



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: July 31, 2019 REPORT NO. HO-19-074

HEARING DATE: August 7, 2019

SUBJECT: Tijuana River Valley Campground. Process Three Decision

PROJECT NUMBER: [630639](#)

OWNER/APPLICANT: County of San Diego Park and Recreations Department

SUMMARY

Issue: Should the Hearing Officer approve the application for a Coastal Development Permit and a Site Development Permit associated with the County of San Diego's Tijuana River Valley Regional Park Campground and Nature Education Center within the Tijuana River Valley Community Plan area?

Staff Recommendations:

1. Approve Coastal Development Permit No. 2314318 and Site Development Permit No. 2318398.
2. Review and Consider a resolution that the information contained in the Final County of San Diego Mitigated Negative Declaration adopted by the San Diego County Board of Supervisors for the Tijuana River Valley Regional Park Campground and Nature Education Center project has been reviewed and considered by the Hearing Officer.

Community Planning Group Recommendation: The Tijuana River Valley Local Coastal Program does not contain a City-recognized community planning group.

Environmental Review: The County of San Diego, as Lead Agency, determined that the proposed project could have a potentially significant effect on biological resources, cultural resources, geology and soils, hazards and hazardous materials, transportation and traffic, and tribal cultural resources. Subsequent project revisions and specific mitigation measures have been identified in the project's Mitigated Negative Declaration (MND)/ State Clearinghouse (SCH) No. 2018101023, to reduce the potential adverse effect to below a level of significant environmental effects. On January 30, 2019, the County of San Diego adopted the MND/SCH No. 2018101023 and adopted the Mitigation, Monitoring and Reporting Program (MMRP).

The City of San Diego, as Responsible Agency, has determined that the previously adopted environmental document, MND/SCH No. 2018101023, adequately addresses the project and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. The prior environmental document adequately covered this activity as part of the previously approved project and the activity is not a separate project for the purpose of California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15162.

BACKGROUND

The 79-acre site is located west of Saturn Boulevard, north of Monument Road, east of Border Field State Park, and south of the Tijuana River County Open Space Preserve, on APNs 662-02-1200 and 663-010-4500 in the OF-1-1 (Open Space-Floodplain) Zone, Coastal Overlay (Appealable) Zone, Multi-Habitat Planning Area (MPHA). A portion of the site is located in the AR-1-1 (Agricultural-Residential) Zone within the Tijuana River Valley Local Coastal Program Land Use Plan area. The project site is currently undeveloped and had been used for agricultural purposes in the past. The site is located approximately 1.3 miles east of the Pacific Ocean, within the County of San Diego's Tijuana River Valley Regional Park and east of the State of California's Border Field State Park.

The Tijuana River Valley Local Coastal Program (LCP) planning area is bounded on the south by the Mexican border, on the west by the City of Imperial Beach including Border Field State Park, on the north by the Imperial Beach Naval Air Station (helicopter operation) and the Otay Nestor residential area, and on the east by residential and commercial areas of San Ysidro. One of primary purposes of the Tijuana River Valley LCP planning area is to implement the goals of the California Coastal Act. The Coastal Act assigns authority for local agencies to issue coastal development permits through adoption of Local Coastal Plans. The City adopted the Local Coastal Plan and then the Coastal Commission subsequently approved the Tijuana River Valley LCP in 1998. The LCP is consistent with the County's Management Framework (1989) and the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan which was adopted on March 18, 1997.

Although originally within the Deferred-Certification area of the Coastal Zone, the California Coastal Commission has subsequently transferred jurisdiction of the site to the City of San Diego. Due to this change, Coastal Permitting authority resides within the City of San Diego, and within the Coastal Commission's geographic appeal jurisdiction.

DISCUSSION

Project approvals:

A Coastal Development Permit is required pursuant to SDMC section 126.0702 for development within the Coastal (Appealable) Overlay zone and a Site Development Permit is required pursuant to SDMC section 126.0504 (b) for impacts to Environmentally Sensitive Lands (ESL) as the campground encroaches into the MHPA and a Special Flood Hazard Area. The proposed project would not require deviations to the ESL regulations since it would avoid wetlands and would comply with the MHPA adjacency guidelines and Special Flood Hazard Area Regulations of the San Diego Municipal Code (SDMC). Pursuant to SDMC Table 143-01A. A Process 3 Site Development Permit approval (Hearing Officer) is required for non-residential development that conforms to the ESL regulations.

Project Description:

The project proposes to develop the Tijuana River Valley Campground and Nature Education Center. The proposed project includes 79 campsites that would serve a variety of uses including multi-use campsites, tent campsites, yurts (round tents), and equestrian campsites. Each campsite would include a picnic table, barbecue, and fire ring. No hookups for power, water, or other utilities would be included at any campsite. Site amenities include restrooms, coin-showers, an office, entry booth, volunteer area and circulation roads. Nature interpretive play areas would serve as gathering places for all campers.

The proposed project features (a day use) outdoor nature education center available to local residents and visitors. Campers, families, and school/youth groups would have access to a nature trail with interpretive panels, an amphitheater for educational programs, and nature interpretive play areas for children and youth. Adjacent to the day-use area, a group camping area would provide overnight accommodations in a yurt village for school/youth groups and large families. Site activities are anticipated to be associated with primitive camping, trail use (hiking and equestrian) and use of the outdoor nature education areas.

As a public park, the project is an allowed use within the OF-1-1 zone and is consistent with the Tijuana River Valley Land Use Plan and the County of San Diego's Tijuana River Valley Regional Park Framework Management Plan. Additionally, the land was purchased with State funding that requires the land to be used for park purposes. The project is not requesting, nor does it require, any deviations or variances from applicable regulations.

A 13.2-acre portion of the 79-acre site is included within the City of San Diego's Multi-Habitat Planning Area (MHPA). Development impacts would occur on the least sensitive portions of the project area and impacts would be limited to disturbed habitat and tamarisk scrub. No impacts would occur to wetlands. Total impacts to the 79-acre project site are limited to 13.2 acres, which is a total of 16.7 percent the project site. The total disturbed area of the project site is less than 25 percent and concentrated in the least sensitive areas of the MHPA. The project does not include impacts to wetlands. Therefore, the project conforms with City MSCP Subarea Plan and Biology Guidelines requirements related to development within the MHPA.

Environmental Analysis:

A Mitigated Negative Declaration/SCH No. 2018101023, prepared for the Tijuana River Valley Regional Park Campground and Nature Education Center, was adopted by the County of San Diego on January 30, 2019. The previous environmental document adequately analyzes the potential environmental impacts of the proposed project and recommends appropriate mitigation measures to reduce potentially significant impacts to biological resources, cultural resources, geology and soils, hazards and hazardous materials, transportation and traffic, and tribal cultural resources, to below a level of significance.

As a part of the City Project review, it was determined that additional technical modifications were required to rely upon the original environmental, which included the addition of a Site Development Permit. CEQA Guidelines Section 15162(b) allows a lead/responsible agency to determine that minor technical changes or additions to the Project require no further documentation if such minor technical changes or additions meet the requirements of CEQA. Therefore, pursuant to Section 15162 of CEQA Guidelines, Environmental staff have determined that no new CEQA document is

required for the project because all impacts are addressed in the MND and there are no proposed project changes from the MND project description that would result in new or more severe significant environmental impacts or new or modified mitigation measures, that were not analyzed and previously disclosed in the County MND.

