



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: January 23, 2014 **REPORT NO.** PC-14-003

ATTENTION: Planning Commission, Agenda of January 30, 2014

SUBJECT: BLACK MOUNTAIN OPEN SPACE NATURAL RESOURCE
MANAGEMENT PLAN : PROJECT NO. 266083
PROCESS FIVE

REFERENCE: Planning Commission Initiation of Community Plan Amendments
June 24, 2010, Report No. PC- 10-049 <http://www.sandiego.gov/planning-commission/pdf/pcreports/2010/10049.pdf>

**OWNER/
APPLICANT:** City of San Diego Park and Recreation Department
Open Space Division, City of San Diego

SUMMARY

Issue(s): Should the Planning Commission recommend to the City Council approval of actions necessary for adoption of the Black Mountain Open Space Natural Resource Management Plan (NRMP)?

Staff Recommendations:

1. Recommend the City Council Certify Mitigated Negative Declaration (MND) No. 266083 and adopt the Mitigation Monitoring and Reporting Program (MMRP); and
2. Recommend the City Council **APPROVE** amendments to the Rancho Penasquitos Community Plan, No. 936800; and
3. Recommend the City Council **APPROVE** Site Development Permit No. 936801.

Community Planning Group Recommendation: On September 7, 2011, by a vote of 14-1-0, the Rancho Penasquitos Planning Board Approved the Amendment to the Open Space Natural Resource Management Plan and Community Plan Amendment (Attachment 11).

Other Recommendations:

On July 14, 2011, the Black Mountain Citizens Advisory Committee (for Black Mountain Open Space Park) recommended approval by a vote of 5-0-0 (Attachment 12).

On September 15, 2011, the City of San Diego Park and Recreation Board reviewed and approved the Black Mountain Open Space Natural Resources Management Plan by a vote of 9-0 based on the recommendations of the Mayor-Appointed Designee (Department Director) (Attachment 14).

Environmental Review: Mitigated Negative Declaration No. 266083 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program (MMRP) has been prepared and would be implemented which would reduce, to a level of insignificance, any potential impacts identified in the environmental review process (Attachment 7).

Fiscal Impact Statement: Funding in the amount of \$213,000 exists for implementation of CIP S-13001, the Trail for All People, which is a component of the trails plan within the NRMP which was approved from the Regional Park Improvement Fund and included in FY2014 May budget. Design for the trail is currently underway by Engineering and Capital Projects. The other Recommendations in the NRMP would be implemented, as funding allows/is budgeted. Portions of the NRMP may be conducted by park staff and volunteers using existing operating budget. Other portions may require additional funding via future year appropriations and/or grant funding.

Code Enforcement Impact: There are currently no open code enforcement cases.

Housing Impact Statement: There are no residential units proposed to be added or removed, therefore there is no impact to the number of housing units.

BACKGROUND

On June 24, 2010, the Planning Commission approved an initiation to investigate an amendment to several community plans to adopt the Black Mountain Open Space Natural Resources Management Plan (NRMP), which includes a revised trail system (Attachment 13, Report No. PC-10-049).

The proposed project will amend the Rancho Penasquitos Community Plan and adopt the Black Mountain Open Space Natural Resource Management Plan (NRMP). The project requires a Site Development Permit for work within environmentally sensitive lands to create new trails, and to modify, remove and enhance existing trails within the Rancho Penasquitos and Black Mountain Ranch Community Plan areas. The proposed NRMP is consistent with the goals and policies of the Black Mountain Ranch Subarea Plan and does not necessitate an amendment to that plan.

The project area is bounded by Black Mountain Road to the north and west, and Carmel Mountain Road to the south and east. The Black Mountain Open Space Park is a composite of the existing 1,014-acre park to the north and the recently acquired 538-acre Montana Mirador site to the south. The project area is within the City of San Diego’s Multi-Habitat Planning Area (MHPA), designated as “Open Space” and zoned AR 1-1 (agricultural) and RS 1-14 (residential) and is surrounded by both single family and multi-family development (Attachment 2 and 3).

