

FINAL MITIGATED NEGATIVE DECLARATION

Project No. N/A
SCH# 2014031065

SUBJECT: CARMEL MOUNTAIN/DEL MAR MESA TRAILS COMMUNITY PLAN AMENDMENTS; AMENDMENTS TO THE NORTH CITY, DEL MAR MESA AND PACIFIC HIGHLANDS RANCH LOCAL COASTAL PROGRAMS (LCP); PUBLIC ACCESS EASEMENT VACATIONS AND ADOPTION OF THE NATURAL RESOURCES MANAGEMENT PLAN. CITY COUNCIL APPROVAL to allow for the adoption of Amendments to the following land use plans: Del Mar Mesa, Carmel Valley (Neighborhood 8A), Pacific Highlands Ranch, Rancho Peñasquitos, and Torrey Highlands to revise the planned trail system in five northern communities; adoption of amendments for this segment of the North City Local Coastal Program (LCP): the Carmel Valley Neighborhood 8A Specific/Precise Plan, the Del Mar Mesa Specific Plan, and the Pacific Highlands Ranch Subarea Plan. The Del Mar Mesa Specific Plan and Pacific Highlands Ranch Subarea Plans are certified LCP Land Use Plans and the amendments to the text and figures to incorporate the proposed trail alignments also constitute LCP amendments. The Carmel Valley Neighborhood 8A Specific/Precise Plan was never submitted to the Coastal Commission for certification. The proposed amendment would add a text reference in the plan's trail discussion to the Natural Resources Management Plan; adoption of the Carmel Mountain and Del Mar Mesa Natural Resources Management Plan (NRMP) and Public Access Easement Vacations within the Preserves. The purpose of the Community Plan Amendments (CPA) and LCP Amendments is to incorporate a trail system that will be implemented in accordance with the Carmel Mountain Preserve and Del Mar Mesa Preserve (Preserves) NRMP, including establishing linkages to areas adjacent to the Preserves. The trails within the Preserves provide recreational opportunities consistent with the policies of the General Plan and applicable community plans. Alignments within the revised trail system generally follow existing paths and access roads. Public access easement vacations are required as part of the CPA and NRMP adoption are being proposed with this project. This involves vacating five (5) three (3) public access easements (Nos. 1, 3, and 4) recorded with Torrey Santa Fe Units 2-4 (Map Nos. 14274 and 14275) as shown on Figure 4a.

The areas covered by the CPA, LCP Amendments, NRMP and Easement Vacations are generally described as the southern portion of Carmel Valley; much of Del Mar Mesa; the southeastern portion of Pacific Highlands Ranch; the southwestern portion of Rancho Peñasquitos and the southern portion of Torrey Highlands.

The NRMP has been prepared to provide guidelines for the protection and maintenance of preserved natural open space on the Preserves as well as to assure compliance with Area Specific Management Directives (ASMDs) which satisfy the requirements of the City's Multiple Species Conservation Program (MSCP) Subarea Plan Implementing Agreement for The Preserves. The City of San Diego MSCP provides a framework for preserving and

protecting natural resources in the San Diego region. The City of San Diego prepared a Subarea Plan under the MSCP to meet the requirements of the California Natural Communities Conservation Planning (NCCP) Act of 1992. The Preserves NRMP describes the tasks that will ensure management and maintenance of the Preserves in accordance with the MSCP and the Subarea Plan. The natural open space of the Preserves harbors extremely sensitive and depleted vegetation communities and species unique to the San Diego region. The primary resources to be protected on these Preserves are vernal pools; southern maritime chaparral; the continuity of habitat for wildlife movement and gene flow and the federally and state listed flora and fauna (particularly the short-leaved dudleya, *Dudleya blochmaniae* ssp. *brevifolia*).

Adoption of the CPAs, LCP amendments and the NRMP does not ~~authorize construction prior to or without subsequent approval in accordance with the Land Development Code. Implementation of future projects identified in the NRMP may require submittal and review for issuance of a Site Development Permit (SDP) and/or Coastal Development Permit (CDP) prior to any plan implementation; construction-related activities, but are not being proposed at this time. Opening and use of existing trails within the Preserves does not require issuance of a permit or further environmental review.~~

Applicant: City of San Diego Park and Recreation Department – Open Space Division

Update 02/24/2015:

Revisions have been made in this Final Mitigated Negative Declaration (MND) in order to address comments received during public review and are shown in a strikeout and underline format. Please also note that this Final MND applies only to City-initiated Open Space activities or City-sponsored restoration projects implemented in accordance with the NRMP. Projects on private property remaining within the Preserves will be subject to individual review in accordance with the provisions of CEQA and the Land Development Code. Implementation of the NRMP will not impact sensitive biological resources and therefore, mitigation as previously identified in this MND has been removed and replaced with measures that more accurately reflect requirements of the Park and Recreation Department - Open Space Division to assure compliance with the NRMP, ESL Regulations and the MSCP Subarea Plan. In accordance with California Environmental Quality Act (CEQA) Section 15073.5 (c)(4), the addition of new information that clarifies, amplifies, or makes insignificant modification does not require recirculation as there are no new impacts and no new mitigation identified. An environmental document need only be recirculated when there is identification of new significant environmental impact or the addition of a new mitigation measure required to avoid a significant environmental impact. No new mitigation measures or information has been added to the final MND to warrant recirculation as noted above.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas(s): LAND USE (MULTIPLE SPECIES CONSERVATION PROGRAM/MULTI-HABITAT PLANNING AREA), BIOLOGICAL RESOURCES,

AND HISTORICAL RESOURCES (ARCHAEOLOGY). The project proposal requires the implementation of specific mitigation identified in Section V of this Mitigated Negative Declaration (MND). The project as presented avoids or mitigates the potentially significant environmental effects identified, and the preparation of an Environmental Impact Report (EIR) would not be required.

IV. DOCUMENTATION:

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

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

PLEASE NOTE THAT THE FOLLOWING MITIGATION FRAMEWORK APPLIES ONLY TO FUTURE NON-RESTORATION/ENHANCEMENT PROJECTS INSIDE THE PRESERVES OR ANY FUTURE OPEN SPACE PARK ACTIVITIES WHICH HAVE THE POTENTIAL TO IMPACT SENSITIVE BIOLOGICAL OR HISTORICAL RESOURCES. ADOPTION OF THE CPA'S, LCP AMENDMENTS AND NRMP ARE NOT CONSIDERED DEVELOPMENT ACTIVITIES WHICH REQUIRE PERMITTING OR IMPLEMENTATION OF MITIGATION MEASURES CONTAINED IN THIS MND.

LAND USE (MSCP/MHPA, ESL REGULATIONS & HISTORICAL RESOURCES REGULATIONS)

Mitigation Framework (Compliance with Applicable Regulations)

LU-1a: Future projects implemented in accordance with the CPA Trails Plan and NRMP shall be subject to environmental review at the project-level in accordance with the Mitigation Framework HIST-1 (Historical Archaeological Resources) and the Cultural Resources Management Guidelines of the NRMP.

LU-1b: Future projects implemented in accordance with the CPA Trails Plan and NRMP ~~which have the potential to~~ shall not impact Environmentally Sensitive Lands (ESL) such as sensitive vegetation, wetlands or vernal pools and shall be subject to environmental review at the project-level in accordance with the Mitigation Framework BIO-1 through BIO-4 (Biological Resources) and further guided by the Biological Resources Area Specific Management Directives (ASMDs) of the NRMP.

LU-2:

Mitigation Framework—MHPA Land Use Adjacency Guidelines

~~Future projects implemented in accordance with the CPA Trails Plan and NRMP which are located within and/or adjacent to the MHPA shall be subject to environmental review at the project-level in accordance with the Mitigation Framework and ASMDs of the NRMP as further detailed below. Projects shall incorporate features that demonstrate compliance with the MHPA Land Use Adjacency Guidelines to ensure avoidance or reduction of potential MHPA impacts.~~

~~**LU-2:** Future project implemented in accordance with the CPA Trails Plan and NRMP shall comply with the Land Use Adjacency Guidelines of the MSCP in terms of land use, drainage, access, toxic substances in runoff, lighting, noise, invasive plant species, grading, and brush management requirements. Mitigation measures include, but are not limited to: sufficient buffers and design features; barriers (rocks, boulders, signage, fencing, and appropriate vegetation) where necessary, lighting directed away from the MHPA, and berms or walls adjacent to commercial or industrial areas and any other use that may introduce construction noise or noise from future development that could impact or~~

interfere with wildlife utilization of the MHPA. The project biologist for each proposed project would identify specific mitigation measures needed to reduce impacts to below a level of significance. Subsequent environmental review would be required to determine the significance of impacts and compliance with the Land Use Adjacency Guidelines of the MSCP. Prior to approval of any subsequent project within and/or adjacent to the MHPA, the City of San Diego shall identify specific conditions of approval in order to avoid or to reduce potential impacts to the MHPA.

Specific requirements shall include:

- ~~Prior to the issuance of any permits, development areas shall be permanently fenced where development is adjacent to the MHPA to deter the intrusion of people and/or pets into the MHPA open space areas. Signage may be installed as an additional deterrent to human intrusion as required by the City.~~
- ~~The use of structural and nonstructural best management practices (BMPs), including sediment catchment devices, shall be required to reduce the potential indirect impacts associated with construction to drainage and water quality. Drainage shall be directed away from the MHPA or, if not possible, must not drain directly into the MHPA. Instead, runoff shall flow into sedimentation basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA. Drainage shall be shown on the site plan and reviewed satisfactory to the City Engineer.~~
- ~~All outdoor lighting adjacent to open space areas shall be shielded to prevent light over spill off site. Shielding shall consist of the installation of fixtures that physically direct light away from the outer edges of the road or landscaping, berms, or other barriers at the edge of development that prevent light over spill.~~
- ~~The landscape plan for the project shall contain no exotic plant/invasive species and shall include an appropriate mix of native species which shall be used adjacent to the MHPA.~~
- ~~All manufactured slopes must be included within the development footprint and outside the MHPA.~~
- ~~All brush management areas shall be shown on the site plan and reviewed and approved by the Environmental Designee. Zone 1 brush management areas shall be included within the development footprint and outside the MHPA. Brush management Zone 2 may be permitted within the MHPA (considered impact neutral) but cannot be used as mitigation. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area shall be the responsibility of a homeowners association or other private party.~~
- ~~Access to the MHPA, if any, shall be directed to minimize impacts and shall be shown on the site plan and reviewed and approved by the Environmental Designee.~~

Land uses, such as recreation and agriculture, that use chemicals or generate by-products such as manure, that are potentially toxic or impactive to wildlife, sensitive species, habitat, or water quality need to incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. Such measures shall include drainage/detention basins, swales, or holding areas with non-invasive grasses or wetland-type native vegetation to filter out the toxic materials.

Regular maintenance should be provided. Where applicable, this requirement shall be incorporated into leases on publicly owned property as leases come up for renewal.

BIOLOGICAL RESOURCES

Mitigation Framework

The following Mitigation Framework is required to assure compliance with the ASMD's of the Biological Resources Management Guidelines in the NRMP, ESL Regulations and the MSCP Subarea Plan for impacts that are considered significant under the City of San Diego's Biology Guidelines (2012) and the City of San Diego's CEQA Significance Determination Thresholds (2011). All impacts to sensitive biological resources shall be avoided to the maximum extent feasible and minimized when avoidance is not possible. Future projects implemented in accordance with the CPA Trails Plan and NRMP shall be subject to environmental review in accordance with the Biological Resources Mitigation Framework and the ASMD's of the Biological Resources Management Guidelines in the NRMP. Where impacts are not avoidable or cannot be minimized, mitigation shall be required to reduce significant impacts to below a level of significance. Mitigation measures typically employed include resource avoidance, restoration, or creation of habitat, dedication, or acquisition of habitat or payment into the City of San Diego's Habitat Acquisition Fund or other City approved mitigation bank and will be determined and implemented at the project level. Adherence to the Mitigation Framework and the ASMDs in the NRMP are anticipated to minimize impacts to sensitive biological resources.

Restoration or revegetation undertaken in the MHPA shall be performed in a manner acceptable to the City. Where covered species status identifies the need for Carmel Mountain and Del Mar Mesa NRMP reintroduction and/or increasing the population, the covered species will be included in restoration/revegetation plans, as appropriate. Restoration or revegetation proposals shall be required to prepare a plan that includes elements addressing financial responsibility, site preparation, planting specifications, maintenance, monitoring and success criteria, and remediation and contingency measures. Wetland restoration/revegetation proposals are subject to permit authorization by federal and state agencies.

BIO-1:

1. Restoration Goal: The Park and Recreation Department – Open Space Division Biologist shall be responsible for assuring, implementing and meeting the restoration goals established in the NRMP and associated Appendices.
2. Responsibilities: The Park and Recreation Department – Open Space Division shall be responsible for all restoration activities including, but not limited to, installation of plant materials and native seed mixes, and any necessary maintenance activities or remedial actions required during installation and the 120-day plant establishment period as detailed in the NRMP (Appendix 2, 5 and 6). Standard Best Management Practices as further described in the NRMP shall be implemented to insure that sensitive biological resources are not impacted.
3. Biological Monitoring Requirements: All biological monitoring in or adjacent to wetlands shall be conducted by a qualified wetland biologist. The biologist shall conduct construction monitoring during all phases of the restoration project. Orange flagging shall be used to protect sensitive habitat. Restoration activities shall be limited to the established corridor identified on the restoration plans. Performance Criteria and all the maintenance requirements shall be conducted in accordance with

the NRMP and documented in the Management Actions Report as part of the MSCP Annual Report.

4. Completion of Restoration Activities Specific to Short-leaved Dudleya and/or Vernal Pools: At the end of the fifth year, a final report shall be prepared which demonstrates the success of the restoration effort. The report shall make a determination of whether the requirements of the NRMP have been achieved. If the final report indicates that the mitigation has been in part, or whole, unsuccessful, the Park and Recreation Department – Open Space Biologist shall prepare a revised or supplemental plan for restoration of the problem areas. The Park and Recreation Department shall be responsible for the long-term maintenance and monitoring of the restoration areas in accordance with the NRMP (Appendix 5 and 6) and document such efforts in the Management Actions Report as part of the MSCP Annual Report.

BIOLOGICAL RESOURCE PROTECTION DURING CONSTRUCTION

BIO-2:

The following measures shall be incorporated into restoration documents to avoid and/or minimize direct impacts on wildlife movement, nesting or foraging activities and shall include preconstruction protocol surveys to be conducted during established breeding seasons, construction noise monitoring and implementation in order to comply with the FESA, MBTA, Bald and Golden Eagle Protection Act, State Fish and Game Code, and/or the ESL Regulations.

I. Prior to Restoration

- A. **Field Meeting and Restoration Team Education** – In accordance with the NRMP, the Park and Recreation Department – Open Space Division Qualified Biologist shall conduct a field meeting and conduct an on-site educational session regarding the restoration program, the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.), and arrange to perform any fauna/flora surveys/salvage.
- B. **Restoration Plan** – The Park and Recreation Department – Open Space Division Qualified Biologist shall prepare a restoration/revegetation plan which includes plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist.
- C. **Avian Protection Requirements** - To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). If nesting birds are detected, the

Park and Recreation Department – Open Space Qualified Biologist shall halt work in the area and identify measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided.

- D. Resource Delineation** - Prior to restoration activities, the Park and Recreation Department – Open Space Division Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

II. During Restoration Activities

- A. Monitoring-** All restoration activities (including access/staging areas) shall be restricted to areas previously identified by the Park and Recreation Department – Open Space Division Qualified Biologist. The Qualified Biologist shall monitor construction activities as needed to ensure that restoration activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys.
- A. Subsequent Resource Identification** - The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Restoration Measures

- A. Biological Documents** – Upon completion of the restoration activities, the Park and Recreation Department – Open Space Division Qualified Biologist shall prepare a final report or provide information necessary to be included in the Management Actions Report as part of the MSCP Annual Report.

To reduce potentially significant impacts that would cause a reduction in the number of unique, rare, endangered, sensitive, or fully protected species of plants or animals, if present within the Preserves area, all subsequent projects implemented in accordance with the CPA and NRMP shall be analyzed in accordance with the CEQA Significance Thresholds, which require that site-specific biological resources surveys be conducted in accordance with City of San Diego Biology Guidelines (2012). The locations of any sensitive plant species, including listed, rare, and narrow endemic species, as well as the potential for occurrence of any listed or rare wildlife species shall be recorded and presented in a biological resources report. Based on available habitat within Preserves, focused presence/absence surveys shall be conducted in accordance with the biology guidelines and applicable resource agency survey protocols to determine the potential for impacts resulting from the future projects on these species. Engineering design specifications based on project-level grading and site plans shall be incorporated into the design of future projects to minimize or eliminate direct impacts on sensitive plant and wildlife species consistent with the FESA, MBTA, Bald and Golden Eagle Protection Act, California Endangered Species Act (CESA), MSCP Subarea Plan, and ESL Regulations.

In addition to the requirements detailed above, specific measures shall be implemented when the biological survey results in the identification of Burrowing Owls on the project site. Future projects shall be required to conduct a habitat assessment to determine whether or not protocol surveys are needed. Should burrowing owl habitat or sign be encountered on or within 150 meters of the project site, breeding season surveys shall be conducted. If occupancy is determined, site-specific avoidance and mitigation measures shall be developed in accordance with the protocol established in the Staff Report on Burrowing Owl Mitigation (CDFW 2012). Measures to avoid and minimize impacts to burrowing owl shall be included in a Conceptual Burrowing Owl Mitigation Plan which includes take avoidance (pre-construction) surveys, site surveillance, and the use of buffers, screens, or other measures to minimize construction-related impacts.

Mitigation for Impacts to Sensitive Upland Habitats

Future projects implemented in accordance with the CPA Trails Plan and NRMP resulting in impacts to sensitive upland Tier I, II, IIIA, or IIIB habitats shall implement avoidance and minimization measures consistent with the City Biology Guidelines and MSCP Subarea Plan and provide suitable mitigation in accordance with the City's Biology Guidelines (see Table 1A) MSCP Subarea Plan. Future project-level grading and site plans shall incorporate project design features to minimize direct impacts on sensitive vegetation communities including but not limited to riparian habitats, wetlands, oak woodlands, and coastal sage scrub consistent with federal, state, and City guidelines. Any required mitigation for impacts on sensitive vegetation communities shall be outlined in a conceptual mitigation plan following the outline provided in the City Biology Guidelines.