Conclusion:

City staff has analyzed the proposed project and all issues identified through the review process have been resolved in conformance with the applicable regulations of the San Diego Municipal Code, Tijuana River Valley Local Coastal Program Land Use Plan, and the City MSCP Subarea Plan. Staff has provided draft findings and conditions to support approval of the project (Attachment 4 and 5). Staff recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Coastal Development Permit No. 2314318, Site Development Permit No. 2318398 and review and consider the CEQA Resolution with modifications.
2. Deny Coastal Development Permit No. 2314318, Site Development Permit No. 2318398 and the CEQA Resolution, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

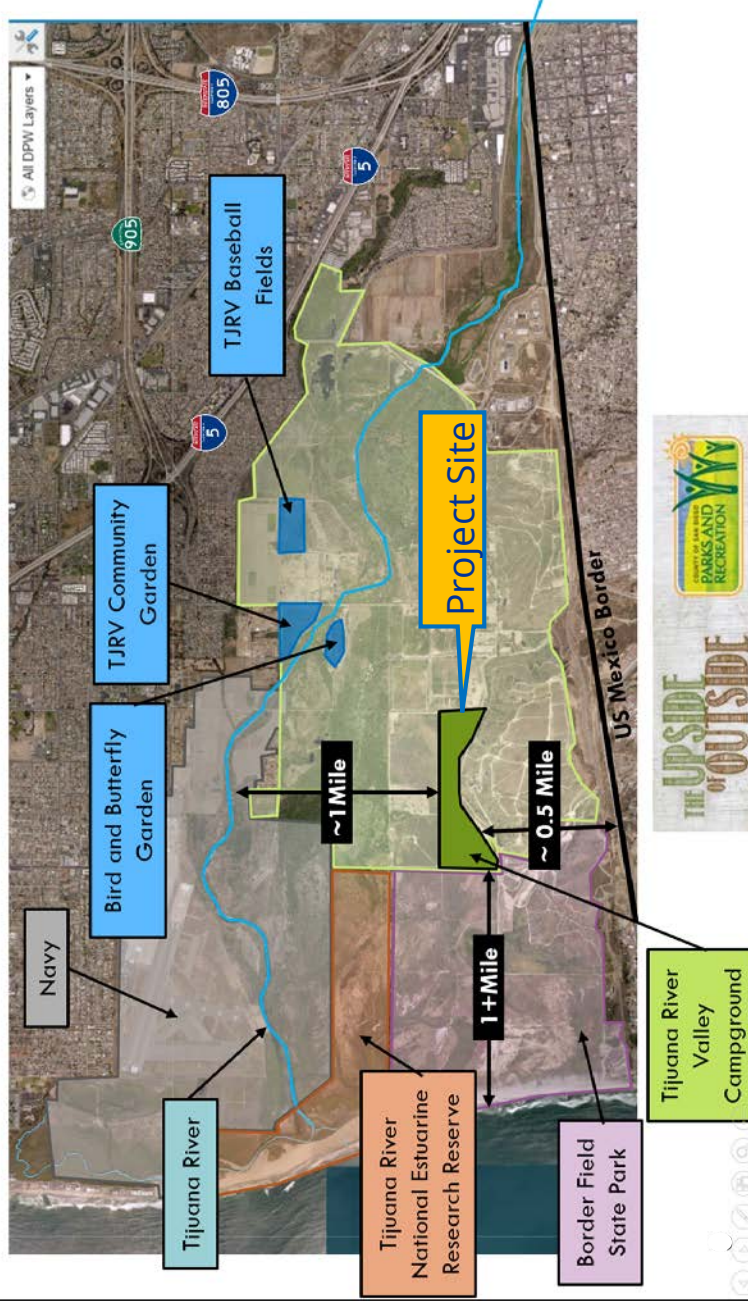

Angela Nazareno, Development Project Manager

Attachments:

1. Project Location Map
2. Aerial Photograph
3. Draft Resolution with Findings
4. Draft Permit with Conditions
5. Section 15162 CEQA Evaluation
6. Ownership Disclosure Statement
7. Exhibit A- Concept Plans
8. CEQA Resolution

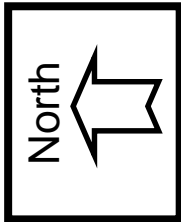
TIJUANA RIVER VALLEY CAMPGROUND

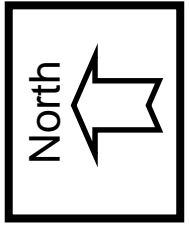
Campground Location



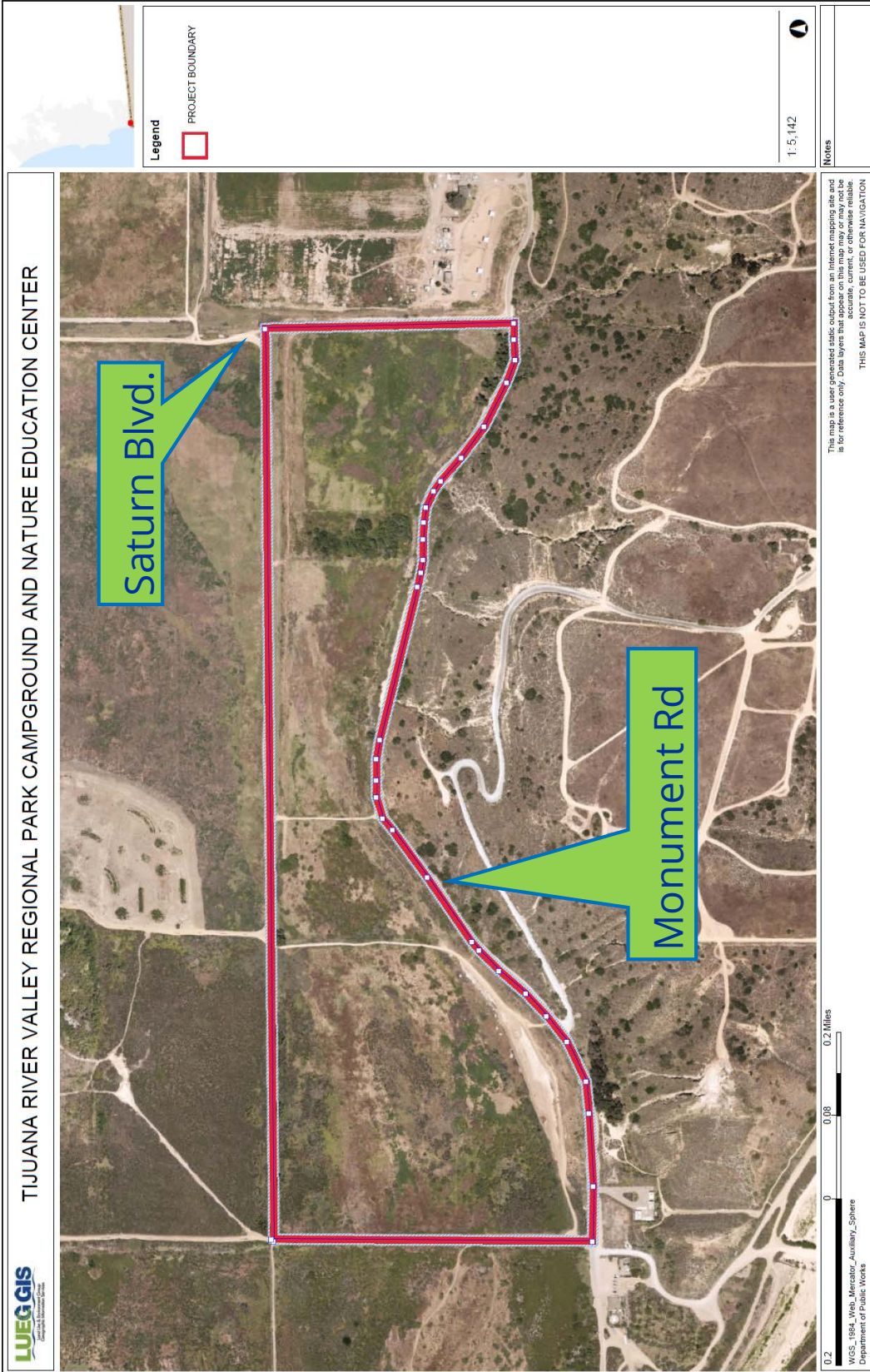
Project Location Map

TJRV Campground / Tijuana River Valley and surrounding uses
PROJECT NO. 630639





Aerial Photo
TJRV Campground / 1902 -1942 Monument Road
PROJECT NO. 630639



HEARING OFFICER RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 2314318
SITE DEVELOPMENT PERMIT NO. 2318398
TJRV CAMPGROUND - PROJECT NO. 630639
MMRP - SCH NO. 2018101023

WHEREAS, COUNTY OF SAN DIEGO DEPARTMENT OF PARKS AND RECREATION, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a County of San Diego Campground and Nature Education Activity Center within an existing vacant site (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No.'s 2314318 and 2318398), on portions of a 79-acre site;

WHEREAS, the project site is located at west of Saturn Boulevard, north of Monument Road, east of Border Field State Park, and within the Tijuana River Regional Park, on APNs 662-02-1200 and 663-010-4500 in the OF-1-1 (Open Space-Floodplain) Zone, Coastal Overlay (Appealable) Zone, Multi-Habitat Planning Area (MPHA) and a portion of the site is located in the AR-1-1 (Agricultural-Residential) Zone within the Tijuana River Valley Local Coastal Program Land Use Plan area;

WHEREAS, the project site is legally described as Parcel No. 98-0029-A, the Northeasterly Quarter of the Southeast Quarter of Section 5, Township 19 South, Range 2 West, San Bernardino Meridian, according to Official Plat thereof; and Parcel No. 89-0052-A, the Northerly 30 acres of the Southwest Quarter of the Northeast Quarter of Section 4, Township 19 South, Range 2 West, San Bernardino Base and Meridian, in the City of San Diego, State of California, according to official plat thereof;

WHEREAS, on August 7, 2019, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 2314318 pursuant to the Land Development Code of the City of San Diego;
NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 2314318 and Site Development Permit No. 2318398:

A. COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]

Findings for all Coastal Development Permits:

- 1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The proposed project includes 79 campsites that would serve a variety of uses including multi-use campsites, tent campsites, yurts (round tents), and equestrian campsites. Each campsite would include a picnic table, barbecue, and fire ring. No hookups for power, water, or other utilities would be included at any campsite. Site amenities include restrooms/coin-showers, an office, entry booth, volunteer pad and circulation roads. Nature interpretative play areas would serve as gathering places for all campers.

