

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	December 3, 2015	REPORT NO. PC-15-114
ATTENTION:	Planning Commission, Agenda of Decem	ber 10, 2015
SUBJECT:	CHOLLAS CREEK VECTOR HABITAT I PROJECT NO. 422081 - PROCESS FOUR	
OWNER: APPLICANT:	City of San Diego, Transportation & Stor Valley Coast Construction, Inc.	rm Water Department

SUMMARY

Issue(s): Should the Planning Commission approve a permit to allow drainage improvements and restoration within the Lower South Branch of Chollas Creek within the Southeastern San Diego Community Planning area?

Staff Recommendation(s):

1. Adopt the Mitigation, Monitoring and Reporting Program; and

2. Approve Site Development Permit 1484475

<u>Community Planning Group Recommendation</u>: On September 14, 2015, the Southeastern San Diego Planning Group voted 10-0 to recommend approval of the project (Attachment 7).

Environmental Review: A Vector Habitat Remediation Program (VHRP) Program Environmental Impact Report (PIER) (SCH No. 2009011067) was prepared by the County of San Diego as Lead Agency in accordance with the State of California Environmental Quality Act (CEQA) Guidelines, which addressed the potential impacts to Biological and Archaeological Resources. The City of San Diego, as Responsible Agency under CEQA, has reviewed and considered the PIER, State Clearinghouse No. 2009011067, certified in March 2010. Staff determined the PIER adequately addressed issues related to the project and the Mitigation, Monitoring and Reporting Program (MMRP) implemented with this project reduces the impacts to a level below significance (Attachment 5). **Fiscal Impact Statement:** The project is being funded by a grant from the County Department of Health (DEH).

Code Enforcement Impact: None.

Housing Impact Statement: There are no existing or proposed dwelling units on the site. The project will improve drainage within an existing drainage channel.

BACKGROUND

In 2005, a County ballot measure to determine whether the Vector Control Program should receive additional funding to support mosquito, vector and disease control services was approved. The revenues from the measure help fund the year round mosquito control and enhance disease prevention services associated with the mosquitoes, other insects, and rodents.

The County of San Diego prepared a PIER State Clearinghouse (SCH) No. 2009011067 for the VHRP that was certified in March 2010. Pursuant to State CEQA Guidelines Sections 15162 and 15168, the County's VHRP PIER is considered the appropriate CEQA document to accompany the SDP.

The Project Site is located in the Lower South Branch of Chollas Creek just west of the Interstate 5, at the west end of the Southcrest Trail Park, addressed 1440 S. 38th Street. The 5.83 acre site is in the MF-2500, MF-3000 and MF-40000 zones of the Southeastern San Diego Planned District, within the Southeastern San Diego Community Plan area (Attachment 1 & 2).

The proposed project involves utilization of Vector Habitat Remediation Program grant funding provided by the County Department of Environmental Health (DEH) to help solve an ongoing health and safety issue caused by breeding mosquitoes (due to standing water) within the Southcrest community area. The community of Southcrest was identified in the City of San Diego's Chollas Creek Enhancement Program as an area that would benefit from restoration of creek functions to improve water quality, quality of life and public health.

Parts of the area, specifically approximately 100 feet upstream of the old pedestrian bridge, were previously restored by removing concrete armoring from the creek bank and restoring the bank with coastal sage scrub, as well as lowering the south bank and restoring it and the creek with riparian habitat. The old dismantled pedestrian bridge, has been replaced by a new bridge downstream, and connects the Southcrest Trail Park to the City's Dorothy Petway Neighborhood Park off of Silktree Terrace.

Portions of the former pedestrian bridge still remain, such as the wooden frame and concrete foundation. The 40-foot wide concrete foundation of the former bridge spans the width of Chollas Creek, approximately 70 feet between banks. The concrete foundation acts as a barrier to

low storm flows, and has created scour ponds on both sides of the concrete.

These scour ponds are filled with shallow standing water throughout the year, which provide ideal breeding habitat for mosquitoes. The upstream scour pond extends the full width of the creek with an upstream length of approximately 100 feet. The downstream scour pond extends approximately three quarters of the width of the channel and downstream 50 feet.

The project site is located within a drainage creek which meets the definition of a wetland under the Environmentally Sensitive Lands (ESL) regulations. A wetland buffer cannot be provided due to the nature of the project and therefore the Project must deviate from the standard. The project requires a Site Development Permit (SDP) for proximity and impacts to environmentally sensitive lands with respect to vegetation and wetlands (Attachment 3 &4).

DISCUSSION

The objective of the Project is to decrease favorable habitat for mosquitoes, including those species that carry the West Nile Virus, by removing the remnants of the former pedestrian bridge and restoring channel grades, thereby eliminate standing water. The (DEH) has identified the site as DEH Site #1439, and routinely sprays the area for vector control.

The remains of the pedestrian bridge will be removed to allow re-grading of the creek bed. The staging area is located just north of the intersection of Birch and Beta Streets, adjacent to the dismantled pedestrian bridge. The demolition of the old bridge will include the wooden bridge pilings, the concrete bridge foundation, and the concrete and rip-rap bank protection along the south bank of the channel. The posts and remainder of the bridge will be removed, hauled and disposed of appropriately at the nearest landfill. The concrete on the south bank of the creek and in the creek bed will be removed and hauled to the nearest permitted recycling center.

Where feasible, the bottom portion of the existing concrete foundation (i.e., the layer that is in direct contact with the ground) will be broken up and left in-place as the initial lift for the channel re-grading and restoration. Breaking up the concrete will change this hardscape feature to a permeable surface that will allow water to drain into the ground. Any concrete that remains in the creek bed will be free of rebar or other materials that could impact water quality. The channel bottom will be graded to achieve a slope that re-establishes low storm flows and eliminates water ponding. The re-graded channel will then be backfilled with natural cobble to establish final channel grades for adequate stabilization and habitat.

The proposed work will further enhance the natural condition of the creek channel through restoration of the south bank with coastal sage scrub, and restoration of the creek bottom grade in the vicinity of the previously restored portion of the creek. Consistent with the Chollas Creek Enhancement Plan, this project will complete the missing piece of the comprehensive restoration approach of the lower reaches of the south branch of Chollas Creek and will build a foundation for the creation of the planned Southcrest neighborhood park on the south side of the channel.

The enhancement will provide improved biological habitat than currently exists within the stream and bank, improved water quality, and add to quality of life for the surrounding neighborhoods. The deviation is the minimum necessary to improve the existing conditions.

Approximately 0.15-acre of habitat within the proposed project site is defined by the City as a wetland, regulated by the Environmentally Sensitive Lands regulations, and requires a Site Development Permit.

Environmental Analysis

The project will be required to comply with the mitigation measures adopted in the Mitigation, Monitoring, and Reporting Program (MMRP) for the VHRP PEIR (SCH No. 2009011067) and the Chollas Creek Vector Habitat Remediation Project 10 ESA / D130503.00 Environmental Compliance Report March 2015 with project-specific measures for the Chollas Creek Vector Habitat Remediation Project. These measures would be incorporated into the MMRP for the project (Attachment 5).

Additional authorization for the Project has been acquired under the County's existing programmatic permits for the Vector Habitat Remediation Program. This includes a Master Streambed Alteration Agreement with the California Department of Fish and Wildlife (CDFW), a Programmatic Water Quality Certification with the California Regional Water Quality Control Board (RWQCB), and the U.S. Army Corp of Engineers (USACE), Regional General Permit (RGP) 82 (Attachment 6).

Conclusion:

Staff has reviewed the project and found it to be consistent with: the Land Development Code; the goals and objectives of the general plan; and the anticipated work addressed in the VHRP PEIR.

The work proposed will also provide for the health and safety of the community. Therefore, staff recommends the Planning Commission approve the Site Development Permit.

ALTERNATIVE'S

- 1. Adopt the Mitigation, Monitoring and Reporting Program and Approve Site Development Permit 1484475, with modifications.
- 2. Deny Site Development Permit 1484475, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Kerry Santoro Deputy Director Development Services Department

Helene Deisher Development Project Manager Development Services Department

VACCHI/HMD

Attachments:

- 1. Aerial Photograph & Location Map
- 2. Community Plan Land Use Map
- 3. Draft Permit Resolution with Findings
- 4. Draft Permit with Conditions
- 5. Draft Environmental Resolution with PIER MMRP
- 6. Agency Permits (Army Corps, RWQCB, CDFW)
- 7. Community Planning Group Recommendation
- 8. Ownership Disclosure
- 9. Project Plans





Location Aerial Photo <u>CHOLLAS CREEK VECTOR HABITAT REMEDIATION</u> PROJECT NO. 422081

North





Land Use Map

CHOLLAS CREEK VECTOR HABITAT REMEDIATION PROJECT NO. 422081



PLANNING COMMISSION RESOLUTION NO. XXX SITE DEVELOPMENT PERMIT NO. 1484475 CHOLLAS CREEK VECTOR HABITAT REMEDIATION PROJECT NO. 422081 - [MMRP] DRAFT

WHEREAS, Valley Coast Construction, Inc. (Permittee) filed an application with the City of San Diego (Owner) to construct the Chollas Creek Vector Habitat Remediation Project (VHRP) which includes abandoned bridge demolition and concrete removal, channel grading, concrete reuse, and revegetation. The remnants of a former pedestrian bridge have created scour ponds on both the up and downstream sides of the concrete foundation, which fill with water and function as breeding habitat for mosquitoes. The former pedestrian bridge has been removed with the exception of the wooden frame and concrete foundation. The County of San Diego Department of Environmental Health (DEH) routinely treats the site and has identified it as DEH Site #1439; a priority site for the Vector Habitat Remediation Program (VHRP) due to its proximity to urban areas, standing water and known mosquito breeding location. The site is located within the Lower South Branch of Chollas Creek in the City of San Diego, just east of Interstate 5 (I-5) (as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated Permit No. 1484475), on portions of a 5.83 acre site;

WHEREAS, the project site is located in the Lower South Branch of Chollas Creek just east of the I-5 Freeway within the Southcrest community at the west end of the Southcrest Trail Park in the City of San Diego. It is located on Assessor's Parcel Number (APN) 55060135, zoned Open Space/Park; SESDPD-MF-2500, MF-3000, and MF-40000 within the Southeastern San Diego Community Plan area;

WHEREAS, the project site is legally described as T17S, R2W, Unsectioned UTM zone 11 (X,Y) 489045, 3617073;

WHEREAS, on December 10, 2015, the Planning Commission of the City of San Diego considered Site Development Permit No. 1484475 pursuant to the Land Development Code of the City of San Diego;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated December 10, 2015.