Mitigation for impacts to sensitive vegetation communities shall be implemented at the time future projects are proposed. Project-level analysis shall determine whether the impacts are within or outside of the MHPA. Mitigation for impacts to sensitive upland habitats shall occur in accordance with the MSCP mitigation ratios as specified within the City's Biology Guidelines (City of San Diego 2012a). These mitigation ratios are based on Tier level of the vegetation community, the location of the impact and the location of the mitigation site(s). For example, impacts to lands inside of the MHPA and mitigated outside the MHPA would have the highest mitigation ratio whereas impacts to lands outside the MHPA and mitigated inside the MHPA would have the lowest mitigation ratio.

Any MHPA boundary adjustments associated with future projects implemented in accordance with the CPA Trails Plan or NRMP shall be processed by the individual project applicants through the City and Wildlife Agencies during the early project planning stage.

**TABLE 1A
MITIGATION RATIOS FOR IMPACTS TO UPLAND VEGETATION COMMUNITIES
AND LAND COVER TYPES**

| Tier | Habitat Type | Mitigation Ratios | | | |
|--------------------------------|-------------------------------|--------------------------|---------|--------|---------|
| TIER I (rare uplands) | Southern Foredunes | Location of Preservation | | | |
| | Torrey Pines Forest | | | Inside | Outside |
| | Coastal Bluff Scrub | Location | Inside* | 2:1 | 3:1 |
| | Maritime Succulent Scrub | of Impact | Outside | 1:1 | 2:1 |
| | Maritime Chaparral | | | | |
| | Scrub Oak Chaparral | | | | |
| | Native Grassland | | | | |
| | Oak Woodlands | | | | |
| TIER II (uncommon uplands) | Coastal Sage Scrub | Location of Preservation | | | |
| | Coastal Sage Scrub/ Chaparral | | | Inside | Outside |
| | | Location | Inside* | 1:1 | 2:1 |
| | | of Impact | Outside | 1:1 | 1.5:1 |
| | | | | | |
| TIER III A (common uplands) | Mixed Chaparral | Location of Preservation | | | |
| | Chamise Chaparral | | | Inside | Outside |
| | | Location | Inside* | 2:1 | 3:1 |
| | | of Impact | Outside | 1:1 | 2:1 |
| | | | | | |
| TIER III B (common uplands) | Non-Native Grasslands | Location of Preservation | | | |
| | | | | Inside | Outside |
| | | Location of | Inside* | 1:1 | 1.5:1 |
| | | Impact | Outside | 0.5:1 | 1:1 |
| | | | | | |

Notes:

For all Tier I impacts, the mitigation could (1) occur within the MHPA portion of Tier I (in-kind) or (2) occur outside of the MHPA within the affected habitat type (in-kind).

For impacts on Tier II, IIIA, and IIIB habitats, the mitigation could (1) occur within the MHPA portion of Tiers I—III (out-of-kind) or (2) occur outside of the MHPA within the affected habitat type (in-kind). Project-specific mitigation will be subject to applicable mitigation ratios at the time of project submittal.

Mitigation for Short-term Impacts to Sensitive Species from Project Construction Implementation

Specific measures necessary for reducing potential construction-related noise impacts to the coastal California gnatcatcher, least Bell's vireo, ~~burrowing owl~~, and the California cactus wren are further detailed in LU-2 and BIO-2, BIO-3, and the NRMP.

Mitigation Measures for to reduce potential impacts to sensitive wildlife species (including temporary and permanent noise impacts) resulting from future projects implemented in accordance with the NRMP are included in Sections 5.1.6.3 (Land Use) and 5.4.4.3 (Biological Resources). Please refer to Mitigation Framework BIO-1 through BIO-4 and LU-2 (MHPA Land Use Adjacency Guidelines) and the NRMP.

Mitigation Framework - Migratory Wildlife

BIO-2 BIO-3: Mitigation for future projects Measures to reduce potentially significant impacts that would interfere with the nesting, foraging, or movement of wildlife species within the NRMP Preserves, shall be identified in site-specific biological resources surveys prepared in accordance with City of San Diego Biology Guidelines as further detailed in BIO-1 during the subsequent review process implemented prior to the start of restoration efforts. The Open Space Biologist y-Report shall include identify results of protocol surveys and recommendations for additional measures to be implemented

during ~~construction-related~~ restoration activities; shall identify the limits of any identified local-scale wildlife corridors or habitat linkages and analyze potential impacts in relation to local fauna, and the effects of conversion of vegetation communities (e.g., non-native grassland to riparian or agricultural to developed land) to minimize direct impacts on sensitive wildlife species and to provide for continued wildlife movement through the corridor.

Measures that shall be incorporated into project-level ~~construction documents~~ restoration plans to minimize direct impacts on wildlife movement, nesting or foraging activities shall be ~~addressed in~~ identified by the Open Space Biologist y report and shall include recommendations for preconstruction protocol surveys to be conducted during established breeding seasons, construction noise monitoring and implementation of any species specific mitigation plans (such as a ~~Burrowing Owl Mitigation Plan~~) in order to comply with the FESA, MBTA, Bald and Golden Eagle Protection Act, State Fish and Game Code, and/or the ESL Regulations.

Mitigation Framework for Impacts to Wetlands

Wetland Restoration activities ~~Future project implemented in accordance with the CPA Trails Plan and NRMP are exempt from the Environmentally Sensitive Lands (ESL) Regulations, do not require a Site Development or Neighborhood Development Permit and therefore, are not subject to CEQA, which cannot result in impacts to wetlands/jurisdictional resources which cannot be avoided~~ The Park and Recreation Department Open Space Division Qualified Biologist shall be required to implement the following Mitigation Framework BIO-1, 2 and 3, and Biological Resources Management Guidelines contained in the NRMP.

~~To reduce potential direct impacts to City, state, and federally regulated wetlands, future projects implemented in accordance with the CPA Trails Plan and NRMP shall be required to comply with USACE Clean Water Act Section 404 requirements and special conditions, CDFW Section 1602 Streambed Alteration Agreement requirements and special conditions, and the City of San Diego ESL Regulations for minimizing impacts to wetlands. Achieving consistency with these regulations for impacts on wetlands and special aquatic sites would reduce potential impacts to regulated wetlands and provide compensatory mitigation (as required) to ensure no net loss of wetland habitats.~~

~~Prior to obtaining approval for future actions implemented in accordance with the CPA Trails Plan and NRMP, a site-specific biological resources survey shall be completed in accordance with City of San Diego Biology Guidelines. Any required mitigation for impacts shall be outlined in a conceptual wetland mitigation plan prepared in accordance with the City's Biology Guidelines (2012a). In addition, a preliminary or final jurisdictional wetlands delineation of the project site shall be completed following the methods outlined in the USACE's 1987 *Wetlands Delineation Manual* and the *Regional Supplement to the Corps of Engineers Delineation Manual for the Arid West Region*. A determination of the presence/absence and boundaries of any Waters of the US and Waters of the State shall also be completed following the appropriate USACE guidance documents for determining the OHWM boundaries. The limits of any riparian habitats on site under the sole jurisdiction of CDFW shall also be delineated, as well as any special aquatic sites (excluding vernal pools) that may not meet federal jurisdictional criteria but are regulated by California Coastal Commission and the RWQCB. Engineering design specifications based on project level grading and site plans shall be incorporated into the project design to minimize direct impacts to wetlands, jurisdictional waters, riparian habitats, vernal pools, etc. consistent with federal, state, and City guidelines.~~

~~Additionally, any impacts to wetlands in the City of San Diego would require a deviation from the ESL wetland regulations. Under the wetland deviation process, development proposals that have wetland impacts shall be considered only pursuant to one of three options; Essential Public Projects, Economic~~

Viability Option, or Biologically Superior Option. ESL Regulations require that impacts to wetlands be avoided. Unavoidable impacts to wetlands shall be minimized to the maximum extent practicable and mitigated as follows:

- As part of the project-specific environmental review pursuant to CEQA, all unavoidable wetland impacts shall be analyzed, and mitigation shall be required in accordance with ratios shown in Tables 5.4-8a 2A and 2Bb below. Mitigation shall be based on the impacted type of wetland and project design. Mitigation shall prevent any net loss of wetland functions and values of the impacted wetland.
- For the Biologically Superior Option, the project and proposed mitigation shall include avoidance, minimization, and compensatory measures, which would result in a biologically superior net gain in overall function and values of (a) the type of wetland resource being impacted and/or (b) the biological resources to be conserved. The Biologically Superior Option mitigation shall include either (1) standard mitigation per Table 2A, including wetland creation or restoration of the same type of wetland resource that is being impacted that results in high quality wetlands; and a biologically superior project design whose avoided area(s) (i) is in a configuration or alignment that optimizes the potential long-term biological viability of the on-site sensitive biological resources; and/or (ii) conserves the rarest and highest quality on-site biological resources; or (2) for a project not considered consistent with "1" above, extraordinary mitigation per Table 2B is required.

TABLE 2A
CITY OF SAN DIEGO WETLAND MITIGATION RATIOS
(With Biologically Superior Design)

| Vegetation Community | Mitigation Ratio |
|--------------------------|------------------|
| Riparian | 2:1 to 3:1 |
| Vernal pool* | 2:1 to 4:1 |
| Basin with fairy shrimp* | 2:1 to 4:1 |
| Freshwater marsh | 2:1 |

*The City currently does not have take authority for vernal pools. A draft vernal pool HCP is currently being prepared by the City in coordination with the Wildlife Agencies. If adopted, the City would have "take" authority for the vernal pool species occurring within the vernal pool HCP areas.

TABLE 2B
CITY OF SAN DIEGO WETLAND MITIGATION RATIOS
(Without Biologically Superior Design)

| Vegetation Community | Mitigation Ratio |
|--------------------------|------------------|
| Riparian | 4:1 to 6:1 |
| Vernal pool* | 4:1 to 8:1 |
| Basin with fairy shrimp* | 4:1 to 8:1 |
| Freshwater marsh | 4:1 |

*The City currently does not have take authority for vernal pools. A draft vernal pool HCP is currently being prepared by the City in coordination with the Wildlife Agencies. If adopted, the City would have "take" authority for the vernal pool species occurring within the vernal pool HCP areas.

As part of any future project-specific environmental review pursuant to CEQA, all unavoidable wetlands impacts (both temporary and permanent) shall be analyzed and mitigation required in accordance with the City Biology Guidelines; mitigation shall be based on the impacted type of wetland habitat. Mitigation shall prevent any net loss of wetland functions and values of the impacted wetland. The

following provides operational definitions of the four types of activities that constitute wetland mitigation under the ESL Regulations:

- **Wetland creation** is an activity that results in the formation of new wetlands in an upland area. An example is excavation of uplands adjacent to existing wetlands and the establishment of native wetland vegetation.
- **Wetland restoration** is an activity that re-establishes the habitat functions of a former wetland. An example is the excavation of agricultural fill from historic wetlands and the re-establishment of native wetland vegetation.
- **Wetland enhancement** is an activity that improves the self-sustaining habitat functions of an existing wetland. An example is removal of exotic species from existing riparian habitat.
- **Wetland acquisition** may be considered in combination with any of the three mitigation activities above.

Wetland enhancement and wetland acquisition focus on the preservation or the improvement of existing wetland habitat and function and do not result in an increase in wetland area; therefore, a net loss of wetland may result. As such, acquisition and/or enhancement of existing wetlands shall be considered as partial mitigation only for any balance of the remaining mitigation requirement after restoration or creation if wetland acreage is provided at a minimum of a 1:1 ratio.

For permanent wetland impacts that are unavoidable and minimized to the maximum extent feasible, mitigation shall consist of creation of new in-kind habitat to the fullest extent possible and at the appropriate ratios. If on-site mitigation is not feasible, then at least a portion of the mitigation must occur within the same watershed. The City's Biology Guidelines and MSCP Subarea Plan require that impacts on wetlands, including vernal pools, shall be avoided, and that a sufficient wetland buffer shall be maintained, as appropriate, to protect resource functions/values. The project specific biology report shall include an analysis of on-site wetlands (including City, state, and federal jurisdiction analysis) and, if present, include project alternatives that fully/substantially avoid wetland impacts. Detailed evidence supporting why there is no feasible less environmentally damaging location or alternative to avoid any impacts must be provided for City staff review, as well as a mitigation plan that specifically identifies how the project is to compensate for any unavoidable impacts. A conceptual wetland mitigation plan (which includes identification of the mitigation site) shall be approved by City staff prior to the release of the draft environmental document. Avoidance shall be the first requirement; mitigation shall only be used for impacts clearly demonstrated to be unavoidable.

Prior to the commencement of any construction-related activities within the Preserves for projects impacting wetland habitat (including earthwork and fencing) the applicant shall provide evidence of the following to the Assistant Deputy Director (ADD) /Environmental Designee prior to any construction activity:

- Compliance with USACE Section 404 nationwide permit;
- Compliance with the RWQCB Section 401 Water Quality Certification; and
- Compliance with the CDFW Section 1601/1603 1602 Streambed Alteration Agreement.

BIO-4: Vernal Pools and Vernal Pool Species

Mitigation for projects impacting Restoration of vernal pools shall be accomplished in accordance with the provisions outlined in Appendix 6 of the NRMP and shall include salvage of sensitive species from vernal pools to be impacted, introduction of salvaged material into restored vernal pool habitat where appropriate (e.g., same pool series) and maintenance of salvaged material pending successful restoration of the vernal pools. Salvaged material shall not be introduced to existing vernal pools containing the same species outside the vernal pool series absent consultation with and endorsement by vernal pool species experts not associated with the project (e.g., independent expert). The mitigation restoration sites shall include preservation of the entire watershed and a buffer based on functions and values; however, if such an analysis is not conducted, there shall be a default of a 100-foot buffer from the watershed.

In accordance with the provisions in the NRMP (Appendix 6), the Park and Recreation Department – Open Space Division shall prepare and submit a detailed restoration plan to the Wildlife Agencies for consultation and approval prior to issuance of any permit, authorization to proceed or other action that would allow impacts to wetlands.

HISTORICAL RESOURCES

Mitigation Framework for Historical Resources (Archaeology)

Future projects implemented in accordance with the CPA Trails Plan and NRMP which result in, or have the potential to impact Historical Resources (Archaeology) shall be subject to review in accordance with the Mitigation Framework detailed below and compliance with the Cultural Resources Management Guidelines of the NRMP. **Specifically, where future activities within archaeological site CA-SDI-11696 require excavation for fence post-holes or installation of container plants, only archaeological and Native American monitoring will be required; the following Mitigation Framework will be applied to all other activities associated with native plant restoration/installation within the Preserves where there is a potential for encountering unknown/buried archaeological resources.**

HIST-1: Future projects implemented in accordance with the CPA Trails Plan and NRMP that could directly affect an archaeological resource, shall be subject to environmental review at the project-level in accordance with the Mitigation Framework to determine: (1) the presence of archaeological resources and (2) the appropriate mitigation for any significant resources which may be impacted by a development activity. Sites may include, but are not limited to, residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with pre-historic Native American activities.

INITIAL DETERMINATION

The environmental analyst will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g. Archaeological Sensitivity Maps, the Archaeological Map Book, and the City's "Historical Inventory of Important Architects, Structures, and People in San Diego") and conducting a site visit. If there is any evidence that the site contains archaeological resources, then a historic evaluation consistent with the City Guidelines would be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City Guidelines.

STEP 1:

Based on the results of the Initial Determination, if there is evidence that the site contains historical resources, preparation of a historic evaluation is required. The evaluation report would generally include background research, field survey, archaeological testing and analysis. Before actual field reconnaissance would occur, background research is required which includes a record search at the SCIC at San Diego State University and the San Diego Museum of Man. A review of the Sacred Lands File maintained by the NAHC must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeological Center and any tribal repositories or museums.

In addition to the record searches mentioned above, background information may include, but is not limited to: examining primary sources of historical information (e.g., deeds and wills), secondary sources (e.g., local histories and genealogies), Sanborn Fire Maps, and historic cartographic and aerial photograph sources; reviewing previous archaeological research in similar areas, models that predict site distribution, and archaeological, architectural, and historical site inventory files; and conducting informant interviews. The results of the background information would be included in the evaluation report.

Once the background research is complete, a field reconnaissance must be conducted by individuals whose qualifications meet the standards outlined in the City Guidelines. Consultants are encouraged to employ innovative survey techniques when conducting enhanced reconnaissance, including, but not limited to, remote sensing, ground penetrating radar, and other soil resistivity techniques as determined on a case-by-case basis. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties. If through background research and field surveys historical resources are identified, then an evaluation of significance must be performed by a qualified archaeologist.

STEP 2:

Once a historical resource has been identified, a significance determination must be made. It should be noted that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). An archaeological testing program will be required which includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. A thorough discussion of testing methodologies, including surface and subsurface investigations, can be found in the City Guidelines.

The results from the testing program will be evaluated against the Significance Thresholds found in the Guidelines. If significant historical resources are identified within the Area of Potential Effect, the site may be eligible for local designation. At this time, the final testing report must be submitted to Historical Resources Board staff for eligibility determination and possible designation. An agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate Department of Parks and Recreation (DPR) site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found, but results of the initial evaluation and

testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.

STEP 3:

Preferred mitigation for historical resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program is required, which includes a Collections Management Plan for review and approval. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to draft CEQA document distribution. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as, but not limited to, existing development or dense vegetation.

A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground-disturbing activities, whenever a Native American Traditional Cultural Property or any archaeological site located on City property or within the Area of Potential Effect of a City project would be impacted. In the event that human remains are encountered during data recovery and/or a monitoring program, the provisions of Public Resources Code Section 5097 must be followed. These provisions are outlined in the Mitigation Monitoring and Reporting Program (MMRP) included in the environmental document. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored.

STEP 4:

Archaeological Resource Management reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of the Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation.

Specific types of historical resource reports are required to document the methods (see Section III of the Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources; to document the appropriate curation of archaeological collections (e.g. collected materials and the associated records); in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that would reduce the impacts to below a level of significance; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation "Archaeological Resource Management Reports: Recommended Contents and Format" (see Appendix C of the Guidelines), which will be used by Environmental Analysis Section staff in the review of archaeological resource reports. Consultants must ensure that archaeological resource reports are prepared consistent with this checklist. This requirement will standardize the content and format of all archaeological technical reports submitted to the City. A confidential appendix must be submitted (under separate cover) along with historical resources reports for archaeological sites and traditional cultural properties containing the confidential resource maps and records search information gathered during the background study. In addition, a Collections

Management Plan shall be prepared for projects which result in a substantial collection of artifacts and must address the management and research goals of the project and the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City. Appendix D (Historical Resources Report Form) may be used when no archaeological resources were identified within the project boundaries.