The project site is currently undeveloped and had been used for agricultural purposes in the past. The site is located approximately 1.3 miles east of the Pacific Ocean, within the County of San Diego's Tijuana River Valley Regional Park and east of the State of California's Border Field State Park. The project will not encroach upon any existing physical accessway that is legally used by the public or proposed public access way identified in the Tijuana River Valley Local Coastal Program Land Use Plan (LUP). Per the LUP, the San Diego County Park and Recreation Department plans to develop a regional park in the Tijuana River Valley that will include a mixture of recreational opportunities, and preserve, enhance, and restore sensitive habitat in the Tijuana River Valley as a regional park. The park will include a mixture of recreational opportunities – including equestrian facilities, riding and hiking trails, as well as sustainable agriculture.

The Tijuana River Valley Local Coastal Program Land Use Plan (LCP) recommends the fullest possible use of multi-purpose planning to expand recreational opportunities, including a variety of compatible recreation activities within a given site; passive recreation combined with cultural resource preservation; and appropriate recreational use of open space lands and wildlife conservation areas and water resources.

The proposed project is not located along the ocean or within any scenic coastal areas, therefore the development will not impede on any public views of the coast.

- 2. The proposed coastal development will not adversely affect environmentally sensitive lands.** The project does not propose any permanent structures in a floodway and complies with all Municipal Code Development Regulations for Special Flood Hazard

Areas. The LCP recommends permitting more active recreational uses, including camping, athletic fields, and other organized sport activities and where necessary, incorporate measures to avoid/minimize impacts to biological resources within Multiple Habitat Planning Area (MHPA). Per the LCP, the MHPA delineates core biological resource areas and corridors targeted for conservation. Within the MHPA limited development may occur. The proposed development would occur on the least sensitive portions of the project site and impacts would be limited to disturbed habitat and tamarisk scrub. No impacts would occur to the wetlands. Total impacts to the 79-acre site are limited to 13.20-acres, which is a total of 16.7 percent of the project site. The disturbance area of the project is less than 25 percent of the total project site which is allowed. It is concentrated in the least sensitive areas of the MHPA and does not include impacts to wetlands. Therefore, the proposed project conforms with the City Multiple Species Conservation Program (MSCP) Subarea Plan and Biology Guidelines requirements related to development in the MHPA as well as the Management Framework Plan (1989) for the LCP and would not adversely affect environmentally sensitive lands.

- 3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.** The Tijuana River Valley Local Coastal Program Land Use Plan (LCP) recommends the fullest possible use of multi-purpose planning to expand recreational opportunities, including a variety of compatible recreation activities within a given site; passive recreation combined with cultural resource preservation; and appropriate recreational use of open space lands and wildlife conservation areas and water resources. The proposed project includes the development of 79 campsites, a Nature Education Activity Center, trails and associated infrastructure. The campsites would serve a variety of uses including multi-use campsites, tent campsites, yurts (round tents), and equestrian campsites. Each campsite would include a picnic table, barbecue, and fire ring. No hookups for power, water, or other utilities would be included at any campsite. Site amenities include restrooms/coin-showers, an office, entry booth, volunteer pad and circulation roads. Nature interpretative play areas would serve as gathering places for all campers. The project is consistent with the LCP's goals and objectives to intermix natural habitat with compatible agricultural, recreational and water quality improvement activities, all functioning in concert to maintain and enhance the natural ecosystems existing and the local quality of life and environment of the land. Therefore, the proposed project is in conformity with the certified Local Coastal Program land use plan and complies with the Land Development Code and all regulations of the certificated Implementation Program.
- 4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.** The proposed project does not interfere with existing public access to the sea and provides new connections to existing public access to the sea through new trail connections. The proposed project is a public campground and nature education center that provides visitors with recreational facilities at low costs and encourages new public access within the coastal zone. The proposed project is not located between the nearest

public road and the sea or the shoreline of a body of water located within the Coastal Overlay zone. The proposed project is not coastal or oceanfront land and therefore does not provide an opportunity to protect water-oriented activities, aquaculture or boating. The proposed project is located within an upland area and provides support for and a connection to coastal recreation. Therefore, the proposed project is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

B. SITE DEVELOPMENT PERMIT [SDMC Section 126.0504 (a)]

Findings for all Site Development Permits:

1. The proposed development will not adversely affect the applicable land use plan.

The proposed project includes 79 campsites that would serve a variety of uses including multi-use campsites, tent campsites, yurts (round tents), and equestrian campsites. Each campsite would include a picnic table, barbecue, and fire ring. No hookups for power, water, or other utilities would be included at any campsite. Site amenities include restrooms/coin-showers, an office, entry booth, volunteer pad and circulation roads. Nature interpretative play areas would serve as gathering places for all campers.

The project site is currently undeveloped and had been used for agricultural purposes in the past. The site is located approximately 1.3 miles east of the Pacific Ocean, within the County of San Diego's Tijuana River Valley Regional Park and east of the State of California's Border Field State Park. The project will not adversely affect the Tijuana River Valley Local Coastal Program Land Use Plan (LCP). Per the LUP, the San Diego County Department of Parks and Recreation plans to develop a regional park in the Tijuana River Valley that will include a mixture of recreational opportunities, and preserve, enhance and restore sensitive habitat in the Tijuana River Valley as a regional park. The park will include a mixture of recreational opportunities – including equestrian facilities, riding and hiking trails, as well as sustainable agriculture. The Tijuana River Valley Local Coastal Program Land Use Plan (LCP) recommends the fullest possible use of multi-purpose planning to expand recreational opportunities, including a variety of compatible recreation activities within a given site; passive recreation combined with cultural resource preservation; and appropriate recreational use of open space lands and wildlife conservation areas and water resources and is an allowed use within the OF-1-1 zone which is consistent with the applicable LCP, the San Diego County's Management Framework (1989) and the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. Therefore, the proposed development is consistent with the policies, goals and recommendations of the Tijuana River Valley Local Coastal Program Land Use Plan (LCP) and will not adversely affect the applicable land use planning document for the community.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed project includes 79 campsites that would serve a variety of uses including multi-use campsites, tent campsites, yurts (round tents), and equestrian campsites. Each campsite would include a picnic table, barbecue, and fire ring. No hookups for power, water, or other utilities would be included at any campsite. A Park Ranger will be present on site. No habitable permanent structures are proposed on site. Campground amenities include restrooms/coin-showers, a Ranger's office, entry booth,

volunteer area and circulation roads. Nature interpretative play areas would serve as gathering places for all campers. The project site is currently undeveloped and had been used for agricultural purposes in the past. The project includes passive recreation combined with cultural resource preservation which provides opportunities for the enjoyment of natural habitat and outdoor recreational opportunities and are generally considered advantageous to public health. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

- 3. The proposed project will comply with all applicable regulations of the Land Development Code.** The proposed project includes 79 campsites that would serve a variety of uses including multi-use campsites, tent campsites, yurts (round tents), and equestrian campsites. Each campsite would include a picnic table, barbecue, and fire ring. No hookups for power, water, or other utilities would be included at any campsite. The park will include a mixture of recreational opportunities – including equestrian facilities, riding and hiking trails, as well as sustainable agriculture. The Tijuana River Valley Local Coastal Program Land Use Plan (LCP) recommends the fullest possible use of multi-purpose planning to expand recreational opportunities, including a variety of compatible recreation activities within a given site; passive recreation combined with cultural resource preservation; and appropriate recreational use of open space lands and wildlife conservation areas and water resources and is an allowed use within the OF-1-1 zone of the Land Development Code. Therefore, the proposed project complies with the applicable Land Development Code.