The proposed trail plan is the result of a comprehensive trail analysis completed for the NRMP. The trails were reviewed and each trail segment was categorized as Existing – Permanently Closed, Existing – To Remain Open, Existing – Proposed for Closure, or New – Proposed to Open. The resulting trail plan proposes closure of approximately 11.9 miles of existing/unauthorized trail segments that are unsafe, difficult to maintain, redundant, and/or negatively affect habitat values. The project will also include the development of approximately 3.45 miles of new trail segments that are safe, sustainable and in areas of moderate-to-low biological sensitivity.

Based on the location of the proposed new trails and trail work within both communities, the project requires a Site Development Permit for work within and/or adjacent to environmentally sensitive lands and/or within the MHPA. The proposed Community Plan Amendment would adopt the Black Mountain Open Space NRMP into the Rancho Penasquitos Community Plan, and incorporate associated policy language to ensure consistency with the NRMP. This would allow the addition of the new planned trail alignments within the Rancho Penasquitos Community area (Attachment 6 and 9).

DISCUSSION

The adoption of the NRMP for the Black Mountain Open Space Park (Plan) would provide guidance for the present and future use and maintenance of the Park, as well as Area Specific Management Directives (ASMDs) which satisfy the requirements of the City’s Multiple Species Conservation Program (MSCP) Subarea Plan Implementing Agreement for Black Mountain Open Space. The NRMP contains a proposal to revise the existing trail system on Black Mountain through closure of approximately 11.9 miles of existing/unauthorized trails and the development of approximately 3.45 miles of new trail segments, which would result in impacts to biological resources (Attachment 4 and 8).

The Plan is intended to make provisions for the protection and preservation of the natural resources, as well as to allow safe and accessible use of the Park and to meet the needs of the present and future communities through the trail plan. The Plan provides for maintenance of the quality of the Park’s natural environment and associated visual enjoyment of the Park’s open space. In addition, this Plan identifies management needs for 325 acres that were used to mitigate biological impacts to sensitive upland habitats associated with the San Diego County Water Authority (CWA) Emergency Storage Project (ESP). Management and monitoring of the site is required by the U.S. Fish and Wildlife Service (Biological Opinion (BO) 1-6-97-F-13) and will be conducted in accordance with this Plan upon approval. The Plan also complements any future Park Master Plan, which includes management directives for any new recreation sites within the Plan area.

A comprehensive trail analysis was performed which reviewed and categorized each trail segment which resulted in the following discussion points for the proposal. Existing– Permanently Closed trail segments accounts for 4.02 miles (21,237 feet) of trail segments which are fenced and signed with “Closed Area – Habitat Restoration in Progress” signs, and are currently being passively or actively re-vegetated. Existing – Proposed for Closure trail segments 7.88 miles (41,598 feet) will be fenced, brushed shut and/or signed for closure upon the approval of this project and actively or passively re-vegetated. Therefore, the project proposes to formalize and implement the closure of approximately 11.9 miles of trails, resulting in improved habitat quality of at least 5.8 acres within the MHPA.

Trails categorized as “Existing – To Remain Open” trail segments equate to 14.32 miles (75,628 feet) of trails that will not be altered (e.g. widened) through the proposed project; therefore, no impacts are associated with existing trails proposed to remain open.

An important component of the project are the trails which are categorized as “New – Proposed to Open” trail segments 3.45 miles (16,933 feet) which would develop single-track trail segments and the ADA-accessible Trail for All People segment 0.24 miles (1,267 feet), resulting in impacts to 2.45 acres of upland vegetation within the MHPA. The tread width for the Trail for All People segment will be five feet wide, and the construction impacts are based on engineering requirements. The completed trail tread for all other new segments is expected to be two to three feet in width with a maximum of four feet. Construction impacts were calculated for a uniform four foot trail and include trail tread, erosion control, BMPs, future maintenance needs, and cut and fill as necessary based on segment-specific slope. In order to minimize construction impacts associated with cut-and-fill within the MHPA, a maximum three-foot wide trail tread will be utilized on slopes greater than 20 percent. The trail tread in these new segments will be composed of dirt.