STEP 5:

For Archaeological Resources: All cultural materials, including original maps, field notes, non-burial related artifacts, catalog information, and final reports recovered during public and/or private development projects must be permanently curated with an appropriate institution, one which has the proper facilities and staffing for insuring research access to the collections consistent with state and federal standards. In the event that a prehistoric and/or historic deposit is encountered during construction monitoring, a Collections Management Plan would be required in accordance with the project MMRP. The disposition of human remains and burial related artifacts that cannot be avoided or are inadvertently discovered is governed by state (i.e., Assembly Bill 2641 and California Native American Graves Protection and Repatriation Act of 2001) and federal (i.e., Native American Graves Protection and Repatriation Act) law, and must be treated in a dignified and culturally appropriate manner with respect for the deceased individual(s) and their descendants. Any human bones and associated grave goods of Native American origin shall be turned over to the appropriate Native American group for repatriation.

Arrangements for long-term curation must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance, and must be included in the archaeological survey, testing, and/or data recovery report submitted to the City for review and approval. Curation must be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collection (dated May 7, 1993) and, if federal funding is involved, 36 Code of Federal Regulations 79 of the Federal Register. Additional information regarding curation is provided in Section II of the Guidelines.

VI. PUBLIC REVIEW DISTRIBUTION:

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

United States Government

- U.S. Fish and Wildlife Service (23)
- U.S. Army Corps of Engineers (26)
- U.S. Environmental Protection Agency (19)

State of California

- California Department of Fish and Game (32A)
- Cal EPA (37A)
- Natural Resources Agency (43)
- Regional Water Quality Control Board, Region 9 (44)
- State Clearinghouse (46A)
- Coastal Commission (48)
- Water Resources Control Board (55)
- Native American Heritage Commission (56)

City of San Diego

Mayor's Office (91)

Council Member Lightner, District 1 (MS 10A)

City Attorney

Shannon Thomas (MS 93C)

Development Services Department/Planning

Bernie Turgeon

Myra Herrmann

Jeanne Krosch

Michael Prinz

Mehdi Rastakhiz

Leonard Wilson

Megan Sheffield

Park & Recreation Department

Chris Zirkle

Betsy Miller

Laura Ball

Environmental Services Department

Lisa Wood

Public Utilities Department

Keli Balo

Nicole McGinnis

Library Dept.-Gov. Documents MS 17 (81)

Carmel Valley Branch (81F)

Rancho Penasquitos Branch (81BB)

Real Estate Assets Department (85)

Fire & Life Safety (MS 603)

Michele Abella-Shon

Police Department

Sgt. Bill Carter, Operational Support Division

County of San Diego

Department of Planning & Land Use (68)

Parks Department (69)

Public Works (72)

Water Authority (73)

Land & Water Quality Division (76)

Other Groups and Individuals

SANDAG

San Diego Gas & Electric (114)

Sierra Club (165)

San Diego Canyonlands (165A)

San Diego Audubon Society (167)

Jim Peugh (167A)

California Native Plant Society (170)

San Diego Bay & Coastkeeper (173)

Ellen Bauder (175)

Citizens Coordinate for Century 3 (179)

Endangered Habitat League (182 and 182A)

Vernal Pool Society (185)

Torrey Pines Association (186)

San Diego Tracking Team (187)
 San Diego Natural History Museum (166)
 Carmen Lucas (206)
 Clint Linton (215B)
 South Coastal Information Center (210)
 San Diego Historical Society (211)
 San Diego Archaeological Center (212)
 Save Our Heritage Organization (214)
 Ron Christman (215)
 Louie Guassac (215A)
 Frank Brown - Inter-Tribal Cultural Resource Council (216)
 Campo Band of Mission Indians (217)
 San Diego County Archaeological Society (218)
 Kumeyaay Cultural Heritage Preservation (223)
 Kumeyaay Cultural Repatriation Committee (225)
 Native American Distribution (NOTICE ONLY 225A-S)
 Barona Group of Capitan Grande Band of Mission Indians (225A)
 Campo Band of Mission Indians (225B)
 Ewiiapaayp Band of Mission Indians (225C)
 Inaja Band of Mission Indians (225D)
 Jamul Indian Village (225E)
 La Posta Band of Mission Indians (225F)
 Manzanita Band of Mission Indians (225G)
 Sycuan Band of Mission Indians (225H)
 Viejas Group of Capitan Grande Band of Mission Indians (225I)
 Mesa Grande Band of Mission Indians (225J)
 San Pasqual Band of Mission Indians (225K)
 Ipai Nation of Santa Ysabel (225L)
 La Jolla Band of Mission Indians (225M)
 Pala Band of Mission Indians (225N)
 Pauma Band of Mission Indians (225O)
 Pechanga Band of Mission Indians (225P)
 Rincon Band of Luiseno Indians (225Q)
 San Luis Rey Band of Luiseno Indians (225R)
 Los Coyotes Band of Mission Indians (225S)
 Carmel Valley Community Planning Board (350)
 Diana Gordon (355)
 Los Penasquitos Canyon Preserve CAC (360)
 Del Mar Mesa Community Planning Board (361)
 Pacific Highlands Ranch –Subarea III (377A)
 Torrey Pines Associates (379)
 Rancho de los Penasquitos Planning Board (380)
 Gary Akin – SDG&E (381)
 Friend of Los Penasquitos Preserve (382)
 Rancho Penasquitos Town Council (383)
 Los Penasquitos Lagoon Foundation (384)
 Los Penasquitos Canyon Preserve CAC (385)
 Debbie Knight (386)
 Torrey Highlands – Subarea IV (467)
 Torrey Hills Community Planning Board

Livia Borak - Coast Law Group, LLC
Douglas Johnson
Ben Stone
Frank Landis
Kevin Loomis
Mike Moore

VII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (X) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

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



Myra Hermann, Senior Planner
Planning Department

Analyst: Herrmann

March 20, 2014
Date of Draft Report

February 25, 2015
Date of Final Report

Attachments:

Figure 1 Regional Location Map of Preserves
Figure 2 Trail System on Del Mar Mesa Preserve
Figure 2a Ownership within the Del Mar Mesa Preserve
Figure 3 Trail System on Carmel Mountain Preserve
Figure 3a Trail System on Carmel Mountain Preserve
Figure 4 Recorded Public Access Easements Vacations
Figure 4a Public Access Easement Vacations (Revised)
Figures 5-7 North City LCP Showing Proposed Trails and Coastal Zone Boundaries
Initial Study Checklist

LETTER

RESPONSE



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

April 22, 2014

Myra Herrmann
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101

Subject: Carmel Mountain and Del Mar Mesa Trails Community Plan Amendments, Natural Resources Management Plan & Easement Vacations
SCH#: 2014031065

Dear Myra Herrmann:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 21, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resubmittal
1600 P STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

State Clearinghouse (April 22, 2014)

A-1 Comment acknowledged. Please note that responses to the Native American Heritage Commission comment letter follows this item.

**Document Details Report
State Clearinghouse Data Base**

SCH# 2014031065
Project Title Carmel Mountain and Del Mar Mesa Trails Community Plan Amendments, Natural Resources
Lead Agency Management Plan & Easement Vacations
 San Diego, City of

Type MND Mitigated Negative Declaration
Description The Carmel Mountain Preserve and Del Mar Mesa Preserve are located in areas rich in cultural resources. In order to evaluate potential effects of trail use on archaeological resources, Affinis conducted a cultural resources study in the spring of 2013 for the trail system identified in the proposed NRMP (Robbins-Wade 2013). As noted in that report, the planned trails are already in use; no new grading for trails or trail maintenance is proposed. Trails are being reviewed in order to incorporate trail system revisions into the existing community plans as necessary.

Lead Agency Contact

Name Myra Herrmann
Agency City of San Diego
Phone 619 446 5372 **Fax**
email
Address 1222 First Avenue, MS-501
City San Diego **State** CA **Zip** 92101

Project Location

County San Diego
City San Diego, Del Mar
Region
Lat / Long 32° 9.5' 28" N / 117° 1.35' 5" W
Cross Streets Carmel Creek Road, Carmel Country Road
Parcel No.
Township 14S **Range** 3W **Section** 20/23 **Base** SBB&M

Proximity to:

Highways I-5 and 56
Airports
Railways Atchison Topeka & Santa Fe
Waterways Pacific Ocean
Schools
Land Use Open Space / OR-1-2, OC-1-1, CVPD-OS and Agricultural / A-1-10

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Geologic/Seismic; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 11; Air Resources Board; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 9; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

Date Received 03/21/2014 **Start of Review** 03/21/2014 **End of Review** 04/21/2014

THIS PAGE INTENTIONALLY LEFT BLANK

LETTER

RESPONSE

STATE OF CALIFORNIA

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net
e-mail: ds_nahc@pacbell.net

April 1, 2014

Ms. Myra Herrmann, Environmental Planner

City of San Diego

Development Services Department

1222 First Avenue, MS 501
San Diego, CA 92101

Sent by U.S. Mail

No. of Pages: 5

RE: Draft Mitigated Negative Declaration, under CEQA, for the "Mount Carmel/Del Mar Mesa Trails Community Plan Amendments and Natural Resources Management Plan Adoption;" located in the City of San Diego; San Diego County, California *GC# 2014031065*

Dear Ms. Herrmann:

The Native American Heritage Commission (NAHC) has reviewed the above-referenced environmental document. The NAHC review included a Sacred Lands file search of the appropriate USGS Coordinates and identified sacred places/site(s) in the Del Mar Mesa, Carmel Valley and Torrey Highlands areas of the proposed project. Contact local tribes for more detailed information.

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f).

If there is federal jurisdiction of this project due to funding or regulatory provisions; then the following may apply: the National Environmental Policy Act (NEPA)

NATIVE AMERICAN HERITAGE COMMISSION (APRIL 1, 2014)

B-1 Comment noted. All culturally affiliated tribal groups in the San Diego County area and other members of the Native American community (as noted on the public notice distribution list) were sent a copy of the public notice for the Draft MND in accordance with the provisions of CEQA, the City's General Plan, and the Land Development Code, CEQA Implementation Procedures. One Native American tribal group, the Rincon Band of Luiseno Indians provided feedback during public review (See comment letter J-1), indicating that the Project is not within Luiseno Aboriginal Territory and to contact a tribe within Kumeyaay Aboriginal Territory to receive direction on any discoveries. It should be noted that no comments were received from any Kumeyaay tribal groups relative to this project.

B-2 Comment noted. As described in the Initial Study Checklist (Cultural Resources - V.b.) records searches were conducted in 2001 by RECON and most recently in 2013 by Affinis. The records search for Del Mar Mesa documented thirty-eight (38) previously recorded archaeological sites within the Preserve boundaries; and twenty-seven (27) previously recorded sites within the Carmel Mountain Preserve. A subsequent field survey was conducted by Affinis, with a Native American observer in March 2013 to document site conditions for CA-SDI-14131 and CA-SDI-11696. Within the Del Mar Mesa Preserve, CA-SDI-14131 was identified to be in fair condition, and after a significance testing program was conducted, the sites research potential was determined to be exhausted and no further mitigation measures were recommended. Within the Carmel Mountain Preserve, CA-SDI-11696 was identified as having good integrity but suffering from the effects of natural erosion. A majority of the site is undisturbed except where one of the equestrian trails crosses through the site. Based on this observation, Affinis recommended protective measures in the form of split-rail fencing or other deterrents placed at points where the unauthorized trails intersects with the main trail. This work will require archaeological and Native American monitoring.

LETTER

RESPONSE

B-3 42 U.S.C 4321-43351) and Section 106 of the National Historic Preservation Act (16 U.S.C 470 et seq.) and 36 CFR Part 800.14(b) require consultation with culturally affiliated Native American tribes to determine if the proposed project may have an adverse impact on cultural resources

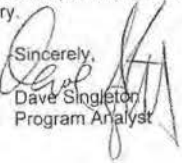
B-4 We suggest that this (additional archaeological activity) be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. Any information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.

B-5 A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources.

B-6 California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People...with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies." (The California Code is consistent with the Federal Executive Order 12898 regarding "environmental justice." Also, applicable to state agencies is Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

B-7 Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead then, lead agencies include in their mitigation and monitoring plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

B-8 Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

 Dave Singleton
 Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

B-3 The current project does not include any federal actions or funding and therefore NEPA does not apply. If federal funds are requested for any future actions, then the project applicant will be required to comply with all of the provisions of NEPA including compliance with Section 106 of the National Historic Preservation Act (NHPA) and 36 CFR Part 800.14(b).

B-4 As noted above in Response to Comment B-3, this project does include any federal actions or funding and therefore NEPA does not apply. The City of San Diego recognizes the confidential nature of the NAHC Sacred Lands Inventory as well as the locations of all types of archaeological and Native American sites within our jurisdictional boundaries. All archaeological site information obtained as a result of evaluating this Project will be retained in a confidential appendix that is not available for public review.

B-5 Please see Response to Comment No. B-1, B-2 and B-3.

B-6 Please see Response to Comment No. B-3. The current actions are subject only to CEQA. No review for NEPA is required at this time.

B-7 Actions associated with this project do not include any construction-related activities. However, subsequent restoration activities by the City within the Preserves have the potential for impacting archaeological and/or Native American cultural resources. As such, a Mitigation Framework has been incorporated into the MND which supplements the Cultural Resources Management Plan included in the NRMP to cover such circumstances and to assure that archaeological and Native American resources are treated in accordance with local, state and federal requirements including implementation of the provisions explicitly stated in Section 5097.98 of the California Public Resources Code, Section 27491 of the California Government Code and Section 7050.5 of the California Health and Safety Code for the discovery and subsequent treatment of human remains.

B-8 Comment noted. See Response to Comment No. B-7.

LETTER

RESPONSE

Native American Contacts San Diego County California April 1, 2014

Barona Group of the Capitan Grande
Clifford LaChappa, Chairperson
1095 Barona Road Diegueno
Lakeside , CA 92040
sue@barona-nsn.gov
(619) 443-6612
619-443-0681

San Pasqual Band of Mission Indians
Allen E. Lawson, Chairperson
PO Box 365 Diegueno
Valley Center, CA 92082
allenl@sanpasqualband.com
(760) 749-3200
(760) 749-3876 Fax

Ewilaapaay Tribal Office
Robert Pinto Sr., Chairperson
4054 Willows Road Diegueno/Kumeyaay
Alpine , CA 91901
wmicklin@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

Sycuan Band of the Kumeyaay Nation
Daniel Tucker, Chairperson
5459 Sycuan Road Diegueno/Kumeyaay
El Cajon , CA 92019
ssilva@sycuan-nsn.gov
619 445-2613
619 445-1927 Fax

La Posta Band of Mission Indians
Gwendolyn Parada, Chairperson
8 Crestwood Road Diegueno/Kumeyaay
Boulevard , CA 91905
gparada@lapostacasino.
(619) 478-2113
619-478-2125

Viejas Band of Kumeyaay Indians
Anthony R. Pico, Chairperson
PO Box 908 Diegueno/Kumeyaay
Alpine , CA 91903
jhagen@viejas-nsn.gov
(619) 445-3810
(619) 445-5337 Fax

Manzanita Band of Kumeyaay Nation
Leroy J. Elliott, Chairperson
PO Box 1302 Diegueno/Kumeyaay
Boulevard , CA 91905
ljbirdsinger@aol.com
(619) 766-4930
(619) 766-4957 Fax

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grade Road Diegueno/Kumeyaay
Alpine , CA 92001
(619) 445-0385

THIS PAGE INTENTIONALLY LEFT BLANK

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local American Indians with regard to cultural resources for the proposed Mount Carmel Mountain/Del Mar Mesa Trails Community Plan Amendments and Natural Resources Management Plan Adoption Project, located north and northeast of Downtown San Diego in west-central San Diego County, California.

LETTER

RESPONSE

**Native American Contacts
San Diego County California
April 1, 2014**

Iipay Nation of Santa Ysabel
Clint Linton, Director of Cultural Resources
P.O. Box 507 Diegueno/Kumeyaay
Santa Ysabel, CA 92070
cjlinton73@aol.com
(760) 803-5694
cjlinton73@aol.com

Iipay Nation of Santa Ysabel
Rodney Kephart, Environmental Coordinator
PO Box 130 Diegueno
Santa Ysabel, CA 92070
syirod@aol.com
(760) 765-0845

Inter-Tribal Cultural Resource Protection Council
Frank Brown, Coordinator
240 Brown Road Diegueno/Kumeyaay
Alpine, CA 91901
frbrown@vlejas-nsn.gov
(619) 884-6437

Kumeyaay Cultural Repatriation Committee
Bernice Paipa, Vice Spokesperson
P.O. 937 Diegueno/Kumeyaay
Boulevard, CA 91905
bernicepaipa@gmail.com
(KCRC is a Coalition of 12
Kumeyaay Governments)

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.96 of the Public Resources Code.

This list is only applicable for contacting local American Indians with regard to cultural resources for the proposed Mount Carmel Mountain/Del Mar Mesa Trails Community Plan Amendments and Natural Resources Management Plan Adoption Project; located north and northeast of Downtown San Diego in west-central San Diego County, California.

THIS PAGE INTENTIONALLY LEFT BLANK

LETTER

RESPONSE

Native American Contacts San Diego County California April 1, 2014

Campo Band of Mission Indians
Ralph Goff, Chairperson
36190 Church Road, Suite 1 Diegueno/Kumeyaay
Campo, CA 91906
chairgoff@aol.com
(619) 478-9046
(619) 478-5818 Fax

Inaja Band of Mission Indians
Rebecca Osuna, Chairman
2005 S. Escondido Blvd. Diegueno
Escondido, CA 92025
(760) 737-7628
(760) 747-8568 Fax

Jamul Indian Village
Raymond Hunter, Chairperson
P.O. Box 612 Diegueno/Kumeyaay
Jamul, CA 91935
jamulrez@sctdv.net
(619) 669-4785
(619) 669-48178 - Fax

Viejas Band of Kumeyaay Indians
ATTN: Julie Hagen, cultural Resources
P.O. Box 908 Diegueno/Kumeyaay
Alpine, CA 91903
jhagen@viejas-nsn.gov
(619) 445-3810
(619) 445-5337

Mesa Grande Band of Mission Indians
Mark Romero, Chairperson
P.O. Box 270 Diegueno
Santa Ysabel, CA 92070
mesagrandeband@msn.com
(760) 782-3818
(760) 782-9092 Fax

San Pasqual Band of Indians
Kristie Orosco, Environmental Coordinator
P.O. Box 365 Diegueno
Valley Center, CA 92082
(760) 749-3200
council@sanpasqualtribe.org
(760) 749-3876 Fax

Kwaaymii Laguna Band of Mission Indians
Carmen Lucas
P.O. Box 775 Diegueno -
Pine Valley, CA 91962
(619) 709-4207

Ewilaapaayp Tribal Office
Will Micklin, Executive Director
4054 Willows Road Diegueno/Kumeyaay
Alpine, CA 91901
wmicklin@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

THIS PAGE INTENTIONALLY LEFT BLANK

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed Mount Carmel Mountain/Del Mar Mesa Trails Community Plan Amendments and Natural Resources Management Plan Adoption Project, located north and northeast of Downtown San Diego in west-central San Diego County, California.

