetation removal would be limited to the spillway and likely be done through cutting with chainsaws or other similar equipment down to the roots with excavation of the root systems with a backhoe or excavator. Vegetation removal would be conducted by hand at the fieldstone wall immediately north of the project footprint. Vegetation would be reduced via a woodchipper and hauled off-site for disposal. Any vegetation of invasive non-native species on-site would be contained in order to avoid the spread of seeds and properly disposed of off-site. If being contained on-site, the material from these, and any

other invasive non-native species, would be placed in an appropriate bin or other containment device in order to minimize the spread of seed and/or potentially viable plant segments until this material can be hauled and disposed off-site.

Truck-mounted cranes, large-tracked excavators, rubber-wheeled front-end loaders, track-mounted long-arm excavators, track-mounted bobcats with breaker attachments, and dump trucks are examples of equipment that would be used to remove debris from the spillway. Large boulders would be reduced via breakers, drilling, or other methods determined by the contractor. Material (such as rocks and sediment) that can be reused would be stockpiled at the existing Lakes Program Storage Area (see Figure 2), owned and managed by the PUD, located immediately north of the spillway. Other debris would be hauled off-site and disposed of in accordance with applicable regulations. Proper Best Management Practices (BMPs) would be implemented during construction in order to control dust, prevent construction runoff and off-site impacts, and minimize impacts to wildlife. Proposed BMPs would include, but are not limited to, dust control through the use of a water truck, erosion control devices (straw wattles, gravel bags, etc.), and silt fencing around the construction boundary.

Access to the site would be via El Monte Road and a U.S. Forest Service access road, which leads to the Lakes Program Storage Area. The Lakes Program Storage Area would be utilized as a laydown yard in addition to a stockpile site. Entrance into the spillway would be from the Lakes Program Storage Area (see Figure 2). Equipment would be driven to the Upper Spillway from the Lower Spillway along the Spillway Chute as it is cleared of vegetation. Access to the Discharge Channel would be possible from the Lower Spillway once the Lower Spillway is cleared of vegetation. Following the initial vegetation and sediment removal, the spillway would be annually maintained to prevent any subsequent buildup of sediment and/or vegetation prior to DSOD inspections and on an as-needed basis to ensure buildup of sediment and subsequent establishment of vegetation would be prevented. Any buildup of sediment would be removed with the same removal techniques as the initial removal and properly disposed of off-site, preventing the future formation of vegetation within the spillway.

9. Surrounding land uses and setting:

The 9.80-acre project site is a City-owned parcel located outside the boundaries of the City of San Diego within the County of San Diego Alpine Community Planning Area. The project site is located at the east end of El Monte Valley along the San Diego River, northwest of the city of Alpine and east of the community of Lakeside. The project site is located within the limits of the Cleveland National Forest.

El Capitan Reservoir is located on the San Diego River and impounds runoff from the surrounding 190-square-mile watershed. El Capitan Dam is a hydraulic fill rock embankment with an impervious clay core and a 510-foot-wide uncontrolled independent side channel spillway at elevation 750 feet above mean sea level. The spillway capacity is 110,000 million gallons per day. The dam crest has a length of 1,170 feet and stands roughly 217 feet above the streambed.

Topography includes the San Diego River and adjacent spillway channel, steep north-facing slopes along the southern edge of the buffer area, a large south-facing gentle slope on the north side of the San Diego River, and a series of artificial and natural slopes in the northeastern portion of the project area. The San Diego River and adjacent spillway channel, which run roughly east to west, are cut into loosely to moderately compact coarse sandy soils with moderately steep to steep sides. Vegetation is dense and generally obscures the ground surface. A triangular strip of alluvial bench, originally part of the large south-facing slope, divides the San Diego River and spillway channel for approximately 300 meters. The strip appears to be largely undisturbed by dam construction. The north-facing slopes vary in grade between 20 and 40 percent. Numerous small-to-large granitic boulders are scattered across the slope, as are coast live oak (Quercus agrifolia) and scrub oak (Quercus berberidifolia). The large south-facing gentle slope on the north side of the river covers approximately one-quarter of the project area. The slope is predominantly composed of alluvium from the south flank of El Cajon Mountain and includes numerous small-to-large granitic boulders. Slope grade is approximately 10 percent. The eastern half of the slope has been disturbed to varying degrees by dam construction, brushing, and stockpiling of construction debris and soil. At the east edge of the large slope is a north-to-south-trending drainage that flows into the San Diego River. The drainage has moderately steep slopes where it approaches the northern boundary of the survey area. Granitic boulders are scattered along the drainage sides. Encroaching on the drainage from the east are the toes of the artificial slopes composing a portion of the northeastern corner of the buffer area. These slopes range in grade between 30 to 40 percent and are composed of angular granitic cobbles of various sizes and coarse sandy soil. They appear to result from the stockpiling of construction debris from dam construction.

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

Regional Water Quality Control Board; California Department of Fish and Wildlife; United States Fish and Wildlife Service.

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

In accordance with the requirements of Public Resources Code section 21080.3.1, the City notified the Iipay Nation of Santa Isabel, the Jamul Indian Village, and San Pasqual Band of Mission Indians, all traditionally and culturally affiliated with the project area. The tribes were sent notification letters on July 27, 2021, informing them of the project and asking them of any knowledge or information about Tribal Cultural Resources they may have about the project area. One Tribe, the Jamul Indian Village, responded concurring with the requirement of implementation of Native American monitoring during the project's ground-disturbing activities. No additional Tribal Cultural Resources were identified during consultation. No other responses were received during the 30-day response period.

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial evaluation:

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

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

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

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

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

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

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

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

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

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

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

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

9) The explanation of each issue should identify:

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

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

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒

The project is not located within the viewshed of a scenic vista designated within the County of San Diego Alpine Community Plan. The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any structures that could block views within a scenic vista. The dam spillway is surrounded by slopes and is not readily visible from the surrounding areas. Additionally, removal of debris and vegetation would restore the dam spillway to its original condition. Therefore, the project would not have a substantial adverse effect on a scenic vista. No impact would occur.

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

There are no designated State Scenic Highways visible from the project site. The nearest designated State Scenic Highways are State Route 52 and State Route 125, each of which are approximately 9.5 miles and 11.8 miles to the southwest, respectively. The majority of the entire length of Interstate 8 from the eastern border of California to its western terminus in the community of Ocean Beach is considered an eligible State Scenic Highway, including the segment of Interstate 8 that travels through Alpine, which includes views of Viejas Mountain, El Capitan Reservoir, Peutz Valley, and the Sweetwater River. However, removal of debris and vegetation from the dam spillway would restore the dam spillway to its original condition. Vegetation within the dam spillway accumulated due to a lack of maintenance and is not visible from State Route 52, State Route 125, or Interstate 8. As described in Section V(a) below, the project would not impact any historic resources. There are no rock outcroppings of other scenic resources located within the dam spillway. Therefore, the project would not damage scenic resources within a state scenic highway. No impact would occur.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any structures that could alter the existing visual character. The Upper Spillway, the Spillway Chute, and Lower Spillway are concrete structures that lack scenic quality. The natural Discharge Channel portion of the dam spillway does not possess distinct visual character. Removal of debris and vegetation from the dam spillway would restore the facility to its original condition. Therefore, the project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. No impact would occur.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any structures or other permanent facilities. Therefore, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. No impact would occur.

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

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

The project site consists of the El Capitan Dam Spillway and surrounding undeveloped areas that would be used for construction staging. The Department of Conservation "California Important Farmland Finder" classifies the project site and surrounding properties as "urban and built up land" or "other land" (California Department of Conservation 2016). Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. No impact would occur.

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

The project site is zoned as A-70 Limited Agriculture by the County of San Diego (County). However, the project site and surrounding areas are not in agricultural production. Furthermore, the existing dam spillway would preclude agricultural production at the project site. Review of Figure 2.2-6b of the County General Plan Update EIR determined that the project site is not subject to a Williamson Act contract. Therefore, the project would not conflict with existing zoning for agricultural use, or a Williamson Act Contract, and no impact would occur.

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

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

The project site does not contain any forest or timberland as defined by Public Resources Code Section 12220[g], Public Resources Code Section 4526, or Government Code Section 51104(g) and is not zoned as forest or timberland. No impact would occur.

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

The project site does not contain any forest or timberland as defined by Public Resources Code Section 12220[g], Public Resources Code Section 4526, or Government Code Section 51104(g). No impact would occur.

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

There are no agricultural uses or forestlands on-site or in the vicinity of the project site. Therefore, the project would not result in conversion of farmland or forest land. No impact would occur.

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

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

Project consistency is based on whether the project would conflict with or obstruct implementation of the Regional Air Quality Strategy (RAQS) and/or applicable portions of the State Implementation Plan, which would lead to increases in the frequency or severity of existing air quality violations. The RAQS is the applicable regional air quality plan that sets forth the San Diego Air Pollution Control District's (SDAPCD's) strategies for achieving the National Ambient Air Quality Standards and California Ambient Air Quality Standards. The San Diego Air Basin is designated a non-attainment area for the federal and state ozone standard. Accordingly, the RAQS was developed to identify feasible emission control measures and provide expeditious progress toward attaining the standards for ozone. Both the State of California and the Federal government have established health-based Ambient Air Quality Standards (AAQS) for the following six criteria pollutants: carbon monoxide (CO); ozone (O3); nitrogen oxides (NOx); sulfur oxides (SOx); particulate matter up to 10 microns in diameter (PM10); and lead (Pb). O_3 (smog) is formed by a photochemical reaction between NOx and reactive organic compounds (ROCs). Thus, impacts from O_3 are assessed by evaluating impacts from NOx and ROCs. Projected increases in motor vehicle usage, population, and growth create challenges in controlling emissions and, by extension, to maintaining and improving air quality. The RAQS was most recently adopted in 2016.

The growth projections used by the SDAPCD to develop the RAQS emissions budgets are based on the population, vehicle trends, and land use plans developed in general plans and used by the San Diego Association of Governments (SANDAG) in the development of the Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS). As such, projects that propose development

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

that is consistent with the growth anticipated by SANDAG's growth projections and/or the General Plan would not conflict with the RAQS. In the event that a project would propose development that is less dense than anticipated by the growth projections, the project would likewise be consistent with the RAQS. In the event that a project proposes development that is greater than anticipated in the growth projections, further analysis would be warranted to determine if the project would exceed the growth projections used in the RAQS for the specific subregional area.