The impacts to Environmentally Sensitive Lands have been analyzed and a Mitigated Negative Declaration with a Mitigation Monitoring and Reporting Program has been prepared. The impacts related to the new trails are discussed in detail in the environmental document and the Environmental Analysis section of the report.

General/Community Plan Analysis:

The proposed Black Mountain Open Space Natural Resources Management Plan (NRMP) provides guidance for the present and future use and maintenance of the Black Mountain Ranch Open Space Park, as well as Area Specific Management Directives (ASMDs) which satisfy the requirements of the City's Multiple Species Conservation Program (MSCP) Implementing Agreement for Black Mountain Open Space. The NRMP proposes to revise the existing trail system on Black Mountain necessitating an amendment to the Rancho Peñasquitos Community Plan that would add planned trail alignments and associated policies.

The proposed community plan amendment for the NRMP covers Black Mountain Open Space Park, which is generally located within the north central and eastern portion of Rancho Peñasquitos. One of the objectives of the Black Mountain Open Space Park NRMP is to establish a trail system for the area that meets current recreational needs and is consistent with the natural resource protection goals of the management plan, the affected community plan, and the MSCP.

The NRMP's proposed trail alignments as well as several offsite trail connections proposed by the Park and Recreation Department are more extensive than the trail alignments identified in the currently adopted land use plan for the area affected by the proposal.

The proposed amendment would add existing and new hike/bike trails within the Park to the community plan. A new trail connection and trail head would be added at Stoney Creek Road to provide a community connection on the southeast of the Park. Potential future connections to the Black Mountain Ranch Subarea Plan are added.

In addition to pedestrian pathways and bike lanes, the community plan includes a multi-use trail system primarily located in Black Mountain Open Space Park. The proposed trail system includes over fourteen miles of existing trail segments, and 3.2 miles of new trails and closure of over 11.9 miles of unsustainable or unapproved trails. These multi-use trails are generally less than four feet in width, except for the proposed ADA accessible Trail for All People. These trails accommodate use by pedestrians and bikers only. Due to steep topography, rocky trail base, and reduced sight lines, the trails were determined to be unsuitable for use by equestrians.

The General Plan recommends that canyon and other open space trails be located to take advantage of existing pathways and maintenance easements where possible. It also includes recommendations for linking communities through a trail system, as well as the implementation of the MSCP goals, policies, and objectives. The proposed trail system follows existing access roads and dirt paths where feasible, and meets this General Plan objective as a complete and linked trail system. However, many dirt paths are a result of unauthorized use of Park areas and are not suitable for formal trails because they do not meet city standards or because their continued use is detrimental to protecting the natural environment. The NRMP proposes to close and restore these unsustainable trails and they are not part of the proposed trail plan.

The community plan addresses the need for connectivity, multi-use trails, and the preservation and protection of sensitive biological resources. The proposed plan amendment would add trail alignments within a significant block of open space in the north city, the Black Mountain Open Space Park. As the communities surrounding this Park have developed, the demand has grown for recreational use of open space and the largely pristine natural environment within this Park has attracted interest from trail user groups, particularly mountain bicyclists. The Park and Recreation Department has worked with the Black Mountain Open Space Park Citizen's Advisory Committee and the various user groups to identify a trail system within the Park as well as offsite connections to adjacent communities. The proposed trail system would increase access to the Park for recreation, providing trail experiences for hikers and mountain bicyclists. This is consistent with a General Plan goal for open space lands to provide "a system of pedestrian, bicycle, and equestrian paths linking communities, neighborhoods, parks, and the open space system."

Black Mountain Open Space Park is also identified as MSCP core habitat, a primary component of the MSCP preserve. The proposed trail configuration in these open space areas would be consistent with the General Plan policy to *"balance passive recreation needs/ trail use with environmental preservation."* The MSCP Subarea Plan identifies the following as Priority 1 within the Black Mountain Park Area: "1. Provide clearly marked access areas and well-demarcated trails and post signage to prevent off-trail access and use. Where sensitive or covered species are present, close trails during the breeding and nesting seasons if necessary. 2.