LETTER

RESPONSE

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR., Governor

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 787-2370



April 21, 2014

Myra Herman – Environmental Planner
City of San Diego Development Services
1222 First Avenue, MS 501
San Diego, CA 92101

Re: Draft Mitigated Negative Declaration (MND) for Carmel Mountain/Del Mar Mesa
Trails Community Plan Amendments and Natural Resources Management Plan

WBS No. 21002131

Dear Ms. Herman,

The above referenced Draft Mitigated Negative Declaration was received in this office on March 27, 2014. We appreciate the opportunity to comment on the environmental review process related to the proposed formalization of public access trails within the Carmel Mountain and Del Mar Mesa Preserves. As we understand, specifically, the project includes the adoption of the Carmel Mountain and Del Mar Mesa Natural Resources Management Plan (NRMP), amending five land use plans (Del Mar Mesa, Carmel Valley, Pacific Highlands Ranch, Rancho Penasquitos, and Torrey Highlands) to incorporate the planned trail system detailed in the NRMP into each land use plan, and the vacation of three existing public access easements associated with the Torrey Santa Fe residential development. The MND does not, however, include any construction activities. Any future trails improvements, closures, etc., would be subject to all associated Site Development or Coastal Development Permits. Based on review of this document, Commission staff provides the following comments.

C-1 1. Potential LCP Amendments. It appears that three of the land use plans proposed for amendment are located in the coastal zone. Specifically, the Carmel Valley, Pacific Highlands Ranch and the Del Mar Mesa Land Use Plans all include land within the coastal zone. Please clarify why the City feels modifying these land use plan amendments do not also require amending the City's Local Coastal Program (LCP). In addition, if the City intends on including regulation/policy/mitigation measures, etc., that are detailed in the proposed NRMP, the NRMP will also need to be included in the City's LCP, and thus requires certification by the Coastal Commission, through an LCP amendment.

C-2 2. Public Access Easement Vacations. The MND states that the project will include the vacation of three previously required public access easements within the Torrey Santa Fe residential development. It appears that a portion of this development may be located within the City's Coastal Zone. Please clarify whether the City believes

CALIFORNIA COASTAL COMMISSION (APRIL 21, 2014)

- C-1 The City of San Diego is proposing amendments to the following Land Use Plans for this segment of the North City Local Coastal Program (LCP): the Carmel Valley Neighborhood 8A Specific/Precise Plan, the Del Mar Mesa Specific Plan, and the Pacific Highlands Ranch Subarea Plan. The Del Mar Mesa Specific Plan and Pacific Highlands Ranch Subarea Plans are certified LCP Land Use Plans and the amendments to the text and figures to incorporate the proposed trail alignments also constitute LCP amendments. The Carmel Valley Neighborhood 8A Specific/Precise Plan was never submitted to the Coastal Commission for certification. The proposed amendment would add a text reference in the plan's trail discussion to the Natural Resources Management Plan.
- C-2 The Torrey Santa Fe (Units 2-4) residential development is not within the Coastal Zone and therefore no further evaluation in accordance with the Coastal Act or Local Coastal Program is required for this component of the project. The Public access easements were granted to the City in 2001 and dedicated as indicated on Subdivision Map Nos. 14274 and 14275.

LETTER

RESPONSE

April 21, 2014
Page 2

C-2 any of this community is located within the coastal zone. If any of the development is located within the coastal zone, please include in the MND evaluation as to when/why the existing public access easements to be vacated were required, if they were required by the City or the Coastal Commission, and with that specific discretionary review they were required. Traditionally, the vacation of existing public access easements would not be consistent with the City's Local Coastal Program, nor the Coastal Act. As such, if the property is located within the coastal zone, and the public access easements were in fact required through an associated coastal development permit, please include evaluation as to how vacating these easements can be considered consistent with the City's LCP (if any associated permits were issued by the City) and/or the Coastal Act (if any associated permits were issued by the Coastal Commission).

C-3 3. Impacts to Sensitive Habitat Located in the Coastal Zone. Again, the project location includes lands are located within the coastal zone and also contain habitat that is considered to be Environmentally Sensitive Habitat Areas (ESHA). While the MND includes that although no impacts are directly associated with the project, impacts to sensitive habitat areas have been identified associated the construction of the trails, signage, and/or access points all being formalized by certification of the subject MND. Specifically, the MND identifies impacts to wetlands, vernal pools, maritime chaparral, and various other upland sensitive habitat types. The MND includes mitigation measures to ensure these impacts will be consistent with the City's Multiple Species Conservation Program (MSCP), however, this is *not* a certified component of the City's LCP. As such, for any impacts located within the coastal zone, the MND must also include *specific analysis* as to how any such impacts can be found to be consistent with the City's LCP.

C-4 4. Lands within the Commission's Retained Jurisdiction. It appears that a portion of the proposed project is located within the City's Neighborhood 8a Planning Area. However, the Neighborhood 8a Land Use Plan is not a component of the City's certified LCP and is an area of "deferred certification." Any lands within deferred certification areas remain within the Coastal Commission's permit jurisdiction. Thus, any development within the areas of deferred certification, such as the land identified as Neighborhood 8a, would require the issuance of a Coastal Development Permit to be issued by the Coastal Commission. The standard of review for permits issued with the Coastal Commission is the Chapter 3 policies of the Coastal Act. As such, the MND needs to include how any of the proposed improvements (and associated impacts) located within the Coastal Commission's jurisdiction, can be found consistent with the Coastal Act.

C-3 The MSCP Subarea Plan does not allow new trails to be constructed through existing habitat within the Del Mar Mesa Preserve. Potential impacts associated with implementation of the NRMP for trail restoration, habitat restoration and/or revegetation would be avoided and/or minimized in accordance with the provisions of the NRMP, MSCP Subarea Plan, City's Environmentally Sensitive Lands Regulations and Biology Guidelines as further detailed in the Biology Mitigation Framework. In addition, the Land Use Section of the Initial Study Checklist includes an analysis of how the project complies with the MSCP Subarea Plan. Implementation of the NRMP will not preclude public access to coastal areas or adversely affect ESHA resources.

C-4 Please see Response to Comment Nos. 1 and 3.

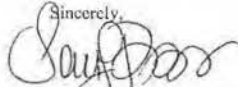
LETTER

RESPONSE

April 21, 2014
Page 3

C-5

In conclusion, it appears that the standards for development within the coastal zone were omitted from the subject MND. As such, the analysis discussed above must be incorporated in order for the proposed development to be permissible within the coastal zone. In addition, it may be helpful for an exhibit to be generated that shows what lands are within the coastal zone, as well as a break down between lands within the City's and the Commission's permit jurisdictions. The Commission respectfully requests that you please address the above comments in the final EIR document. We look forward to future collaboration on the proposed development and are available to address any question or concerns you may have. Please contact Toni Ross at the Commission's San Diego office if you have any questions on the submitted comments.

Sincerely,

Toni Ross
Coastal Program Analyst
San Diego District

C-5 Additional language has been included in the Land Use Section of the Initial Study Checklist regarding the locations of trails within the Preserves relative to the Coastal Zone and three maps depicting these areas have been included in the Final MND for reference. No development is proposed with adoption of the NRMP. Open space activities such as but not limited to restoration of habitat, trail closures, protective fencing, installation of kiosks and signage, etc., are subject to management provisions further detailed in the NRMP which has been developed in compliance with the MSCP Subarea Plan.

LETTER

RESPONSE



U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salt Avenue, Suite 250
Carlsbad, California 92008
760-431-9440
FAX 760-431-9624



California Department of Fish and Wildlife
South Coast Region
3883 Ruffin Road
San Diego, California 92123
858-467-4201
FAX 858-467-4299

In Reply Refer To:
FWS/CDFW-09B0163-14TA0290

Ms. Myra Herrmann
City of San Diego
Development Services Center
1222 First Avenue, MS 501
San Diego, California 92101

APR 25 2014

Subject: Comments on the Draft Mitigated Negative Declaration (MND) for the Carmel Mountain/Del Mar Mesa Trails Community Plan Amendments (CPA), Easement Vacations and Adoption of the Natural Resources Management Plan (NRMP), City of San Diego, California

Dear Ms. Herrmann:

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (Department), collectively referred to as the Wildlife Agencies, have reviewed the Draft MND (dated March 20, 2014) for the Carmel Mountain/Del Mar Mesa Trails CPA, easement vacations and adoption of the NRMP (WBS No.: 21002131) in the City of San Diego (City), California. The comments and recommendations provided herein are based on the information provided in the Draft MND, our knowledge of sensitive and declining vegetation communities in the region, and our participation in the Multiple Species Conservation Program (MSCP) and the City's MSCP Subarea Plan (SAP).

The primary concern and mandate of the Service is the protection of fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCP) developed under section 10(a)(1) of the Act. The Department is a Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act [CEQA] Guidelines §15386) and is a Responsible Agency under CEQA Guidelines Section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code §2050 *et seq.*) and Fish and Game Code Section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning (NCCP) program. The City participates in the NCCP and the Service's HCP programs by implementing its MSCP SAP.

U.S. FISH AND WILDLIFE SERVICE
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
(APRIL 25, 2014)

The first four (4) pages of this letter provide information regarding the content of the letter.

Ms. Myra Herrmann (FWS/CDFW-09B0163-14TA0290)

2

Carmel Mountain is a 302-acre preserve located south of Highway 56 and east of Interstate 5 (I-5), between Carmel Creek and Carmel Country Roads. The majority of Carmel Mountain is owned by the City of San Diego (300 acres), with an additional 2 acres under private ownership. Del Mar Mesa is a 980-acre preserve located east of Carmel Mountain Preserve and is bounded by the State Route 56 to the north and Park Village Road to the south. There are multiple property owners on Del Mar Mesa, including the City (626.5 acres), County of San Diego (27.5 acres), Department (81.6 acres), Service (75.4 acres), and private landowners (169 acres).

The two combined preserves include several sensitive resources including: southern willow scrub, southern maritime chaparral, scrub oak chaparral, coastal sage scrub; sensitive and listed flora including California adder's-tongue (*Ophiodon elongatum*), Orcutt's brodiaea (*Brodiaea orcuttii*), California adolphia (*Adolphia californica*), San Diego viguiera (*Viguiera laciniata*), San Diego barrel cactus (*Ferocactus viridescens*), wart-stemmed ceanothus (*Ceanothus verrucosus*), Del Mar sand aster (*Lessingia filaginifolia* var. *filaginifolia*), "Corethrogyne filaginifolia var. *incana*"), Wart-stemmed ceanothus (*Ceanothus verrucosus*), San Diego goldenstar (*Bloomeria clevelandii*), Torrey pine (*Pinus torreyana*), Summer holly (*Comarostaphylis diversifolia* ssp. *diversifolia*), Sea dahlia (*Coreopsis maritima*), Nuttall's scrub oak (*Quercus dumosa*), Western dichondra (*Dichondra occidentalis*), Seaside calandrinia (*Calandrinia maritima*), short-leaved dudleya (*Dudleya blochmaniae* ssp. *brevifolia*, State endangered), Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*, federally-endangered); and vernal pools with San Diego button celery (*Eryngium aristulatum* var. *parishii*, federally- and State endangered), and San Diego mesa mint (*Pogogyne abramsii*, federally- and State endangered).

Wildlife species known to occur in the preserves include woodrats (*Neotoma* spp.), brush rabbits (*Sylvilagus bachmani*, State species of special concern), coyote (*Canis latrans*), gray fox (*Urocyon cinereoargenteus*), southern mule deer (*Odocoileus hemionus fuliginatus*), red-tailed hawks (*Buteo jamaicensis*), California quail (*Callipepla californica californica*), Anna's hummingbirds (*Calypte anna*), California towhees (*Pipilo crissalis*), western fence lizard (*Sceloporus occidentalis*), San Diego horned lizard (*Phrynosoma coronatum blainvillii*, State species of special concern), red diamond rattlesnake (*Crotalus ruber*, State species of special concern), and San Diego fairy shrimp (*Branchinecta sandiegonensis*, federally-endangered). Both preserves facilitate an important wildlife corridor and inland-coastal habitat linkage adjoining Peñasquitos Canyon to the south, Los Peñasquitos Lagoon to the west (Carmel Mountain), and Gonzalez Canyon to the north (Del Mar Mesa). Carmel Mountain is in the Carmel Valley Neighborhood 8A Specific Plan/Precise Plan and Del Mar Mesa is in the Del Mar Mesa Specific Plan. Both preserves are located within the City's MSCP Multiple Habitat Planning Area (MHPA) and Del Mar Mesa has been identified as a core area in the City's MSCP SAP.

The project would approve the draft Carmel Mountain/Del Mar Mesa NRMP and related CPAs to Del Mar Mesa, Carmel Valley (Neighborhood 8A), Pacific Highlands Ranch, Rancho Peñasquitos, and Torrey Highlands to incorporate a proposed trail system to be implemented in accordance with the NRMP, which would including establishing linkages to areas adjacent to the

THIS PAGE INTENTIONALLY LEFT BLANK

LETTER

RESPONSE

Ms. Myna Herrmann (FWS/CDFW-09B0163-14TA0290)

3

preserves with alignments that generally follow existing paths and access roads. In addition the project will vacate five public access easements included in the Torrey Santa Fe Subdivision.

The NRMP will provide guidelines for the protection and maintenance of preserved natural open space on the preserves as well as to assure compliance with Area Specific Management Directives, which would implement the requirements of the City's MSCP SAP and Implementing Agreement for the preserves. The NRMP details the location, ownership, and mitigation status of parcels within the preserve; contains detailed survey information on existing environmental conditions necessary for management; discusses existing land uses and management challenges; and provides resource management, maintenance, and recreation guidelines for the Park. In addition, the NRMP identifies and prioritizes enhancement (e.g., invasive weed removal), education, and research needs, and includes an implementation schedule with responsible parties. The NRMP also proposes to: permit 4.13 miles and 6.84 miles of new trails on Carmel Mountain and Del Mar Mesa, respectively; and close a total of 13.29 miles of unauthorized trails on both preserves. All proposed trails will follow existing use patterns and avoid vernal pool basins. Trails are proposed to be sited within vernal pool watersheds in limited instances only where the trail segment cannot be rerouted without direct impacts to an adjacent vernal pool basin or sensitive vegetation. However, the proposed closure and restoration of 13.29 miles of existing trails is intended to result in an overall net benefit to the preserves.

The Wildlife Agencies have coordinated with trails user groups and the City to develop a trails plan on Del Mar Mesa that offers recreational opportunities while providing adequate protections for sensitive resources consistent with the City's MSCP SAP. While the proposed trail in the NRMP has been reviewed and tentatively approved by the Wildlife Agencies, trails proposed as part of the CPA will require further review. According to the Draft MND, the adoption of the CPAs and the NRMP does not authorize construction prior to or without subsequent approval in accordance with the Land Development Code. Furthermore, implementation of future projects identified in the NRMP may require submittal and review for issuance of a Site Development Permit and/or Coastal Development Permit prior to any construction-related activities, and are not being proposed nor are addressed as part of this Draft MND.

Our comments and recommendations (enclosed) are intended to assist the City in its environmental analysis of project consistency with the City's MSCP SAP, including potential project-related direct and indirect impacts to biological resources from implementation of the NRMP and related trail system, as well as current direction and recommendations to be included in the NRMP.

THIS PAGE INTENTIONALLY LEFT BLANK

LETTER


RESPONSE

Ms. Myra Herrmann (FWS/CDFW-09B0163-14TA0290)

4

We appreciate the opportunity to comment on the Draft MND. If you have questions or comments regarding this letter please contact Randy Rodriguez of the Department at 858-637-7100 or Randy.Rodriguez@wildlife.ca.gov, or Patrick Gower of the Service at 760-431-9440 or Patrick_Gower@fws.gov.

Sincerely,



Karen A. Goebel
Assistant Field Supervisor
U.S. Fish and Wildlife Service



Gail K. Sevens
Environmental Program Manager
California Department of Fish and Wildlife

Enclosure

REFERENCES

- Ann E. Dorsey and Paul Wilson. 2011. Rarity as a life-history correlate in *Dudleya* (Crassulaceae); Department of Biology, California State University, Northridge, California 91330-8303 USA. Received for publication 4 March 2010; Accepted for publication 12 April 2011.
- Bartel, J. A. 1993. *Dudleya*. Pages 525-530 in J. C. Hickman. The Jepson manual: Higher plants of California. University of California Press, Berkeley, California, USA.
- City of San Diego. 2013. City of San Diego Park and Recreation Department 2013 Unfunded Park Improvements List. February, 2013.

THIS PAGE INTENTIONALLY LEFT BLANK

LETTER

RESPONSE

ENCLOSURE

Wildlife Agency Comments and Recommendations on the Draft Mitigated Negative Declaration (MND) for the Carmel Mountain/Del Mar Mesa Trails Community Plan Amendments (CPA) and Natural Resources Management Plan (NRMP)

Draft MND

D - 1. Mitigation Measure LU-2 (Land Use Adjacency Guidelines):

- A. Since both Carmel Mountain and Del Mar Mesa are Multiple Habitat Planning Area (MHPA) core resource areas, we recommend that LU-2 be revised to indicate that any landscaping within or adjacent to these conserved open space lands use appropriate mix of native plant species collected from within the existing preserves, and include the use of container planting where appropriate.
- B. Manufactured slopes: Since most, if not all, of the future projects would be within the preserves (which are entirely within the MHPA), please clarify if this measure would even be applicable.
- C. Brush Management: Since no habitable structures are proposed as part of the NRMP, it seems that the requirement for brush management would not be needed for future projects. It may be applicable where City open space abuts private residences and there are no structural measures (e.g., block walls) in place; however, these areas should be specifically mapped with acres accounted for in a table and included in the NRMP. Moreover, where non-combustive native species (e.g., *Opuntia* spp.) are located, the NRMP should have a policy to retain these species to the maximum extent practicable and where they absolutely must be removed, a policy to relocate them into the open space should be provided as part of the final NRMP.
- D. Drainage/Detention Basins: Please clarify if any of these features are anticipated to be needed as part of any future project or management recommendations/Area Specific Management Directives in the proposed NRMP. If any such features currently exist within the Carmel Mountain and Del Mar Mesa preserves, they should be mapped and included in the final NRMP. Because the preserves are MHPA core resource areas, these features should be located outside the preserves, unless it is clearly demonstrated they are needed to address a public health and safety concern and would not negatively affect covered species and wildlife movement.