The project site is zoned A-70 Limited Agriculture. The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any residential, commercial, or other uses. Consequently, the project would not result in growth that is not anticipated in SANDAG or County growth projections and would not generate any operational emissions. As described in Section III(b) below, the project would not result in construction emissions in excess of the applicable significance thresholds for all criteria pollutants. As a result, the project would not generate emissions that are not already accounted for in the RAQS. Therefore, the project would not obstruct or conflict with implementation of the RAQS, and impacts would be less than significant.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐

The region is classified as attainment for all criteria pollutants except ozone, particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}), and particulate matter with an aerodynamic diameter of 2.5 microns or less ($PM_{2.5}$). The San Diego Air Basin is a non-attainment area for the 8-hour federal and state ozone standards, and a non-attainment area for 1-hour state ozone standards. Ozone is not emitted directly, but is a result of atmospheric activity on precursors. NO_X and ROG are known as the chief "precursors" of ozone. These compounds react in the presence of sunlight to produce ozone.

The source of emissions associated with the project would be construction activities. Operational emissions associated with vehicle trips from routine inspection and maintenance would be minimal and were not quantified. Construction emissions were calculated by RECON Environmental, Inc.. (RECON; 2021a) using the California Emissions Estimator Model (CalEEMod) Version 2020.4.0 (CAPCOA 2021).

Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emissions include the following:

- fugitive dust from grading activities;
- construction equipment exhaust;
- construction-related trips by workers, delivery trucks, and material-hauling trucks; and
- construction-related power consumption.

Fugitive dust emissions vary greatly during construction and are dependent on the amount and type of activity, silt content of the soil, and the weather. Vehicles moving over paved and unpaved surfaces, excavation, earth movement, grading, and wind erosion from exposed surfaces are all

sources of fugitive dust. Construction operations are subject to the requirements established in Regulation 4, Rules 52, 54, and 55 of the SDAPCD's rules and regulations.

Heavy-duty construction equipment is usually diesel powered. In general, emissions from diesel-powered equipment contain more NO_X, oxides of sulfur (SO_X), and particulate matter than gasoline-powered engines. However, diesel-powered engines generally produce less carbon monoxide (CO) and less ROG than do gasoline-powered engines. The construction equipment required for debris removal would include truck-mounted cranes, large-tracked excavators, rubber-wheeled front-end loaders, track-mounted long-arm excavators, track-mounted bobcats with breaker attachments, and dump trucks. Vegetation removal would be limited to the spillway and likely be done through cutting with chainsaws or other similar equipment down to the roots and then excavation of the root systems with a backhoe or excavator. Vegetation would be reduced via a woodchipper and hauled off-site for disposal. The project would remove approximately 58,900 cubic yards of debris and approximately six acres of vegetation over an 18-month period. The removed debris and vegetation would be hauled to the Miramar Landfill, 23.4 miles away from the project site. Hauling would require up to 40 trips per day, and was modeled over the entire 18 month construction period. The project would require 12 employees for a total of 24 daily one-way worker trips.

The modeled construction equipment is summarized in Table 1. Table 2 shows the total projected construction maximum daily emission levels for each criteria pollutant.

Table 1
Construction Equipment

Construction Activity	Required Equipment	Modeled Equipment	Amount	Hours per Day
Debris Removal	Truck-Mounted Crane	Crane	1	8
	Large-Tracked Excavator	Excavator	1	8
	Rubber-Wheeled Front-End Loader	Rubber Tired Loader	1	8
	Long-Arm Excavator	Excavator	1	8
	Bobcats with Breakers	Skid Steer Loader	1	8
Vegetation Removal	Chainsaws	Industrial Saws	2	8
	Backhoe	Tractor/Loader/Backhoe	1	8
	Excavator	Excavator	1	8
	Woodchipper	Crushing/Processing Equipment	1	8

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

Table 2
Summary of Maximum Construction Emissions
(pounds per day)

	Pollutant					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Fugitive Dust	0	0	0	0	<1	<1
Off-Road Equipment	3	24	28	<1	1	1
Hauling Trips	<1	8	2	<1	1	<1
Worker Trips	<1	<1	2	<1	1	<1
Total Maximum Daily Emissions	**3**	**32**	**32**	**<1**	**3**	**2**
Significance Thresholds	137	250	550	250	100	67

ROG = reactive organic gases; NO_X = oxides of nitrogen; CO = carbon monoxide; SO_X = oxides of sulfur; PM_{10} = an aerodynamic diameter of 10 microns or less; $PM_{2.5}$ = an aerodynamic diameter of 2.5 microns or less

For assessing the significance of the air quality emissions resulting during construction of the project, the construction emissions were compared to the City significance thresholds shown in Table 2. As shown in Table 2, maximum daily construction emissions associated with the project are projected to be less than the applicable thresholds for all criteria pollutants. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard, and impacts would be less than significant.

c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

Sensitive receptors are those in the population who are particularly susceptible to health effects due to exposure to an air contaminant than those in the general population. Sensitive receptors can be considered present in locations such as schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities. There are no sensitive receptors in proximity to the project site. The nearest sensitive receptors are residential uses located more than 3,000 feet to the southwest and more than 4,000 feet to the west. The two primary emissions of concern regarding health effects for land development projects are diesel-fired particulates and CO.

Construction of the project would result in short-term diesel exhaust emissions from on-site heavy-duty equipment. Particulate exhaust emissions from diesel-fueled engines (DPM) were identified as a toxic air contaminant by the California Air Resources Board (CARB) in 1998. Generation of DPM from construction projects typically occurs in a single area for a short period. Construction activities would be short-term (18 months) and would only be a fraction of the total exposure period used for health risk calculation. Therefore, because of the distance to the nearest sensitive receptor and the short duration of construction, DPM generated by project construction is not expected to result in an excess cancer risk. Therefore, construction would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.

A CO hot spot is an area of localized CO pollution that is caused by severe vehicle congestion on major roadways, typically near intersections. Projects that generate an estimated 9,500 average daily trips would be expected to result in 153 pounds per day in summer; 234 pounds per day in winter;

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

180 pounds per day annual average for NOx; 126 pounds per day in summer; 141 pounds per day in winter; 141 pounds per day annual average for ROG; and 1,580 pounds per day in summer; 1,738 pounds per day in winter; 1,633 pounds per day annual average for CO. The project is expected to generate 124 average daily trips. No intersections in the vicinity of the project carry this substantial amount of traffic. Additionally, there are no signalized intersections in the vicinity of the project site. Worker and hauling trips generated during project construction would not result in any heavily congested intersections. Therefore, the project is not anticipated to result in a CO hot spot, and impacts would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

The project would involve the use of diesel-powered construction equipment. Diesel exhaust may be noticeable temporarily for receptors in proximity to project construction activities; however, the nearest sensitive receptors are located more than 3,000 feet from the project site. Furthermore, construction activities would be temporary. The project does not include heavy industrial or agricultural uses that are typically associated with objectionable odors. Therefore, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, and impact would be less than significant.

IV. BIOLOGICAL RESOURCES – Would the project:

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

A Biological Survey Report, dated August 5, 2021, was prepared for the project by RECON Environmental (RECON 2021b). Biological resource data for the project was obtained from a combination of literature review, general biological survey, and focused biological surveys. Focused surveys were conducted for the following resources and species: rare plants, coastal California gnatcatcher (Polioptila californica californica), southwestern willow flycatcher (Empidonax traillii extimus), least Bell's vireo (Vireo bellii pusillus), arroyo toad (Anaxyrus californicus), Quino checkerspot butterfly (Euphydryas editha quino; Quino), and jurisdictional wetlands/waters. Additionally, a California Rapid Assessment Method for Wetlands survey was conducted to quantitatively analyze the quality of the riparian habitat within the project site prior to the project. A total of 14 vegetation communities or land cover types were mapped within the biological survey area, Table 3 presents the acreage of each vegetation community and land cover type within the biological survey area, along with their corresponding City Tier and Holland/Oberbauer code. The distribution of these vegetation communities and land cover types is presented in Figure 5.

Table 3
Vegetation Communities/Land Cover Types within the Survey Area

Vegetation Community/Land Cover Type (Holland Code as modified by Oberbauer)	City of San Diego Tier	Acreage
Coastal and valley freshwater marsh (52410)	N/A - wetland	0.34
Fresh water (64140)	N/A - wetland	0.57
Southern cottonwood-willow riparian forest (61330)	N/A - wetland	4.20
Disturbed southern cottonwood-willow riparian forest (61330)	N/A - wetland	0.87
Southern riparian woodland (62500)	N/A - wetland	0.51
Southern coast live oak riparian forest (61310)	N/A - wetland	5.34
Scrub oak chaparral (37900)	I	1.13
Diegan coastal sage scrub (32500)	II	40.00
Disturbed Diegan coastal sage scrub (32500)	II	5.34
Non-native grassland (42200)	IIIB	2.22
Eucalyptus woodland (79100)	IV	1.79
Arundo-dominated riparian (65100)	N/A - wetland	0.07
Disturbed land (11300)	IV	8.07
Urban/developed land (12000)	N/A	4.99
TOTAL		**75.44**
N/A = not applicable		

Table 4 presents the acreage of impacts that would occur to each vegetation community and land cover type. Of the 9.80 acres of direct project impacts proposed, 4.97 acres would occur to sensitive vegetation communities, consisting of coastal and valley freshwater marsh (wetland), southern cottonwood-willow riparian forest (wetland), disturbed southern cottonwood-willow riparian forest (wetland), southern riparian woodland (wetland), southern coast live oak riparian forest (wetland), Diegan coastal sage scrub (Tier II), and disturbed Diegan coastal sage scrub (Tier II). Some southern cottonwood-willow riparian forest canopy extends outside the southern boundary of the Lower Spillway. These trees are rooted within the spillway and would be directly impacted by the vegetation removal activities. The extent of this canopy to be directly impacted is included in the Vegetation Removal Area in the direct impact calculations in Table 4. Impacts to sensitive vegetation communities would be considered a significant impact.

Table 4
Direct Project Impacts to Vegetation Communities/Land Cover Types

Vegetation Community/Land Cover Type (Holland Code as modified by Oberbauer)	City of San Diego Tier	Direct Impacts in Acres
Coastal and valley freshwater marsh (52410)	N/A - wetland	0.20
Southern cottonwood-willow riparian forest (61330)	N/A - wetland	2.08
Disturbed southern cottonwood-willow riparian forest (61330)	N/A - wetland	0.62
Southern riparian woodland (62500)	N/A - wetland	0.51
Southern coast live oak riparian forest (61310)	N/A - wetland	0.20
Diegan coastal sage scrub (32500)	II	0.91
Disturbed Diegan coastal sage scrub (32500)	II	0.45
Eucalyptus woodland (79100)	IV	0.13
Disturbed land (11300)	IV	1.05
Urban/developed land (12000)	N/A	3.65
Total Project Impacts		**9.80**
N/A = not applicable		

Sediment removal from the spillway and the discharge channel would be contained within those constructed features and no indirect impacts to adjacent sensitive vegetation communities are anticipated. Although the topographic change within Lower Spillway and the eastern end of the Discharge Channel (10 to 17 feet) may result in significant changes to the local hydrology of this area, it is not expected to result in the loss of adjacent coastal sage scrub occurring outside the Lower Spillway, because it is an upland habitat type. The topographic change within the western portion of the Discharge Channel (3 to 5 feet) is not expected to result in the loss of the adjacent vegetation communities (coast live oak riparian forest, southern cottonwood-willow riparian forest [including the disturbed form], coastal and valley freshwater marsh, Diegan coastal sage scrub, and eucalyptus woodland) as the change in topography from sediment removal would not be considered significant and groundwater levels and surface flow are expected to be sufficient to support these habitats.