Regularly assess overuse of open space areas in and surrounding the park (as determined by the Park and Recreation Department). Repair trails, and restore off-trail use areas and areas affected by erosion as soon as feasible.” Environmental preservation is the main goal of the NRMP and the proposed trail system and corresponding management directives have been evaluated under the requirements of that plan.

The proposed amendments would benefit the community by enhancing recreational opportunities through the addition of multi-use trails and increased access to the park system. The closure of illicitly established trails as a result of this process would enhance the preservation and protection of sensitive biological and cultural resources within the Park.

Environmental Analysis:

The proposed trail system is the result of a comprehensive trail analysis completed as part of the Black Mountain Open Space Park NRMP. First, a trail inventory was completed providing information such as trail use(s), width, condition, etc. Each existing trail segment was reviewed against the analysis criteria: habitat sensitivity (e.g. vegetation type, Park-wide sensitive plant and animal surveys conducted for the NRMP), locations of mitigation sites within the Park (e.g. Montana Mirador), erosion, maintenance, redundancy, trail experience and connectivity, and safety metrics such as steepness, sightlines and other factors.

The proposed new trails will be constructed by hand clearing with power tools such as chainsaws and weed whips. The proposed system includes seven existing access points. Two access points provide vehicle parking areas within the park, the Nighthawk Trailhead and the Minder’s Ridge Loop Trailhead, on-street parking is available at the other access points.

The proposed trail segments would remain less than four feet in width in most places with the exception of the Trail for All People segment, which will be up to five feet to accommodate ADA access. Construction methods for the Trail for All People will include small machinery and power tools; this segment will be finished with porous concrete.

The Plan, as designed, would enhance and protect biological resources; however, since the creation of new trails would require the clearing of vegetation, impacts would occur. A biological survey report (Miller, Biologist III, City of San Diego’s Park and Recreation Department Open Space Division, April 2012), was prepared to assess potential impacts to sensitive biological resources. The biological report consisted of: vegetation mapping, a sensitive plant species assessment, and a general wildlife survey. The biological survey report is available for review at the offices of Development Services.

To limit impacts to the federally listed California gnatcatcher, habitat clearing for trail construction shall occur outside of the California gnatcatcher breeding season (March 1-August 15). MSCP Land Use Adjacency Guidelines for the MHPA are also required.

Based on GIS analysis of the vegetation map overlaid with the New – Proposed to Open trail segments, the proposed project would impact 0.86 acre of Diegan Coastal Sage Scrub, 0.09 acre of Coastal Sage Scrub/Chaparral, 1.79 acres of Southern Mixed Chaparral, and 0.04 acres of Non-Native Grassland (see Table 1). The project would not impact Narrow Endemic Species.

Under the City of San Diego Biology Guidelines (City of San Diego, 2012), project impacts to Tier II Diegan Coastal Sage Scrub, Tier II Coastal Sage Scrub/Chaparral, Tier IIIA Southern Mixed Chaparral, and Tier IIIB Non-native Grassland must be mitigated. Mitigation ratios are included in the table below; no mitigation is required for Tier IV lands.

Table 1. Project Impacts and Mitigation Requirements

| Habitat | Project Impact | Required Mitigation | |
|---|-------------------|---------------------|-------------------|
| | | If Inside MHPA | If Outside MHPA |
| Diegan Coastal Sage Scrub (Tier II) | 0.86 acre | 0.86 (1:1) | 1.72 (2:1) |
| Diegan Coastal Sage Scrub/Chaparral (Tier II) | 0.09 acre | 0.09 (1:1) | 0.18(2:1) |
| Southern Mixed Chaparral (Tier III A) | 1.79 acres | 1.79 (1:1) | 2.69 (1.5:1) |
| Non-native Grasslands (Tier III B) | 0.04 acre | 0.04 (1.1) | 0.06 (1.5:1) |
| Total | 2.78 acres | 2.78 acres | 4.65 acres |

The selection of any one of following five mitigation measure options would reduce the impacts to biological resources to below a level of significance:

- 1.) The applicant shall conserve 0.95 acre of Tier II habitat, 1.79 acres of Tier IIIA, and 0.04 acre of Tier IIIB or higher habitat within the MHPA;
- 2.) Conserve 1.9 acre of Tier II habitat, 2.69 acres of Tier IIIA, and 0.06 acre of Tier IIIB or higher habitat outside of the MHPA;
- 3.) Purchase 2.78 acres of habitat through the City’s Habitat Acquisition Fund (HAF);
- 4.) Purchase 2.78 acres of habitat through an approved mitigation bank such as the Cornerstone Lands Mitigation Bank;
- 5.) Debit 2.78 acres of habitat from mitigation credits owned by Park and Recreation.