- D - 2. Biological Resources (Mitigation Framework): As a core MSCP area located entirely within the MHPA, all mitigation should occur within the existing Carmel Mountain-Del Mar Mesa preserve system. In addition, some of these lands have been purchased with Federal and/or State funds, and may require additional mitigation to meet the requirements of those grant agreements. The use of the City's Habitat Acquisition Fund and/or mitigation banks would

U.S. FISH AND WILDLIFE SERVICE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (APRIL 25, 2014)

The following responses address specific comments on the MND, Initial Study Checklist and the NRMP:

- D-1 Comment noted. LU-2 is not applicable and has been deleted because both Preserve areas are within the MHPA and compliance with the MSCP Subarea Plan is assured through implementation of the NRMP ASMD's specifically developed for these areas. In addition, the NRMP has been revised to clarify the how brush management is addressed in the Preserve areas.
- D-2 Comment noted. The Biology Mitigation Framework has been revised to remove the provision for use of the Habitat Acquisition Fund within the Preserves. Mitigation, if required will be accomplished in accordance with the provisions outlined in the NRMP.
- D-3 Mitigation for the burrowing owl (*Athene cunicularia*) has been removed from the Mitigation Framework section of the MND.
- D-4 The referenced sentence on Page 5 (now shown in strikeout on Page 6 in the Final MND) has been deleted.

LETTER

RESPONSE

Ms. Myra Herrmann (FWS/CDFW-09B0163-14TA0290)

Enclosure Page 2

not be appropriate to offset impacts within the Carmel Mountain-Del Mar preserves, unless it can be used to expand the preserves at a minimum 1:1 ratio. These aspects should be incorporated into mitigation measure BIO-1.

- D- 3. BIO-1: It is unclear why it includes the discussion on burrowing owl (*Athene cunicularia*) mitigation for Carmel Mountain and Del Mar Mesa. We are not aware of historic burrowing owl observations for these areas and the closest recent occurrence is in the Black Mountain area (winter migrant).
- D- 4. Mitigation for Impacts to Sensitive Upland Habitats: Since there would be no habitable structures or parcel-based development and it appears that future projects would consist of linear features (e.g., trails) entirely within the MHPA (with no allocated development footprint), please explain the statement on page 5 that "[p]roject-level analysis shall determine whether the impacts are within or outside of the MHPA." We recommend that this statement (if determined to be necessary) be revised to indicate that all future projects would limit impacts to the maximum extent practicable (as stated earlier on page 4 in the first paragraph under Biological Resources: Mitigation Framework). Wherever this or equivalent statements occur in the Draft MND and supporting document, we recommend that they be removed or revised accordingly.
- D- 5. Page 5 (Conceptual Mitigation Plan): The discussion for a "conceptual mitigation plan" should be supplemented with a requirement for a final mitigation plan approved by the City and Wildlife Agencies prior to the issuance of any permit, authorization to proceed or other action that would allow sensitive habitat to be impacted in the final MND.
- D- 6. The initial study (page 12) includes a reference to a General Development Plan (GDP) project; however, this project is not defined anywhere in the document. Based on review of the City's Unfunded Improvements List for Parks-Open Space (City of San Diego, 2013), there appears to be entries in scheduled projects pertaining to Carmel Mountain and Del Mar Mesa for trails closures and rehabilitation/improvements and signage with references to "approval of Del Mar Mesa/Carmel Mountain NRMP". Please clarify this reference to a GDP in the final MND.
- D- 7. Page 5 (Mitigation Ratios): As described above, since all the lands in the Carmel Mountain - Del Mar Mesa NRMP are within the MHPA [as indicated on page 13 of the Initial Study (IS) checklist] and future development would be limited to linear projects (e.g., trails) with supporting features, all impacts would be considered to be within the MHPA and all mitigation would occur within the existing open space system (or add to it). This should be clarified in the final MND.
- D- 8. Page 5 (MHPA adjustments): As described above, since all the lands in the Carmel Mountain-Del Mar Mesa NRMP are within the MHPA and future development would be limited to linear projects (e.g., trails) which are considered conditionally compatible within the MHPA, provided that impacts are minimized to the maximum extent practicable and follow the guidelines provided in Section 1.4 of the City's MSCP SAP, there would be no

- D-5 Consultation and approval of a detailed restoration plan by the Wildlife Agencies applies only to vernal pool restoration activities within the Preserves. This requirement can be found in Appendix 6 of the NRMP. This has been clarified in the discussion under Biological Resources (Section IV.b.) of the Initial Study Checklist.
- D-6 The General Development Plan (GDP) reference has been removed from all areas of the final environmental document.
- D-7 Comment acknowledged. Implementation of the NRMP would not result in significant impacts to biological resources requiring mitigation. This has been clarified in the discussion under Biological Resources (Section IV.b.) of the Initial Study Checklist. All activities associated with implementation of the NRMP would occur within the Preserves, which is entirely within the MHPA.
- D-8 The provision for MHPA boundary line adjustments has been deleted from the Mitigation Framework section of the MND as it is not applicable to this project.
- D-9 Burrowing owl and California cactus wren have been removed from the "Mitigation for Short Term Impacts to Sensitive Species" measure within the Mitigation Framework of the MND.
- D-10 Comment noted.
- D-11 The referenced CDFW code sections have been revised accordingly.

LETTER

RESPONSE

Ms. Myra Herrmann (FWS/CDFW-09B0163-14TA0290)

Enclosure Page 3

need to proceed with a MHPA boundary line adjustment. We recommend that this provision be removed from the final MND. However, if there are any projects *within the CPA* that could potentially result in a MHPA boundary line adjustment, those should be identified and mapped in the final MND and NRMP.

- D- 9. Page 6 (Mitigation for Short-Term Impacts to Sensitive Species from Project Construction): Based on the species inventory provided in the NRMP, there are no current or historic observations of burrowing owl or cactus wren (*Campylorhynchus brunneicapillus*) in the preserves. Please explain the applicability of the measures included in the Draft MND for these species based on the current known distribution of these species.
- D- 10. Page 7 (Mitigation Framework for Impacts to Wetlands) and Page 10 (Vernal Pools and Vernal Pool Species): Measure BIO-4 discusses impacts and mitigation in terms of Clean Water Act Section 404, CDFW Section 1602, and the City's Environmentally Sensitive Lands Ordinance (ESL). The Wildlife Agencies look forward to working with the City on authorization and appropriate mitigation for any impacts to wetlands, including vernal pools that may result from implementation of the trail system and other actions proposed in the NRMP. Impacts to federally-listed species will also need to be addressed under section 7 or 10 (e.g., City Vernal Pool Habitat Conservation Plan, if completed) of the Act.
- D- 11. Page 7: This section references CDFW Section 1602 whereas page 10 references CDFW Section 1601/1603. Please revise these references to achieve internal consistency here and elsewhere in the final MND and supporting documents.
- D- 12. IS Checklist (page 13): Items a) and b) state that "the proposed trail system has been approved by the U.S. Fish and Wildlife Service (Service) and by the California Department of Fish and Wildlife (Department)." This statement is true for the areas we focused on during our coordination efforts, which were limited to Del Mar Mesa; the Wildlife Agencies did not have the same level of coordination on the proposed trails system for Carmel Mountain or the CPA. We recommend that this statement should be revised in the final MND and supporting documents to indicate that the CPA Trails Plan for Del Mar Mesa has been discussed with the Wildlife Agencies as part of the development of the draft Carmel Mountain-Del Mar Mesa NRMP and City's Vernal Pool Habitat Conservation Plan, and is expected to result in an overall net benefit to vernal pools within the NRMP area. However, any impacts to vernal pools and related listed species from implementation of the proposed trail system would require separate environmental review (as indicated elsewhere in the MND).
- D- 13. Figure 2 of the Draft MND shows a future potential trail across the Rhodes Crossing property, which appears to be located outside the boundaries of the NRMP. As discussed in our coordination efforts, if a second east-west access (one already is proposed as part of the NRMP on private lands and west through Deer Canyon) is desired in the future, the Wildlife Agencies will work with the City to determine the least impactful route for this additional east-west connection after the Rhodes Crossing development is far enough along so that redundant alignments do not result in additional direct or indirect impacts to this MHPA core

D-12 Revisions have been made to Page 13 of the Initial Study Checklist as indicated.

D-13 The offsite trail is part of the Merge 56 Project (former Rhodes Crossing) and is currently being reviewed by City staff. This trail is not directly related to the actions associated with adoption of the CPAs, LCP amendments or NRMP. Design of a second east-west trail will be coordinated with the Wildlife Agencies as noted in the comment.

D-14 Comment noted. The references have been corrected in the MND as noted in Comment No. 11.

D-15 The majority of the Del Mar Mesa Preserve is in public ownership. Only five parcels remain in private ownership within the Preserve as illustrated in new Figure 2-2.

D-16 The Land Use Section the Initial Study Checklist includes a discussion of how the CPA's are consistent with the MSCP Subarea Plan, LCP and the NRMP (see also response No. C-3). In addition, the Biological Resources Assessment (January 2014) prepared for the project includes a section which addresses conformance with the City's MSCP Subarea Plan Framework Management Plan General Management Directive (Section 1.5.2) requirements for access, trails, and recreation.

LETTER

RESPONSE

Ms. Myra Herrmann (FWS/CDFW-09B0163-14TA0290)

Enclosure Page 4

resource area. Such a secondary east-west connection may or may not include access through the Department's Del Mar Mesa Ecological Reserve.

- D- 14. Page 7: This section references CDFW Section 1602 whereas page 10 references CDFW Section 1601/1603. Please revise these references to achieve internal consistency here and elsewhere in the final MND and supporting documents.
- D- 15. The City should review the current status of private properties in the Preserves and update the final MND and NRMP accordingly.
- D- 16. We recommend that the final MND include a discussion detailing how the proposed CPAs are consistent with the MSCP SAP; in particular how the new trail proposed as part of the Pacific Highlands Ranch CPA would be consistent with the MSCP SAP, Section 1.2.4 C13 and Section 1.5.8 of the NCFUA (Subarea 4).

NRMP

- D- 17. The NRMP indicates in Section 7 that restoration efforts and nonnative plant removal will occur as funding becomes available. Due to the current level and the associated impacts to sensitive resources from visitor use the Wildlife Agencies recommend the City identify and rank potential restoration projects according to sensitivity and make securing funding for restoration a priority.
- D- 18. Section 7.1: Please provide the current status of the Pardee credits at Carmel Mountain and if additional requirements such as funding of restoration and long term management are included.
- D- 19. Section 7.3.1.1 (c) *Southern Mule Deer*: This should include deer use of the canyons as day bedding areas.
- D- 20. Figure 3-10 (Del Mar Mesa Preserve-Sensitive Species on Del Mar Mesa Preserve) shows a location for willow monardella (*Monardella linoides* ssp. *viminea*, federally- and State endangered), which appears to be in the Department's Del Mar Mesa Ecological Reserve (ER). Based on recent site visits to the ER, The Department was unable to locate the mapped willow monardella as shown in Figure 3-10. The Department will continue to attempt to relocate this mapped historic occurrence; however, based on the location provided, the existing habitat does not appear to be suitable for this species.
- D- 21. Appendix 5 (Short-leaved Dudleya Enhancement and Restoration Plan for the Carmel Mountain Preserve): We recommend that passive methods be used at this time to enhance and expand the existing Dudleya populations on Carmel Mountain. Such measures would include providing protective fencing, rerouting public access, controlling for invasive species, and enhancing the natural presence of lichens, mosses and *Selaginella*, which are thought to collect nutrients, soil particles, and moisture and thereby facilitate natural seedling recruitment, particularly on rocks that often preclude seedling establishment (Bartel 1993).

D-17 The recommendations in this comment have been provided to the Park & Recreation Department; However, this comment does not address the adequacy or accuracy of the MND or the project's potential significant effects on the environment; therefore no response is required pursuant to CEQA Guidelines Section 15204(e).

D-18 This comment does not address the adequacy or accuracy of the MND or the project's potential significant effects on the environment; therefore no response is required pursuant to CEQA Guidelines Section 15204(e).

D-19 The NRMP has been revised as recommended.

D-20 Willow monardella has been removed from Figure 3-10 in the NRMP.

D-21 The City agrees with comment 21 and is currently utilizing passive methods to enhance and expand the existing Dudleya populations at Carmel Mountain. Active methods would only be utilized in areas where passive methods are unsuccessful and would be implemented as an adaptive management experiment to fine-tune methods and quantify outcomes prior to expansion over a larger area.

LETTER

RESPONSE

Ms. Myra Herrmann (FWS/CDFW-09B0163-14TA0290)

Enclosure Page 5

At this time, we recommend testing the above measures to expand/enhance the local population, rather than performing active transplanting, which would involve collecting seed and/or moving propagated plants at a nearby facility off-site for future transplantation. Until further research can be provided and shared with the Wildlife Agencies which demonstrates that transplantation can be used successfully, we recommend that the specific goals related to transplanting, such as entering into agreements with the Wildlife Agencies, establishing a new minimum population size and the percent of seed taken per year, be removed from the NRMP. The Wildlife Agencies look forward to working with the City and qualified botanists on evaluating the feasibility of using more active methods such as seed collection, propagation, and transplantation to enhance the existing populations of short-leaved dudleya within the proposed NRMP area.

THIS PAGE INTENTIONALLY LEFT BLANK

LETTER



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
5900 LA PLACE COURT, SUITE 100
CARLSBAD, CALIFORNIA 92008

April 10, 2014

Ms. Myra Herrmann
Environmental Planner
City of San Diego
Development Services Center
1222 First Avenue, MS 501
San Diego, California 92101

Dear Ms. Herrmann:

This letter is in response to the March 20, 2014 Public Notice of a Draft Mitigated Negative Declaration (MND) for the Carmel Mountain/Del Mar Mesa Trails Community Plan Amendments and Natural Resources Management Plan Adoption (WBS Number 21002131).

We have reviewed the above cited draft MND as well as the Biological Resources Assessment for the Carmel Mountain and Del Mar Mesa Natural Resource Management Plan Project, dated January 2014 with respect to the United States (U.S.) Army Corps of Engineers' (Corps) authority to issue Department of the Army (DA) permits pursuant to section 404 of the Clean Water Act (CWA; 33 U.S.C. 1344). Based on the information furnished to our office, the Corps is currently unable to determine whether construction activities associated with the proposed project would involve the discharge (placement) of fill material into jurisdictional waters pursuant to our authority under section 404 of the CWA. The Corps recommends a jurisdictional delineation report using the procedures set forth in the "Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region" and "A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States" be provided to this office for review and verification. Please include in this report a detailed description of all ground-disturbing activities associated with the proposed project occurring on and in the immediate vicinity of potential waters of the U.S. as well as a cross-section of the proposed work and the existing conditions of the proposed project area.

Please note that a Department of Army permit is required for:

The discharge of dredged or fill material into, including any redeposit of dredged material other than incidental fallback within, "waters of the United States" and adjacent wetlands pursuant to section 404 of the CWA. Examples include, but are not limited to:

1. Creating fills for residential or commercial development, placing bank protection, temporary or permanent stockpiling of excavated material, building road crossings, backfilling for utility line crossings and constructing outfall structures, dams, levees, groins, weirs, or other structures;

RESPONSE

U.S. ARMY CORPS OF ENGINEERS (APRIL 10, 2014)

E-1 The regulatory information contained in this letter has been provided to the Park & Recreation Department. This comment does not address the adequacy or accuracy of the MND or the project's potential significant effects on the environment; therefore no response is required pursuant to CEQA Guidelines Section 15204(e).

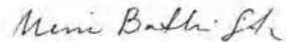
LETTER

RESPONSE

- E-1
- 2. Mechanized landclearing, grading which involves filling low areas or land leveling, ditching, channelizing and other excavation activities that would have the effect of destroying or degrading waters of the U.S.;
 - 3. Allowing runoff or overflow from a contained land or water disposal area to re-enter a water of the U.S.; and
 - 4. Placing pilings when such placement has or would have the effect of a discharge of fill material.

If you have any questions, please call me at 760-602-4836 or via e-mail at Meris.Bantilan-Smith@usace.army.mil. Please refer to this letter and file SPL-2014-00217-MBS in your reply.

Sincerely,



Meris Bantilan-Smith
Senior Project Manager, South Coast Branch

THIS PAGE INTENTIONALLY LEFT BLANK

California Native Plant Society

San Diego Chapter of the California Native Plant Society
P O Box 121390
San Diego CA 92112-1390
info@cnpsd.org | www.cnpsd.org

April 21, 2014

Ms. Myra Herrmann
Environmental Planner
City of San Diego Development Services Center
1222 First Avenue, MS501
San Diego, CA 92101
DSDEAS@sandiego.gov

RE: Carmel Mountain/Del Mar Mesa Trails Community Plan Amendments And Natural Resources Management Plan Adoption

Dear Ms. Herrmann:

We appreciate the opportunity to comment on Carmel Mountain/Del Mar Mesa Trails Community Plan Amendments (CPA) And Natural Resources Management Plan (NRMP) adoption, along with its associated Draft Mitigated Negative Declaration (MND). The San Diego Chapter of the California Native Plant Society (CNPSD) works to protect California's native plant heritage and preserve it for future generations. CNPS promotes sound plant science as the backbone of effective natural areas protection. We work closely with decision-makers, scientists, and local planners to advocate for well informed and environmentally friendly policies, regulations, and land management practices.