After removal of sediment and vegetation within the spillway, surface water within the Lower Spillway and Discharge Channel is expected to pond and flow slowly into downstream areas following seasonal rains. This flow regime is similar to the existing conditions and no significant increase in water flow rate or groundwater levels are expected in the downstream areas as a result of the project. Therefore, no significant indirect impacts are expected to occur to areas downstream of the project.

Indirect impacts from edge effects (e.g., habitat degradation) to adjacent sensitive vegetation communities would be minimized below a level of significance through the implementation of proper Best Management Practices (BMPs), including dust control through the use of a water truck, erosion control devices (straw wattles, gravel bags, etc.), and silt fencing around the construction boundary. Therefore, indirect impacts on vegetation communities would be less than significant.

Plant Species

A total of 171 plant species was observed within the survey area, with 131 species (77 percent) considered native and the remaining 40 species (23 percent) considered non-native and/or

naturalized into the area. The following four sensitive plant species were observed during the focused rare plant surveys: Dean's milkvetch (Astragalus deanei), delicate clarkia (Clarkia delicata), Engelmann oak (Quercus engelmannii), and rushlike bristleweed (Xanthisma junceum). None of these plant species are federally or state listed, nor are they covered by the MSCP

A solitary mature Engelmann oak is mapped on a terrace hanging over the southern edge of the concrete spillway in the east-central portion of the project impact area. However, this Engelmann oak individual is rooted outside of the spillway and would be avoided during project construction. No direct impacts are expected to occur to the remaining 19 Engelmann oaks or other sensitive plant species observed within the survey area, including Dean's milkvetch, delicate clarkia, and rushlike bristleweed. Additionally, adherence to BMPs both during initial project construction (vegetation and sediment removal) and any future maintenance of the spillway (e.g., dust control, water quality control, and erosion control devices) is anticipated to prevent indirect impacts from erosion, contaminated runoff, and minimize generation and deposition of dust. Therefore, indirect impacts to sensitive plant species would be less than significant.

Animal Species

A total of 103 animal species were detected within the survey area, including 28 invertebrates, four amphibians, four reptiles, 61 birds, and six mammals. The following 15 sensitive wildlife species were observed or detected during the general and focused biological surveys conducted for this project: western spadefoot (Spea hammondii), Belding's orange-throated whiptail (Aspidoscelis hyperythra beldingi), San Diegan tiger whiptail (Aspidoscelis tigris stejnegeri), red diamond rattlesnake (Crotalus ruber), great egret (Ardea alba), great blue heron (Ardea herodias), Cooper's hawk (Accipiter cooperii), bald eagle (Haliaeetus leucocephalus), olive-sided flycatcher (Contopus cooperi), least Bell's vireo, yellow warbler (Setophaga petechia), yellow-breasted chat (Icteria virens), southern California rufous-crowned sparrow (Aimophila ruficeps canescens), Peregrine falcon (Falco peregrinus anatum), and southern mule deer (Odocoileus hemionus fuliginata). One of these species, least Bell's vireo, is federally listed as endangered. Cooper's hawk and southern California rufous-crowned sparrow are CDFW watch list species. Western spadefoot, Belding's orange-throated whiptail, San Diegan tiger whiptail, red diamond rattlesnake, olive-sided flycatcher, yellow warbler, and yellow-breasted chat are CDFW species of special concern. In addition, Belding's orange-throated whiptail, Cooper's hawk, least Bell's vireo, southern California rufous-crowned sparrow, and southern mule deer are covered by the MSCP.

Based on an assessment of species location records and habitat suitability, the following 11 additional sensitive wildlife species were identified as having a high or moderate potential to occur within or adjacent to the project footprint: Coronado skink (Plestiodon skiltonianus interparietalis), San Diegan legless lizard (Anniella stebbinsi), San Diego ring-necked snake (Diadophis punctatus similis), white-tailed kite (Elanus leucurus), western red bat (Lasiurus blossevillii), western yellow bat (Lasiurus xanthinus), western mastiff bat (Eumops perotis californicus), pocketed free tailed bat (Nyctinomops femorosaccus), big free tailed bat (Nyctinomops macrotis), Dulzura pocket mouse (Chaetodipus californicus femoralis), and mountain lion (Puma concolor).

Although observed, the following five sensitive species are only likely to forage on-site and none are expected to breed, roost, or nest on-site: great egret (Ardea alba), bald eagle (Haliaeetus leucocephalus), olive-sided flycatcher (Contopus cooperi), Peregrine falcon (Falco peregrinus

anatum), and great blue heron (Ardea herodias). Additionally, the following 11 sensitive species either only have moderate or high potential to occur in portions of the survey area well outside the vicinity of the project footprint or would only forage within the project footprint but are not expected to breed, roost, or nest on-site: San Diego banded gecko (Coleonyx variegatus abbotti), Blainville's horned lizard (Phrynosoma blainvillii), rosy boa (Lichanura orcutti), California glossy snake (Arizona elegans occidentalis), coast patch-nosed snake (Salvadora hexalepis virgultea), San Diego desert woodrat (Neotoma lepida intermedia), green heron (Butorides virescens), snowy egret (Egretta thula), blackcrowned night heron (Nycticorax nycticorax), golden eagle (Aquila chrysaetos canadensis), and Townsend's bigeared bat (Corynorhinus townsendii).

The project has potential to result in impacts to 21 sensitive wildlife species occurring or potentially occurring within the biological survey area. Direct impacts to sensitive wildlife species may result from incidental mortality within the areas proposed for vegetation removal and staging/stockpiling.

Although no direct or indirect impacts are anticipated to occur to coastal California gnatcatcher or arroyo toad, critical habitat for these species has been mapped within the project impact area. Impacts to these species' critical habitat would require consultation with the USFWS. Since this project would also impact areas under the jurisdiction of the U.S. Army Corps of Engineers and the U.S. Forest Service, a Section 7 consultation is anticipated. As part of this consultation, a Biological Assessment would be prepared that analyzes the project's potential for significant impacts to these species and their Primary Constituent Elements. This Biological Assessment would also discuss the potential for significant impacts to least Bell's vireo and its Primary Constituent Elements and address the potential for occurrence of other federally listed species.

MSCP-Covered Wildlife Species

The following five MSCP-covered wildlife species would potentially be directly impacted by the proposed project: Belding's orange-throated whiptail, Cooper's hawk, least Bell's vireo, southern California rufous-crowned sparrow, southern mule deer, and mountain lion. Each species is discussed in detail below.

Belding's Orange-throated Whiptail: Belding's orange-throated whiptail was recorded within the biological survey area and this species may occur in the project impact area. Therefore, the project has potential to result in direct impacts to this species through incidental mortality during construction and/or any future maintenance activities (vehicle strike, crushing, etc.) and removal of approximately six acres of suitable habitat for this species. However, the suitable habitat within the project impact area comprises a small fraction of the habitat available to this species both at a local level (within the survey area, around the El Capitan Reservoir, and within El Monte Valley) and on a regional scale. Additionally, this species is considered adequately covered by the MSCP with habitat conserved in the Multi-Habitat Planning Area (MHPA). Therefore, potential direct impacts to Belding's orange-throated whiptail would be less than significant.

Adherence to proper BMPs during construction and any future maintenance of the spillway would reduce indirect impacts related to construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust to a level less than significant. No night-time lighting is proposed during construction or maintenance activities.

Cooper's Hawk: Cooper's hawk was observed flying over the project impact area. Although no foraging or nesting was observed within the project impact area during the biological surveys, this species has potential to nest within the riparian woodland, riparian forest, and eucalyptus woodland habitats of the project impact area. Significant direct impacts would also result from removal of approximately three acres of foraging and nesting habitat. This would be considered a significant impact. Implementation of mitigation measure BIO-2 would reduce this impact to a level less than significant.

Least Bell's Vireo: Based on the incidental detections that occurred for this species, the suitable riparian forest and woodland habitats within the project impact area and surrounding survey area may not support breeding territories but are likely used occasionally by unpaired mature males looking to establish a territory or by dispersed fledglings. Significant direct impacts would also result from removal of approximately three acres of available foraging and nesting habitat. This would be considered a significant impact. Implementation of mitigation measure BIO-3 would reduce this impact to a level less than significant.

Indirect impacts to least Bell's vireo may occur if construction activities are conducted during this species' breeding season of March 15 to September 15. Suitable habitat (southern cottonwood-willow riparian forest) for this species occurs adjacent to the project impact area (see Figure 6) and construction is likely to cause noise levels within these adjacent habitat areas to exceed 60 A-weighted decibels [dB(A)] average sound level, which would be considered a significant indirect impact. Implementation of mitigation measure BIO-3 would reduce this impact to a level less than significant.

Southern California Rufous-crowned Sparrow: A majority of the 23 detections of southern California rufous-crowed sparrow were recorded on the large hillside north of the spillway in open coastal sage scrub (see Figure 6). However, some individuals of this species were observed in the coastal sage scrub and disturbed land within or adjacent to the project impact area. Although this species is more likely to nest outside of the project impact area on the northern hillside, there is still a moderate potential for nesting within the coastal sage scrub of the project impact area. The loss of suitable coastal sage scrub habitat within the project impact area comprises a small portion of the suitable habitat available to southern California rufous-crowned sparrow on a local level (within El Monte Valley) and on a regional scale. Therefore, this loss of habitat would not be considered significant for this species.

Southern Mule Deer and Mountain Lion: Southern mule deer was detected via tracks and scat in multiple portions of the survey area and has potential to utilize the project impact area. No mountain lions were detected during the biological surveys, but this species has potential to utilize the project impact area. As individuals of these two species are highly mobile, direct impacts to individuals during construction activities (vegetation removal) and any future maintenance of the spillway are unlikely. Additionally, biological monitoring would occur and construction crews would be required to adhere to BMPs (e.g., covering of open trenches or holes), both of which are anticipated to further avoid entrapment or other impacts. although the project would remove approximately six acres of habitat within an area that may be utilized by these species, this loss would only account for a small fraction of the available habitat for these species in the surrounding area. Aside from vegetation removal within the spillway, the project does not propose any structures

or barricades that would impede movement of these species through the surrounding areas. Therefore, impacts would be considered less than significant.

Adherence to proper BMPs during construction and any future maintenance of the spillway would reduce indirect impacts related to construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust to a level less than significant. No nighttime lighting is proposed during construction or maintenance activities.