Black Mountain Open Space Park is identified as an MHPA core biological area. The wildlife surveys conducted for the NRMP show that functional faunal communities utilize the Park, and the proposed trail system has been designed to minimize potential impacts to these species throughout the project area. With the exception of the ADA accessible Trail for All People segment, all new trail segments will be a maximum width of 4 feet in accordance with the MSCP Subarea Plan. Approximately 80 percent (14.26 miles) of the trail segments in the proposed trail system are located along existing dirt roads and trails, in accordance with MSCP Subarea Plan Section 1.5.2, Public Access, Priority 1, No. 2. In addition, the proposed trail plan will reduce the total length of trails within the Park by 11.9 miles.

Pursuant to Section 1.4 of the City of San Diego MSCP Subarea Plan, passive recreation is considered ‘conditionally compatible with the biological objectives of the MSCP’ and therefore trails may be allowed within the MHPA. The proposed project would be in conformance with the City of San Diego MSCP Subarea Plan Land Use Adjacency Guidelines (Section 1.4.3) and General Management Directives (Section 1.5.2) for public access, trails and recreation, which are designed to minimize the effects of the proposed trail within the MHPA. Public access will be directed to the trailhead through use of signs, and barriers will be installed along adjacent private properties to prohibit access. Similar to existing public trails within MHPA open spaces, additional barriers will be installed as needed where the trail nears wetlands, sensitive species populations and based on trail monitoring after the trail is in use.

The Mitigation, Monitoring and Reporting Program (MMRP) which includes the mitigation measures discussed above which would reduce the project’s direct and indirect impacts to Biological Resources and the MSCP Subarea Plan to below a level of significance (Attachment 7).

Conclusion:

Staff has reviewed the proposed amendment to the Rancho Penasquitos Community Plan, the Black Mountain Open Space Natural Resources Management Plan (NRMP) and the Site Development Permit to create new trails, and modify, remove and enhance existing trails within the Rancho Penasquitos and Black Mountain Ranch Community Plan areas. Staff has determined that the project is in conformance with the adopted General Plan, City Council policies, MSCP Subarea Plan, Land Use Adjacency Guidelines and the regulations of the Land Development Code. Staff has provided draft findings which support the approval of the project and draft conditions for approval by the City Council. Staff recommends that the Planning Commission recommend approval of the project to the City Council.

ALTERNATIVE'S

1. Recommend the City Council Certify the Mitigated Negative Declaration (MND) and adopt the Mitigation Monitoring and Reporting Program (MMRP); and **Approve** Land Use Plan No. 936800 and Site Development Permit No. 936801, **with modifications**.
2. **Deny** Land Use Plan No. 936800 and Site Development Permit No. 936801, **if the findings required to approve the project cannot be affirmed**.

Respectfully submitted,



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RAV/HMD

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map Black Mountain
3. Community Plan Land Use Map Rancho Penasquitos
4. Black Mountain Open Space Natural Resource Management Plan (NRMP)
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Draft Environmental Resolution with MMRP
8. Project Site Plan(s) Trail Map
9. Draft Community Plan Amendment Language
10. Draft Community Plan Amendment Resolution
11. Rancho Penasquitos Community Planning Group Recommendation
12. Black Mountain Citizens Advisory Community Recommendation
13. Community Plan Initiation Report No. PC-10-049 and Planning Commission Resolution
14. Park and Recreation Staff report to the Park and Recreation Board and meeting minutes