CNPSSD supports adoption of the NRMP and the CPA. However, we found serious issues and omissions with the MND. We ask that they be corrected, so that decision makers can better understand the entire project. Given that the NRMP is years in the making and desperately needed, we ask that the corrections be made with all haste, so that this project is not further delayed. The issues are as follows:

First, Figure 2 (P. 20 of the packet), showing the trail system on Del Mar Mesa is inaccurate. At the northwestern corner of Del Mar Mesa Preserve ("Preserve," shown as the white boundary), the purple square marked as private property is now owned by the City. The "proposed future hike/bike trail" would have to be constructed in that area. There is an existing, unauthorized trail in the area, but its end runs onto property owned by the Roman Catholic Church (the "notch" in the eastern white boundary), so it is obviously not the intended trail. I GPSed the boundary markers for the Church property, and I will be happy to supply the data to update the map. Unlike the other trails, this future trail will require construction, an issue which will be dealt with below. Additionally, the future trails outside the Preserve are on private property, and one of them follows the proposed southern extension of Camino Del Sur, which was granted site development permits as Camino Ruiz north Extension in 2001, and as Camino Del Sur in 2006. Since the Rancho Peñasquitos Planning Board is advocating for the road to be



Dedicated to the preservation of California native flora

CALIFORNIA NATIVE PLANT SOCIETY (APRIL 21, 2014)

- F-1** Comment noted. Revisions to the MND and Initial Study Checklist have been made in response to comments provided during public review.
- F-2** Please refer to Figure 2-2 which has been added to the Final MND. This new figure accurately represents the current ownership within the Del Mar Mesa Preserve. The offsite trail noted in the comment is associated with the Merge 56 Project (formerly Rhodes Crossing) and is not associated with the current actions analyzed in this MND. This project is not required to identify all private projects (permitted or currently in review) adjacent to the Preserve areas. This information can be easily be obtained through a search of the records maintained by the Development Services Department.

LETTER

RESPONSE

built, we believe that trail maps outside the Preserve to be actively misleading. They should be removed, and replaced with the proposed developments in the area discussed below.

We request that a current map be produced for the MND, showing proper ownership of all marked properties inside and outside the Project footprint. All permitted projects adjacent to the Preserve and Carmel Mountain should be shown on the maps, whether they are currently active or not. Proposed trails that are aligned with existing unauthorized trails should be shown to the extent that the City intends to follow them, so as to not mislead decision makers about which trails will be opened and which need to be built.

Second, the "surrounding land uses and setting description in the initial study (P. 3 of study, p. 26 of packet) is inaccurate. As presented in the draft MND, it reads "The areas covered by the CPA, NRMP, and Easement Vacations are generally described as the southern portion of Carmel Valley; much of Del Mar Mesa; the southeastern portion of Pacific Highlands Ranch; the southwestern portion of Rancho Peñasquitos and the southern portion of Torrey Highlands. These areas are primarily within City-owned open space with surrounding residential land uses, Interstate 5 to the west, Interstate 56 to the north and northeast, and Los Peñasquitos Preserve to the South."

This is inaccurate and misleading. All four sides of the Del Mar Mesa Preserve have privately owned land. The southern edge is Park Village neighborhood, the northern edge is the Torrey Santa Fe neighborhood, and the western edge is the Del Mar Mesa neighborhood. The particular problem is the eastern edge of the Preserve. It lies within the roadbed of the Camino Ruiz south extension, which was given a site development permit in 2001 by the City Council. It also contains the proposed developments "Merge 56," "Santa Fe Summit IV" (the Church property, for which the City reportedly has prepared an unreleased MND), and "Rhodes Crossing." Merge 56 and Rhodes Crossing were once part of a bigger property that gained development permit from the City in 2004. Since CEQANET lists Ms. Herrmann as the primary contact for the original Rhodes Crossing¹ EIR, we find it disturbing that none of this is presented in the current initial study.

We ask that the surrounding land uses and setting description be rewritten so that it accurately portrays the setting for the project. In particular we ask that all permitted projects, whether active or not, be described in the text.

Third, we are concerned by the list of species given in the initial study checklist in section IV.a (P. 34 in the packet). It says "No federally or state listed plant species were observed within the GDP project boundary; however, one Multiple Species Conservation Program (MSCP) narrow endemic species, aphanisma (*Aphanisma blitoides*) was identified during the field survey. The following nine other sensitive species were observed within the project boundary: Nuttall's scrub oak (*Quercus dumosa*), south coast saltscall (*Atriplex pacifica*), San Diego barrel cactus (*Ferocactus viridescens*), sea dahlia (*Coreopsis maritima*), cliff spurge (*Euphorbia misera*), red sand-verbena (*Abronia maritima*), San Diego sagewort (*Artemisia palmeri*), California box-thorn (*Lycium californicum*) and woolly seablite (*Suaeda taxifolia*)."

This list is partially true, in the Nuttall's scrub oak is a dominant species around Del Mar Mesa and Carmel mountain, and San Diego barrel cactus and San Diego sagewort are also present, although not on the proposed trails. To our knowledge the rest of the species listed are not found in the project area. Indeed the Biological Resources Assessment for the Carmel Mountain and Del Mar Mesa Natural Resource Management Plan Project prepared by Betsy Miller (City Parks) on January 2014, documents the sensitive species quite clearly. It is mind-

¹ <http://www.ceqanet.ca.gov/NODdescription.asp?DocPK=567043>.

F-3 Please see Response to Comment No. F-2.

F-4 Please see Response to Comment No. F-2.

F-5 The species list in the Biology Section of the Initial Study Checklist has been revised.

F-5

blowing to read a list of plants that are confined to the coast being "found" at an inland site. The most charitable explanation is that the wrong document was consulted in preparing the checklist. This section needs to be entirely updated.

To put the scale of the error in context, two pictures (figures 1 and 2, below), taken April 10, 2014, show a "road" pool (figure 1) that has produced three crops of fairy shrimp (*Branchinecta* sp.) in the 2013-2014 rainy season and the federally endangered San Diego button celery (*Eryngium oristulatum* var. *parishii*) growing nearby (figure 2). The road pool is listed as a vernal pool in the report in Figure 2. It fills with 0.2" of rain and has been active repeatedly even during the current drought.

The NRMP is needed to protect the road pools and their associated vernal pool species. Because of this, it is extremely frustrating when federally endangered species *growing in the trails* are ignored in the environmental documentation. It is doubly frustrating given that City Parks and the agencies have worked for years to protect these species at these locations. Note that these are not the only examples. To pick another example, there are miles of trails at Del Mar Mesa under the canopy of Nuttall's scrub oak and summer holly (*Comarostaphylis diversifolia*, a CDFW list 1B species).

F-6

We ask that the biology section be updated to include the data from the 2014 Biological Resources Assessment, and that the Assessment be included with the MND in the final package. We DO NOT ask that an EIR be prepared for the project, although the lack of analysis of endangered species impacts would normally trigger such an action. The NRMP is designed to protect these endangered species, and they would be more harmed by delay than by speedy implementation of the NRMP. The issue here is the shortcomings in the MND.



Figure 1. Road pool at Del Mar Mesa. The gate marks the junction of a hike-bike trail with the SDG&E main road. Note the large number of bike tracks in the foreground. Pool at (32.945476, -117.163790).

F-6 The Biological Resources Section of the Initial Study relied on the Biological Resources Assessment prepared for the project in January 2014 and was included in with the draft MND distribution.

LETTER

RESPONSE



Figure 2. San Diego button celery on proposed trail. Note bike tracks to the immediate right of the plants. Picture taken at (32.945713°, -117.163174°)

Fourth, in discussing substantial adverse effects on federally protected wetlands (IV.C, page 37 in the packet), the checklist states "The Project would not directly impact any naturally occurring wetland habitat." This is incorrect in two ways. First, as shown in Figure 1, there are vernal pools (road pools) in the proposed trails. Although the NRMP is designed to increase protection for these pools, they need to be mentioned in the MND. Second, Deer Creek in Del Mar Mesa is a perennial creek and has been flowing continuously since before 2009. Mr. Landis, a certified wetland delineator, performed a preliminary jurisdictional delineation on a Deer Creek wetland dominated by black willow (*Salix gooddingii*) and cattail (*Typha domingensis*) on the eastern edge of Del Mar Mesa Preserve, and these data are available on request. Proposed trails cross the perennial Deer Creek at at least four points, and any construction to bridge the stream will need consultation under section 404 of the Clean Water Act. Additionally, construction of the proposed trail at the eastern edge of the Preserve will necessarily cross Deer Creek, requiring further environmental review. We suggest that this proposed trail, if it is ever constructed, should follow the existing unauthorized trail to the extent practicable.

In closing, we ask that the City approve the CPA and NRMP as quickly as possible. To that end, we ask that Development Services update the MND with all possible speed to fix the deficiencies discussed in this letter.

F-7 The Biology Section of the Initial Study Checklist has been revised to correct this error.

F-8 Comment noted.

LETTER

Thank you for considering our comments. We will be happy to provide more information as needed.

Sincerely,



Frank Landis, PhD (Botany)
Conservation Chair
California Native Plant Society, San Diego
Chapter

RESPONSE

THIS PAGE INTENTIONALLY LEFT BLANK

LETTER



San Diego County Archaeological Society, Inc.

Environmental Review Committee

14 April 2014

To: Ms. Myra Herrmann
Development Services Department
City of San Diego
1222 First Avenue, Mail Station 501
San Diego, California 92101

Subject: Draft Mitigated Negative Declaration
Carmel Mountain/Del Mar Mesa Trails Community Plan Amendments
And Natural Resources Management Plan Adoption

Dear Ms. Herrmann:

I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the DMND and its Cultural Resources Study, we have the following comments:

- G-1. The Cultural Resources Study indicates that, while equestrian use is causing erosion near SDI-11696, "[t]he portion of the site outside the trail does not appear to be suffering any adverse effects from trail use." There is an implication that SDI-11696 is potentially subject to impacts in the future due to further erosion, unauthorized widening of the trail, or the like. The management plan needs to include regular (at least annual) inspections by a qualified archaeologist from or retained by the City. Appropriate actions should be recommended and implemented for any impacts or threatened impacts that are identified.
- G-2. The management plan should also include specific actions to be taken to protect SDI-11696 from illegal collecting in the aftermath of any wildfire over the site.
- G-3. Cultural material recovered by Affinis must be curated at a facility which meets the standards of the federal 36CFR79, the national standard for curation facilities, to ensure its ongoing availability for further scientific and cultural use.
- G-4. Other than these three comments, we concur with the treatment of cultural resources for this project.

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

RESPONSE

SAN DIEGO COUNTY ARCHAEOLOGICAL SOCIETY (APRIL 14, 2014)

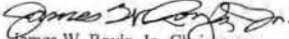
- G-1 Specific measures recommended by the qualified archaeologist as well as additional revegetation efforts in the vicinity of SDI-11696 would provide further protection of the site. The location of recorded archaeological sites are confidential and protected by state law; as such, Park & Recreation Department, Open Space Rangers do not know the specific boundaries of the recorded site, but as part of their regular duties would continue to inspect trails in the general area for effects of unauthorized use or erosion, and in consultation with qualified City staff or a professional archaeologist retained by the department determine what further measures would be required. The NRMP provides specific guidance for management of cultural resources within the Preserves. Qualified City staff are always available to assist with these management efforts.
- G-2 Should the Preserve areas be affected by a wildland fire, qualified staff or a professional archaeologist retained by the City would work in coordination with the appropriate agency authorities to address any potential adverse affects to archaeological resources in accordance with the Fire Management and Cultural Resources Management sections of the NRMP.
- G-3 See Response to Comments B-3 & B-4. This project does not involve federal actions or funding and therefore is not subject to review in accordance with NEPA or the standards of 36CFR79. A federal nexus is required for a project to apply any federal standard. The State of California standard for curation has and will be followed for this project and should an archaeological collection be generated as a result of future MMRP implementation; this is the established curation standard for a project reviewed in accordance with CEQA regardless of the fact that the curation facility receiving the materials must meet the federal standard noted above.
- G-4 Comment noted.

LETTER

RESPONSE

Thank you for providing the opportunity to review and comment upon this DMND.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: Affinis
SDCAS President
File

THIS PAGE INTENTIONALLY LEFT BLANK

RINCON BAND OF LUISEÑO INDIANS**Culture Committee**

1 W. Tribal Road - Valley Center, California 92082
(760) 297-2621 or (760) 297-2022 & Fax (760) 749-8901



April 22, 2014

Myra Herrmann
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101

Re: Carmel Mountain/Del Mar Mesa Trails Community Plan Amendments

Dear Myra Herrmann:

This letter is written on behalf of the Rincon Band of Luiseño Indians. Thank you for inviting us to submit comments on the Carmel Mountain/Del Mesa Trails Community Plan Amendments Project. Rincon in submitting these comments concerning your project's potential impact on Luiseño cultural resources.

H-1 [The Rincon Band has concerns for impacts to historic and cultural resources and the finding of items of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you, your identified location is not within the Luiseño Aboriginal Territory. In fact, your project falls within Kumeyaay Aboriginal Territory. We recommend that you located a tribe within the project area to received direction on how to handle any inadvertent findings according to their customs and traditions.

If you would like information on tribes within your project area, please contact the Native American Heritage Commission and they will assist with a referral. If for some reason you are unable to locate an interested tribe please notify us and we will be happy to assist you in the matter.

Thank you for the opportunity to protect and preserve our cultural resources.

Sincerely,

Rose Duro
Rincon Culture Committee Chairman

Bo Mazzetti
Tribal Chairman

Stephanie Spencer
Vice Chairwoman

Steve Stallings
Council Member

Laurie E. Gonzalez
Council Member

Frank Mazzetti III
Council Member

RINCON BAND OF LUISEÑO INDIANS (APRIL 22, 2014)

H-1 Comment noted. Also see Response to Comment Nos. B-1 & B-2.

LETTER

RESPONSE

Herrmann, Myra

From: Richard Julien [rj1@cox.net]
Sent: Sunday, March 23, 2014 7:17 AM
To: DSD EAS
Subject: Del Mar Mesa Mitigated Declaration

I-1

(Carmel Valley, Del Mar Mesa, Pacific Highlands Ranch, Torrey Highland, Rancho Penasquito) Carmel Mountain / Del Mar Mesa Trails Community Plan Amendments and Natural Resources Management Plan Adoption / Draft MND
Public Review ends: April 21, 2014

WBS No 21002131

Encouraging news but an East-West Connector as proposed in the original SDMBA proposal is a glaring omission that would complete a truly functional trail plan.

Thank You Richard Julien

RICHARD JULIEN (MARCH 23, 2014)

- I-1** The trail plan for the Del Mar Mesa Preserve does allow for this trail to be opened in the future should the California Department of Fish & Wildlife allow the connection to be made; however, completion of an east-west connection is currently precluded.

LETTER

Herrmann, Myra

From: joe dupee [session661@gmail.com]
 Sent: Thursday, April 10, 2014 2:12 PM
 To: Paul Rothstein; DSD EAS
 Subject: Re: Tunnels trails plan FW: Draft MND - Carmel Mountain - Del Mar Mesa NRMP Date 3-20-14

J-1

Hi Myra,

if this is such a problem, we have already destroyed millions may even billions of wild life specimens when building all around this area and beyond. i would agree that we should be concerned at some point, it already too late and allowed our local government to develop in many areas that were already affected. Lets start here, where can prevent from homes being built? What are the natural drivers behind destroying more species and eco-systems? Ok so now that we have this all into perspective, how would bicycles be affecting these areas? is really bicycles or people dumping junk. People will dump junk all day long. Yes this is great problem, what are we going to do to prevent this issue? You already want to shut an area down from exposure, who is going to regulate and patrol these areas? This maybe a time were cyclists of the like can be part of a solution and help keep these areas clear of riff raft. What have we learned from 1988 until now from the PCT and other trails being affected or not affected. What have the maintenance people of the PCT and other trails completed to keep the trails from affecting species vernal pools and the eco system? What have we learned since 1988. Bicycles are not going any where, in fact, on the green transportation rate we are at, we all will be carpooling in small cars and riding bicycles everywhere. My concern, is geared more to what are going to do to keep people safe on the road? Should we allow cyclists to be a part of the solution or, cut back on rangers and cut off all access in areas where brothels and who know what is being performed. Please reconsider this commitment before its too late.

Wheel with Purpose and Smile

Joe

RESPONSE

JOE DUPEE (APRIL 10, 2014)

J-1 This comment does not address the adequacy or accuracy of the MND or the project's potential significant effects on the environment; therefore no response is required pursuant to CEQA Guidelines Section 15204(e).

LETTER

RESPONSE

Herrmann, Myra

From: Matthew Bartelt [Matthew.Bartelt@unionbank.com]
 Sent: Monday, April 21, 2014 3:49 PM
 To: DSD EAS
 Subject: WBS No 21002131 - Carmel Valley, Del Mar Mesa, Pacific Highlands Ranch, Torrey Highland, Rancho Penasquito) Carmel Mountain / Del Mar Mesa Trails Community Plan Amendments and Natural Resources Management Plan Adoption

Dear Ms. Herrmann,

I wanted to take a moment to comment on the draft for the adoption of the Del Mar Mesa.

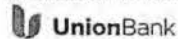
I am pleased that the process is nearing completion and we can see a light at the end of the tunnel. While the report is quite thorough in its assessment of the vegetation and the impacts of trail use, it still has two major shortcomings:

- K- 1. **No East/West Connector** – while the land at the top of the mesa between the Rhodes land to the east and the fire/service road to the west is under control of the California Department of Fish and Wildlife, it is important that a proposed trail be shown through that property. While they (CDFW) is currently banning access to the property in question, there is verbiage within their own documents that allows a case by case exception. I am hopeful that they eventually allow access. If we do not propose the trail in the current plan, we will have to commission an entirely new study for the new trail and add many more years and thousands of dollars for those additional studies. Please add the proposed East/West connector whether it is approved by CDFW or not.
- K- 2. **Tunnel 1 termination point at Camino Del Sur** – There is a current plan to push Camino Del Sur from its current terminus south into the Rhodes property. The road will cross the canyon the Tunnel 1 currently occupies. Instead of the climb out of the canyon, the trail will be effectively cut off by the fill to allow Camino Del Sur to cross the canyon. Can we find a way to ensure there will be an adequate exit from the east of Tunnel 1 that does not include having to dismount a bicycle and carry it up a long flight of stairs? Please have the developer accommodate a multi user exit to Camino Del Sur.

Thank you for your time and effort in this. I realize it has been a lot but we are very close to having a completed trail system. Please feel free to contact me at the information provided below if you have any questions.

Matthew Bartelt
 Vice President, Senior Instructor II
 Talent Development and Learning

Direct 858 496 5852 | Fax 858 496 5860
 Union Bank | 9148A Mercury Court
 MC H-730 | San Diego, CA 92111
 matthew.bartelt@unionbank.com | unionbank.com



Please consider the impact on the environment before printing this document.



MATTHEW BARTELT (APRIL 21, 2014)

K-1 See Response to Comment I-1.