Supplemental Findings – Environmentally Sensitive Lands [Section 126.0504 (b)]

- 1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.** The proposed project includes the development of 79 campsites, a Nature Education Activity Center, trails and associated infrastructure. The proposed project encroaches into Multi-Habitat Planning Area (MHPA) but a boundary line adjustment to the MHPA is not required because the project's encroachment would be less than 25 percent of the MHPA land on the project site. The proposed project would not impact wetlands as there would be a 100-foot buffer from any development which includes the campsite areas. Additionally, the proposed project only affects the least biologically sensitive areas of the site and has been designed to prevent adverse impacts on any adjacent environmentally sensitive lands.
- 2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The proposed project includes 79 campsites that would serve a variety of uses including multi-use campsites, tent campsites, yurts (round tents), and equestrian campsites. Each campsite would include a picnic table, barbecue, and fire ring. No hookups for power, water, or other utilities would be included at any campsite. Site amenities include restrooms/coin-showers, an office, entry booth, volunteer pad and circulation roads. Although the project involves grading it is required to comply with the San Diego County Code of Regulations, Title 8, Zoning and Land use Regulations, Division 7, Sections 87.414 (Drainage Erosion Prevention) and 87.417 (Planting). The project will not

expose people or structures to significant risk of loss, injury or death involving wildland fires because the project will comply with the regulations relating to emergency access, water supply, and defensible space specified in the County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3 and Appendix II-A of the Uniform Fire Code. The proposed project Trash enclosures were included as part of the project and had been shown in the County's Mitigated Negative Declaration (MND)/ State Clearinghouse (SCH) No. 2018101023, as being located throughout the campground both within the floodway and outside the floodway. The project has since been revised to remove the trash enclosures that were previously shown within the floodway. This minor modification to the Project would not result in new significant environmental effect. Therefore, the proposed development minimizes the alteration of the natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire Hazards.

- 3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The proposed project includes the development of 79 campsites, a Nature Education Activity Center, trails and associated infrastructure. The proposed project encroaches into Multi-Habitat Planning Area (MHPA) but a boundary line adjustment to the MHPA is not required because the project's encroachment would be less than 25 percent of the MHPA land on the project site. The proposed project would not impact wetlands as there would be a 100-foot buffer from any development or campsite. The proposed project affects the least biologically sensitive areas in the site and does not affect the adjacent environmentally sensitive lands. Therefore, the project has been sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.
- 4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.** The proposed project includes the development of 79 campsites, a Nature Education Activity Center, trails and associated infrastructure. Passive recreation is an allowed use within the MHPA pursuant to Section 1.4.1 of the MSCP Subarea Plan. The County analyzed the project to ensure conformance with the MHPA and City MSCP Subarea Plan (SAP) requirements stated in the Management Framework Plan, City's MSCP SAP, and Biology Guidelines. As documented within the Mitigated Negative Declaration for the project, the County planned project features to avoid and/or minimize impacts to sensitive habitat throughout the entire 79-acre project area. Impacts would occur on the least sensitive portions of the project area and impacts would be limited to disturbed habitat and tamarisk scrub. No impacts would occur to wetlands. Total impacts to the 79-acre project site are limited to 13.20 acres, which is a total of 16.7% of the project site. Because the disturbance area of the project is less than 25% of the total project site, is concentrated in the least sensitive areas of the MHPA, and does not include impacts to wetlands, the project is consistent with City MSCP SAP and Biology Guidelines requirements related to development in the MHPA. Therefore, the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

- 5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shorelines and supply.** The 79 - acre site is located approximately 1.3 miles east of the Pacific Ocean, within the County of San Diego's Tijuana River Valley Regional Park and east of the State of California's Border Field State Park. The site is currently undeveloped and had been used for agricultural purposes in the past. The project will not adversely affect the Tijuana River Valley Local Coastal Program Land Use Plan (LCP). Per the LUP, the San Diego County Park and Recreation Department plans to develop a regional park in the Tijuana River Valley that will include a mixture of recreational opportunities, and preserve, enhance and restore sensitive habitat in the Tijuana River Valley as a regional park. The project includes 79 campsites that would serve a variety of uses including multi-use campsites, tent campsites, yurts (round tents), and equestrian campsites. Each campsite would include a picnic table, barbecue, and fire ring. No hookups for power, water, or other utilities would be included at any campsite. A Park Ranger will be present on site. Campground amenities include restrooms/coin-showers, an office, entry booth, volunteer pad and circulation roads. The site will remain largely in its natural state and therefore will not contribute to the erosion of public beaches or adversely impact local shorelines and supply.
- 6. The nature and extent of mitigation required as a condition of the permit is reasonably related to and calculated to alleviate negative impacts created by the proposed development.** The proposed project includes the development of 79 campsites, a Nature Education Activity Center, trails and associated infrastructure. The proposed project encroaches into Multi-Habitat Planning Area (MHPA) but a boundary line adjustment to the MHPA is not required because the project's encroachment would be less than 25 percent of the MHPA land on the project site. The proposed project would not impact wetlands as there would be a 100-foot buffer from any development which includes the campsite areas. The proposed project only affects the least biologically sensitive areas of the site and has been designed to prevent adverse impacts on any adjacent environmentally sensitive lands. Lastly, the information contained in the County of San Diego's adopted Mitigated Negative Declaration/ State Clearinghouse (SCH) No. 2018101023, the Mitigation Monitoring and Reporting Program (MMRP), and the 15162 CEQA determination memo from the City of San Diego, which adequately covers the proposed project and related activities, states there is no substantial evidence that the project will have a significant effect on the environment. Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to and calculated to alleviate negative impacts created by the proposed development.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 2314318 and Site Development Permit No. 2318398 is

ATTACHMENT 3

hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2314318 and 2318398, a copy of which is attached hereto and made a part hereof.

Angela Nazareno
Development Project Manager
Development Services

Adopted on: August 7, 2019

IO#: 24008183

DRAFT

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24008183

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2314318
SITE DEVELOPMENT PERMIT NO. 2318398
TJRV CAMPGROUND - PROJECT NO. 630639 [MMRP]
HEARING OFFICER

This Coastal Development Permit No. 2314318 and Site Development Permit No. 2318398 is granted by the Hearing Officer of the City of San Diego to the County of San Diego Department of Parks and Recreation, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0702. The 79-acre site is located at west of Saturn Boulevard, north of Monument Road, east of Border Field State Park, and south of the Tijuana River County Open Space Preserve, on APNs 662-02-1200 and 663-010-4500 in the OF-1-1 (Open Space-Floodplain) Zone, Coastal Overlay (Appealable) Zone, Multi-Habitat Planning Area (MPHA) and a portion of the site is located in the AR-1-1 (Agricultural-Residential) Zone within the Tijuana River Valley Local Coastal Program Land Use Plan area. The project site is legally described as: Parcel No. 98-0029-A, the Northeasterly Quarter of the Southeast Quarter of Section 5, Township 19 South, Range 2 West, San Bernardino Meridian, according to Official Plat thereof; and Parcel No. 89-0052-A, the Northerly 30 acres of the Southwest Quarter of the Northeast Quarter of Section 4, Township 19 South, Range 2 West, San Bernardino Base and Meridian, in the City of San Diego, State of California, according to official plat thereof.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to construct a County of San Diego Campground and Nature Education Activity Center within an existing vacant and undeveloped site, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 7, 2019, on file in the Development Services Department.

The project shall include:

- a. The construction of 79 campsites including multi-use campsites, tent campsites, yurts (round tents), and equestrian campsites. Each campsite would include a picnic table, barbecue, and fire ring. No hookups for power, water, or other utilities would be included at any campsite;

- b. The construction of ranger office, restroom, shower, storage building, check-in booth, caretaker's site, parking area for day use, Nature Education Activity Center, trails, circulation roads, pasture area, corrals, paddock, incidental site infrastructure.
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by August 21, 2022.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

13. The Owner/Permittee shall comply with the Mitigation measures specified in the County of San Diego's adopted MMRP and outlined in the MND/SCH No. 2018101023. Prior to the issuance of the "Notice to Proceed" with construction, all conditions shall be adhered to, to the satisfaction of the Permitting Authority.