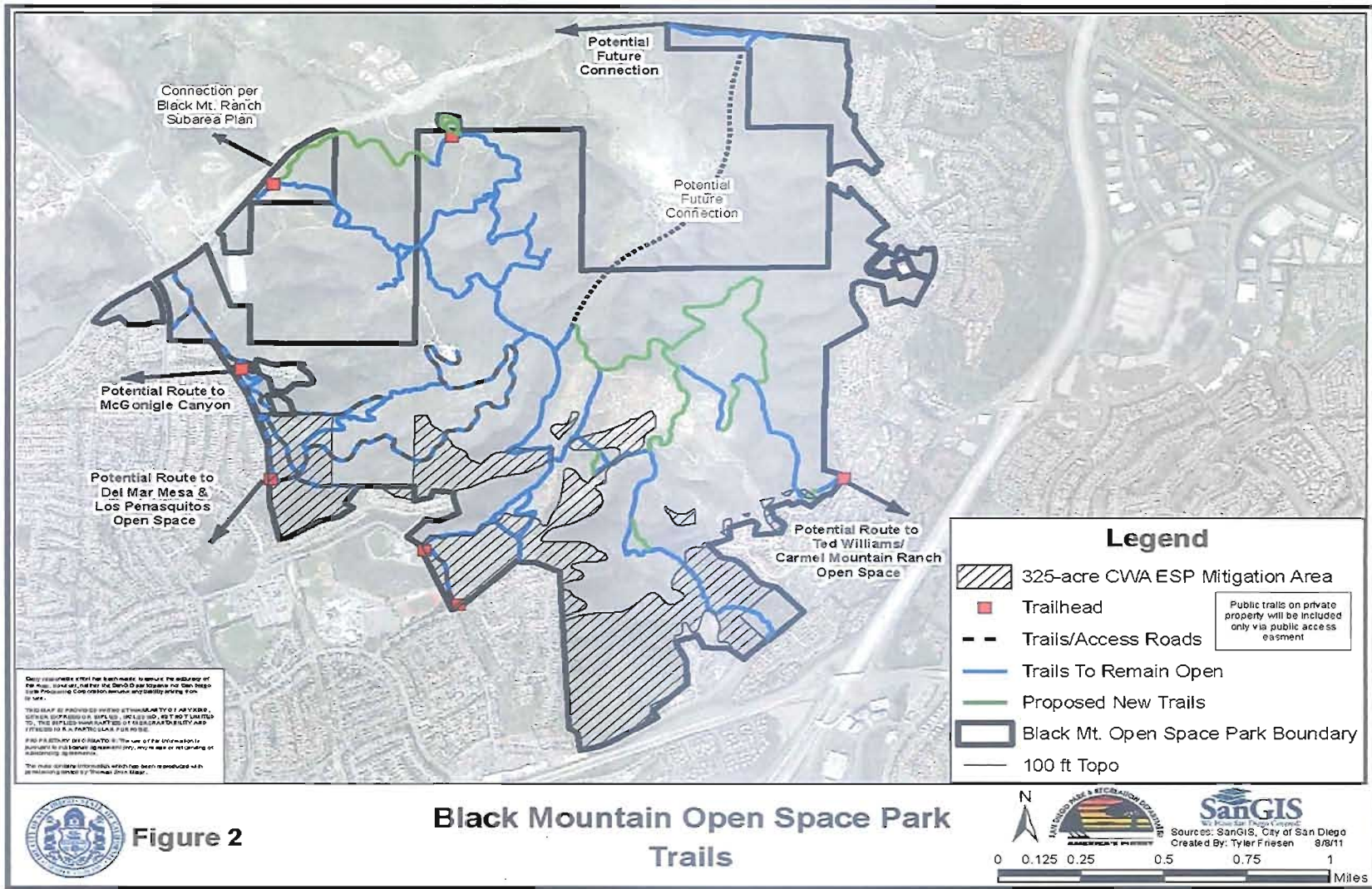


Figure 2

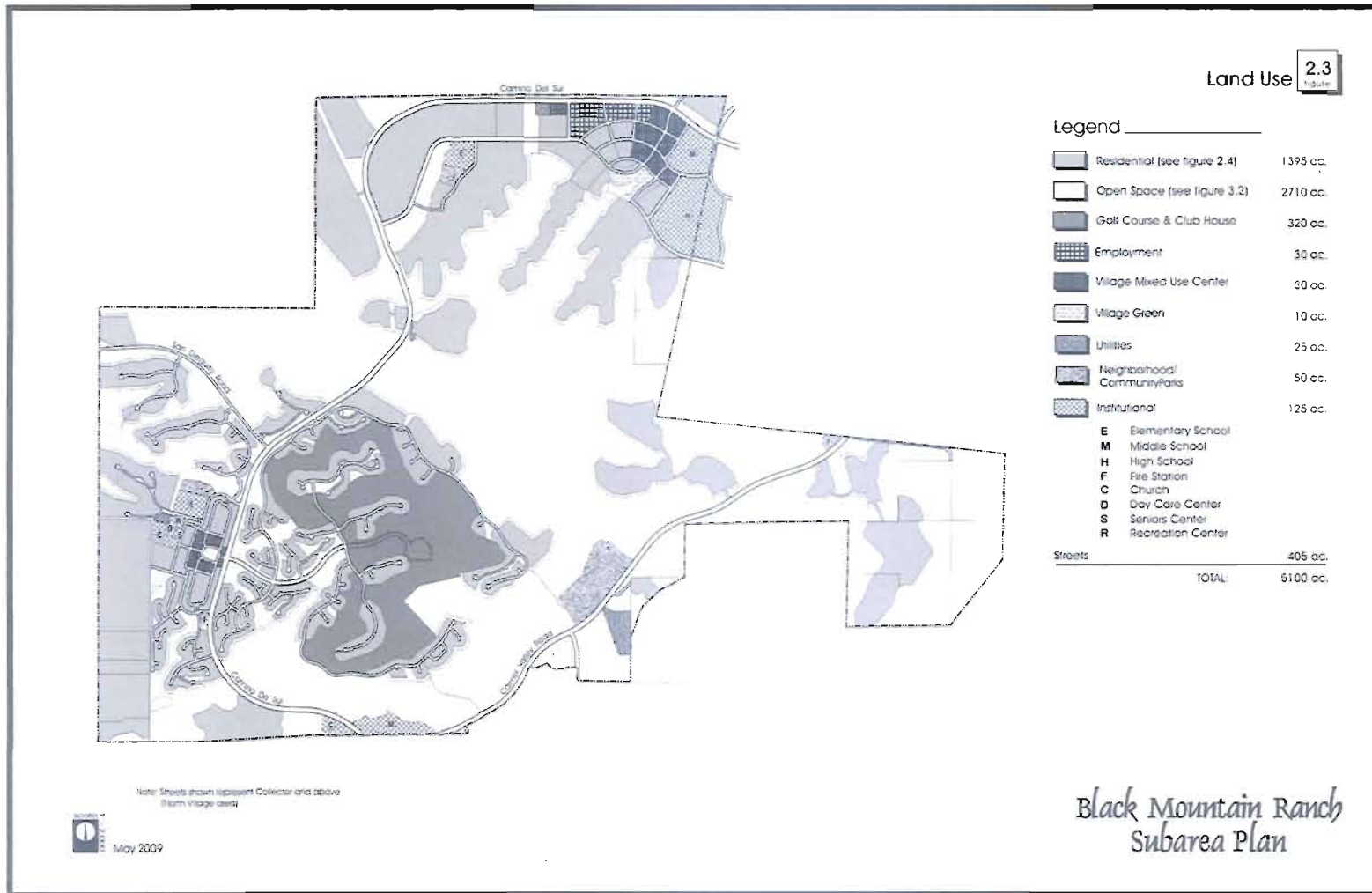
Black Mountain Open Space Park Trails



Location Aerial Photo BLACK MOUNTAIN OPEN SPACE (NRMP)