K-2 The offsite trail noted in this comment is part of the Merge 56 project (formerly Rhodes Crossing) and not included in this analysis. This comment does not address the adequacy or accuracy of the MND or the project's potential significant effects on the environment; therefore no response is required pursuant to CEQA Guidelines Section 15204(e).

 This communication (including any attachments) may contain privileged or confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this communication and/or shred the materials and any attachments and are hereby notified that any disclosure, copying, or distribution of this

LETTER

RESPONSE

Herrmann, Myra

From: Sea Breeze Properties, LLC [gary@seabreezeproperties.com]
 Sent: Sunday, April 20, 2014 1:34 PM
 To: DSD EAS
 Cc: besemer james; Wood Amy; London Ken; Rabbitt Elizabeth; Mikuteit Rob; Drake Preston; Vinson Michael; William Nolan; Metcalf Paul; Ray Ellis; Ross Lisa
 Subject: Fwd:Draft Negative Declaration - for CM & DMM Preserve Trails CPA & Management Plan MND WBS NO: 21002131
 Attachments: MND Preserve Management .pdf; ATT00001.htm

This email is the formal response to the MND from the Del Mar Mesa Community Planning Board

Response to Carmel Mnt & Del Mar Mesa Trails Community Plan Amendment and Natural Resources Management Plan MND

L-1 The Del Mar Mesa Community Planning Board is concerned that the CPA & Management Plans do not address the fact that they will be eliminating established trails linking the DMM Preserve to the existing Torrey Highlands and Rancho Penasquitos Communities on its eastern edge, and without these linkages they proposed Management Plan would be eliminating regularly used commuting and recreational trails. The impacts of closing these trail linkages should have been evaluated, including the fact that previous enforcement attempts to close these trails have resulted in the establishment of new connections through the Preserve or the creation of new recreational trails just outside the boundary of the Preserve with significant negative impact to those areas.

Actions Required: The MND should address the impacts of eliminating these existing trails.

With respect to the Draft MND and the Initial Study Checklist, Paragraph X. LAND USE AND PLANNING:
 Page 28: Part a) "Physically divide an established community?". The "No Impact" box is checked. This is incorrect. The Plan will result in the separation of existing links between established communities.

Page 31: NCFUA Subarea 5, No. 1 "... Trails through this area should use the existing disturbed roads as much as possible. ...". There is an existing/established east-west connector which is disturbed and which can be retained to maintain this link.

The existing Trail Connection is now going to be closed and the impacts of this closure have not been evaluated.?

Gary Levitt
 gary@seabreezeproperties.com
 3525 Del Mar Heights Road # 246
 San Diego, CA 92130
 Tel:- (858) 361-8555

GARY LEVITT (APRIL 20, 2014)

L-1 Please see Response to Comment I-1 which specifically clarifies the current situation regarding the east-west connection across CDFW property. It should also be noted that trail closures are intended where they have not been authorized within the Preserves or have severely degraded sensitive habitat through illegal access. As noted in the comment, although many of these unauthorized trails may be currently used by residents, they have been created illegally and have resulted in impacts to sensitive habitat within the Preserves. While trails are an allowed use in the MHPA, compliance with the requirements of the Environmentally Sensitive Lands Regulations (ESL) and the MSCP Subarea Plan for the preservation and protection of sensitive habitat must be weighed against the recreational or social actions that have created the illegal trails resulting in habitat degradation within the Preserves. These actions have been taken into consideration in consultation with Park & Recreation Department-Open Space Staff and the Wildlife Agencies in determining which trails should be maintained and which would be closed. Closing unauthorized trails and discouraging illegal activities within the Preserves would not physically divide the community.

LETTER

RESPONSE

Herrmann, Myra

From: Jim Hardeman [jhardeman@gmail.com]
 Sent: Monday, April 21, 2014 7:17 PM
 To: DSD EAS; jhardeman
 Subject: Carmel Valley, Del Mar Mesa, Pacific Highlands Ranch, Torrey Highland, Rancho Penasquito)
 Carmel Mountain / Del Mar Mesa Trails Community Plan Amendments and Natural
 Resources Management Plan Adoption / Draft MND Public Review ends: April 21, 2014
 WB.

M-1

To whom it may concern,

Thank you for your consideration for the adoption of a trail plan in this area. As a Carmel Valley resident this is an important area to me and my family of avid riders, hikers and runners. I am also writing to request you include an East/West connector trail in your proposal as it is currently excluded. A connector is especially important to be able to connect to other trail systems and prevent future social trails from being build by those looking to cross the Mesa.

Thank you

Jim Hardeman

JIM HARDEMAN (APRIL 21, 2014)

M-1 See Response to Comment I-1.

LETTER

RESPONSE

Herrmann, Myra

From: Rod Simmons [rodsimmons2003@yahoo.com]
 Sent: Monday, April 21, 2014 10:34 PM
 To: DSD EAS
 Subject: WBS 21002131

To whom it may concern:

Thank you for your efforts in preparing the neg dec for Del Mar Mesa Preserve. It has been a long involved process and hopefully we are on the homeward stretch.

I have been asked to write comments on behalf of San Diego Mountain Biking Association.

Fundamentally my concerns center on the oft discussed need for an East West connection. The Del Mar Mesa Community Planning Group voiced its support for the NRMP and trails plan based on the need for inclusion of a E-W connection. Both the Carmel Valley and Rancho Penasquitos Community planning Board acknowledged the leading roll of the DMM Planning Board and agreed with the DMM position that an E-W connection is necessary for long term management of the preserve.

N-1 As we know, the possibility for a connection rests with the whim of CDF&W that has jurisdiction over the vernal pool reserve atop the mesa.

Regardless there does exist a precedent for indicating future potential trails in NRMP trails plans. The Black Mountain Open Space Park NRMP includes such a designation for future trail. Lands that are currently privately held have limited development footprint and at completion of the development - open space lands will revert to custody of the city. The city will exact a trail in concert with development.

Designating a Point A and Point B (E-W) can similarly designate the need for a potential trail link without attempting to define the specific routing. IF at some future time CDF&W opts to allow egress across the vernal pool preserve, the trail can be sighted without additional modifications to community plans and yet another long drawn out process for environmental reviews.

SDMBA encourages Development Services to duplicate the protocol used for BMOSP and designate trailhead locations ONLY for an E-W connection.

N-2 Additionally, Tunnel 1 trail (crosses what was formerly Western Pacific property) comes in conflict with the grading plan for the extension of Camino Del Sur southward. It is my understanding via correspondence with city staff that egress of Tunnel one onto the "Merge 56" development will be amended into the development requirements.

Furthermore, the trails plan calls for an extension of a new trail egressing Darkwood Canyon onto the mesa that connects with Tunnel 1. This too is in conflict with both Merge 56 and with Santa Fe Summit IV plans (on Catholic Diocese property). I encourage Development Services to provide clarity as to the intent of this connection, realizing that the development on the mesa can cause revision to how this connection is realized long term.

N-3 Lastly, I wish to point out the grave concern SDMBA has with regard to the Diocese property. This 11 acres is not deemed MHPA and yet is of similar sensitive habitat as the preserve lands that surround it on 3 sides. Coastal sage, manzanita and even a vernal pool on the southwest corner make it obvious that this land is not suitable for development and should be reclassified as MHPA and used as banked mitigation. We strongly encourage Development Services to take a first hand eye witness audit of the parcel to confirm our assertions of its habitat value. Conservation of the endangered coastal sage habitat is a prime component of MSCP and yet here we have a potential breach of public trust.

Yours Truly

Rod Simmons
 San Diego Mountain Biking Association
 Member Black Mountain Open Space CAC
 Member Los Penasquitos Canyon Preserve CAC
 District 6 Rep Rancho Penasquitos Planning Board

ROD SIMMONS - SAN DIEGO MOUNTAIN BIKING ASSOCIATION
 (APRIL 21, 2014)

N-1 See Response to Comment I-1.

N-2 See Response to Comment K-2.

N-3 Comment noted.

LETTER

RESPONSE



Dashiell S. Meeks
Senior Environmental Specialist
8315 Century Park Court
CP21E
San Diego, CA 92123
(T) 858-637-3711
(F) 858-637-3700

April 16, 2010

Ms Betsy Miller, MSCP Biologist
Park and Recreation Open Space
City of San Diego
202 C Street, MS 804A
San Diego, CA 92101

Subject: Carmel Mountain and Del Mar Mesa Preserves Resource Management Plan

Dear Ms. Miller:

San Diego Gas & Electric (SDG&E) appreciates the opportunity to review and comment on the scope and content of the Carmel Mountain and Del Mar Mesa Preserves Resource Management Plan. Thank you for returning my telephone call and confirming that you would consider SDG&E comments if submitted no later than Friday, April 16, 2010. The subject Plan sites contain SDG&E power line easements, equipment, and associated access maintenance roads.

SDG&E's interest in this project is primarily due to two large SDG&E electric transmission corridors and associated access roads. As indicated in the Resource Plan, a "150-foot-wide SDG&E easement runs north to south along the western side of the Carmel Mountain Preserve and encompasses approximately 8.0 acres. The easement accommodates 138-kilovolt and 230-kilovolt high-tension overhead transmission lines, a 30-inch high-pressure gas line, and 10- and 16-inch fuel lines." The Plan does not seem to mention the potential impact on 12-kilovolt electric distribution or 69-kilovolt electric transmission facilities which are also located in the Carmel Mountain Preserve. In addition, the Resource Plan does not appear to account for a 100-foot-wide SDG&E easement which runs north to south through the center of the Del Mar Mesa Preserve and encompasses approximately 14.5 acres. This 100-foot-wide easement includes 138-kilovolt and 230-kilovolt overhead electric transmission lines and a 12-kilovolt electric distribution circuit. Whereas some of our access roads are outside of the actual 100-foot-wide or 150-foot-wide easement/corridor that contains our facilities, these access roads and our right of access to the easement/corridor are part of the easement itself and are just as critical to SDG&E as the easement/corridor itself.

To adequately address any potential impacts to these easements, SDG&E requests that, at a minimum, Section 6.1 of the Resource Management Plan, entitled "SDG&E Utility

SAN DIEGO GAS & ELECTRIC (APRIL 16, 2010)

O-1 According to staff from the Park & Recreation Department Open Space Division, all comments included in the letter from 2010 have been addressed and/or incorporated into the NRMP prior to releasing the document as part of this environmental analysis in 2014. In addition, the land rights that SDG&E has acquired via their easements do not include the right to preclude the public from using the easement area. No agreement is required for public access on SDG&E easements. SDG&E may also have fee-owned land or "right of way" from which they may choose to preclude public access.

LETTER

RESPONSE

April 16, 2010
City of San Diego
Page 2

Maintenance", describe in detail the existing SDG&E easements and discuss any potential impacts to SDG&E's facilities and maintenance access roads. Future owner/developers will need to site their improvements so as to avoid unacceptable impacts to these easements, or work with SDG&E to relocate or abandon the easements, facilities, and/or access roads. Please contact SDG&E Land Management Supervisor Jeff Sykes in the Real Estate & Land Services department (858) 654-1235 to further discuss easement restrictions and encroachment guidelines.

Please modify Section 2.6, entitled "SDG&E" to include the following comments:

- 0-1
- a- A total of 110 sensitive plant and wildlife species are considered to be adequately protected within SDG&E's Subregional NCCP area (reference United States Fish and Wildlife Service (USFWS) Take Permit PRT 809637 dated December 18, 1995). The SDG&E's Subregional NCCP Implementing Agreement further states that the "implementation of the Subregional Plan is independent of other NCCPP/HCP's and the Covered Species for which Incidental Take is authorized under the Take Authorizations is not dependent upon the implementation of such plans; and
 - b- SDG&E has an agreement approved on May 26, 2004 by both the USFWS and California Department of Fish and Game (CDFG) to clarify the vernal pool mitigation measures of SDG&E's Subregional NCCP.

Additionally, SDG&E provides the following information for your consideration in the subject Resource Management Plan:

- Any changes in grade shall not direct drainage in a manner that increases the potential for erosion around SDG&E facilities. All grade changes within the Right of Way corridor and existing access roads will need to be approved by SDG&E prior to the issuance of a "Permission to Grade" letter. Refer to the attached "GUIDE FOR ENCROACHMENT SDG&E TRANSMISSION RIGHTS OF WAY" for a summary of the various documents required for access and encroachment in SDG&E's transmission rights of way.
- Project grades shall be reviewed by SDG&E to assure clearances as required by California Public Utilities Commission General Order 95. Any improvements above or below ground and/or adjacent to SDG&E rights of way requires the project owner/developer to be in compliance with CAL OSHA and/or the rules for Overhead Electric Line Construction, General Order No. 95 and Underground Electric Line Construction General Order No. 128 CPUC, during their construction and maintenance of those facilities.
- SDG&E's approval to allow grading or encroachments within SDG&E's transmission easements or fee property will be provided through "Permission to Grade Letter" along with a "Joint Use Agreement", "Consent Agreement" or a "Right of Way Use Agreement" depending on the type of encroachments.

THIS PAGE INTENTIONALLY LEFT BLANK

LETTER

RESPONSE

April 16, 2010
City of San Diego
Page 3

- 0-1
- Project owner/developers must submit grading plans and site development plans (and geotechnical reports if applicable), signed and dated, for SDG&E's review. All SDG&E facilities, existing structures, structure numbers, existing anchors, right of way boundaries, document recording information and existing and proposed access roads must be shown on the submitted plans.
 - Grading without SDG&E's written permission is not permitted within SDG&E transmission rights of way. Any necessary steps, including legal action, will be taken to stop activity and restore the rights of way to its original condition at the project owner/developer's expense.
 - Any temporary or permanent relocation of facilities or placement of facilities underground and/or associated temporary outages shall be completed at the cost of the project owner/developer.
 - Access and through access, to and along the rights of way, is required on a 24-hour basis to all SDG&E facilities, structures, and anchors for patrol, maintenance, and emergency vehicles.
 - Fences and/or walls may be allowed if properly grounded and if access to and along the rights of way is not obstructed and if access to individual structures is not obstructed.
 - If proposed, SDG&E will not authorize use of its rights-of-way or access roads for trail purposes by HOA's or private individuals. In the event the City will have ownership of trails, SDG&E will enter into Consent to Use Land Agreement, which will require indemnification of SDG&E by the City.
 - Landscaping, revegetation and/or habitat enhancement plans for the project shall not inhibit SDG&E's access to facilities for purposes including, but not limited to, construction, upgrading, repair, operation or maintenance. All project mitigation measures are to be placed outside of the right of way, access roads, and maintenance pads.
 - Chapter 8.0, entitled Fire Management should address locked gates and clarification that SDG&E has the authority to maintain the roads annually under the Plan. In particular, all gates within the rights-of-way must have provisions for either an SDG&E standard lock or an electric gate over-ride key. SDG&E's Fire Coordinator, should be consulted for additional details at 858-654-8683 and an appropriate agreement should be approved by Jeff Sykes, Land Management Supervisor, 858-654-1235.

THIS PAGE INTENTIONALLY LEFT BLANK

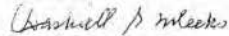
LETTER

RESPONSE

April 16, 2010
City of San Diego
Page 4

SDG&E appreciates the opportunity to comment on this Resource Management Plan. If you have any questions feel free to contact me at 858-637-3711.

Sincerely,



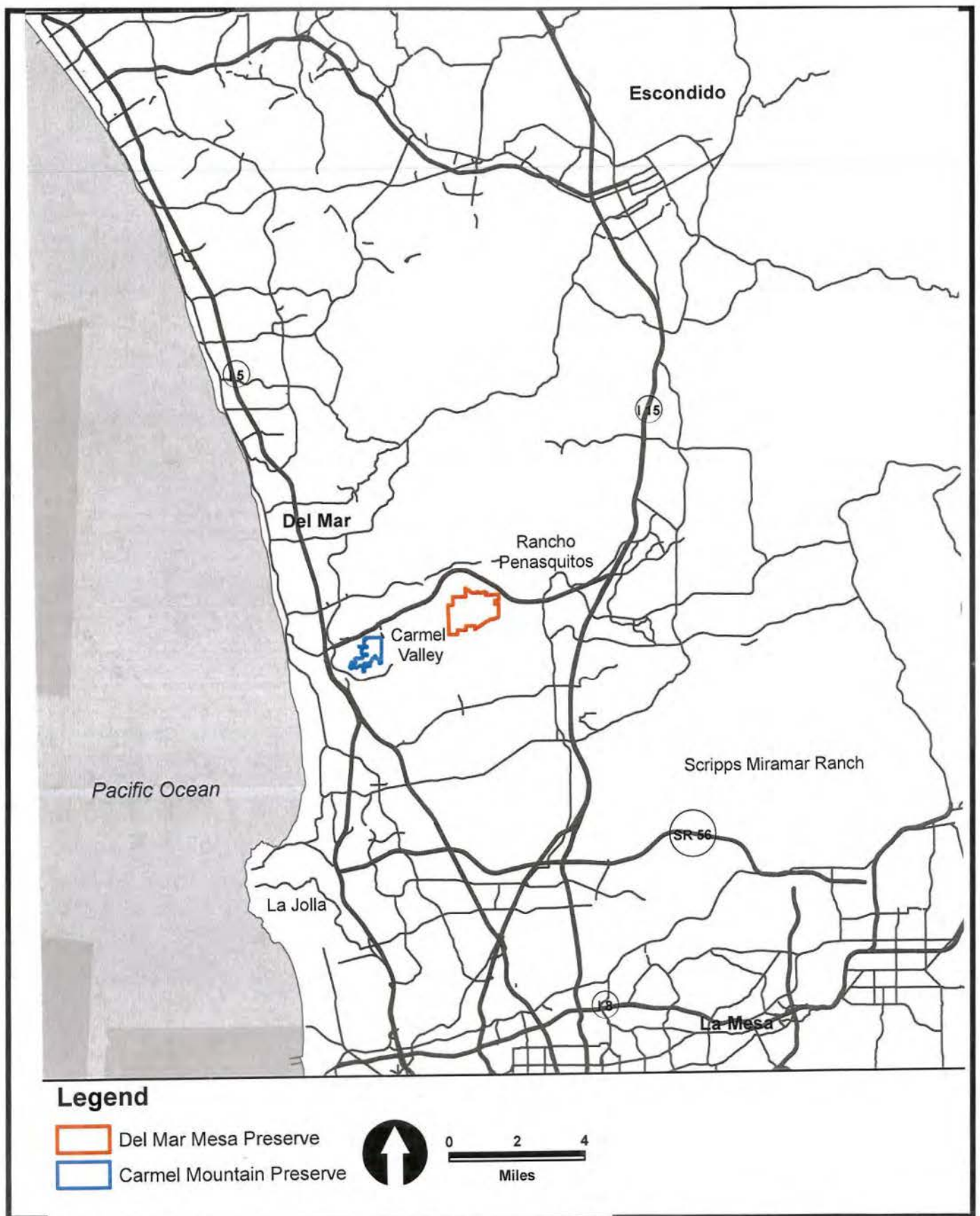
Dashiell S. Meeks, AICP
Senior Environmental Specialist