CLIMATE ACTION PLAN REQUIREMENTS:

14. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

MULTIPLE SPECIES CONSERVATION PROGRAM:

15. MHPA LAND USE ADJACENCY REQUIREMENTS

Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall depict the following requirements on the construction documents and plans for Project Site.

- **Grading/Land Development/MHPA Boundaries** -Within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
- **Drainage** - All staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desolation basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- **Toxics/Project Staging Areas/Equipment Storage** - Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the CD's that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."
- **Lighting** -All lighting within or adjacent to the MHPA is directed away/shielded from the MHPA, or limited to the immediate area and is in compliance with City Outdoor Lighting Regulations per LDC Section 142.0740.

- **Barriers** -Existing fences/walls; and/or signage along the MHPA boundaries shall remain and or be added to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- **Invasives** - No invasive, non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- **Brush Management** -Brush management zones will not be greater in size that is currently required by the City's regulations (this includes use of approved alternative compliance). Within Zone 2 the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area will be the responsibility of a home-owner's association or other private party.
- **Noise** - Construction noise that exceeds the maximum levels allowed (60 dB or greater at the beginning edge of the habitat) shall be avoided during the breeding seasons for the following: CA gnatcatcher (3/1-8/15). If construction is proposed during the breeding season for the species the following measures are required;-

COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)

1. Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the Coastal California Gnatcatcher, 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 habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [DB(a)] hourly average for the presence of the Coastal California Gnatcatcher. Surveys for the Coastal California Gnatcatcher shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If Gnatcatchers are present, then the following conditions must be met:
 - I. Between March 1 and August 15, no clearing, grubbing, or grading of occupied Gnatcatcher 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 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in Noise levels exceeding 60 DB (a) hourly average at the edge of occupied Gnatcatcher 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 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 Coastal California Gnatcatcher. 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 (August 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB (A) 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 Coastal California Gnatcatchers 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 1 and August 15 as follows:

- I. If this evidence indicates the potential is high for Coastal California Gnatcatcher 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.

ENGINEERING REQUIREMENTS:

16. Prior to issuance of any construction permits, the Owner/Permittee shall obtain a Right-of-Way Permit for the installation of "Wayfinding Signs" on Saturn Boulevard and Monument Road, to the satisfaction of the City Engineer.
17. Prior to issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for maintenance of the "Wayfinding Signs" within public Right-of-Way.
18. Prior to issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement from the City Engineer for non-standard driveways on Saturn Boulevard and Monument Road.

GEOLOGY REQUIREMENTS:

19. Prior to the issuance of any construction permits, a geotechnical investigation report that specifically addresses the geologic site conditions and proposed construction plans shall be submitted to the permitting authority. The geotechnical consultant shall conduct the scope of investigation necessary to adequately characterize the geologic site conditions for the proposed construction and ultimate use. The geotechnical consultant shall provide a conclusion that geologic hazards will be mitigated to an acceptable level of risk if their recommendations are followed. In addition, the geotechnical consultant shall review the proposed construction plans and indicate if the plans are in conformance with recommendations. The geotechnical investigation report shall be reviewed by a professional geologist for compliance with the geologic aspects of the permitting agency's regulations and standards, as well as the standard of practice.

TRANSPORTATION REQUIREMENTS

20. No fence/shrubs higher than 24 inches in height are permitted in the visibility areas of the proposed driveways and street intersections. Revise the site plan to show visibility triangles at each corner of the proposed driveways and street intersections and clearly note on the plans that no objects higher than 24 inches will be proposed in the visibility areas. Refer to the Land Development Code Section 113.0273 for measuring visibility area.

PLANNING/DESIGN REQUIREMENTS:

21. All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on August 07, 2019 and Resolution No. XXXX.

ATTACHMENT 4

Coastal Development Permit No. 2317318
Site Development Permit No. 2318398
Date of Approval: August 7, 2019

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Angela Nazareno
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

**COUNTY OF SAN DIEGO
PARK AND RECREATIONS DEPARTMENT**
Owner/Permittee

By _____
NAME
TITLE

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: July 18, 2019

TO: Hearing Officer, Development Services Department

FROM: Anna McPherson, *AM* Program Manager, Development Services Department

SUBJECT: TJRV Campground (Project No. 630639) California Environmental Quality Act – Section 15162 Evaluation

The County of San Diego (County) is pursuing a project to construct a campground and nature education center in the Tijuana River Valley Regional Park, which lies within incorporated City of San Diego (City) and the Coastal Zone. For this Project, the County completed a Mitigated Negative Declaration (MND) that was adopted by the County Board of Supervisors on January 30, 2019.

The purpose of this memorandum is to demonstrate that, pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, no new CEQA document would be required for the Project beyond the existing MND. Section 15162 of the CEQA Guidelines stipulates that subsequent environmental analyses are not required for a project provided that certain conditions are met. The 15162 analysis requires a comparison of the proposed project as defined within the adopted environmental document to the proposed project as defined under new or changed circumstances. Since adoption of the MND for the Project on January 30, 2019, there have been three minor revisions to the Project, including:

- The City has determined that a Site Development Permit (SDP) is required for the Project for impacts to Environmentally Sensitive Lands
- Trash enclosures have been relocated outside the floodway
- The SDP requires the County to add wayfinding signs along Monument Road and within the Project site

A boundary adjustment to the Multi-Habitat Planning Area (MHPA) is not required because the project's encroachment into the MHPA would be less than 25% of the MHPA land on the project site, would not affect wetlands, and would affect the least biologically sensitive areas of the site.

While the MND did not anticipate requiring an SDP from the City, the MND did indicate that the Coastal Development Permit (CDP) for the Project would be obtained from either the California Coastal Commission or the City. Because the MND indicated that a CDP could be issued by the City,

this infers that additional permits (such as an SDP) could also be required. Additionally, obtaining the SDP is an administrative action that would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The addition of the SDP also does not constitute new information of substantial importance per CEQA Guidelines Section 15162(a)(3).

Trash enclosures were included as part of the Project and had been shown in the MND as being located throughout the campground both within the floodway and outside the floodway. The Project has been revised to remove the trash enclosures that were previously shown within the floodway. This change would result in a net reduction in the number of trash enclosure locations and no new trash enclosures would be added. This minor modification to the Project would not result in new significant environmental effects or a change in the severity of previously identified significant effects. No addition or reduction of mitigation would be required to address the removal of trash enclosures from the floodway, and this change does not constitute new information of substantial importance per CEQA Guidelines Section 15162(a)(3).

Proposed wayfinding sites that will be added to the Project would be consistent with signage previously proposed for the Project and analyzed in the MND. Signage already contemplated as part of the Project and analyzed in the MND includes signage to indicate the presence of trails as well as signage to prevent impacts to sensitive biological resources. In addition, the wayfinding signs would be located within areas previously proposed for disturbance in the MND and within existing disturbed areas such as roadway rights-of-way. These minor modifications to the Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. No additional mitigation would be required to address impacts associated with the proposed wayfinding signs, and the signs do not constitute new information of substantial importance per CEQA Guidelines Section 15162(a)(3).

For reasons described above, no substantial changes are proposed to the Project and there are no substantial changes in the circumstances under which the Project will be undertaken that will require major revisions to the previous MND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no new information of substantial importance as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted MND is adequate for use by the City to take future actions related to issuance of a CDP for the Project.

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1>Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
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Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: Tijuana River Valley Campground **Project No. For City Use Only:** _____

Project Address: Monument Road
San Diego, CA 92154

Specify Form of Ownership/Legal Status (please check):

Corporation Limited Liability -or- General - What State? CA Corporate Identification No. _____
 Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.