Site Development Permit - 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 is a habitat remediation which includes abandoned bridge demolition and concrete removal, channel grading, concrete reuse, and revegetation. The remnants of a former pedestrian bridge have created scour ponds on both the up and downstream sides of the concrete foundation, which fill with water and function as breeding habitat for mosquitoes. The former pedestrian bridge has been removed with the exception of the wooden frame and concrete foundation. The project would not conflict with any local policies or ordinances protecting biological resources and is consistent with the Multiple Species Conservation Program (MSCP) Subarea Plan and the City of San Diego's Biology Guidelines. The project would not introduce any new land uses. The project supports the General Plan's basic principles of providing a clean and sustainable environment and a high aesthetic standard, as well as the Southeastern San Diego Community Plan's open space and recreation objectives by restoring the channel with native vegetation, grading to improve water flow and reducing standing water. The grading will

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also build a foundation for the creation of the planned Southcrest neighborhood park on the south side of the channel. Therefore, the Project would not adversely affect the Southeastern San Diego Community Plan.

- 2. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed project involves utilization of VHRP grant funding provided by the Department of Environmental Health (DEH) to help solve an ongoing health and safety issue caused by breeding mosquitoes (due to standing water) within the Southcrest community area. Southcrest was identified in the City of San Diego's Chollas Creek Enhancement Program as an area that would benefit from restoration of creek functions to improve water quality and quality of life. In addition, the objective of the project is to decrease favorable habitat for mosquitoes, including those species that carry the West Nile Virus, by removing the remnants of the former pedestrian bridge and restoring channel grades, thereby eliminate standing water. The proposed construction will include Best Management Practices (BMPs) stipulated in the required Water Pollution Control Plan. The proposed project will not entail the use of hazardous materials, with the exception of substances used to maintain and operate construction equipment (such as fuels and lubricants). Standard construction operating procedures and BMPs will prevent these materials from causing a significant hazard to the public or environment. The project will eliminate mosquito breeding habitat for the health, safety and welfare of the surrounding community. As such, the proposed project will not be detrimental to the public health, safety, and welfare.
- **3.** The proposed development will comply with the applicable regulations of the Land Development Code. A Biological Resources Survey Report (ESA, 2014), a Jurisdictional Delineation Report (ESA, 2014), and a Revegetation Plan (ESA, 2014) have been prepared for the Project. As documented in the Biological Survey Report for the project, approximately 0.15-acre of habitat within the proposed project site is defined by the City as a wetland, regulated by the Environmentally Sensitive Lands Ordinance, and requires a Site Development Permit (SDP). The project is outside of the Multi-Habitat Planning Area (MHPA), which is the City's planned habitat preserve area. A Phase I Cultural Resources Assessment (ESA, 2014) has been prepared by ESA and reviewed by City staff. The report has been prepared in compliance with the City of San Diego, Land Development Code, Historical Resources Guidelines, CEQA, and Section 106 of the National Historic Preservation Act (NHPA). With implementation of project-specific measures identified in the Mitigation Monitoring and Reporting Program (MMRP) and conditions in the SDP, the Project, as proposed would comply with the Environmentally Sensitive Lands regulations (ESL). The removal of the existing concrete structure and subsequent revegetation will adequately mitigate any temporary impacts that will occur to wetlands and therefore, complies with the applicable regulations of the land development Code.

B. Supplemental Findings—Environmentally Sensitive Lands

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 Project will improve the water flow to a portion of the existing Chollas Creek. Parts of the area, specifically approximately 100 feet upstream of an old pedestrian bridge, were previously restored by removing concrete armoring from the creek bank and restoring the bank with coastal sage scrub, as well as lowering the south bank and restoring it and the creek with riparian habitat. Consistent with the Chollas Creek Enhancement Plan, the proposed project will complete the missing piece of the comprehensive restoration approach of the lower reaches of the south branch of Chollas Creek and will build a foundation for the creation of the planned Southcrest neighborhood park on the south side of the channel.

As documented in the Biological Survey Report for the project, two special status plant species were observed within the project area: San Diego marsh elder (California Rare Plant Rank 2B.2) and southwestern spinyrush (California Rare Plant List 4.2) and the project area supports native vegetation that could provide habitat for sensitive wildlife species. However, to reduce or avoid impacts to these species a pre-construction focused species survey will be conducted by a qualified biologist and all occurrences of these species will be flagged for avoidance within the project footprint. In addition, to ensure that the plants are not harmed, a qualified biologist will be onsite to monitor concrete removal and grading activities. Indirect impacts to plants that could occur from erosion or sedimentation during construction will be avoided through installation of erosion control measures such as silt fencing, fiber roles or gravel bags. To avoid direct and indirect impacts to all nesting birds such as noise or construction activity, which could disrupt breeding and nesting behavior, construction will occur outside of the bird breeding season (February 15 – September 15).

In summary, the Project has been designed to minimize disturbance to environmentally sensitive lands, and will include the restoration consistent with the adjacent restored banks creating continuous habitat along the Chollas Creek bank. In addition, implementation of the project would result in a net biological benefit due to the restoration of channel grades and hydrologic flow by creating a more natural riparian ecosystem and reducing conditions that support mosquito larvae. The proposed project site is physically suitable as it would improve the functions and values of the existing creek and habitat and would result in minimum disturbance to environmentally sensitive lands.

- 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 would restore Chollas Creek which has been altered substantially as a result of decades of development and human activity. The project includes demolition of remnants of an abandoned bridge and concrete removal, channel grading, concrete reuse, revegetation for the purpose of restoring drainage flow and eliminating standing water which creates breeding habitat for mosquitoes. Construction staging activities would occur within disturbed habitat or ruderal areas and will be returned to their existing condition following construction of the project. A hydraulic report (ESA, 2014) and a Water Pollution Control Plan (WPCP) (ESA, 2014) were prepared for the project and as documented in the reports, the project would not alter the existing drainage pattern, change the flow rate on or off site, nor impact water quality. In addition, the project includes measures and BMPs to minimize impacts related to erosion, floods and fire. Therefore, the project would not result in an undue risk to these hazards.
- 3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. The project is located within the community of Southcrest and adjacent land uses are primarily residential. Parts of the creek, specifically approximately 100 feet upstream of the old pedestrian bridge, were previously restored by removing concrete armoring from the creek bank and restoring the bank with coastal sage scrub, as well as lowering the south bank and restoring it and the creek with riparian habitat consistent with the adjacent restored banks creating continuous habitat along the Chollas Creek bank. The proposed project will further enhance the natural condition of the creek channel through the removal of the pedestrian bridge foundation and concrete armoring from the south bank, restoration of the south bank with coastal sage scrub, and restoration of the creek bottom grade in the vicinity of the previously restored portion of the creek. Consistent with the Chollas Creek Enhancement Plan, this project will complete the missing piece of the comprehensive restoration approach to the lower reaches of the south branch of Chollas Creek, and will build a foundation for the creation of the planned Southcrest neighborhood park on the south side of the channel.

The proposed enhancement will provide improved biological habitat than currently exists within the stream and bank, improve water quality, and add to quality of life for the surrounding neighborhoods. Potential impacts to surrounding environmentally sensitive lands associated with wetlands, erosion, water quality, and sensitive plant and wildlife species would be minimized through implementation of project-specific measures and conditions of approval, as well as BMPs. The proposed project has been sited and designed to prevent adverse impacts to any adjacent environmentally sensitive lands and monitoring will be provided to ensure that construction impacts do not occur in sensitive areas.

- 4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The project is within the City of San Diego MSCP planning area The Project has been designed to minimize disturbance to environmentally sensitive lands, and will include the restoration consistent with the adjacent restored banks, creating continuous habitat along the Chollas Creek bank. In addition, implementation of the project would result in a net biological benefit due to the restoration of channel grades and hydrologic flow by creating a more natural riparian ecosystem and reducing conditions that support mosquito larvae. The channel restoration would not interfere with wildlife movement through the area; rather, it may provide a net benefit by replacing pools of standing water with native vegetation, which could provide cover for native wildlife traveling through the area. In addition, the project will not conflict with any local policies or ordinances protecting biological resources and is consistent with the MSCP Subarea Plan and City of San Diego Biology Guidelines.
- **5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.** The proposed project is located inland, approximately 3.5 miles east of the coast and from the nearest public beach (Coronado Beach). BMPs will be implemented to minimize erosion and runoff associated with the project. Accordingly, the project will not contribute to the erosion of public beaches or adversely impact local shoreline sand 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.