PROJECT NO. 266083



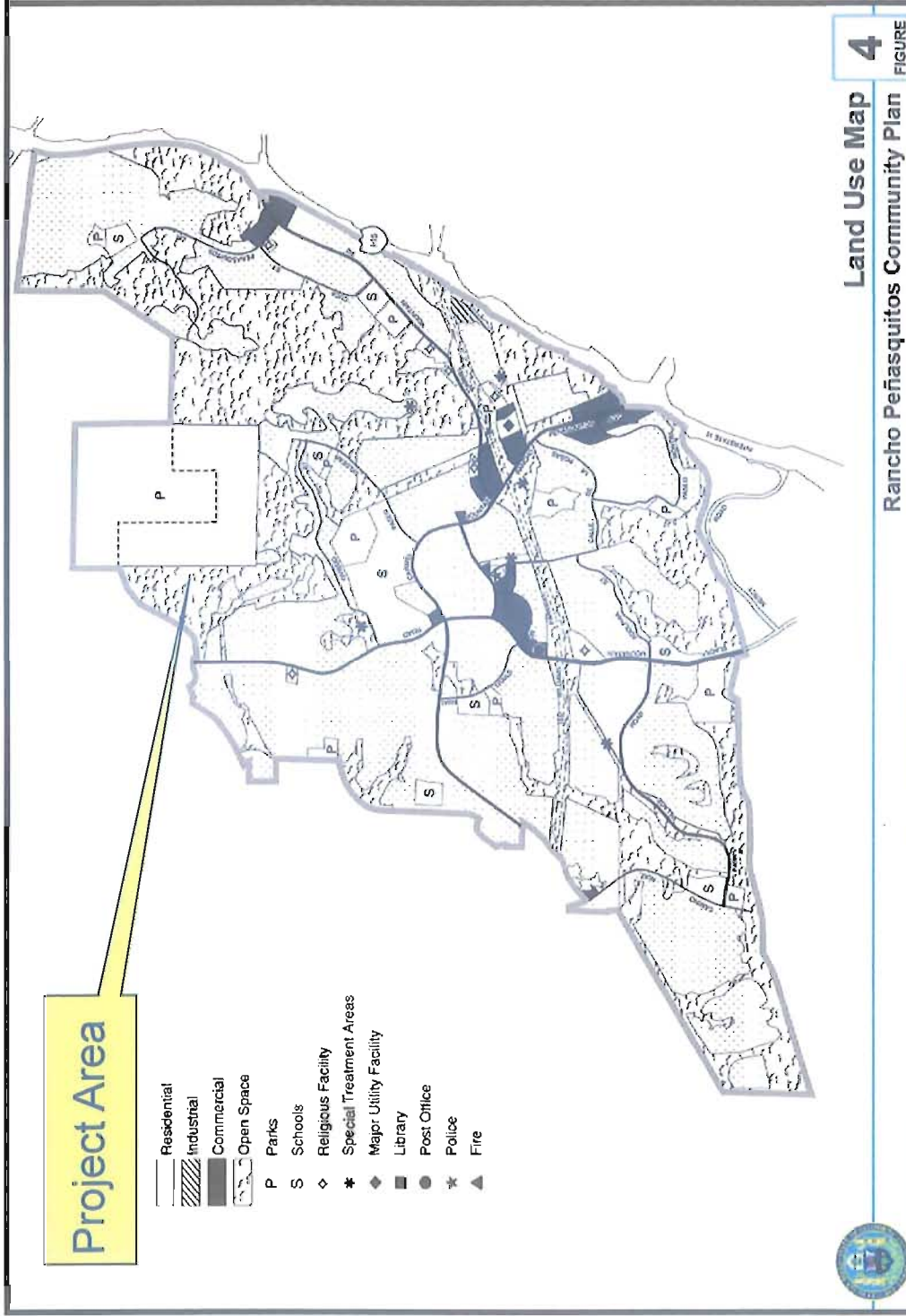


Land Use Map- Black Mountain Ranch Subarea Plan

BLACK MOUNTAIN OPEN SPACE (NRMP)

PROJECT NO. 266083





Land Use Map- Rancho Penasquitos

BLACK MOUNTAIN OPEN SPACE (NRMP)

PROJECT NO. 266083