Sensitive Non-Covered Wildlife Species

The following 15 sensitive wildlife species not covered by the MSCP may be directly impacted by the project: western spadefoot, San Diegan tiger whiptail, red diamond rattlesnake, yellow warbler, yellow-breasted chat, Coronado skink, San Diego legless lizard, San Diego ring-necked snake, white-tailed kite, western red bat, western yellow bat, western mastiff bat, pocketed free-tailed bat, big free-tailed bat, and Dulzura pocket mouse. Each species is discussed in detail below.

Western Spadefoot: Western spadefoot has potential to utilize the project impact areas for foraging and breeding. The suitable breeding habitat within the project impact area comprises a small portion of the available breeding habitat on a local scale (within El Monte Valley) and on a regional scale. Therefore, loss of habitat would not be considered significant for this species.

Limited portions of the project impact area appear to become inundated during the rainy season and may support breeding of western spadefoot. Potential breeding (ponded) areas are limited within the survey area and mostly concentrated within the river floodplain, including the project impact area. These ponded areas are particularly sensitive to disturbance and/or alterations in hydrology and, if occupied by breeding western spadefoot, impacts could result in a significant loss of individuals. Therefore, the project has potential to result in significant direct impacts to this species through incidental mortality of adults and/or larvae (tadpoles) during construction activities and any future maintenance of the spillway (e.g., vehicle strike and crushing) if they occur during a time when western spadefoot may be breeding on-site. This would be considered a significant impact. Implementation of mitigation measure BIO-4 would reduce this impact to a level less than significant.

Adherence to proper BMPs during construction and any future maintenance of the spillway would reduce indirect impacts related to construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust to a level less than significant. No nighttime lighting is proposed during construction or maintenance activities.

San Diegan Tiger Whiptail, Red Diamond Rattlesnake, Dulzura Pocket Mouse, Coronado Skink, San Diego Legless Lizard, and San Diego Ring-Necked Snake: San Diegan tiger whiptail and red diamond rattlesnake were observed within the survey area and may occur within the project impact areas. Dulzura pocket mouse has a high potential to occur within the scrub habitats within the project impact area. San Diego legless lizard has high potential and Coronado skink and San Diego ring-necked snake have moderate potential to occur within the riparian habitats within the project impact areas. Therefore, the project has potential to result in direct impacts to these species through incidental mortality during construction activities and any future maintenance of the spillway (e.g., vehicle strike, crushing), and through the removal of suitable habitat. However, these

species likely occur on-site in low numbers, and the project would be expected to result in the loss of very few individuals, if any. Therefore, the potential loss of these individuals would not be considered significant. Suitable habitat within the project impact area comprises a small fraction of the habitat available to these species both at a local level (within the survey area, around the El Capitan Reservoir, and in undeveloped land in El Monte Valley) and on a regional scale. Therefore, loss of habitat on-site would be considered less than significant.

Adherence to proper BMPs during construction and any future maintenance of the spillway would reduce indirect impacts related to construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust to a level less than significant. No nighttime lighting is proposed during construction or maintenance activities.

Yellow Warbler, Yellow-breasted Chat, and White-tailed Kite: Yellow warbler was observed within the project impact area and yellow-breasted chat was observed nearby the survey area. These two species and white-tailed kite all have potential to nest within the riparian woodland and riparian forest habitats of the project impact area. The loss of suitable riparian habitat within the project impact area comprises a small portion of the suitable habitat available to these species on a local level (within El Monte Valley) and on a regional scale. Therefore, loss of habitat would not be considered a significant impact for these species.

Adherence to proper BMPs during construction and any future maintenance of the spillway would reduce indirect impacts related to construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust to a level less than significant. No nighttime lighting is proposed during construction or maintenance activities.

Western Red Bat and Western Yellow Bat: Western red bat and western yellow bat have potential to roost within the riparian woodland and riparian forest habitats of the project impact area. The loss of approximately three acres of available foraging and roosting habitat would not be considered significant as it comprises a small fraction of the habitat available to these species both at a local level (undeveloped riparian habitat along the San Diego River throughout El Monte Valley) and on a regional scale.

These species are particularly sensitive to disturbance during the maternity season (May through August 15) when roosting may include the presence of young. Disruption of maternity season roosting could result in the loss of a significant number of juveniles. This would be considered a significant impact.

Adherence to proper BMPs during construction and any future maintenance of the spillway would reduce indirect impacts related to construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust to a level less than significant. No nighttime lighting is proposed during construction or maintenance activities.

Western Mastiff Bat, Pocketed Free-tailed Bat, and Big Free-tailed Bat: Western mastiff bat, pocketed free-tailed bat, and/or big free-tailed bat may utilize the cut slope in the northern portion of the survey area, north of the project impact area, for a maternity colony. Although these species may forage within the project impact area, none are expected to use any portion of the project impact area for roosting or for a maternity colony. Additionally, because no nighttime construction or

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

maintenance activities would occur (during foraging), direct impacts to individuals during construction activities are unlikely. As the suitable foraging habitat within the project impact area comprises a small fraction of the habitat available to this species both at a local level (undeveloped land in El Monte Valley and around the El Capitan Reservoir) and on a regional scale, potential direct impacts to this species would be considered less than significant.

Adherence to proper BMPs during construction and any future maintenance of the spillway would reduce indirect impacts related to construction and/or maintenance-related erosion, contaminated runoff, or generation and deposition of dust to a level less than significant. No nighttime lighting is proposed during construction or maintenance activities.

A Mitigation Monitoring Reporting Program, as detailed within Section V of the MND, would be implemented. With implementation of the biological resources monitoring program, potential impacts on biological resources would be reduced to below a level of significance.

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

The biological survey area includes two riparian corridors of the San Diego River that extend westward from both the spillway and the base of the El Capitan Dam. Here, the river collects water from the surrounding slopes of El Monte Valley along with any water that flows or is released from El Capitan Reservoir. According to the City, water has not spilled over the spillway since 2005.

The northern and southern riparian corridors occur generally as vegetated ditches with variable microtopography. They converge approximately 1,200 feet west of the base of the dam and continue west as a single corridor. In the north-central portion of the survey area, a small drainage flows into the northern riparian corridor from the north. On the steep slopes in the northeastern portion of the biological survey area, there are several swales that general run north to south.

As described in Section IV(b) above, the project would impact riparian habitats, which would be considered a significant impact. Therefore, a Mitigation Monitoring Reporting Program, as detailed within Section V of the MND, would be implemented. With implementation of the biological resources monitoring program, potential impacts on biological resources would be reduced to below a level of significance.

c) Have a substantial adverse effect on federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐

As described in Section IV(b) above, the biological survey area contains two riparian corridors along the San Diego River that extend west from the dam, converge, and continue west outside of the

survey area. From here, the San Diego River flows approximately 29 miles westward before emptying into the Pacific Ocean, a Traditional Navigable Waterway.

Three vegetation communities within the survey area contain hydrophytic vegetation: coastal and valley freshwater marsh, southern cottonwood-willow riparian forest (including the disturbed form), and arundo-dominated riparian. These vegetation types are generally associated with the bottomland portions of each corridor that pond and/or appear to contain saturated soils for extended periods of time. Hydric soil indicators were observed in these areas during the wetland delineation survey.

Various hydrology indicators were observed in areas that appear to convey water and contain an ordinary high water mark, such as the drainage in the northern portion of the survey area and portions of the riparian corridors, as well as those portions of the riparian corridors that appear to pond. The various swales on the steep slopes in the northeastern portion of the survey area are small in size and do not have an OHWM or exhibit other hydrological indicators.

The jurisdictional waters/wetland delineation report completed for the project delineated a total of 4.92 acres of potential wetland waters of the U.S. and 0.83 acre of potential non-wetland waters of the U.S. on-site (RECON 2020). The CDFW and Regional Water Quality Control Board (RWQCB) jurisdictional areas consists of 0.26 acre of streambed (potential non-wetland waters of the state), 0.57 acre of lake (potential non-wetland waters of the state), and 11.10 acres of riparian habitat (potential wetland waters of the State), totaling 11.93 acres. The City wetlands include vegetated riparian habitat but not areas of unvegetated streambed totaling 5.13 acres.

Table 6 summarizes the existing jurisdictional areas mapped within the biological survey area and the proposed direct impacts to each potential jurisdictional area. These direct impacts would be considered significant and require mitigation.

Table 6
Project Impacts to Jurisdictional Areas

Jurisdictional Areas	Total Survey Area in Acres (linear feet)	Direct Impacts in Acres (linear feet)
USACE Total Jurisdiction	**5.75 (2,271)**	**2.63 (1,021)**
Wetland Waters of the U.S.	4.92	2.50
Non-wetland Waters of the U.S.**	0.83 (2,271)	0.13 (1,021)
CDFW and RWQCB Total Jurisdictional Areas*	**11.93 (2,271)**	**3.62 (1,021)**
Wetland Waters of the State (Riparian Habitat)	11.10	3.49
Non-wetland Waters of the State (Streambed)**	0.26 (2,271)	0.13 (1,021)
Non-wetland Waters of the State (Lake)**	0.57	0.00
City of San Diego Wetlands	**5.13**	**2.62**

*CDFW/RWQCB area of jurisdiction includes all USACE jurisdictional waters.
**Non-wetland waters/streambed area not included in the wetland/riparian areas so that no area is counted twice for the same jurisdiction.

No jurisdictional resources would be impacted as a result of any access, staging of equipment, or stockpiling of materials during construction. The existing wetland areas adjacent and downstream of

the project impact area have the potential to be indirectly impacted from erosion, construction runoff, and generation and deposition of dust. However, adherence to construction BMPs (e.g., dust control, water quality control, and erosion control) is anticipated to minimize these indirect off-site impacts.

The project would result in impacts to wetlands outside the Coastal Overlay Zone, and therefore would require a deviation from the wetland regulations. In order for a deviation to be granted, the development must qualify to be processed as one of these three options: Essential Public Projects (EPP) Option, Economic Viability Option, and Biologically Superior Option. The City Biology Guidelines (2018) define an EPP as:

(i) Any public project identified in an adopted land use plan or implementing document and identified on the Essential Public Projects List in Appendix III to the Biology Guidelines; or
(ii) Linear infrastructure, including but not limited to major roads and land use plan circulation element roads and facilities including bike lanes, water and sewer pipelines including appurtenances, and stormwater conveyance systems including appurtenances; or
(iii) Maintenance of existing public infrastructure; or
(iv) State and federally mandated projects.

Furthermore, to meet the requirements of an ESL deviation under the EPP, the project must service the community at large and not just a single development project or property. The project is considered maintenance of existing public infrastructure and is also mandated by the state Division of Safety of Dams (DSOD), which does not allow for alternative compliance for this mandate. Therefore, the project meets the definition of an EPP under criteria iii and iv. The required project alternatives include a no project alternative, a wetland avoidance alternative, and a wetland impact minimization alternative. The following discussion is expected to meet this project alternatives analysis requirement.