Mitigation of environmental impacts from the proposed project focuses on protection of wetlands, special status plant and wildlife species, as well as reducing erosion and preserving water quality. Therefore, all mitigation is reasonably related to and calculated to alleviate negative impacts created by the proposed project and will be incorporated into the conditions of the SDP.

C. Supplemental Findings--Environmentally Sensitive Lands Deviations

 There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands. The project has been designed to minimize disturbance to environmentally sensitive lands, and will include the restoration consistent with the adjacent restored banks creating continuous habitat along the Chollas Creek bank. In addition, implementation of the project would result in a net biological benefit due to the restoration of channel grades and hydrologic flow by creating a more natural riparian ecosystem and reducing conditions that support mosquito larvae. The proposed project would improve the functions and values of the creek and habitat and would result in minimum disturbance to environmentally sensitive lands. There are no feasible measures that could further minimize potential adverse effects on environmentally sensitive lands.

2. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making. The proposed project is necessary to alleviate mosquito breeding problems within the creek. The project site is located within a drainage creek which meets the definition of a wetland under the ESL regulations. A wetland buffer cannot be provided due to the nature and location of the project and therefore must deviate from the standard, which would be to avoid the wetland or provide a buffer of 100 feet. Portions of the creek were previously restored and revegetated. The proposed project will further enhance the natural condition of the creek channel through the removal of the pedestrian bridge foundation and concrete armoring from the south bank, restoration of the south bank with coastal sage scrub, and restoration of the creek bottom grade in the vicinity of the previously restored portion of the creek. Consistent with the Chollas Creek Enhancement Plan, this project will complete the missing piece of the comprehensive restoration approach of the lower reaches of the south branch of Chollas Creek and will build a foundation for the creation of the planned Southcrest neighborhood park on the south side of the channel. The enhancement will provide improved biological habitat than currently exists within the stream and bank, improved water quality, and add to quality of life for the surrounding neighborhoods. It is also noted that authorizations from state and federal wetland permitting agencies have been obtained. The project, as proposed, is considered the minimum necessary to afford relief from special circumstances and conditions of the land, which are not of the applicant's making. It will also improve the existing conditions to the drainage and achieve the objective which is to eliminate mosquito breeding habitat.

Southeastern San Diego Planned District Findings for a Site Development Permit Section 1519.0202 (c):

1. The proposed use and project design meet the purpose and intent of the Southeastern San Diego Planned District Ordinance, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council. The proposed project is a habitat remediation which includes abandoned bridge demolition and concrete removal, channel grading, concrete reuse, and revegetation. The remnants of a former pedestrian bridge have created scour ponds on both the up and downstream sides of the concrete foundation, which fill with water and function as breeding habitat for mosquitoes. The former pedestrian bridge has been removed with the exception of the wooden frame and concrete foundation. The project would not conflict with any local policies or ordinances protecting biological resources and is consistent with the Multiple Species Conservation Program (MSCP) Subarea Plan and City of San Diego Biology Guidelines. The project is also consistent with the Chollas Creek Enhancement Plan. This project will complete the missing piece of the comprehensive restoration approach of the lower reaches of the south branch of Chollas Creek and will build a foundation for the creation of the planned Southcrest neighborhood park on the south side of the channel. The enhancement will provide improved biological habitat than currently exists within the stream and bank, improved water quality, and add to quality of life for the surrounding neighborhoods by removing mosquito habitat. The project supports the General Plan's basic principles of providing a clean and sustainable environment and a high aesthetic standard, as well as the Southeastern San Diego Community Plan's open space and recreation objectives and recommendations by restoring the channel with native vegetation, grading to improve water flow and reducing standing water. Therefore, the Project meets the purpose and intent and would not adversely affect the Southeastern San Diego Community Plan, General Plan or any other applicable plans adopted by Council.

2. The proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable. The proposed project involves utilization of Vector Habitat Remediation Program grant funding provided by the County Department of Environmental Health to help solve an ongoing health and safety issue caused by breeding mosquitoes (due to standing water) within the Southcrest community area. Southcrest was identified in the City of San Diego's Chollas Creek Enhancement Program as an area that would benefit from restoration of creek functions to improve water quality and quality of life. In addition, the objective of the project is to decrease favorable habitat for mosquitoes, including those species that carry the West Nile Virus, by removing the remnants of the former pedestrian bridge and restoring channel grades, thereby eliminate standing water. Parts of the creek, specifically approximately 100 feet upstream of the old pedestrian bridge, were previously restored by removing concrete armoring from the creek bank and restoring the bank with coastal sage scrub, as well as lowering the south bank and restoring it and the creek with riparian habitat consistent with the adjacent restored banks creating continuous habitat along the Chollas Creek bank. The proposed project will further enhance the natural condition of the creek channel through the removal of the pedestrian bridge foundation and concrete armoring from the south bank, restoration of the south bank with coastal sage scrub, and restoration of the creek bottom grade in the vicinity of the previously restored portion of the creek. Consistent with the Chollas Creek Enhancement Plan, this project will complete the missing piece of the comprehensive restoration approach of the lower reaches of the south branch of Chollas Creek and will build a foundation for the creation of the planned Southcrest neighborhood park on the south side of the channel. The enhancement will provide improved biological habitat than currently exists within the stream and bank, improved water quality, and add to quality of life for the surrounding neighborhoods. Therefore, the proposed development would be compatible with existing and planned land use on adjoining properties and would not constitute a disruptive element to the neighborhood and community. In addition, the restoration efforts would provide architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable.

3. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity. The proposed project involves utilization of Vector Habitat Remediation Program grant funding provided by the County Department of Environmental Health to help solve an ongoing health and safety issue caused by breeding mosquitoes (due to standing water) within the Southcrest community area. Southcrest was identified in the City of San Diego's Chollas Creek Enhancement Program as an area that would benefit from restoration of creek functions to improve water quality and quality of life. In addition, the objective of the project is to decrease favorable habitat for mosquitoes, including those species that carry the West Nile Virus, by removing the remnants of the former pedestrian bridge and restoring channel grades, thereby eliminate standing water. The proposed construction will include Best Management Practices (BMPs) stipulated in the required Water Pollution Control Plan. The proposed project will not entail the use of hazardous materials, with the exception of substances used to maintain and operate construction equipment (such as fuels and lubricants). Standard construction operating procedures and BMPs will prevent these materials from causing a significant hazard to the public or environment. The project is necessary to eliminate mosquito breeding habitat for the health, safety and welfare of the surrounding community. As such, the proposed project will not be detrimental to the public health, safety, and general welfare of persons residing or working in the area, and will not adversely affect other properties in the vicinity.

(4) The proposed use will comply with the relevant regulations of the Municipal Code. A Biological Resources Survey Report (ESA, 2014), a Jurisdictional Delineation Report (ESA, 2014) and a revegetation Plan (ESA, 2014) has been prepared for the Project. As documented in the Biological Survey Report for the project, approximately 0.15-acre of habitat within the proposed project site is defined by the City as a wetland, regulated by the Environmentally Sensitive Lands Ordinance, and requires a Site Development Permit. However, 30 linear feet and 0.04 acre of the total wetland is the existing concrete pad that has been previously impacted (Figure 6 of the Environmental Compliance Report for the project). With implementation of project-specific measures identified in the Mitigation Monitoring and Reporting Program and conditions in the Site Development Permit, the project, as proposed would comply with the Environmentally Sensitive Lands regulations. The removal of the existing concrete structure and subsequent revegetation will adequately mitigate any temporary impacts that will occur to wetlands. The project is within the City of San Diego Multiple Species Conservation Plan (MSCP) planning area, but outside of the Multi-Habitat Planning Area (MHPA), which is the City's planned habitat preserve area. A Phase I Cultural Resources Assessment (ESA, 2014) has been prepared by ESA for the project. The report has been prepared in compliance with the City of San Diego, Land Development Code, Historical Resources Guidelines, CEOA, and Section 106 of the National Historic Preservation Act (NHPA).

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 1484475 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1484475, a copy of which is attached hereto and made a part hereof.

Helene Deisher Development Project Manager Development Services

Adopted on: December 10, 2015

SAP 24005836

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24005836

SITE DEVELOPMENT PERMIT NO. 1484475 CHOLLAS CREEK VECTOR HABITAT REMEDIATION PROJECT NO. 422081 – [MMRP] Planning Commission DRAFT

This Site Development Permit is granted by the Planning Commission of the City of San Diego to Valley Coast Construction, Inc. (Permittee) and the City Of San Diego (Owner) pursuant to San Diego Municipal Code [SDMC] section 126.0504. The 5.83 acre site is located on Assessor's Parcel Number (APN) 55060135, zoned Open Space/Park; SESDPD-MF-2500, MF-3000, and MF-40000 within the Southeastern San Diego Community Plan area. The project site is legally described as T17S, R2W, Unsectioned UTM zone 11 (X,Y) 489045, 3617073;

Subject to the terms and conditions set forth in this Permit, permission is granted to Valley Coast Construction, Inc. (Permittee) and the City Of San Diego, Owner, to construct the Chollas Creek Vector Habitat Habitat Remediation Project which includes abandoned bridge demolition and concrete removal, channel grading, concrete reuse, and revegetation subject to the City's land use regulations] described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 10, 2015, on file in the Development Services Department.