Property Owner

Name of Individual: Brian Albright, Director Parks and Recreation Owner Tenant/Lessee Successor Agency
 Street Address: 5500 Overland Avenue
 City: San Diego State: CA Zip: 92123
 Phone No.: (858) 966-1300 Fax No.: _____ Email: Brian.Albright@sdcounty.ca.gov
 Signature: _____ Date: 2/19/2019
 Additional pages Attached: Yes No

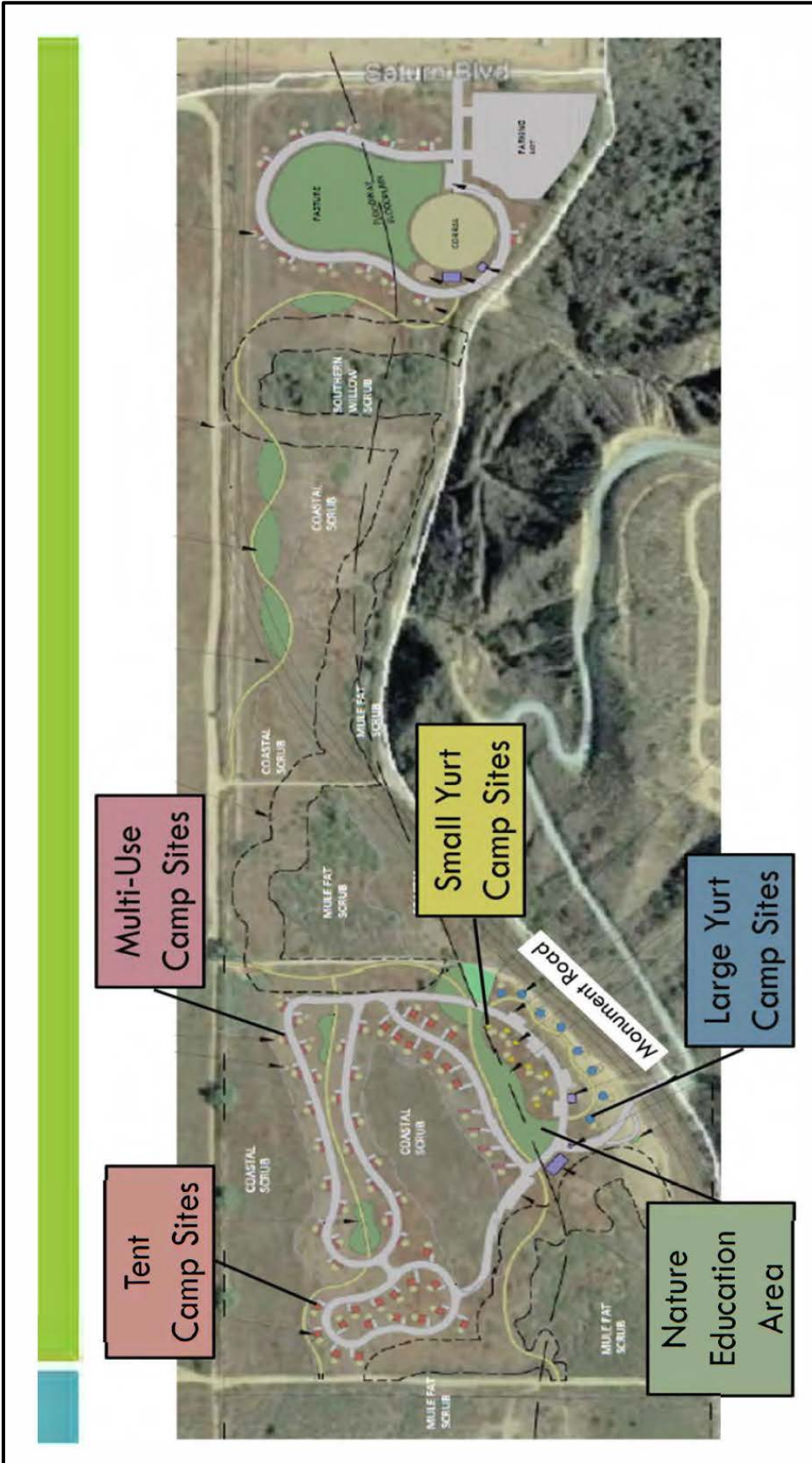
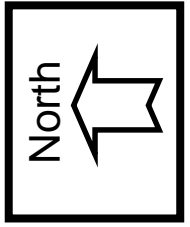
Applicant

Name of Individual: Deborah Mosley, Chief of Resource Management Owner Tenant/Lessee Successor Agency
 Street Address: 5500 Overland Avenue
 City: San Diego State: CA Zip: 92123
 Phone No.: (858) 966-1374 Fax No.: _____ Email: Deborah.Mosley@sdcounty.ca.gov
 Signature: _____ Date: 2/19/2019
 Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: Jill Bankston Owner Tenant/Lessee Successor Agency
 Street Address: 5500 Overland Avenue
 City: San Diego State: CA Zip: 92123
 Phone No.: (858) 966-1360 Fax No.: _____ Email: Jill.Bankston@sdcounty.ca.gov
 Signature:  Date: 2/15/2019
Digitally signed by Jill Bankston
Date: 2019.02.15 17:45:44 -0800
 Additional pages Attached: Yes No

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
 Upon request, this information is available in alternative formats for persons with disabilities.



Concept Plans

TIRV Campground / 1902 - 1942 Monument Road
PROJECT NO. 630639



RESOLUTION NUMBER XXXX

ADOPTED ON

WHEREAS, on January 30, 2019, the San Diego County Board of Supervisors adopted a Final Mitigated Negative Declaration (SCH No. 2018101023) for the Tijuana River Valley Regional Park Campground and Nature Education Center (Project), a copy of which is on file in the Development Services Department in accordance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.); and

WHEREAS, on March 6, 2019, the County of San Diego submitted a Coastal Development Permit No. 2314318 and Site Development Permit application No. 2318398 (Project No. 630639) to the Development Services Department for approval of minor technical changes or additions to the Project; and

WHEREAS, State CEQA Guidelines section 15162(b) allows a lead agency to determine that minor technical changes or additions to the Project require no further documentation if such minor technical changes or additions meet the requirements of CEQA; NOW, THEREFORE,

BE IT RESOLVED, by the Hearing Officer of the City of San Diego as follows:

1. That the information contained in the Final County of San Diego Mitigated Negative Declaration adopted by the San Diego County Board of Supervisors for the Project (Mitigated Negative Declaration), including any comments received during the public review process, has been reviewed and considered by this City of San Diego Hearing Officer prior to making a decision on the Project.
 2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the Mitigated Negative Declaration for the Project.
 3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in Mitigated Negative Declaration or that any significant effects previously examined will be substantially more severe than shown in the Mitigated Negative Declaration.
 4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.
 5. That pursuant to State CEQA Guidelines Section 15162(b), proposed changes to the Project do not meet any criteria in CEQA Guidelines Section 15162(a) that require the preparation of a subsequent MND or EIR, and therefore, the City of San Diego Hearing Officer determines that no further documentation is required.
-

6. That pursuant to CEQA Section 21081.6, the City of San Diego Hearing Officer adopts the Mitigation Monitoring and Reporting Program to implement the changes to the project as required by this City of San Diego Hearing Officer in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

7. That Development Services staff is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: [JAN GOLDSMITH, CITY ATTORNEY or DEVELOPMENT PROJECT MANAGER]

By: _____
[NAME], [DEPUTY CITY ATTORNEY or DEVELOPMENT PROJECT MANAGER]

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

COASTAL DEVELOPMENT PERMIT NO. _____

SITE DEVELOPMENT PERMIT NO. _____

PROJECT NO. 630639

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration for the Tijuana River Valley Campground Project shall be made conditions of Coastal Development Permit No. _____ and Site Development Permit No. _____ as may be further described below.

TIJUANA RIVER VALLEY REGIONAL PARK CAMPGROUND AND NATURE EDUCATION CENTER PROJECT**STATE CLEARINGHOUSE NO. 2018101023****MITIGATION MONITORING AND REPORTING PROGRAM January 2019****Purpose**

The County of San Diego would adopt this Mitigation Monitoring and Reporting Program (MMRP) in accordance with Public Resources Code (PRC) Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines. The purpose of the MMRP is to ensure that the Tijuana River Valley Regional Park Campground and Nature Education Center Project complies with all applicable environmental mitigation requirements identified in the Final Mitigated Negative Declaration (MND) for the proposed project. The mitigation measures for the project would be adopted by the County, in conjunction with the adoption of the Final MND. The mitigation measures have been integrated into this MMRP. The MMRP provides a mechanism for monitoring the mitigation measures in compliance with the MND, and general guidelines for the use and implementation of the monitoring program are described below. Within this document, the approved mitigation measures are organized and referenced by subject category. The specific mitigation measures are identified, as well as the method and timing of verification and the responsible party that would ensure that each action is implemented.