No Project Alternative

A No Project alternative would result in no impacts to City wetlands. The wetland vegetation and sediment that currently exists within the spillway would remain in place. However, this alternative would not meet the requirements of the DSOD mandate and may pose a significant safety risk. The El Capitan Dam is under the regulatory jurisdiction of DSOD and has been identified as having an “Extremely High” downstream hazard potential due to the population at risk, should the dam fail. El Capitan is listed as “poor” condition by DSOD and has been under a reservoir water level restriction since 2015 due to uncertainties in the dam’s condition, including the spillway, which is in need of immediate maintenance and repair. Anything less than complete removal of all vegetation and debris from the spillway would put the City in violation of the DSOD mandate and subject to fines, additional water level restrictions, and liability should the dam fail. Therefore, this alternative is not considered feasible.

Wetlands Avoidance Alternative

The project consists of sediment and vegetation removal within the spillway and the access and staging activities that support those efforts. A Wetlands Avoidance alternative would include the removal of vegetation from the 5.68 acres of the spillway that are not considered City wetlands, the

majority of which is mapped as urban/developed land and contains no vegetation or sediment. This alternative would leave in place the 2.62 acres of vegetation within the spillway that are considered City wetlands. However, although the wetland vegetation comprises a smaller surface area in comparison to the non-wetland portions of the spillway, the wetland vegetation and sediment supporting it comprise a substantially greater volume of material to be removed compared to those upland areas. The removal of this majority of vegetation and sediment volume is critical to successfully achieving compliance with the DSOD mandate. Therefore, this alternative is not considered feasible.

Wetlands Impact Minimization Alternative

An alternative project design that would minimize impacts to wetlands would include a reduction in the amount of wetland vegetation and underlying sediment to be removed from the spillway. An example could include the reduction of impacts to City wetlands by 50 percent, leaving in place half (1.31 acres) of the existing City wetlands within the vegetation removal area. However, as described above, anything less than complete removal of all vegetation and debris from the spillway would put the City in violation of the DSOD mandate. Therefore, this alternative is not considered feasible.

The project is being implemented in response to the DSOD mandate to remove accumulated vegetation and debris from the spillway, which currently contains mostly wetlands. There is no feasible alternative to avoid or minimize impacts to wetlands that still complies with the mandate. Anything less than complete removal of all vegetation and debris from the spillway would violate the requirements of the mandate. Implementation of mitigation measure BIO-1 would reduce impacts to a level less than significant consistent with the requirements of the Wetland Mitigation Ratios table (Table 2a of the City's Biology Guidelines; City of San Diego 2018). Therefore, the project would not have a significant adverse impact to the City's MSCP. Undeveloped habitat within the surrounding area includes mostly mature native vegetation communities along valley slopes adjacent to the wetland areas occurring within the project site. These native habitats currently serve as large buffer areas between the existing on-site wetland areas and the nearest developed areas. The project would not affect these wetland buffers as no new development is proposed within these buffer areas.

Therefore, a Mitigation Monitoring Reporting Program, as detailed within Section V of the MND, would be implemented. With implementation of the biological resources monitoring program, potential impacts on biological resources would be reduced to below a level of significance.

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

Wildlife movement corridors are defined as areas that connect suitable wildlife habitat areas in a region otherwise fragmented by rugged terrain, changes in vegetation, or human disturbance. Natural features such as canyon drainages, ridgelines, or areas with vegetation cover provide corridors for wildlife travel. Wildlife movement corridors are important because they provide access to mates, food, and water; allow the dispersal of individuals away from high population density

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

areas; and facilitate the exchange of genetic traits between populations. Wildlife movement corridors are considered sensitive by the City and the resource and conservation agencies.

The survey area, which contains a riparian corridor along the bottom of a large canyon among a large expanse of undeveloped land, is within a wildlife movement corridor. The project site occurs along the San Diego River and has connectivity to a network of undeveloped lands throughout the central portion of San Diego County. The corridor extending through the project survey areas likely supports terrestrial and avian wildlife of all sizes, and the perennial water source of the nearby El Capitan Reservoir likely supports the breeding and movement of many local native aquatic species (although partially restricted by the dam). Aquatic and terrestrial wildlife breeding is expected to occur throughout this corridor; however, during the surveys, no significant breeding populations or evidence of breeding activity (signs of roosting maternity colonies, deer bedding sites, etc.) was observed for aquatic or terrestrial species. Consequently, it is not likely that breeding is concentrated in the vicinity of the project in any way that would constitute a significant nursery site. Additionally, completion of the project is not expected to cause the corridor to be constrained in any way. The project would not introduce ant new buildings or barriers, and adjacent areas of riparian and upland habitat would remain available for both the local and regional movement of wildlife. Therefore, the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, and impacts would be less than significant.

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

The project would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant.

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

The project is located outside the boundaries of the City of San Diego and the City's MSCP. Therefore, the project occurs outside the City's MHPA. However, because this project occurs partially on City-owned land, the MSCP guidelines and conditions of coverage have been utilized to analyze impacts to covered species under the California Environmental Quality Act (CEQA). Section 1.5.2 of the MSCP provides general management directives related to 1) mitigation; 2) restoration; 3) trails, public access, and recreation; 4) trash/litter and materials storage; 5) adjacency management issues; 6) invasive species control and removal; and 7) flood control. Project consistency with these guidelines is summarized and addressed below:

- Mitigation: As discussed in Section IV(a) above, the project would result in the permanent loss of sensitive vegetation communities. These impacts would be mitigated off-site in accordance with the City's ESL Regulations and Biology Guidelines (2018) through implementation of mitigation measure BIO-1.

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

- Restoration: No restoration or revegetation is proposed as part of the project.

- Public Access, Trails, and Recreation: Public access within the project area is not allowed. The access roads and other facilities associated with the dam are well-marked regarding the restrictions on public access and will remain so during and after the project. No new equestrian trails, pedestrian trails, or off-road vehicle trails would be created. The project is not expected to result in any increase in access to the sensitive habitat areas in the vicinity of the project.

- Litter/Trash and Materials Storage: All construction-related litter or trash would be removed from the project site before initial construction activities (vegetation and sediment removal) are complete. Any litter or trash resulting from future maintenance activities would be removed prior to completion of the maintenance event. No new material storage is proposed as part of the project. Due to the site's restricted access to the public, no increase in litter or trash is expected to result from the project.

- Adjacency Management Issues: As described above, public access is restricted to the dam and its associated facilities, including the entirety of the project impact area. No new management issues are expected to result from the project.

- Invasive Exotics Control and Removal: Removed vegetation material from any invasive non-native species would be placed in an appropriate bin or other containment device in order to minimize the spread of seed and/or potentially viable plant segments until this material can be hauled and disposed off-site. Therefore, the project, including any future maintenance of the spillway is not expected to increase invasive species encroachment.

- Flood Control: The general management directives regarding flood control include priorities to protect least Bell's vireo and flood control channels within the MHPA. The project proposes the initial removal of vegetation and sediment from the El Capitan Dam spillway and regular maintenance of the spillway. Mitigation measures BIO-2 through BIO-5 have been proposed to avoid and/or minimize impacts to sensitive wildlife species, including least Bell's vireo. The project site does not occur within the MHPA.

Although access to the staging area for the project occurs partially on land owned by the U.S. Forest Service as part of the Cleveland National Forest, this project would not conflict with the U.S. Forest Service Land Management Plan specific to the Cleveland National Forest: Part 2 Cleveland National Forest Strategy (U.S. Department of Agriculture 2005).

Therefore, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, and impacts would be less than significant.

V. CULTURAL RESOURCES – Would the project:

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

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

An Historical Resources Survey dated June 8, 2021 was prepared for the project by RECON (RECON 2021c). RECON requested a records search from the California Historical Resources Information System at the South Coastal Information Center (SCIC) with a one-mile-radius buffer of the project site. This included previously recorded cultural resources, previous archaeological surveys and excavations, and historic maps and historic addresses. The National Register of Historic Places, the California Register of Historical Resources (CRHR) for San Diego County, and the City's Historic Properties list were also reviewed.

The SCIC records search indicates that there have been five investigations within a one-mile radius. Six historic sites, 12 prehistoric sites, one multi-component site, and one unknown site (due to an incorrect site form) have been recorded within a one-mile radius of the survey buffer area. The SCIC records search identified six prehistoric archaeological resources (CA-SDI-13614, CA-SDI-13615, CA-SDI-13616, CA-SDI-13617, CA-SDI-31618, and CA-SDI-21854) and one historic-era resource (P-37-031889) within the survey area. The prehistoric resources consist of bedrock milling features and the historic resource is an auxiliary building.

Additionally, an on-foot survey was conducted of the project site and a total of 75.55-acres surrounding the project site to include a previously recorded feature resource. Only 29.94 acres of the buffer area were surveyed due to dense vegetation and steep slopes. The on-foot survey identified thirteen new cultural resources and six of the seven previously recorded cultural resources. These included seven prehistoric sites (CA-SDI-22878/8863-BAO-1, CA-SDI-22879/BAO-2, CA-SDI-22880/BAO-3, CA-SDI-22881/GJK-1/2, CA-SDI-22882/GJK-3, CA-SDI-22885/TSS-1, and CA-SDI-22886/TSS-2), one prehistoric isolated artifact (P-37-038886/8863-ISO-1), and five historic sites (CA-SDI-22883/HJP-1, CA-SDI-22884/HJP-2, P-37-038887/NDY-1, P-37-038888/NDY-2, and P-37-038881/BAO-4). One previously recorded cultural resource (CA-SDI-31616), a bedrock milling site, was not identified during the current survey.

Archaeological Resources

None of the prehistoric sites identified through the records search and on-foot survey would be impacted by project construction.

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

Built Environment

One built environment resource identified through the records search and on-foot survey (P-37-038888/8863-NDY-2 a fieldstone wall) is located adjacent to the project site and could be impacted during project construction. This would be considered a significant impact. However, the project would avoid this resource during construction. Therefore, a Mitigation Monitoring Reporting Program, as detailed within Section V of the MND, would be implemented. With implementation of the historical resources monitoring program, potential impacts on historical resources would be reduced to below a level of significance.