The project shall include:

a. Habitat Remediation enhancement of the natural condition of the creek channel through the removal of the pedestrian bridge foundation and concrete armoring from the south bank, restoration of the south bank with coastal sage scrub, and restoration of the creek bottom grade in the vicinity of the previously restored portion of the creek, consistent with the Chollas Creek Enhancement Plan; and

- b. Landscaping (planting, restoration, irrigation and landscape related improvements); and
- 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.

2. 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.

3. 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.

4. 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.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. 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.).

7. 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.

8. All of the conditions contained in this Permit have been considered and were determinednecessary 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" conditions(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.

9. The 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 Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the 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, 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 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 Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

10. 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.

11. The mitigation measures specified in the MMRP and outlined in Program Environmental Impact Report (PEIR) SCH No. 2009011067 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

12. Prior to the issuance of the "Notice to Proceed" with construction, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: **Biological and Archeological Resources**.

ENGINEERING REQUIREMENTS:

13. The project proposes to import material to the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

14. The drainage system proposed for this development, as shown on the site plan, is public and subject to approval by the City Engineer.

15. Prior to the issuance of any building permits, the Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

16. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

17. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

LANDSCAPE REQUIREMENTS:

18. Prior to approval of 100% completion of construction documents, the Permittee or Owner shall ensure said documents are prepared in accordance with the Land Development Code Landscape Regulations to include the revegetation and hydroseeding of all land subject to disturbance within the project boundaries. Construction documents shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' Revegetation and Maintenance Plan, on file in the Office of the Development Services Department.

19. The Permittee or Owner shall be responsible for establishment and long-term maintenance of all revegetation areas within the project boundaries consistent with the approved Revegetation and Maintenance Plan.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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 Planning Commission of the City of San Diego on December 10, 2015 and Resolution No. XXX

Site Development Permit No. 1484475: Date of Approval: December 10, 2015:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Helene Deisher 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.

City of San Diego, Transportation & Stormwater Department Owner/Permittee

By

NAME: Gene Matter TITLE: Assistant Deputy Director

Valley Coast Construction, Inc. Permittee

By

NAME TITLE

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

RESOLUTION NUMBER R- XXX

ADOPTED ON 12-10-15

SITE DEVELOPMENT PERMIT AND ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

CHOLLAS CREEK VECTOR HABITAT REMEDIATION PROJECT NO. 422081

WHEREAS, on April 27, 2015, Valley Coast Construction, Inc. submitted an application to Development Services Department for a Site Development Permit No. 1484475 for the Chollas Creek Vector Habitat Remediation Project (Project); and

WHEREAS, the permit was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission of the City of San Diego on November 5, 2015; and NOW THEREFORE,

BE IT RESOLVED, that the City of San Diego as Responsible Agency under CEQA has reviewed and considered the Final Environmental Impact Report (FEIR), Findings and Statement of Overriding Considerations and the Mitigation, Monitoring, and Reporting Program prepared by the County of San Diego (SCH No. 2009011067) dated December 2008, certified by the County of San Diego Board of Supervisors on December 18, 2008 in connection with the Site Development Permit No. 1484475 prior to approving the subsequent discretionary action; directing the City Clerk to file a subsequent action Notice of Determination, and

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code, Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

Ву:

Helene Deisher, Development Project Manager

Internal Order No. 24005836

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

SITE DEVELOPMENT PERMIT NO. 1484475, CHOLLAS CREEK VECTOR HABITAT REMEDIATION PROJECT NO. 422081

This Mitigation Monitoring and Reporting Program (MMRP) 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 MMRP will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Program Environmental Impact Report (PEIR) SCH No. 2009011067 shall be made conditions of Site Development Permit No. 1484475, as may be further described below.

The Chollas Creek Vector Habitat Remediation Project shall be required to comply with all mitigation measures outlined within the MMRP of the previously certified PEIR SCH No. 2009011067 and the project specific subsequent technical studies required. The following MMRP identifies measures which specifically apply to this project.

A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

- Prior to Bid Opening/Bid Award or beginning any construction related activity onsite, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements have been incorporated.
- 2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."
- 3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

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

- 4. The TITLE INDEX SHEET must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
- B. GENERAL REQUIREMENTS PART II Post Plan Check (After permit issuance/Prior to start of construction)

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

Biologist, Archaeologist, Native American Monitor

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

CONTACT INFORMATION: a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200** b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) #422081, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED, MMC and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc).

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

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

California Department of Fish and Game (CDFG) – Streambed Alteration Permit, Regional Water Quality Control Board (RWQCB) – 401 Water Quality Certificate, and Army Corps of Engineers (ACOE) – preconstruction notification.

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction

plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

Document Submittal/Inspection Checklist

Issue Area	Document Submittal As	ssociated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Pre-Construction Meeting
General	Consultant Const. Monitoring	Prior to or at the Pre-Construction
D1 1		Meeting
Biology	Biology Reports	Limit of Work Verification
Biology	Habitat Restoration Reports	Habitat Restoration Inspection
Archaeology	Archaeology Reports	Archaeology Site Observation

SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

A. **BIOLOGICAL RESOURCES**

- 1. Prior to construction, the limits of work for construction, access, and staging will be clearly delineated in the field with temporary construction fencing, flagging or stakes to ensure that all Project activities are restricted to authorized work areas. The flagged/fenced areas will be designated as "no construction" zones and protected from direct or indirect impacts. These avoidance areas will be clearly marked on construction plans. A qualified biologist will inspect the fencing and monitor construction activities occurring adjacent to the construction limits to avoid unauthorized impacts.
- 2. A preconstruction survey will be conducted by a qualified biologist to locate and flag all individual marsh elder and spinyrush plants in the immediate Project area. If necessary, exclusionary fencing will be erected around the plants to ensure their protection throughout the construction phase of the Project. During construction, the site will be monitored to ensure that there is no encroachment into the flagged/fenced areas.
- 3. Prior to construction, a qualified biologist will identify and flag native trees within the work area. These trees will be avoided. Native trees that block access to the work areas (e.g., willow trees that are growing against the concrete foundation in the

creekbed) may be pruned, but no native trees with a DBH greater than 2 inches will be removed. A biological monitor will be onsite during concrete removal and grading to ensure that native trees are protected.

- 4. To avoid impacts to coastal sage scrub (a Tier II habitat), all staging activities will occur outside of the channel within previously disturbed areas only. These areas will be clearly delineated in the field as described above. Construction vehicles and equipment will use existing access roads and trails to access the creek channel. Equipment used to break up the existing concrete foundation, remove armoring on the south bank and elevate the channel grade with natural cobble will be stationed at the top of the south bank within an existing unvegetated area. The wetland area will be accessed with a long-reach arm.
- 5. To avoid erosion or excess sedimentation into the creek bed during construction, silt fencing, gravel bag, fiber rolls or other appropriate materials will be placed at the edge of the work area on the bank and/or creek channel during construction to prevent sediment release. The area will be sprayed with water periodically, if needed during construction, to control fugitive dust.
- 6. All Project activities will be conducted outside of the bird breeding season (January 15 September 15). The work will be conducted during favorable weather (e.g., under dry conditions) and be completed as quickly as possible (estimated to be two weeks) to minimize disturbance to sensitive biological resources.
- 7. A qualified biological resources monitor will be on site during construction to ensure that the Project is in compliance with the protection measures described above, sensitive plants are not impacted, limits of construction within the channel are not exceeded, and sensitive upland vegetation communities are not impacted.
- 8. All temporary impacted areas of the creek bed will be allowed to naturally revegetate upon completion of the Project.

B. <u>HISTORICAL RESOURCES (ARCHAEOLOGY)</u>

- Prior to start of any ground-disturbing activity, a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (U.S. Department of the Interior, 2008) will conduct cultural resources sensitivity training for all construction personnel. Construction personnel will be informed of the types of archaeological resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. Construction personnel shall be made available for and attend the training and retain documentation demonstrating attendance.
- 2. In the event of the unanticipated discovery of archaeological materials, construction activity will immediately cease in the area (within approximately 100 feet) of the discovery until it can be evaluated by a qualified archaeologist. Prehistoric

archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone or concrete footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. Construction should not resume until the qualified archaeologist has conferred with the City of San Diego on the significance of the resource. The Corps will also be afforded the opportunity to determine whether the discovery requires addressing under Section 106 Post-Review Discoveries provisions provided in 36 CFR 800.13. If it is determined that the discovered archaeological resource constitutes a historical resource under CEQA or a historic property under Section 106 of the NHPA, avoidance and preservation in place is the preferred manner of mitigation. Preservation in place maintains the important relationship between artifacts and their archaeological context and also serves to avoid conflict with traditional and religious values of groups who may ascribe meaning to the resource. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible mitigation available, a Cultural Resources Treatment Plan will be prepared and implemented by the qualified archaeologist in consultation with the City of San Diego that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource. The qualified archaeologist and City of San Diego will consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resource, beyond that which is scientifically important, are considered.

3. If human remains are encountered, all work will halt in the vicinity (within 100 feet) of the discovery and contact the San Diego County Coroner in accordance with PRC Section 5097.98 and Health and Safety Code Section 7050.5. The City of San Diego and Corps will also be notified. If the County Coroner determines that the remains are Native American, the NAHC will be notified in accordance with Health and Safety Code Section 7050.5, subdivision (c), and PRC Section 5097.98 (as amended by AB 2641). The NAHC will designate an MLD for the remains per PRC Section 5097.98. Until the landowner has conferred with the MLD, the construction contractor will ensure that the immediate vicinity where the discovery occurred is not disturbed by further activity, is adequately protected according to generally accepted cultural or archaeological standards or practices, and that further activities take into account the possibility of multiple burials.