The mitigation measures applicable to the project include avoiding certain impacts altogether, minimizing impacts by limiting the degree or magnitude of the action and its implementation, and/or reducing or eliminating impacts over time by maintenance operations during the life of the action.

PRC Section 21081.6 requires the Lead Agency, for each project that is subject to CEQA, to monitor performance of the mitigation measures included in any environmental document to ensure that implementation takes place. The County of San Diego Department of Parks and Recreation (DPR) is the designated Lead Agency for the MMRP. The County DPR is responsible for review of all monitoring reports, enforcement actions, and document disposition. The County DPR would rely on information provided by the monitor as accurate and up to date and would field check mitigation measure status as required.

A record of the MMRP will be maintained at County of San Diego DPR, 5500 Overland Avenue, Suite 410, San Diego, CA 92123. All mitigation measures contained in the MND shall be made conditions of the project as may be further described below.

Format

Mitigation measures applicable to the project include avoiding certain impacts altogether, minimizing impacts by limiting the degree or magnitude of the action and its implementation, and/or requiring supplemental structural controls. Within this document, approval mitigation measures are organized and referenced by subject category. Each of the mitigation measures has a numerical reference. The following items are identified for each mitigation measure.

- Mitigation Language and Numbering
- Mitigation Timing
- Methods for Monitoring and Reporting
- Responsible Parties

Mitigation Language and Numbering

This MMRP provides the language of the mitigation measure in its entirety.

Mitigation Timing

The mitigation measures required for the project will be implemented at various times before construction, during construction, prior to project completion, or during project operation.

Methods for Monitoring and Reporting

The MMRP includes the procedures for documenting and reporting mitigation implementation efforts. As the project proponent, the County of San Diego DPR is responsible for implementation of all mitigation measures.

Responsible Parties

For each mitigation measure, the party responsible for implementation, monitoring and reporting, and verifying successful completion of the mitigation measure is identified.

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>IV. Biological Resources</p> <p>MM-BIO-01: Clearing Restrictions. To mitigate for potentially significant impacts on sensitive nesting birds and raptors, the County will avoid vegetation removal or ground-disturbing activities during the bird breeding season to keep the project in compliance with state and federal regulations regarding nesting birds (i.e., the federal Migratory Bird Treaty Act [MBTA] and California Fish and Game Code [CFG]). The bird breeding season is defined as January 15 to September 1, which includes the tree-nesting raptor breeding season of January 15 to July 15, the ground-nesting raptor breeding season of February 1 to July 15, and the general avian breeding season of February 1 to September 1. If removal cannot be avoided during this time-period, a nesting bird survey will be conducted no more than 72 hours prior to ground-disturbing activities by a qualified avian biologist through the entirety of the project site, as well as a 900-foot buffer inspecting for northern harrier, a 500-foot buffer inspecting for raptors, and a 300-foot buffer inspecting for other nesting birds. This is necessary to definitively ascertain whether raptors or other migratory birds are actively nesting in the project site, or in a vicinity that could be indirectly impacted by work activities (i.e., through noise or visual disturbances). If the survey results are positive, the location of active raptor or migratory bird nests will be mapped by a qualified avian biologist. All construction activities in proximity to active nests will be delayed or otherwise modified as necessary to prevent nest failure (e.g., nest abandonment). Nesting northern harriers will be given a 900-foot avoidance buffer (per the Multiple Species Conservation Program [MSCP]), raptors will be afforded a 500-foot no-disturbance buffer, nesting special-status birds will be afforded at least a 300-foot buffer, and common birds protected by the MBTA and CFGC will be afforded a 50- to 100-foot buffer. Buffers may be adjusted based on the observations by the biological monitor(s) of the response of the nesting birds to human activity and will be conducted in coordination with the resource agencies (USFWS and CDFW).</p>	<p>Prior to vegetation clearing, grading and during construction</p>	<p>Conduct preconstruction nesting bird surveys</p>	<p>Qualified biologist provided by the County of San Diego DPR</p>	<p>County of San Diego DPR</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>MM-BIO-02: Biological Monitoring. The County will retain a qualified biologist to conduct biological monitoring during project construction. After the surveyor has flagged the limits of disturbance (but prior to brushing, clearing, or other ground-disturbing activities or other construction activities or staging) the biological monitor will conduct a review of the limits of disturbance, to ensure that the project does not cause errant impacts on surrounding sensitive vegetation communities and to inspect the project area for sensitive species. The biological monitor will be on site during all vegetation, brushing, clearing, or initial grading that could disturb topsoil. The biological monitor will conduct weekly monitoring visits after initial grading to ensure that perimeter controls are in place and that errant biological impacts do not occur. The biological monitor will also monitor any and all avian nest avoidance buffers established during nesting bird surveys (see MM BIO-01) during the breeding season. Monitors will work with construction personnel to minimize and avoid disruption to breeding birds and other special-status wildlife potentially present within or adjacent to construction areas.</p>	<p>During vegetation clearing, grading and during construction</p>	<p>Conduct biological monitoring during construction</p>	<p>Qualified biologist provided by the County of San Diego DPR</p>	<p>County of San Diego DPR</p>
<p>MM-BIO-03: Best Management Practices (BMPs). To reduce and avoid indirect impacts from the project construction, the following BMPs will be implemented:</p> <ul style="list-style-type: none"> • Appropriate construction scheduling and sequencing will be established to reduce the amount and duration of soil exposed to vehicle tracking. • Vehicle speeds will be limited to 15 miles per hour in the project area. • Regular watering of roadways will be conducted to prevent and alleviate dust generation, but will not be applied in quantities with allow for water ponding. • Limits of construction areas will be fenced or flagged and maintained throughout the construction activities. • Appropriate stormwater BMPs will be established during the rainy season (October 1 to April 30) to reduce erosion and control siltation. BMPs may include silt fences, fiber rolls, and application of organic soil tackifiers (e.g., guar gum) 	<p>During construction</p>	<p>Implement BMPs</p>	<p>County of San Diego DPR General Contractor</p>	<p>County of San Diego DPR</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>MM-BIO-04: Manure Management. To reduce indirect impacts from increased equestrian use of the project area, the County will implement a manure management program for the project. Manure will be periodically removed from the corral and pasture areas. Manure will be composted on site following the CalRecycle regulation for pathogen reduction (14 CCR § 17868.3), and raw manure will not be spread on site. On-site composting will be situated to avoid runoff into wetlands.</p>	<p>During project operation</p>	<p>Implement manure management program</p>	<p>County of San Diego DPR</p>	<p>County of San Diego DPR</p>
<p>V. Cultural Resources</p>				
<p>MM-CUL-1: Archaeological Monitoring. The County Department of Parks and Recreation (DPR) will retain a qualified archaeologist to monitor all proposed ground-disturbing activities related to the implementation of the proposed project in order to minimize disturbance of subsurface archaeological deposits. Specifically, the following measures will be implemented to reduce impacts:</p> <ul style="list-style-type: none"> • All proposed ground disturbance, including grading and excavation for the project, will be monitored by a qualified archaeologist(s) who meets the Secretary of the Interior's Professional Qualifications Standards, as promulgated in Code of Federal Regulations (CFR), Title 36, Section 61 or in the City's Land Development Code. • Prior to the start of construction, a monitoring plan will be prepared that describes the nature of the archaeological monitoring work, procedures to follow in the event of an unanticipated discovery, and reporting requirements. • The archaeologist will be invited to the preconstruction meeting to inform all personnel of the high probability of archaeological materials being encountered during construction. • If intact subsurface deposits are identified during construction, the archaeologist will be empowered to divert construction activities away from the find and will be given sufficient time and compensation to investigate the find and determine its significance. No soil will be exported off site until a determination can be made regarding the significance of the resource, especially if Native American resources are encountered. 	<p>During ground disturbing activities</p>	<p>Conduct archaeological monitoring during construction, and prepare Cultural Resources Monitoring Report</p>	<p>Qualified archaeologist provided by the County of San Diego DPR</p>	<p>County of San Diego DPR</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<ul style="list-style-type: none"> Recovered items will be treated in accordance with current professional standards by being properly provenienced, cleaned, analyzed, researched, reported, and curated in a collection facility meeting the Secretary of the Interior’s Standards, as promulgated in 36 CFR 79, such as the San Diego Archaeological Center. The costs for curation will be included in the budget for recovery of the archaeological remains. A final Cultural Resources Monitoring report will be produced, which will discuss the monitoring program and its results and will provide interpretations of any recovered cultural materials. 				
<p>MM-CUL-02: Protection of Human Remains. Any ground-disturbing activities on the project site must be considered as having the potential to encounter Native American human remains. Human remains require special handling and must be treated with appropriate dignity. Specific actions must take place pursuant to State CEQA Guidelines Section 15064.5e, Public Resources Code (PRC) Section 5097.98, and Section 87.429 of the County of San Diego Grading, Clearing and Watercourses Ordinance.</p> <p>Should human remains be identified during ground-disturbing activities related to the project, whether during construction, maintenance, or any other activity, state- and county-mandated procedures will be followed for the treatment and disposition of those remains, as follows.</p> <p>In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, DPR will ensure that the following procedures are followed:</p> <ol style="list-style-type: none"> 1. There will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: <ol style="list-style-type: none"> a. A County (DPR) official is contacted. b. The County Coroner is contacted to determine that no investigation of the cause of death is required. c. If the Coroner determines the remains are Native American, then: <ol style="list-style-type: none"> i. The coroner will contact the Native American Heritage Commission (NAHC) within 24 hours. 	<p>During ground disturbing activities</p>	<p>County of San Diego mandated procedures will be followed for the treatment and disposition of remains</p>	<p>County of San Diego DPR Official</p>	<p>County of San Diego DPR</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>ii. The NAHC will identify the person or persons it believes to be most likely descended from the deceased Native American.</p> <p>iii. The Most Likely Descendent (MLD) may make recommendations to the landowner (DPR), or the person responsible for the excavation work, for the treatment of human remains and any associated grave goods as provided in PRC Section 5097.98.</p> <p>2. Under the following conditions, the landowner or its authorized representative will rebury the Native American human remains and associated grave goods on the property in a location not subject to further disturbance:</p> <p>a. The NAHC is unable to identify a MLD or the MLD fails to make a recommendation within 24 hours after being notified by the NAHC.</p> <p>b. The MLD fails to make a recommendation.</p> <p>c. The landowner or his authorized representative rejects the recommendation of the MLD, and mediation by the NAHC fails to provide measures acceptable to the landowner.</p> <p>3. Any time human remains are encountered or suspected and soil conditions are appropriate for the technique, ground penetrating radar (GPR) will be used as part of the survey methodology. In addition, the use of canine forensics will be considered when searching for human remains. The decision to use GPR or canine forensics will be made on a case-by-case basis through consultation among the County Archaeologist, the project archaeologist, and the Native American monitor (see MM-TCR-01).</p> <p>4. Because human remains require special consideration and handling, they must be defined in a broad sense. For the purposes of this document, human remains are defined as:</p> <p>a. Fragmented or disarticulated human bone with no associated artifacts or grave goods.</p> <p>b. Cremations, including the soil surrounding the deposit.</p> <p>c. Interments, including the soils surrounding the deposit.</p> <p>d. Associated grave goods.</p>				