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

As described in Section V(a), none of the prehistoric sites identified through the records search and on-foot survey would be impacted by project construction. Therefore, the project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. No impact would occur.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

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

VI. ENERGY – Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐

Energy use associated with a project typically includes fuel (gasoline and diesel), electricity, and natural gas, and typically include the following sources:

- Construction-related vehicle and equipment energy use
- Transportation energy use from people traveling to and from the project area during operation
- Building and facility energy use of the proposed project during operation

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

However, energy consumed by the project would only be associated with construction-related activities. Energy use during construction would occur within two general categories: fuel use from vehicles used by workers commuting to and from the construction site, and fuel use by vehicles and other equipment to conduct construction activities. As discussed in Section III(b), the construction equipment required for debris removal would include truck-mounted cranes, large-tracked excavators, rubber-wheeled front-end loaders, track-mounted long-arm excavators, track-mounted bobcats with breaker attachments, and dump trucks. Vegetation removal would require chainsaws, a backhoe or excavator, and a woodchipper. Hauling would require up to 40 trips per day, and workers would generate 24 trips per day. The project would not require mass grading or other large construction activities that could consume substantial amounts of fuel or other forms of energy. Fuel consumption associated with construction worker commute would be similar of any other typical commute in San Diego County, and would not result in a wasteful, inefficient, or unnecessary consumption of gasoline or diesel fuel.

There are no known conditions in the project area that would require nonstandard equipment or construction practices that would increase fuel-energy consumption above typical equipment fuel consumption rates. Additionally, construction activities would be temporary and short-term (18 months) and would adhere to all construction BMPs. Therefore, project construction would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. Once debris and vegetation removal is complete, minimal amounts of fuel consumption would be associated with routine inspection and maintenance. Therefore, the project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be less than significant.

b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

The applicable state plans that address renewable energy and energy efficiency are the California Green Building Standards Code, the California Energy Code, and the Renewables Portfolio Standard (RPS), and the applicable local plan is the City's Climate Action Plan (CAP). The California Green Building Standards Code and the California Energy Code institute mandatory minimum environmental performance and energy standards for all ground-up new construction of commercial and low-rise residential buildings, state-owned buildings, schools, and hospitals. The project does not include the construction of any structures. Therefore, these plans are not applicable to the project. RPS promotes diversification of the state's electricity supply and decreased reliance on fossil fuel energy sources. The project would not include the use of electricity. Therefore, RPS is not applicable to the project. Consistent with state requirements, all construction equipment would meet CARB Tier 3 In-Use Off-Road Diesel Engine Standards. The project would implement BMPs for construction activities as set forth in the Greenbook (Public Works Standard, Inc. 2021). Therefore, the project would not conflict with or obstruct plans for renewable energy or energy efficiency, and impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS – Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒

Review of Figure 2.6-1 of the County General Plan Update EIR determined that there are no active faults that underlay the project site. Review of Figure 2.6-2 of the County General Plan Update EIR determined that there are no Alquist-Priolo Fault Zones or County Special Study Zones that underlay the project site. Consequently, the risk of earthquake ground rupture is low. Therefore, the project would not directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault. No impact would occur.

ii) Strong seismic ground shaking?	☐	☐	☐	☒

The project is located in the seismically active Southern California region. However, the project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any residential, commercial, or other uses that could expose people to strong ground shaking. Therefore, the project would not directly or indirectly cause potential substantial adverse effects involving strong seismic shaking. No impact would occur.

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

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation. Removal of debris and vegetation would not introduce any risk to the existing dam spillway associated with seismic-related ground failure. No impact would occur.

iv) Landslides?	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation. Removal of debris and vegetation would not introduce any risk to the existing dam spillway associated with landslides. No impact would occur.

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

The project would implement erosion control devices (straw wattles, gravel bags, etc.), and silt fencing around the project boundary during construction to prevent soil erosion or the loss of topsoil. Once completed, the project would not risk generating erosion or loss of topsoil. Therefore, the project would not result in substantial soil erosion or the loss of topsoil. No impact would occur.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation. Removal of debris and vegetation would not introduce any risk to the existing dam spillway associated with unstable geologic unit or soil. No impact would occur.

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

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation. Removal of debris and vegetation would not introduce any risk to the existing dam spillway associated with expansive soils. No impact would occur.

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

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any habitable structures. The project does not propose the use of septic tanks or alternative wastewater disposal systems. No impact would occur.

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

The project site appears to be underlain Young Alluvial Deposits, which the City has assigned a low sensitivity rating for paleontological resources. The City CEQA Thresholds do not consider excavation within soils assigned a low paleontological sensitivity rating as a potentially significant impact. Furthermore, the debris and soil that has accumulated within the dam spillway does not qualify as a unique geologic feature. Therefore, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, and impacts would be less than significant.

VIII. GREENHOUSE GAS EMISSIONS – Would the project:

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

The CAP Consistency Checklist is the primary document used by the City to ensure a project by project consistency with the underlying assumptions in the CAP and thereby that the specified

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

emission reduction targets identified in the CAP are achieved. Therefore, completion of the CAP Consistency Checklist demonstrates consistency with the City's GHG CEQA thresholds to ensure that a project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and ensure that a project would be consistent with the CAP (City of San Diego 2016).

The CAP Consistency Checklist includes a three-step process to determine if a project would result in a GHG impact. Step 1 consists of an evaluation to determine the project's consistency with existing General Plan, Community Plan, and zoning designations for the site. Step 2 consists of an evaluation of the project's consistency with applicable strategies and actions of the CAP. Step 3 is to determine whether a project with a land use and/or zone designation change within a Transit Priority Area would be consistent with the assumptions of the CAP. Step 3 would only apply if Step 1 is answered in the affirmative under Option B, which applies to projects that are not consistent with the existing land use plan and zoning designations, and would result in an increased density within a Transit Priority Area. A CAP Consistency Checklist was completed for the project and its consistency is presented below (City of San Diego 2021).

The project involves operations and maintenance activities at a facility owned and managed by the City of San Diego Public Utilities Department. The project is consistent with the existing General Plan and land use designations because it solely involves returning a structure to as-built conditions. Therefore, the project would be consistent with the growth projections utilized in the development of the CAP per Step 1(A).

The project demonstrated that it would be consistent with the five CAP Strategies including; Energy and Water Efficient Buildings; Clean and Renewable Energy; Bicycling, Walking, Transit and Land use; Zero Waste (Gas and Waste Management); and Climate Resiliency, which is discussed in detail in the CAP Consistency Checklist Attachment B.

As described above, the project is consistent with the General Plan, and therefore answered in the affirmative to 1A. Therefore, Step 3 does not apply to the project.

Based on the project's consistency with the City's CAP Consistency Checklist, the project's contribution of GHGs to cumulative statewide emissions would be less than cumulatively considerable. Therefore, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and impacts would be less than significant.

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

As described in Section VIII(a), the project's consistency with the City's CAP Consistency Checklist, the project's contribution of GHGs to cumulative statewide emissions would be less than cumulatively considerable. Therefore, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs or generate GHG emissions that may adversely affect the environment, and impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

Project construction would involve the use of fuel for equipment, as well as small amounts of solvents, cleaners, and oils. However, the use of these common hazardous materials in small quantities would not represent a significant hazard. Additionally, project construction would be required to be undertaken in compliance with applicable federal, state, and local regulations pertaining to the proper use of these common hazardous materials, including the California Occupational Safety and Health Administration and the California Department of Environmental Health Hazardous Materials Division. Once completed, the project would not use any hazardous materials. Therefore, the project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials, and impacts would be less than significant.

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

As described in Section IX(b), project construction would involve the use of materials that are not acutely hazardous consistent with applicable federal, state, and local regulations pertaining to the proper use of these common hazardous materials. The project is limited to limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any new structures or alter any existing dam facilities. Once completed, the project would not use any hazardous materials. Therefore, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts would be less than significant.

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

The nearest school is Los Coches Creek Middle School located approximately 1.5 miles southwest of the project site. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur.

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

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

A search of potential hazardous materials sites compiled pursuant to Government Code Section 65962.5 was completed for the project site. Based on the searches conducted, the project site is not identified on a list of hazardous materials sites. Therefore, the project would not be located on a site listed on a hazardous materials database. No impact would occur.

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

The nearest private airstrip is On The Rocks Airport located approximately 9.5 miles southeast of the project site. The nearest public use airport is Gillespie Filed located approximately 10.3 miles southwest of the project site. Therefore, the project is not located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and would not result in a safety hazard or excessive noise for people residing or working in the project area. No impact would occur.

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

The project would not alter the existing circulation network. As described in Section XVII(a), project construction would generate 124 daily vehicle trips. Therefore, daily vehicle trips generated during construction would not result in traffic congestion that could impede emergency response or evacuation. Furthermore, the project would not construct any habitable structures that would require emergency response or evacuation. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Review of Figure 2.7-1a of the Alpine Community Plan Update EIR determined that the project site is located in areas identified as Very High Fire Hazard Severity Zones (FHSZs). However, the project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any residential, commercial, or other uses that could expose people to fire risk. Therefore, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, and impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐

The project would implement erosion control devices (straw wattles, gravel bags, etc.), and silt fencing around the project boundary during construction to prevent pollution from affecting surface or groundwater. Additionally, by removing debris and sediment from the dam spillway, the project would reduce the amount of material discharging into the San Diego River. Therefore, the project would not result in substantial soil erosion or the loss of topsoil. Through implementation of required BMPs, the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be less than significant.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any habitable structures that would utilize groundwater. Additionally, the project would not introduce any impervious surfaces that could interfere with groundwater recharge. Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. No impact would occur.

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

The project would implement erosion control devices (straw wattles, gravel bags, etc.), and silt fencing around the project boundary during construction to prevent pollution from affecting surface or groundwater. The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not alter the existing drainage pattern. The Upper Spillway, the Spillway Chute, and Lower Spillway are concrete structures that would not be altered. Removal of debris and vegetation from the natural Discharge Channel portion of the dam spillway would restore this feature to its original condition. By removing debris and sediment from the dam spillway, the project would reduce the amount of material discharging into the San Diego River. Therefore, the project would not result in substantial erosion or siltation on- or off-site, and impacts would be less than significant.

Issue		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii)	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐

Removal of debris and vegetation would increase the amount and rate of water that the spillway could convey downstream. However, this increased conveyance of water would discharge into the San Diego River, which would adequately be able to absorb the increase in runoff. Additionally, this increase in the amount and rate of water that the spillway could convey downstream would reduce the potential for dam failure or flooding during an emergency situation. Therefore, the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, and impacts would be less than significant.

iii)	create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐

As described in Section X(c)(ii) above, the increase the amount and rate of water that the spillway could convey downstream would discharge into the San Diego River, which would adequately be able to absorb the increase in runoff. The San Diego River ultimately flows into the Pacific Ocean. Therefore, the project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, and impacts would be less than significant.

iv)	impede or redirect flood flows?	☐	☐	☒	☐

As described in Section X(c)(ii) above, removal of debris and vegetation would increase the amount and rate of water that the spillway could convey downstream, and thereby reduce the potential for dam failure or flooding during an emergency situation. Additionally, the increase the amount and rate of water that the spillway could convey downstream would discharge into the San Diego River, which would adequately be able to absorb the increase in water. Therefore, the project would not impede or redirect flood flows, and impacts would be less than significant.

d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐

The project site is located approximately 25 miles inland from the Pacific Ocean, and therefore is not subject to risk associated with tsunami. As described in Section X(c)(ii) above, removal of debris and vegetation would increase the amount and rate of water that the spillway could convey downstream, and thereby reduce the potential for dam failure or flooding during an emergency situation. The increase in the amount and rate of water that the spillway could convey downstream would also reduce risks associated with a seiche at El Capitan Dam. Therefore, the project would not result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation, and impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

As described in Section X(a) above, the project would implement erosion control devices (straw wattles, gravel bags, etc.), and silt fencing around the project boundary during construction to prevent pollution from affecting surface or groundwater. Additionally, by removing debris and sediment from the dam spillway, the project would reduce the amount of material discharging into the San Diego River. As described in Section X(b) above, the project would not introduce any habitable structures that would consume groundwater. Additionally, the project would not introduce any impervious surfaces that could interfere with groundwater recharge. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant.