The above MMRP will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.



DEPARTMENT OF THE ARMY LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS CARLSBAD FIELD OFFICE 5900 LA PLACE CT., SUITE 100 CARLSBAD, CA 92008

September 1, 2015

Mr. Jeff Kashak & Valley Coast Inc. County of San Diego Department of Public Works 5510 Overland Avenue, Suite 410 San Diego, California 92123

DEPARTMENT OF THE ARMY

Dear Mr. Kashak:

I am responding to your request for the Chollas Creek Vector Habitat Remediation Program (SPL-2009-00128-RRS) dated April 28. 2015 for a Department of the Army permit for your proposed project, Chollas Creek Vector Habitat Remediation Program under Regional General Permit No. 82 (RGP 82). The proposed project is located in the Lower South Branch of Chollas Creek just east of the I-5 freeway at the west end of the Southcrest Trail Park in the City of San Diego, San Diego County, California. The project is also located within the City of San Diego Multiple Species Conservation Plan (MSCP) planning area, outside of the Multiple Habitat Planning Area (MHPA).

Because this project would result in a discharge of dredged and/or fill material into waters of the United States a Department of the Army permit is required pursuant to Section 404 of the Clean Water Act (33 USC 1344; 33 CFR parts 323 and 330).

I have determined construction of your proposed project, if constructed as described in your application, would comply with RGP 82, County of San Diego's Vector Habitat Remediation Program (VHRP). Specifically, and as shown in the enclosed figure(s), you are authorized to:

- Remove and demolish, per the attached drawings, the pilings and concrete foundation of a 70 foot (ft.) by 40 ft. pedestrian bridge, as well as, the bridge and riprap bank protection and slope concrete on the south bank from the bridge abutment.
- Channel grading and reconfiguration consisting of 0.1 acre with the addition of cobbles, soil, and re-use of the demolished concrete.
- Work also includes 0.18 acre of upland and wetlands re-establishment per the revegetation plan prepared by ESA and dated June 2014.
- Project shall comply with all of the tiered VHRP criteria and conditions of RGP 82 as executed on July 22, 2011.
- Temporary project impacts to waters of the United States total to 0.1 acres. Permittee must also comply with the California Regional Water Quality Control Board Section 401 water quality certification 10C-050 Notice of Applicability dated August 25, 2015.

Furthermore, you must comply with the following non-discretionary Special Conditions:

Special Conditions:

1. Prior to initiating construction in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a complete set of final detailed grading/construction plans showing all work and structures in waters of the U.S. All plans shall be in compliance with the Final Map and Drawing Standards for the South Pacific Division Regulatory Program dated August 6, 2012 (http://www.spd.usace.army.mil/Portals/13/docs/regulatory/standards/map.pdf). All plan sheets shall be signed, dated, and submitted on paper no larger than 11x 17 inches. No work in waters of the U.S. is authorized until the Permittee receives, in writing (by letter or e-mail), Corps Regulatory Division approval of the final detailed grading/construction plans. The Permittee shall ensure that the project is built in accordance with the Corps-approved plans.

2. At least 15 calendar days before initiation of any operations authorized by this verification, the Permittee shall send a construction schedule to the Corps Regulatory Division. The schedule shall include a list of the names, addresses and telephone numbers of the Permittee's project manager, the contractor's project manager, the operations inspector, the operations inspector and the vehicle used to grade and transport material to the designated disposal sites.

3. The Permittee shall not commence operations unless and until the Permittee receives a Notice to Proceed, in writing, from the Corps Regulatory Division.

4. The permitted activity shall not occur during the bird breeding season from February 15 – September 15.

5. If a violation of any permit condition occurs, the violation shall be reported by the Permittee to the Corps Regulatory Division within twenty-four (24) hours. If the Permittee retains any contractors to perform any activity authorized by this permit, the Permittee shall instruct all such contractors that notice of any violations must be reported to the Permittee immediately.

6. The Permittee shall implement all appropriate, standard Best Management Practices to ensure that toxic materials, silt, debris, or excessive eroded materials do not enter waters of the U.S.

7. This Corps permit does not authorize you to take any threatened or endangered species, in particular the coastal California gnatcatcher or adversely modify its designated critical habitat. In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g. ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply). The U.S. Fish and Wildlife Service is the appropriate authority to determine compliance with the ESA.

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8. Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archeological deposits, or any other type of historic property, the Permittee shall notify the Corps' Archeology Staff within 24 hours (John Killeen at 213-452-3861). The Permittee shall immediately suspend all work in any area(s) where potential cultural resources are discovered. The Permittee shall not resume construction in the area surrounding the potential cultural resources until the Corps Regulatory Division re-authorizes project construction, per 36 C.F.R. section 800.13.

9. No later than one month following completion of authorized work in waters of the U.S., the Permittee shall ensure all sites within waters of the U.S. subject to authorized, temporary impacts are restored to pre-project alignments, elevation contours, and conditions to the maximum extent practicable to ensure expeditious resumption of aquatic resource functions. No later than 45 calendar days following completion of authorized work in waters of the U.S., the Permittee shall submit a memorandum documenting compliance with this special condition.

A general permit does not grant any property rights or exclusive privileges. Also, it does not authorize any injury to the property or rights of others or authorize interference with any existing or proposed Federal project. Furthermore, it does not obviate the need to obtain other Federal. State, or local authorizations required by law. Thank you for participating in the regulatory program. If you have any questions, contact me at 760-602-4831 or via e-mail at Robert.R.Smith@ušace.army.mil. Please help me to evaluate and improve the regulatory experience for others by completing the customer survey form at http://corpsmapu.usace.army.mil/cm apex/f?p=regulatory_survey.

Sincerely,

Robert Revo Smith Jr. Senior Project Manager

Enclosures

Copy Furnished:

Jeff Kashak County of San Diego Department of Public Works 5469 Kearny Villa Rd, Suite 305 San Diego, California 92123



Chollas Creek Vector Habitat Remediation Program. D130503 Figure 1 Chollas Creek Vicinity Map

SOURCE: ESRI Imagery, SanGIS



Chollas Creek Vector Habitat Remediation Program. D130503 Figure 2 Chollas Creek Site Map

SOURCE: ESRI Imagery



Chollas Creek Vector Habitat Remediation Program. D130503 Figure 3 Chollas Creek Biological Resources Impact Map

SOURCE: ESRI Imagery

SECRETARY YA





California Regional Water Quality Control Board, San Diego Region

August 25, 2015

In reply/refer to: 10C-050:754318:mporter

Mr. Jeff Kashak Environmental Planner III County of San Diego Department of Public Works 5510 Overland Avenue Suite 410 San Diego, CA 92123

Subject: Notice of Applicability, Vector Habitat Remediation Program, Programmatic Certification No. 10C-050, for the Chollas Creek Vector Habitat Remediation Program Project

Mr. Jeff Kashak:

By letter dated April 30, 2015, ESA, a consultant acting on behalf of the County of San Diego (Applicant), submitted a Notice of Intent (NOI) for the Applicant to be enrolled under and comply with Programmatic Certification No. 10C-050 for the Chollas Creek Vector Habitat Remediation Program Project (Project). The NOI is complete and the Applicant is hereby enrolled as a Discharger under the Programmatic Certification No. 10C-050, subject to the terms and conditions of the Programmatic Certification and this Notice of Applicability (NOA). The Programmatic Certification No. 10C-050 can be accessed electronically at:

http://www.waterboards.ca.gov/rwqcb9/water_issues/programs/401_certification/docs/projects/10C/10C -050.pdf

Enrollment Information

This NOA is applicable for the Applicant, Project Location, and Project Facility, Enrollment, and Administrative Information summarized in Tables 1 through 4 below.

Applicant	County of San Diego	
Name of Project	Project Chollas Creek Vector Habitat Remediation Program	
Project Location	Intersection of Beta and Birch Streets	
	San Diego	
	San Diego County	

Table 1 - Discharger Information

HENRY ABARBANEL, CHAIR DAVID GIBSON, EXECUTIVE OFFICER

2375 Northside Drive, Suite 100, San Diego, CA 92108 | (619) 516-1990 | www.waterboards.ca.gov/sandiego

Recycled Paper

Mr. Jeff Kashak County of San Diego Chollas Creek Vector Habitat Remediation Program File No. 10C-050

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Table 2 - Discharge Location

Discharge	Waste	Discharge Point	Discharge Point	Receiving Water
Point	Description	Latitude	Longitude	
Lower South Branch of Chollas Cheek	Broken concrete and sediment	32.6911006°	-117.116728°	Chollas Creek

Table 3 - Facility and Enrollment Information

WDID	9 00002098	
Project Contact, Title and Phone	Jeff Kashak, Environmental Planner III, 858-694-3914	
Authorized Person to Sign and Submit Reports	Julie Fontaine, ESA	
Mailing Address	5510 Overland Avenue, Suite 410, M.S. O-385, San Diego, CA 92123	
Billing Address	Same	
Type of Project	Vector Habitat Remediation	
Fee Category	Statutory Maximum	
Fee Amount	\$40,000.00	
Permitted Dredge Volume	0	
Watershed	Pueblo	
Receiving Water	Chollas Creek	
Receiving Water Type	Ephemeral stream	
Permanent Impacts	0.1 acre, 336 linear feet	

Table 4 - Administrative Information

This NOA was approved by the San Diego Water Board Staff on:	August 25, 2015
This NOA is effective as of:	August 25, 2015

PROJECT DESCRIPTION

The Project will remove mosquito breeding areas in Chollas Creek through the removal of scour ponds that developed in response to the modified streambed morphology caused by a concrete and wooden pilings foot bridge. The scour ponds are adjacent to upstream and downstream areas of the foot bridge. The Project consists of the removal of the foot bridge (pilings, concrete foundation), removal of riprap on the south bank, grading, filling the scour ponds with the broken-up concrete rubble, placing two feet deep of cobbles over the rubble, stabilizing the southern bank, revegetating the south bank with Coastal sage scrub, and allowing the stream bottom to self-recruit willows from adjacent areas.