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>In consultation among the County archaeologist, project archaeologist, and Native American monitor (see MM-TCR-01), additional measures (e.g., wet-screening of soils adjacent to the deposit or on site) may be required to determine the extent of the burial.</p>				
<p>VI. Geology and Soils</p>				
<p>MM-GEO-01: Comply with Recommendations of Geotechnical Evaluation. The project will comply with the recommendations of the Geotechnical Evaluation. Remedial grading will be performed within structural building areas. Remedial grading will include the following:</p> <ul style="list-style-type: none"> • Removal of the existing site soils within the building pad, including fill and alluvium, to a depth of 2 feet below the bottom of the foundation system for structural buildings. • Subsequent to the removal, a low ground pressure bulldozer or excavator should be used to fill in ruts and dress the surface at the removal bottom elevation. • A layer of geosynthetic woven fabric (Mirafi HP 570 or an equivalent) should then be rolled out over the dressed excavation bottom. The geosynthetic woven fabric material should overlap approximately 2 feet. Heavy equipment traffic, including trucks, should not be allowed on the geosynthetic woven fabric. • An initial 12 inches of aggregate base materials should be pushed out over the geosynthetic woven fabric with low-pressure construction equipment. Compaction effort should then be made to this aggregate base layer using smaller, low-pressure construction equipment. Again, heavy equipment traffic, including trucks, should not be allowed on the initial lift of aggregate. • Then a layer of Triaxial geogrid TX-7 (or equivalent) should be placed over the initial layer of aggregate base materials, and the geogrid should overlap approximately 2 feet. Heavy equipment traffic, including trucks should not be allowed on the geogrid. 	<p>Prior to issuance of grading permit</p>	<p>Comply with Recommendations in Geotechnical Evaluation</p>	<p>County of San Diego DPR General Contractor</p>	<p>County of San Diego DPR</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
<p>After placement of the geogrid, another 12 inches of aggregate base materials should be pushed out over the geosynthetic woven fabric with low-pressure construction equipment. Compaction effort should then be made to this aggregate base layer using smaller, low-pressure equipment. This layer of aggregate base materials should be compacted to a relative compaction of 90 percent as evaluated by ASTM International (ASTM) D 1557.</p>				
<p>VIII. Hazards and Hazardous Materials</p>				
<p>MM-HAZ-01: FAA Height Notification. The County will complete and submit the FAA Form 7460-1 Notice of Proposed Construction or Alteration application to the FAA for review. If the FAA concludes the project would not be an airspace obstruction or hazard, no further action would be required. If the FAA determines there would be a potential airspace obstruction or hazard, the project component(s) that has/have been identified as an obstruction or hazard will be modified to the satisfaction of the FAA.</p>	<p>Prior to issuance of grading or building permits</p>	<p>Comply with FAA Notification procedures</p>	<p>County of San Diego DPR</p>	<p>County of San Diego DPR/FAA</p>
<p>MM-HAZ-02: Review by the San Diego County Regional Airport Authority. The project will be submitted to the San Diego County Regional Airport Authority. If the San Diego County Regional Airport Authority does not find the proposed project to be compatible with the NOLF-Imperial Beach ALUCP, the project component(s) found to be incompatible with the NOLF-Imperial Beach ALUCP will be modified to the satisfaction of the San Diego County Regional Airport Authority. If the San Diego County Regional Airport Authority finds the proposed project to be compatible, nothing further is required.</p>	<p>Prior to issuance of grading and building permits</p>	<p>Comply with the San Diego County Regional Airport Authority issues related to project compatibility</p>	<p>County of San Diego DPR</p>	<p>County of San Diego DPR/San Diego County Regional Airport Authority</p>
<p>XVI. Transportation and Traffic</p>				
<p>MM-TRA-01: Prepare Traffic Control Plan and Submit Permit Form to City of San Diego. Prior to construction, a traffic control plan will be prepared for the project in accordance with the latest edition of the City of San Diego Standard Drawings, Appendix A: The Manual of Uniform Traffic Control Devices and the California Supplement; and Standard Specifications for Public Works Construction, including Regional Supplement Amendments and City of San Diego Supplement Amendments. The traffic control plan and</p>	<p>Prior to construction</p>	<p>Prepare and submit a traffic control plan to the City of San Diego</p>	<p>County of San Diego DPR</p>	<p>County of San Diego DPR/City of San Diego</p>

Mitigation Measure	Implementation Time Frame	Monitoring Method	Implementation Responsibility	Verification Responsibility
traffic control permit form will be submitted to the City of San Diego for review and approval.				
MM-TRA-02: Vegetation Maintenance. Following construction of the proposed project but prior to opening, DPR will remove or trim the vegetation that currently obstructs the sight distance associated with the driveway along the north side of Monument Road. The vegetation will be removed or trimmed so that the sight distance meets Caltrans requirements, as documented in the Caltrans Highway Design Manual (2016). A new sight distance study would be conducted after vegetation maintenance to confirm and document compliance with Caltrans requirements. Vegetation maintenance would continue as long as the driveway is in use.	Prior to issuance of occupancy permit and o continue through project operation	Remove or trim vegetation that obstructs sight distance along Monument Road	County of San Diego DPR	County of San Diego DPR
XVII. Tribal Cultural Resources				
MM-TCR-01: Native American Monitoring. DPR will retain a Kumeyaay tribal member to monitor all project-related ground disturbance.	During all ground disturbance activities	Conduct tribal monitoring during ground disturbance activities	Qualified tribal member provided by the County of San Diego DPR	County of San Diego DPR