XI. LAND USE AND PLANNING – Would the project:

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

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any new structures or infrastructure. All work would occur within the project parcels, would not affect any adjacent parcels, and would not result in any permanent changes to the existing land use plan or circulation network. Furthermore, the project is located within the Cleveland National Forest is not located near any residential, commercial, or other structures. Therefore, the project would not physically divide an established community. No impact would occur.

b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

The project would be consistent with the existing general plan and zoning designations for the project parcels. As described in sections IV and V, all impacts associated with biological and cultural resources would be mitigated to a level less than significant. Removal of debris and vegetation from the dam spillway would ensure that the project is consistent with the requirements of the Division of Safety of Dams (DSOD). Therefore, the project would not cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, and impacts would be less than significant.

XII. MINERAL RESOURCES – Would the project:

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

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

Review of Figure 2.9-3b of the Alpine Community Plan Update EIR determined that the project site has not been assigned a mineral resource zone designation. Although Figure 2.9-2b identifies portions of the project footprint as underlain by quaternary alluvium, the project site consists of a dam spillway that would preclude extraction of mineral resources. Therefore, the project would not result in the loss of availability of known mineral resources that would be of value to the region and the residents of the state, and impacts would be less than significant.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Review of Figure 2.9-4b of the Alpine Community Plan Update EIR determined that the project site is not delineated as a locally important mineral resource recovery site. No impact would occur.

XIII. NOISE – Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐

Project construction noise would be generated by diesel engine-driven construction equipment used for debris and vegetation removal and hauling. Construction noise would potentially result in short-term impacts to surrounding properties.

In the City of San Diego, construction noise is regulated by the City's Noise Abatement and Control Ordinance. Section 59.5.0404 of the City's Noise Abatement and Control Ordinance states that:

A. It shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise. . . .

B. . . . it shall be unlawful for any person, including the City of San Diego, to conduct any construction activity so as to cause, at or beyond the property lines of any property zoned residential, an average sound level greater than 75 decibels during the 12-hour period from 7:00 a.m. to 7:00 p.m.

In the County of San Diego, construction noise is regulated by the County's Noise Abatement and Control Ordinance. Section 36.409 states:

> Except for emergency work, it shall be unlawful for any person to operate construction equipment or cause the construction equipment to be operated, exceeding an average sound level of 75 dB(A) for an 8-hour period, between 7 a.m. and 7 p.m., when

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

measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received.

There are no residential properties located in the vicinity of the project site. The nearest sensitive receptors are residential uses located more than 3,000 feet to the southwest and more than 4,000 feet to the west.

Construction equipment with a diesel engine typically generates maximum noise levels from 70 to 95 dB(A) L_{eq} at a distance of 50 feet (FHWA 2006). During construction activities, equipment moves to different locations and goes through varying load cycles, and there are breaks for the operators and for non-equipment tasks, such as measurement. Although maximum noise levels may be 70 to 95 dB(A) L_{max} at a distance of 50 feet during some construction activities, hourly average noise levels would be less. Based on the simultaneous operation of three pieces of construction equipment, average hourly noise levels are typically 83 dB(A) L_{eq} at 50 feet. At a distance of 3,000 feet, a maximum noise level of 95 dB(A) L_{max} would attenuate to 59 dB(A) L_{max} and average hourly noise level of 83 dB(A) L_{eq} would attenuate to 47 dB(A) L_{eq}. This does not take into account additional noise reduction provided by topography and dense vegetation between the project site and the residential uses. Due to the distance between the project site and the nearest sensitive receptors, construction noise levels are not anticipated to exceed the City or the County's noise level limit of 75 dB(A) L_{eq}. Therefore, the project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the City's Noise Abatement and Control Ordinance or County's Noise Abatement and Control Ordinance, and impacts would be less than significant.

Once debris and vegetation removal is complete, the project site would not be a source of noise; impacts would be less than significant.

b)	Generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

Construction equipment could include loaded trucks, excavators, cranes, and loaders as shown in Table 1. Vibration levels from these pieces of equipment would generate vibration levels with a PPV ranging from 0.035 to 0.076 in/sec PPV at 25 feet. Based on several federal studies, the threshold of perception is 0.035 inch per second (in/sec) peak particle velocity (PPV), with 0.24 in/sec PPV being a distinctly perceptible (Caltrans 2013b). Neither cosmetic nor structural damage of buildings occurs at levels below 0.1 in/sec PPV. There are no vibration sensitive uses in the vicinity of the project site. As discussed in Section XIII(a), the nearest sensitive receptors are residential uses located more than 3,000 feet to the southwest and more than 4,000 feet to the west. This range of construction vibration levels would be well below the distinctly perceptible threshold of 0.24 in/sec PPV and below the cosmetic and structural damage of buildings threshold of 0.1 in/sec PPV at these distances. Therefore, project construction would not generate excessive groundborne vibration or groundborne noise levels, and impacts would be less than significant.

c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport,	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
would the project expose people residing or working in the project area to excessive noise levels?				

The nearest private airstrip is On The Rocks Airport located approximately 9.5 miles southeast of the project site. The nearest public use airport is Gillespie Filed located approximately 10.3 miles southwest of the project site. Therefore, the project is not located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and would not expose people residing or working in the project area to excessive noise levels. No impact would occur.

XIV. POPULATION AND HOUSING – Would the project:

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

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation. The project would not construct any residential, commercial, or other uses, or any infrastructure improvements or extensions that would induce growth. Therefore, the project would not directly or indirectly result in substantial population growth within the City. No impact would occur.

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

The project site consists of the El Capitan Dam Spillway and surrounding undeveloped areas that would be used for construction staging. No housing is located within the project site or surrounding area. Therefore, the project would not displace any existing people or housing. No impact would occur.

XV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

i)	Fire protection;	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any residential, commercial, or other uses that would require fire protection services. Therefore, the project would not require new or expanded fire protection facilities. No impact would occur.

Issue		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii)	Police protection;	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any residential, commercial, or other uses that would require police protection services. Therefore, the project would not require new or expanded police protection facilities. No impact would occur.

iii)	Schools;	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any residential uses that would generate new student enrollment that would increase demand for school services. Therefore, the project would not require new or expanded school facilities. No impact would occur.

iv)	Parks;	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any residential uses that would increase demand for park and recreation facilities. Therefore, the project would not require new or expanded park facilities. No impact would occur.

v)	Other public facilities?	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any residential, commercial, or other uses that would require additional public services such as libraries. Therefore, the project would not require additional public services such as libraries. No impact would occur.

XVI. RECREATION

a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any residential uses that would increase demand for park and recreation facilities. Therefore, the project would not result in an increase in population that would cause substantial physical deterioration of recreational facilities through increased use. No impact would occur.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and does not include the provision of recreational facilities or require the construction or expansion of recreational facilities. No impact would occur.

XVII. TRANSPORTATION–

a) Would the project or plan/policy conflict with an adopted program, plan, ordinance or policy addressing the transportation system, including transit, roadways, bicycle and pedestrian facilities?	☐	☐	☒	☐

The project would not alter the existing circulation network. Project construction is estimated to require 40 daily truck trips to dispose debris excavated from the spillway at the Miramar Landfill. Applying a passenger car equivalent value of 2.5 to this value yields 100 daily vehicle trips. The project would also require 12 employees during construction, which would result in 24 daily vehicle trips traveling to and from the project site. The combination of truck trips and employee trips yields a total of 124 daily vehicle trips during construction. The City Transportation Manual considers projects that would generate 300 or fewer daily vehicle trips a “Small Project.” Therefore, daily vehicle trips generated during construction would not affect roadway operations. Once completed, the project would not generate any vehicle trips. Based upon the screening criteria, the project qualifies as a “Small Project” and is screened out from further VMT analysis. The project is presumed to have a less than significant impact on Vehicle Miles Traveled (VMT). Impacts would be less than significant. There are no transit, pedestrian, or bicycle facilities located within or adjacent to the project site. Therefore, the project would not conflict with an adopted program, plan, ordinance or policy addressing the transportation system, including transit, roadways, bicycle and pedestrian facilities, and impacts would be less than significant.

b) Would the project or plan/policy result in VMT exceeding thresholds identified in the City of San Diego Transportation Study Manual?	☐	☐	☒	☐

As described in Section XVII(a), project construction would generate 124 daily vehicle trips. Per the City Transportation Manual, projects that would generate 300 or fewer daily vehicle trips are considered a “Small Project”, which are presumed to have a less than significant impact related to vehicle miles travelled. Once completed, the project would not generate any vehicle trips. Therefore, the project would not generate vehicle miles travelled exceeding thresholds identified in the City Transportation Study Manual, and impacts would be less than significant.

c) Would the project or plan/policy substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or	☐	☐	☐	☒

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
incompatible uses (e.g., farm equipment)?				

The project would not alter the existing circulation network. The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any structures or permanently introduce any equipment on-site. Therefore, the project would not increase hazards due to a design feature or incompatible uses. No impact would occur.

d) Result in inadequate emergency access?	☐	☐	☒	☐

The project would not alter the existing circulation network. As described in Section XVII(a), project construction would generate 124 daily vehicle trips. Therefore, daily vehicle trips generated during construction would not result in traffic congestion that could impede emergency access. Furthermore, the project would not construct any habitable structures that would require emergency services. Therefore, the project would not result in inadequate emergency access, and impacts would be less than significant.

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

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

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

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

Tribal Cultural Resources include sites, features, places, cultural landscapes, and sacred places or objects that have cultural value or significance to a Native American Tribe. Tribal Cultural Resources include “non-unique archaeological resources” that, instead of being important for “scientific” value as a resource, can also be significant because of the sacred and/or cultural tribal value of the resource. Tribal representatives are considered experts appropriate for providing substantial

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

evidence regarding the locations, types, and significance of tribal cultural resources within their traditionally and cultural affiliated geographic area (PRC § 21080.3.1(a)).