August 25, 2015

August 25, 2015

Mr. Jeff Kashak County of San Diego Chollas Creek Vector Habitat Remediation Program File No. 10C-050

- 3 -

A Project map is enclosed as Attachment 1.

Project activities will result in permanent impacts to 0.1 acre (336 linear feet) of streambed waters of the State. The Applicant has received a Regional General Permit 82 from the United States Army Corps of Engineers for the Project (USACE File No. SPL-2009-00128-RRS).

MITIGATION AND MINIMIZATION MEASURES

It is not anticipated that the Project will create permanent impacts of a size, severity, and/or duration that would have a significant adverse impact on beneficial uses of waters of the State. The Applicant reports that compensatory mitigation for the permanent loss of 0.1 acre of jurisdictional waters will be achieved through the on-site re-establishment of 0.1 acres (336 linear feet) of waters of the United States and/or State.

STATEMENT OF CEQA FINDINGS

The County of San Diego Department of Public Works is the Lead Agency for compliance with the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 et seq.) for the Project. The County of San Diego approved the Vector Habitat Remediation Program Environmental Impact Report on March 24, 2010 and filed a Notice of Determination (NOD) with the San Diego County Clerk/Recorder and California Office of Planning and Research on March 24, 2010.

The San Diego Water Board finds the Project, if implemented as proposed, the conditions in the Programmatic Certification and this NOD are adequate to reduce water quality impacts to less than significant levels.

ADDITIONAL CONDITIONS

- 1. The Applicant must notify the San Diego Water Board in writing at least 5 days prior to the start of Project construction.
- 2. The Applicant must comply with the Programmatic Water Quality Certification No. 10C-050 Vector Habitat Remediation Program, County of San Diego.
- 3. Final Project Completion Report. The Applicant must submit a Final Project Completion Report to the San Diego Water Board within 30 days of completion of the Project. The final report must include the following information:
 - a. Date of construction initiation;
 - b. Date of construction completion;
August 25, 2015

Mr. Jeff Kashak County of San Diego Chollas Creek Vector Habitat Remediation Program File No. 10C-050

- 4 -

- c. Best Management Practices (BMPs) implemented; and
- d. Photo documentation of the Project and implemented BMPs. Photo documentation must be conducted in accordance with guidelines posted at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/401_certificatio n/docs/StreamPhotoDocSOP.pdf.

In addition, photo documentation must include Global Positioning System (GPS) coordinates for each of the photo points referenced.

In the subject line of any response, please include the reference number 10C-050:754318:mporter. For questions or comments regarding this Notice of Applicability or the requirements of the Programmatic Certification, please contact Mike Porter by email at mike.porter@waterboards.ca.gov or by phone at (619) 521-3967.

Respectfully,

Chicken E. Roste

MIKE PORTER Engineering Geologist ESB:mgp

Enclosure: Attachment 1 - Project Maps and Figures

cc via email:

State Water Resources Control Board	Tech Staff Info & Use	
Division of Water Quality 401 Water Quality Certification and Wetlands Stateboard401@waterboards.ca.gov	File No. WDID Reg. Measure ID Place ID	10C-050 9000002098 374807 754318
	Party ID Person ID	523410 523619

U.S. EPA, OWOW, Region 9 75 Hawthorne St. San Francisco, CA 94105 R9-WTR8-Mailbox@epa.gov

Eric Becker San Diego Water Board eric.becker@waterboards.ca.gov

August 25, 2015

Mr. Jeff Kashak County of San Diego Chollas Creek Vector Habitat Remediation Program File No. 10C-050

- 5 -

Robert Smith U.S. Army Corps of Engineers San Diego Field Office Robert.R.Smith@usace.army.mil

Greg Slawson County of San Diego Department of Environmental Health Gregory.Slawson@sdcounty.ca.gov

Julie Fontaine Environmental Science Associates jfontaine@esassoc.com

Dave Koeberle Valley Coast Construction Davek@valleycoast.com

Kelly Fisher California Department of Fish and Wildlife kfisher@dfw.ca.gov



State of California -The Natural Resources Agency DEPARTMENT OF FISH AND WILDLIFE South Coast Region 3883 Ruffin Road San Diego, CA 92123 (858) 467-4201 www.wildlife.ca.gov EDMUND G. BROWN, JR. Governor CHARLTON H. BONHAM, Director



RECEIVED

JUL 2 0 2015

ENVIRONMENTAL HEALTH

Mr. Jeff Kashak County of San Diego Department of Environmental Health Post Office Box 129261 San Diego, California 92112-9261

Subject: Verification of Eligibility for Coverage under Master Streambed Alteration Agreement No. 1600-2009-0167-R5 Chollas Creek Vector Habitat Remediation Project

Dear Mr. Kashak:

July 16, 2015

The California Department of Fish and Wildlife ("Department") has reviewed your request to enroll the Chollas Creek Vector Habitat Remediation Project under your Master Streambed Alteration Agreement No. 1600-2009-0167-R5 issued to the County for the Vector Habitat Remediation Program. The Department has determined that the project meets the criteria for coverage under the Agreement, and hereby approves your request.

A copy of this letter, your verification request submittal with all attachments, and the original Agreement should be available at all times at the work site.

Please note that if you change your project so that it differs materially from the project you described in your verification request, you will need to submit a new verification request and corresponding fee to the Department.

Thank you for notifying us of your project. If you have any questions, please contact Kelly Fisher at (858) 467-4207 or kelly.fisher@wildlife.ca.gov.

Sincerely,

larly of Fluchart

Marilyn J. Fluharty Senior Environmental Scientist

Conserving California's Wildlife Since 1870

September 16, 2015

Helene Deisher, Development Project Manager City of San Diego Development Services Department 1222 First Ave, MS 301 San Diego, CA 92101

Subject: Chollas Creek Vector Habitat Remediation and Creek Restoration Project

Dear Ms. Diesher,

This letter is to express support of the Chollas Creek Vector Habitat Remediation and Creek Restoration Project (Project Number 422081), which was presented to the Southeastern San Diego Planning Group on September 14, 2015 by Environmental Science Associates. The project was voted on and approved at the meeting with a vote of 10 approved and none disapproved, as we believe it is a multi-benefit project that will improve public health by eliminating mosquito breeding habitat, in addition to improving water quality by restoring a portion of Chollas Creek. The Southeastern San Diego Planning Group strongly encourages the City to include the project for approval at one of the Planning Commission's October or November meetings to aid in moving the project forward within the 2015 calendar year, in order to comply with funding restrictions for the project.

We appreciate your support for this project

Sincerely,

Tom Fuller, Chair Southeastern San Diego Planning Group

City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statement
Approval Type: Check appropriate box for type of approval (s) reque Neighborhood Development Permit X Site Development Perm Variance Tentative Map Vesting Tentative Map Map V	ested: Neighborhood Use Permit Coastal Development Permit it Planned Development Permit Conditional Use Permit Waiver Land Use Plan Amendment • X Other Creek Restoration
Project Title	Project No. For City Use Only
Chollas Creek Vector Habitat Remediation Project	422.08/
Project Address: Within the Lower South Branch of Chollas Creek in the Ci	ty of San Diego
Part I - To be completed when property is held by Individua	ıl(s)
below the owner(s) and tenant(s) (if applicable) of the above reference who have an interest in the property, recorded or otherwise, and state individuals who own the property). <u>A signature is required of at least</u> from the Assistant Executive Director of the San Diego Redevelopment Development Agreement (DDA) has been approved / executed by th Manager of any changes in ownership during the time the application the Project Manager at least thirty days prior to any public hearing of information could result in a delay in the hearing process. Additional pages attached Yes No	with the intent to record an encumbrance against the property. Please list and property. The list must include the names and addresses of all persons the type of property interest (e.g., tenants who will benefit from the permit, all <u>one of the property owners</u> . Attach additional pages if needed. A signature at Agency shall be required for all project parcels for which a Disposition and e City Council. Note: The applicant is responsible for notifying the Project is being processed or considered. Changes in ownership are to be given to on the subject property. Failure to provide accurate and current ownership
Name of Individual (type or print):	Name of Individual (type or print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature : Date:	Signature : Date:
Name of Individual (type or print):	Name of Individual (type or print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature : Date:	Signature : Date:
3.5	

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

Project Title:		
Chollas Creek Habitat Remediation Project	42208	
Part II - To be completed when property is held by a corpo	oration or partnership	
Legal Status (please check):		
Corporation Limited Liability -or- General) What S	State? Corporate Identification No	
as identified above, will be filed with the City of San Diego on the property. Please list below the names, titles and addresse otherwise, and state the type of property interest (e.g., tenants in a partnership who own the property). <u>A signature is require</u> <u>property</u> . Attach additional pages if needed. Note: The applicate ownership during the time the application is being processed of Manager at least thirty days prior to any public hearing on the information could result in a delay in the hearing process.	• •	
Corporate/Partnership Name (type or print): City of San Diego	Corporate/Partnership Name (type or print):	
X Owner Tenant/Lessee	Owner Tenant/Lessee	
Street Address: 202 C Street	Street Address:	
City/State/Zip: San Diego, CA 92101	City/State/Zip:	
Phone No: Fax No: (619) 527-7506	Phone No: Fax No:	
Name of Corporate Officer/Partner (type or print): Gene Matter	Name of Corporate Officer/Partner (type or print):	
Title (type or print): Assistant Deputy Director, Stormwater Division	Title (type or print):	
Signature: The Matter Date: 4/2015	Signature : Date:	
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):	
Owner Tenant/Lessee	Owner Tenant/Lessee	
Street Address:	Street Address:	
City/State/Zip:	City/State/Zip:	
Phone No: Fax No:	Phone No: Fax No:	
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):	
Title (type or print):	Title (type or print):	
Signature : Date:	Signature : Date:	
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):	
Owner Tenant/Lessee	Owner Tenant/Lessee	
Street Address:	Street Address:	
City/State/Zip:	City/State/Zip:	
Phone No: Fax No:	Phone No: Fax No:	
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):	
Title (type or print):	Title (type or print):	
Signature : Date:	Signature : Date:	

LOWER SOUTH BRANCH CHOLLAS CREEK

Vector Habitat Remediation

SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA



LOCATION MAP NOT TO SCALE



VICINITY MAP SCALE:1" = 100'

ATTACHMENT 9

DEVELOPMENT SUMMARY - SHEET INDEX

Project Components	 Demolish concrete in channel and on bank, and riprap on bank within project limits Import clean riverbed material and place in channel Rebuild riprap bank with imported soil Revegetate bank. Applicable Permits: Site Development, Grading, Right-of-Entry
Project Team	Project Engineer: Environmental Science Associates Contact - Scott Stoller, PE 415-262-2300 Contractor: Valley Coast Construction Contact - Dave Koeberle, 619-823-3901
Legal Description/APN	APN: 55050135 California, San Bernardino Meridian T17S, R2W, Unsectioned UTM zone 11 (X,Y) 489045, 3617073 USGS 7.5 minute series topographic map: National City
Land Owner	City of San Diego Development Services Department 1222 First Avenue, San Diego CA 92101
Sheet Index	C01 TITLE SHEET C02 GENERAL NOTES, LEGEND, AND ABBREVIATIONS C03 EXISTING CONDITIONS AND DEMOLITION C04 PROPOSED CONDITIONS C05 GRADING SECTIONS C05 REVEGETATION PLAN
Type of Construction	GRADING
Occupancy Classification	N/A
Zoning Designation	OPEN SPACE/PARK; SESDPD-MF-2500, MF-3000, MF-40000
Existing and proposed uses	OPEN SPACE/PARK
Year Structures Were Constructed	N/A
Geologic Hazard Category	32, Low Potential Liquefaction
Gross Site Area	5.83 AC
Landscape area square footage	800 SQFT



GENERAL NOTES

- GENERAL. 1. CONTRACTOR AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, BAM TO 5PM MONDAY THROUGH FRIDAY; AN THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY, AND HOLD THE COUNTY AND ITS REPRESENTATIVES HARMLESS FROM ANY AND ALL LIABILITY, REAL AND/OR ALLEGED, IN CONJUNCTION WITH THE PERFORMANCE OF THIS PROJECT.
- 2. A SET OF SIGNED WORKING DRAWINGS WILL BE KEPT ON THE JOB SITE AT ALL TIMES ON WHICH ALL CHANGES OR VARIATIONS IN THE WORK, INCLUDING ALL EXISTING UTILITIES, ARE TO BE RECORDED AND/OR CORRECTED DAILY AND SUBMITTED TO THE OWNER WHEN THE WORK TO BE DONE IS COMPLETED. A COMPLETE SET OF ENVIRONMENTAL PERMITS SHALL BE KEPT ON SITE.
- 3. CONTRACTOR SHALL CONTACT THE OWNER, OR HIS/HER DESIGNEE, TO ARRANGE A PRE-CONFERENCE FOR THE PURPOSE OF REVIEWING JOB REQUIREMENTS AND CITY PROCEDURES.
- 4. ALL MATERIAL SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR UNLESS OTHERWISE NOTED, ALL MATERIAL DEMOLISHED SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE RECYCLED/ DISPOSED OF IN ACCORDANCE WITH ALL APPLICABLE LAWS.
- 5. ALL WORKMANSHIP AND MATERIALS FOR BOTH ON-SITE AND OFF-SITE IMPROVEMENTS SHALL CONFORM TO THE LATEST EDITION OF THE LATEST EDITION OF THE STATE OF CALIFORNIA STANDARD SPECIFICATIONS AND STANDARD PLANS. THE ON-SITE IMPROVEMENTS SHALL BE INSPECTED BY THE CITY PUBLIC WORKS INSPECTORS.
- 6. CONTRACTOR SHALL NOTIFY THE OWNER OR HIS/HER DESIGNEE AT LEAST 72 HOURS PRIOR TO COMMENCEMENT OF ANY PART OF WORK.
- 7. CONTRACTOR SHALL PROVIDE AND MAINTAIN SUFFICIENT TEMPORARY BARRICADES TO PROVIDE FOR THE SAFETY OF THE STAFF AND GENERAL PUBLIC TO THE SATISFACTION OF THE

PROTECTION OF EXISTING CONDITIONS

- 8. CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY AND ALL DAMAGES TO EXISTING VEGETATION, STRUCTURES AND UTILITIES DURING CONSTRUCTION. NO TREE LARGER THAN 2" DBH SHALL BE REMOVED.
- 9. PRIOR TO CONSTRUCTION, THE LIMITS OF WORK FOR CONSTRUCTION, ACCESS, AND STAGING WILL BE CLEARLY DELINEATED IN THE FIELD WITH TEMPORARY CONSTRUCTION FENCING, FLAGGING OR STAKES TO ENSURE THAT ALL PROJECT ACTIVITIES ARE RESTRICTED TO AUTHORIZED WORK AREAS. THE FLAGGED/FENCED AREAS WILL BE DESIGNATED AS "NO CONSTRUCTION" ZONES AND PROTECTED FROM DIRECT OR INDIRECT IMPACTS. THESE AVOIDANCE AREAS ARE MARKED ON CONSTRUCTION PLANS. A QUALIFIED BIOLOGIST WILL INSPECT. THE FENCING AND MONITOR CONSTRUCTION ACTIVITIES OCCURRING ADJACENT TO THE CONSTRUCTION LIMITS TO AVOID UNAUTHORIZED IMPACTS
- 10, PRIOR TO COMMENCING WORK, THE CONTRACTOR SHALL REVIEW ALL TREE AND OTHER PROTECTION FENCING WITH THE OWNER'S REPRESENTATIVE, AND FIELD ADJUST THE LIMITS AS DIRECTED.

UTILITIES 11. CONTRACTOR SHALL NOTIFY ALL PUBLIC OR PRIVATE UTILITY COMPANIES 48 HOURS PRIOR TO COMMENCEMENT OF WORK ADJACENT TO EXISTING UTILITY LINES.

- 12. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT (USA) AT 1-800-227-2600 PRIOR TO START OF ANY CONSTRUCTION.
- 13. LOCATIONS OF UTILITIES AND FACILITIES SHOWN ARE APPROXIMATE AND FOR GENERAL INFORMATION ONLY. CONTRACTOR SHALL POTHOLE ALL EXISTING UTILITIES AS NEEDED FOR VERIFICATION.
- 14. CONTRACTOR SHALL FIELD LOCATE ALL EXISTING UTILITIES AND PROTECT THROUGHOUT CONSTRUCTION, EXCEPT WHERE NOTED FOR DEMOLITION.