In accordance with the requirements of Public Resources Code Section 21080.3.1, Assembly Bill (AB) 52, the City notified Native American tribes that are traditionally and culturally affiliated with the project area. The tribes were sent notification letters on July 27, 2021, informing them of the proposed project and asking them of any knowledge or information about tribal cultural resources they may have about the project area. A request for project consultation was not received from either the San Pasqual Band of Mission Indians or Iipay Nation of Santa Ysabel Native American Tribes within the notification period, and therefore consultation was concluded. The Jamul Indian Village responded on July 28, 2021, concurring with the requirement of implementation of Native American monitoring during the project's ground-disturbing activities. No additional Tribal Cultural Resources were identified during consultation. Therefore, the consultation process was concluded. Based on the request for tribal monitoring from the Jamul Indian Village, project construction could encounter unknown tribal cultural resources during ground-disturbing activities. If encountered, such resources could potentially be damaged or destroyed, resulting in a substantial adverse change in the significance of a tribal cultural resource. Therefore, implementation of the proposed project could result in a potentially significant impact to tribal cultural resources.

A Mitigation, Monitoring, and Reporting Program as detailed in Section V of the Mitigated negative Declaration would be required. With implementation of the monitoring program, potential impacts on tribal cultural resources would be reduced to below a level of significance.

XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?	☐	☐	☒	☐

The project is limited to the removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation from an existing dam spillway. The project would not construct any residential, commercial, or other uses that would require expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities. Therefore, the project would not result in increased demand for utilities services that would cause significant environmental effects, and impacts would be less than significant.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any residential, commercial, or other uses that would require water supply. Water consumption would be limited to small amounts during

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

construction. Therefore, sufficient water supplies available to serve the project, and impacts would be less than significant.

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

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not construct any residential, commercial, or other uses that would require expanded wastewater treatment capacity. Therefore, the project would not exceed existing wastewater treatment capacity in the city. No impact would occur.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation. Vegetation would be reduced via a woodchipper at the project site and hauled to the Miramar Landfill for disposal. Additionally, debris excavated from the spillway would be hauled to the Miramar Landfill for disposal. Once completed, the project would not generate any solid waste requiring disposal. Therefore, the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, and impacts would be less than significant.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

The project would dispose of vegetation and debris at the Miramar Landfill consistent with City regulations for solid waste management. Therefore, the project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste, and impacts would be less than significant.

XX. WILDFIRE – If located in or near state responsibility area or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

The 2017 San Diego County Multi-Jurisdictional Hazard Mitigation Plan (SDHMP) is the San Diego region's plan toward greater disaster resilience in accordance with section 322 of the Disaster Mitigation Act of 2000. The project would not conflict with the goals, objectives, and actions of the SDHMP. Per Action 1.D.6, High fire hazard areas shall have adequate access for emergency vehicles. The project would not alter the existing circulation network. As described in Section XVII(a), project construction would generate 124 daily vehicle trips. Therefore, daily vehicle trips generated during

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

construction would not result in traffic congestion that could impede emergency response or evacuation. Furthermore, the project would not construct any habitable structures that would require emergency response or evacuation. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	☐	☐	☒	☐

Review of Figure 2.7-1a of the Alpine Community Plan Update EIR determined that the project site is located in areas identified as Very High Fire Hazard Severity Zone. However, the project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any residential, commercial, or other uses that could expose people to fire risk. Furthermore, the project may reduce fire risk within the region by removing combustible vegetation from the dam spillway. Therefore, the project would not exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire, and impacts would be less than significant.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any infrastructure. Once completed, maintenance to remove debris from the dam spillway would not possess any fire risk. Therefore, the project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. No impact would occur.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

The project is limited to removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation and would not introduce any residential, commercial, or other uses that could expose people to fire risk. As described in Section X(c)(ii) above, removal of debris and vegetation would increase the amount and rate of water that the spillway could convey downstream, and thereby reduce the potential for dam failure or flooding during an emergency situation. As described in section VII(a)(iv) above, removal of debris and vegetation would not introduce any risk to the existing dam spillway associated with landslides. Therefore, the project would not expose people or structures to significant risks, including downslope or downstream

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

flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. No impact would occur.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE –				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐

As described in Section IV, all impacts on biological resources would be mitigated to a level less than significant. As described in Section V, all impacts on historical resources would be mitigated to a level less than significant. Therefore, the project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory As such, mitigation measures have been incorporated to reduce impacts to less than significant as outlined within the Initial Study.

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

As described in the MND, all impacts would be mitigated to a level less than significant. Air quality is a regional issue and the cumulative study area for air quality impacts encompasses the San Diego Air Basin as a whole. Therefore, the cumulative analysis addresses regional air quality plans and policies, such as the RAQS, as well as the project's contribution to a net increase of any criteria pollutant for which the San Diego Air Basin is listed as a non-attainment area. As described in Section III(a), the project would not construct any residential, commercial, or other uses. Consequently, the project would not result in growth that is not anticipated in SANDAG or County growth projections and would not generate any operational emissions. As described in Section III(b), the project would not result in construction emissions in excess of the applicable significance thresholds for all criteria pollutants. Consequently, the project would not result in an increase in emissions that are not already accounted for in the RAQS.

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

The MSCP was designed to compensate for the regional loss of biological resources throughout the region. Projects that conform with the MSCP as specified by the Subarea Plan, and implementing ordinances, (i.e., Biology Guidelines and ESL Regulations) are not expected to result in a significant cumulative impact to vegetation communities identified as Tier I through IV. Therefore, with implementation of the habitat-based mitigation measure cumulative impacts related to Tier II vegetation communities would be reduced to a level less than significant. Additionally, implementation of biological mitigation measures would ensure that the project would comply with the City's no-net-loss policy implemented by the resource agencies, and thereby reduce cumulative impacts to wetland vegetation communities (coastal and valley freshwater marsh, southern cottonwood-willow riparian forest, disturbed southern cottonwood-willow riparian forest, and southern riparian woodland) to a level less than significant. As described in Section V(a), implementation of the historical resources mitigation measure would reduce impacts related to archaeological resources to a level less than significant. As described in Section VII(b), the project would be consistent with the City's CAP Consistency Checklist. Therefore, the project's contribution of GHGs to cumulative statewide emissions would be less than cumulatively considerable. All other project impacts were determined to be less than significant, and due to the limited scope of the project would result in cumulatively considerable impacts.

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

As discussed throughout this MND, no hazardous conditions on the project site or in the surrounding area were identified that could adversely affect human beings. It is not anticipated that removal of approximately 58,900 cubic yards of debris and approximately six acres of vegetation would create conditions that would significantly directly or indirectly impact human beings. All impacts identified as being significant have been mitigated to below a level of significance. For this reason, all environmental effects fall below the thresholds established by the City of San Diego. Therefore, impacts would be less than significant.

INITIAL STUDY CHECKLIST
REFERENCES

I. Aesthetics / Neighborhood Character

☐ City of San Diego General Plan
☐ Community Plans:

II. Agricultural Resources & Forest Resources

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

California Important Farmland Finder, State of California, Department of Conservation, 2016. Available at https://maps.conservation.ca.gov/dlrp/ciff/.

III. Air Quality

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

California Emissions Estimator Model (CalEEMod), User's Guide Version 2020.4.1, California Air Pollution Control Officers Association (CAPCOA), May 2021

2015 Air Toxics Hot Spots Program Guidance Manual for the Preparation of Risk Assessments (Guidance Manual), Office of Environmental Health Hazard Assessment, February 2015.

Air Quality CalEEMod Emission Calculation Output, RECON Environmental, Inc., August 26, 2021a.

IV. Biology

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

Biological Survey Report for the El Capitan Dam Spillway Vegetation Removal Project. San Diego, California, prepared for the City of San Diego Public Utilities Department, RECON Environmental, Inc., August 5, 2021b.

Jurisdictional Waters/Wetland Delineation Report for the El Capitan Dam Spillway Vegetation Removal Project, San Diego, California, prepared for the City of San Diego Public Utilities Department, RECON Environmental, Inc., December 4, 2020.

V. Cultural Resources (includes Historical Resources and Built Environment)

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

City of San Diego Source Water System Historic Context Statement, prepared for the City of San Diego Public Utilities Department, Dudek, June 2020.

VI. Geology/Soils

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

Historical Resources Survey for the El Capitan Dam Spillway Vegetation Removal Project, San Diego, California, prepared for the City of San Diego Public Utilities Department, RECON Environmental, Inc., July 8, 2021c.

VII. Greenhouse Gas Emissions

☐ Site Specific Report:

California Environmental Quality Act Significance Determination Thresholds, City of San Diego, July 2016.

2019 Annual Report, Climate Action Plan, City of San Diego, Available at https://www.sandiego.gov/2020cap, 2020.

Climate Action Plan Consistency Checklist for El Capitan Dam Spillway Project, 2020.

Greenbook: Standard Specifications for Public Works Construction, Public Works Standard, Inc. 2021.

VIII. Hazards and Hazardous Materials

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

IX. Hydrology/Drainage

☐ Flood Insurance Rate Map (FIRM)
☐ Federal Emergency Management Agency (FEMA), National Flood Insurance Program-Flood Boundary and Floodway Map

☐ Clean Water Act Section 303(b) list, http://www.swrcb.ca.gov/tmdl/303d_lists.html
☐ Site Specific Report:

X. Land Use and Planning

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

XI. Mineral Resources

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

XII. Noise

☐ City of San Diego General Plan
☐ Community Plan
☐ San Diego International Airport - Lindbergh Field CNEL Maps
☐ Brown Field Airport Master Plan CNEL Maps
☐ Montgomery Field CNEL Maps
☐ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes
☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
☒ Site Specific Report:

Technical Noise Supplement, California Department of Transportation (Caltrans), November 2013a.

Transportation and Construction Vibration Guidance Manual, Caltrans, September 2013b.

Roadway Construction Noise Model User's Guide, FHWA-HEP-05-054, SOT-VNTSC-FHWA-05-01, Final Report, Federal Highway Administration (FHWA), January 2006.

XIII. Paleontological Resources

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

XIV. Population / Housing

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

XV. Public Services

☐ City of San Diego General Plan
☐ Community Plan

XVI. Recreational Resources

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

XVII. Transportation / Circulation

☐ City of San Diego General Plan
☐ Community Plan:
☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
☐ San Diego Region Weekday Traffic Volumes, SANDAG
☒ Site Specific Report:
City of San Diego Transportation Study Manual, September 2020

XVIII. Utilities

☐ Site Specific Report:

XIX. Water Conservation

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

XX. Water Quality

☐ Clean Water Act Section 303(b) list, http://www.swrcb.ca.gov/tmdl/303d_lists.html
☐ Site Specific Report:

FIGURE 1

Regional Location

Image source: Nearmap (flown January 2020)

FIGURE 2
Project Location on Aerial Photograph