- ENVIRONMENTAL PROTECTION 15. CONTRACTOR SHALL CONDUCT ALL GRADING OPERATIONS IN SUCH MANNER AS TO PRECLUDE WIND BLOWN DIRT AND DUST AND RELATED DAMAGE TO NEIGHBORING PROPERTIES. CONTRACTOR SHALL CONTROL METHOD WITH THE OWNER OR REPRESENTATIVE PRIOR TO INITIATING DUST CONTROL MEASURES. SUFFICIENT WATERING TO CONTROL DUST IS REQUIRED AT ALL TIMES. CONTRACTOR SHALL ASSUME LIABILITY FOR CLAIMS RELATED TO WIND BLOWN MATERIAL. IF THE DUST CONTROL IS INADEOUATE AS DETERMINED BY THE OWNER OR HIS/HER DESIGNATED REPRESENTATIVE, THE CONSTRUCTION WORK SHALL BE TERMINATED UNTIL CORRECTIVE MEASURES ARE TAKEN.
- 16. CONTRACTOR SHALL ANTICIPATE WORKING IN SHALLOW GROUNDWATER AND MUST SUBMIT A WATER CONTROL PLAN FOR APPROVAL BY OWNER'S REPRESENTATIVE.
- 17. CONTRACTOR SHALL FLIMINATE OR MINIMIZE NON-STORM DISCHARGE FROM THE CONSTRUCTION SITE TO STORM DRAINS AND OTHER WATER BODIES. ALL CONSTRUCTION ACTIVITIES SHALL BE PERFORMED IN A MANNER THAT MINIMIZES, TO THE MAXIMUM EXTENT PRACTICABLE, ANY POLLUTANTS ENTERING DIRECTLY OR INDIRECTLY INTO GROUND WATER. ALL MATERIALS THAT COULD CAUSE WATER POLLUTION (I.E., MOTOR OIL, FUELS, PAINTS, ETC.) SHALL BE STORED AND USED IN A MANNER THAT WILL NOT CAUSE ANY POLLUTION. ALL DISCARDED MATERIAL AND ANY ACCIDENTAL SPILLS SHALL BE REMOVED AND DISPOSED OF AT AN APPROVED DISPOSAL SITE
- 18. CONTRACTOR SHALL PROVIDE TO THE OWNER ANY CHANGES PROPOSED FOR THE PROJECT'S EROSION CONTROL PLAN AND SHALL PROVIDE A SCHEDULE FOR IMPLEMENTATION OF CONTROL MEASURES. CONTRACTOR SHALL MEET WITH THE OWNER PRIOR TO PROJECT ACCEPTANCE TO REVIEW STATUS OF PROJECT'S EROSION CONTROL AND WATER POLLUTION MEASURES.
- 19. CONTRACTOR SHALL COMPLY WITH THE STORM WATER POLLUTION AND SITE POLLUTION CONTROLS TO PROTECT WATER QUALITY DESCRIBED IN THE WATER POLLUTION CONTROL PLAN (ESA 2014).
- 20. THE CONTRACTOR SHALL IMPLEMENT AND UTILIZE BEST MANAGEMENT PRACTICES TO PREVENT EROSION, SEDIMENT AND HAZMAT RUNOFF FROM THE CONSTRUCTION SITE.
- 21. THE OWNER HAS OBTAINED PERMITS FROM RESOURCE AGENCIES FOR THIS PROJECT. COMPLY WITH ALL PERMIT REQUIREMENTS FOR PROTECTION OF WATER QUALITY, WILDLIFE AND VEGETATION. COOPERATE WITH THE ACTIVITIES OF THE PROJECT BIOLOGIST AND COMPLY WITH ALL REQUIRED NOTIFICATIONS.
- 22. THE CONTRACTOR SHALL COMPLY WITH THE REQUIREMENTS OF THE BIOLOGICAL RESOURCES SURVEY REPORT (ESA 2014).

- CULTURAL RESOURCES. 23. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY IF CULTURAL RESOURCES ARE ENCOUNTERED DURING EXCAVATION FOR ANY PHASE OF THE PROJECT, AND THAT PORTION OF WORK SHALL BE HALTED UNTIL A CULTURAL RESOURCE CONSULTANT HAS EVALUATED THE SITUATION
- TRAFFIC CONTROL 24. ALL TRAFFIC CONTROL REQUIRED FOR CONSTRUCTION ACTIVITIES SHALL CONFORM TO THE REQUIREMENTS OF THE LATEST EDITION OF THE CALTRANS TRAFFIC MANUAL. FOR ALL LANE CLOSURES AND DETOURS, A TRAFFIC CONTROL PLAN SHALL BE SUBMITTED TO THE OWNER FOR REVIEW AND APPROVAL AT LEAST FIVE (5) WORKING DAYS BEFORE THE SCHEDULE CLOSURE.

TOPOGRAPHIC DATA AND MAPPING

- 25. THE TOPOGRAPHY SHOWN IS BASED ON LIDAR (CALIFORNIA COASTAL CONSERVANCY COASTAL LIDAR PROJECT 2009-2011) AND GROUND BASED SURVEY PERFORMED BY ESA (2014). TOPOGRAPHY WITHIN GRADING LIMITS IS BASED UPON ESA SURVEY.
- 26. THE EXISTING GRADE REFLECTS SITE CONDITIONS AT THE TIME OF THE SURVEYS. CONTRACTOR SHOULD VERIFY GRADES PRIOR TO COMMENCING WORK AND SHALL REPORT ANY DISCREPANCY BETWEEN DESIGN DRAWINGS AND FIELD CONDITIONS IMMEDIATELY TO THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL NOT COMMENCE WITH GRADING UNTIL THE DISCREPANCY IS RESOLVED.
- 27. HORIZONTAL CONTROL IS CALIFORNIA STATE PLANE ZONE VI (NAD83) IN US FT. VERTICAL CONTROL IS NAVD88.
- 28 CONTRACTOR SHALL VERIEY AND CHECK EXISTING CONDITIONS PRIOR TO CONSTRUCTION
- 29. CONTRACTOR SHALL VERIFY LOCATIONS, LEVELS DISTANCES, AND FEATURES THAT MAY AFFECT THE WORK. SHOULD EXISTING CONDITIONS DIFFER FROM THOSE SHOWN OR INDICATED, OR IF IT APPEARS THAT THESE PLANS, STANDARD SPECIFICATION, AND SPECIAL PROVISIONS DO NOT ADEQUATELY DETAIL THE WORK TO BE DONE, CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONTINUING WITH ANY RELATED WORK. NO ALLOWANCE WILL BE MADE IN HIS/HER BEHALF FOR ANY EXTRA EXPENSE RESULTING FROM FAILURE OR NEGLECT IN DETERMINING THE CONDITIONS UNDER WHICH WORK IS TO BE PERFORMED. NOTED DIMENSION SHALL TAKE PRECEDENCE OVER SCALE.

30. PARCEL LINES ARE APPROXIMATE AND DO NOT REPRESENT LEGAL PROPERTY BOUNDARIES

EARTHWORK 31. RESTORE ALL DISTURBED AREAS BY SEEDING AND APPLYING EROSION CONTROL MEASURES PER THE DRAWINGS AND SPECS. RESTORE ALL ACCESS ROUTES TO ORIGINAL GRADES AND CONDITION.

REVEGETATION PLAN (SEPARATE DOCUMENT) AND REVEGETATION SHEET COG.

LEGEND

	EXISTING GRADE (PROFILE & SECTION)	
	DESIGN GRADE	
	APPROX PARCEL BOUNDARY	
	LIMITS OF DEMOLITION	
	GRADING LIMITS	
	(E) CHANNEL ALIGNMENT	
· · ·	(N) FLOWLINE	
-0-0-0-0-0-	CONSTRUCTION ACCESS	
	EXISTING WATERLINE	
	ENVIRONMENTALLY SENSITIVE LANDS	
	PROJECT LIMITS	
4	NEW CONTOUR LINE	
-4	EXISTING CONTOUR LINE, GROUND BASED SURVEY	
14	EXISTING CONTOUR LINE, LIDAR SURVEY	
	EXISTING GROUND (SECTION)	
	EXCAVATION (SECTION)	
	FILL (PLAN & SECTION)	
	ENGINEERED STREAMBED MATERIAL (ESM)	
	STAGING	
	REVEGETATION ZONE	
-	JURISDICTIONAL WETLANDS	
FLOW	FLOW DIRECTION	
× 9.36	SPOT ELEVATION	SHEET N
A	BENCHMARK	SEC
\bigtriangleup	HORIZONTAL CURVE CONTROL POINT	
POC	CONTROL POINT	
	POINT OF CONNECTION	

ATTACHMENT 9

APPROX & DEMO DG DS ELEV (E) EG ESA ESM	APPROXIMATE CENTERLINE DEMOLISH DESIGN GRADE DOWNSTREAM ELEVATION EXISTING EXISTING GRADE ENVIRONMENTAL SCIENCE ASSOC ENGINEERED STREAMBED MATER		PREPARED BY: 550 Keemy Street Ban Fandstee. CA	94185 41.596.5900 phone 415.996.0332 fax www.esdssoc.com
FL FT GB MAX MIN (N) NIC NIC NIC NIC NIC NIC SPECS STA 3:1 TBD TYP US VAR VIF	FLOW LINE FOOT, FEET GRADE BREAK MAXIMUM MINIMUM NEW NOT IN CONTRACT NOT TO SCALE ON CENTER PROTECT IN PLACE POINT OF CONNECTION RELATIVE COMPACTION SPECIFICATION SLOPE, HORIZONTAL: VERTICAL TO BE DETERMINED TYPICAL UPSTREAM VARIES VERIFY IN FIELD		SHEFTTULE GENERAL NOTES, LEGEND, AND ABBREVIATIONS	PROJECT CHOLLAS CREEK VECTOR HABITAT REMEDIATION
ROM WHICI DETAIL WA SPECIFIEI	SHEET NUMBE	BER	PREPARED FOR CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPA A TWANT	1222 FIRST AVENUE SAN DEIGO, CA 92101
			APPROVED	/31/15/ *
		VERIFY SCALE	DRAWN J.WH INCHARGE S. ST C717. SCALE AS N	OLLER





ALL MATERIAL EXPORTED SHALL BE DISPOSED OF LEAGALLY IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORK CONSTRUCTION (THE "GREEN BOOK"), 2009 EDITION AND REGIONAL SUPPLEMENTAL AMENDMENTS ADOPTED BY REGIONAL STANDARDS COMMITTEE.

ATTACHMENT 9

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APPLICATION OF ADDITIONAL COMPOST, WEEDING, AND/OR ADDITIONAL SOIL MOISTURE INPUTS. THESE MEASURES WILL BE USED AS NECESSARY UNTIL SUCCESS CRITERIA HAVE BEEN MET.