Cc: Ron Freeman, Environmental Services Team Leader – Natural Resources
Susan Hector, Principal Environmental Specialist – Cultural
Ellis Jones, Construction and Operations Representative
Hal Mortier, Fire Coordination, Construction Services
Jeff Sykes, Land Management Supervisor
Shannon Turek, Environmental Services Team Leader – Air and Water Resources

THIS PAGE INTENTIONALLY LEFT BLANK

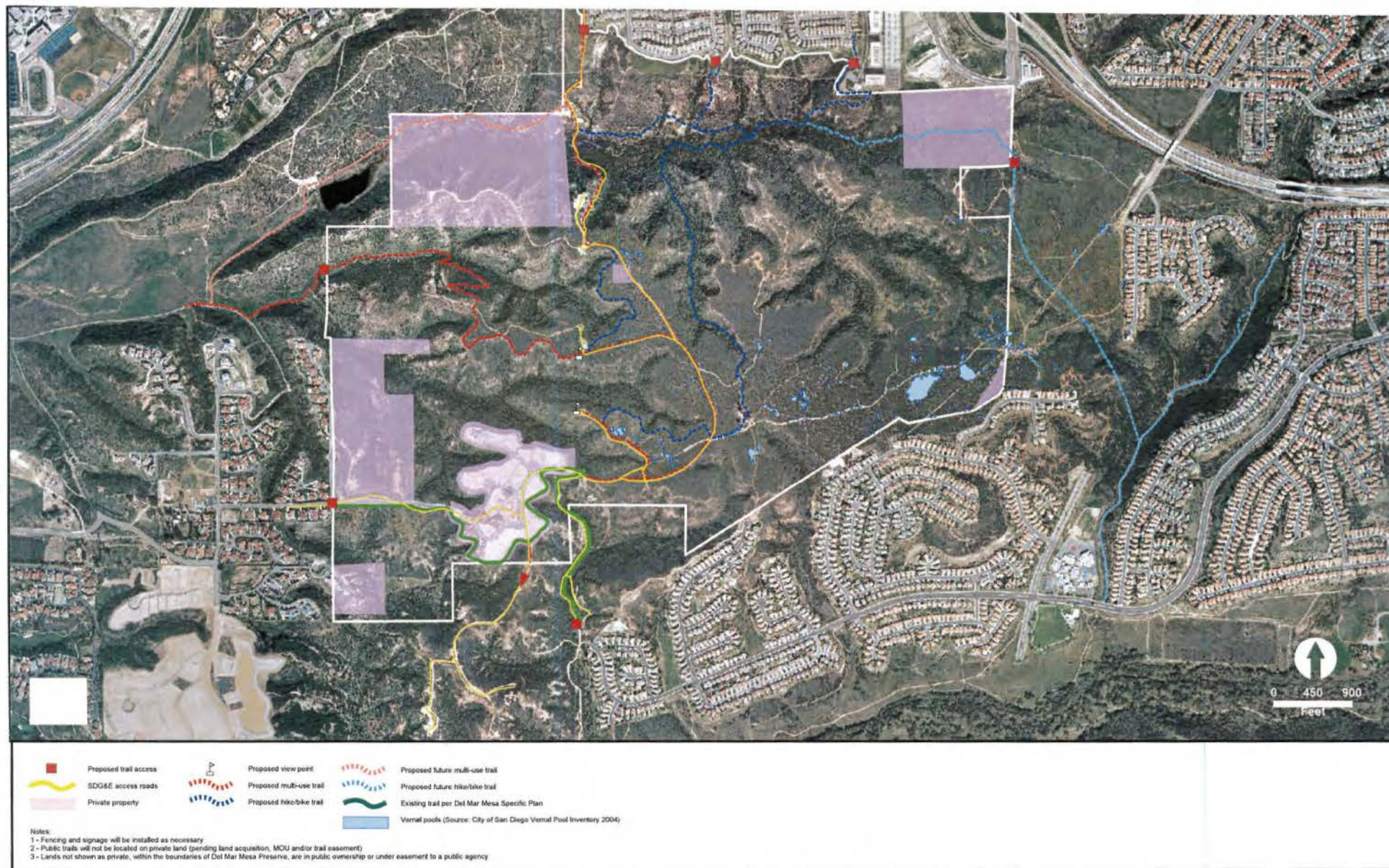
LETTER

RESPONSE



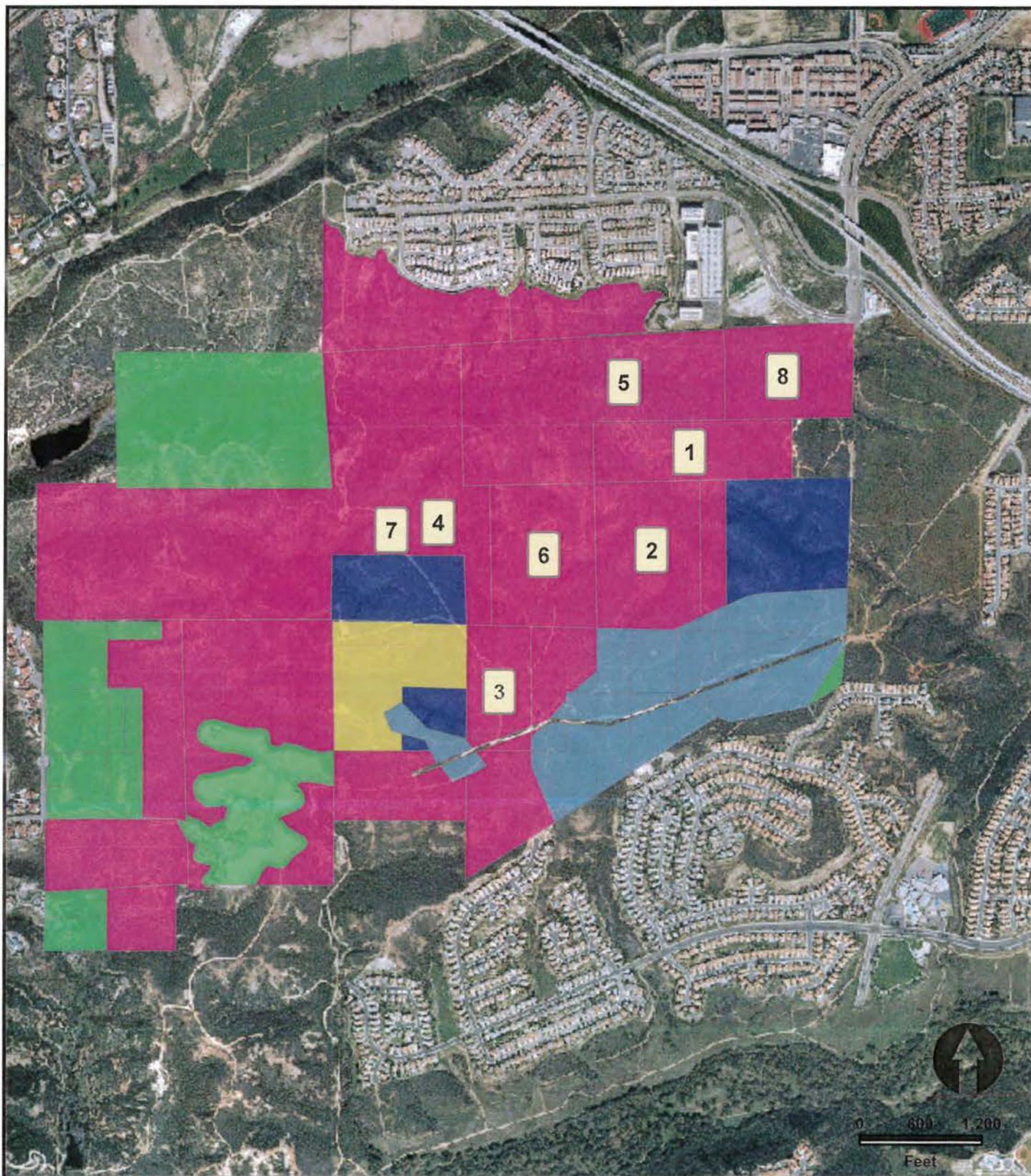
REGIONAL LOCATION MAP OF PRESERVES
Carmel Mountain/Del Mar Mesa Trails & NRMP
 City of San Diego – Development Services Department

FIGURE
No. 1



Trail System on Del Mar Mesa Preserve
 Carmel Mountain/Del Mar Mesa Trails & NRMP
 City of San Diego – Development Services Department

FIGURE
No. 2



Legend

Property Ownership

- CDFG Preserve
- City of San Diego
- County of San Diego
- Other Conserved Land
- Private Property
- USFWS NWR

Parcels Used for Mitigation

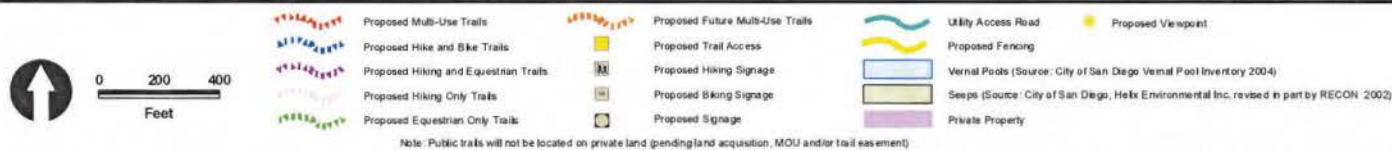
- 1 - Metropolitan Waste Water Division
- 2 - The Environmental Trust
- 3 - Mira Mesa MarketCenter
- 4 - Environmental Services Department
- 5 - Deer Canyon Mitigation Bank
- 6 - TransNet Environmental Mitigation Program

FIGURE 20
Ownership and Parcels
Used for Mitigation in the
Del Mar Mesa Preserve



Trail System on Carmel Mountain Preserve (Map 1)
 Carmel Mountain/Del Mar Mesa Trails & NRMP
 City of San Diego – Development Services Department

FIGURE
No. 3



Trail System on Carmel Mountain Preserve (Map 2)
Carmel Mountain/Del Mar Mesa Trails & NRMP
City of San Diego – Development Services Department

FIGURE
No. 3a

Existing access easements recorded with
Torrey Santa Fe Units 2 & 3 (Map No. 14274, 14275)



Recorded
Public Access Easements/Vacations (Del Mar Mesa Preserve)
Carmel Mountain/Del Mar Mesa Trails & NRMP
City of San Diego – Development Services Department

FIGURE
No. 4

Three of the five public access easements recorded with Torrey Santa Fe Units 2-4 (Map Nos. 14274 and 14275), shown in yellow, will be vacated at a later date.

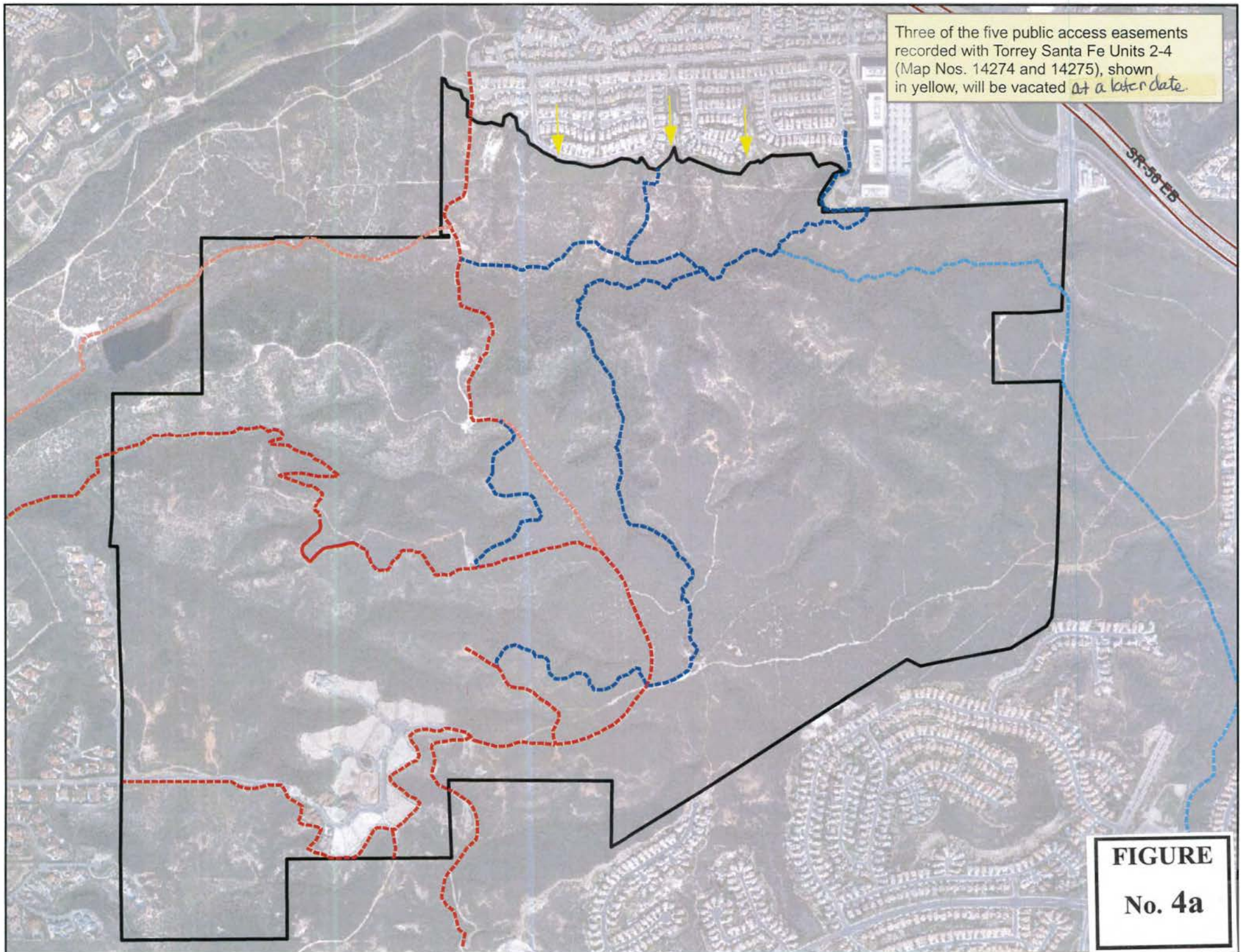
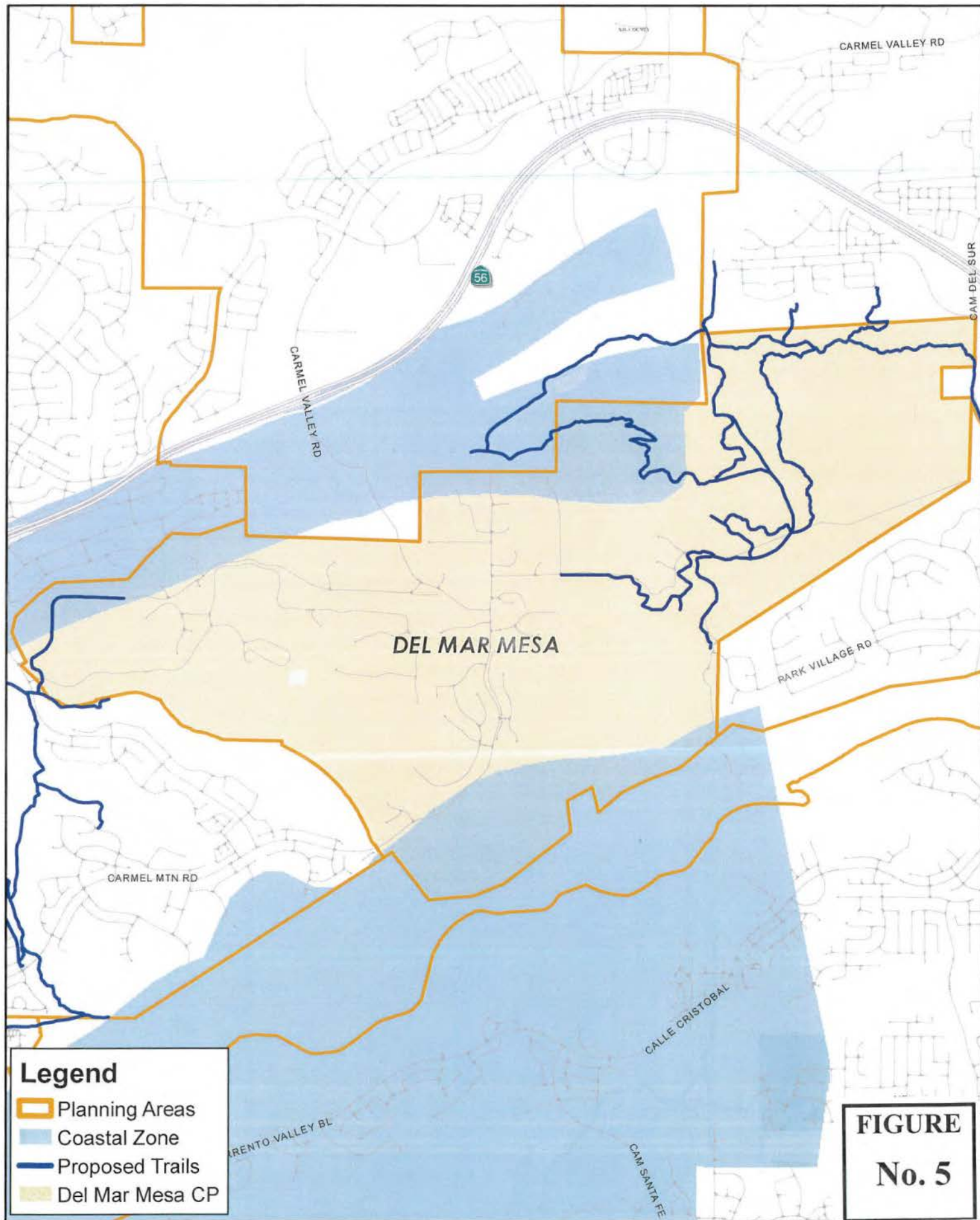
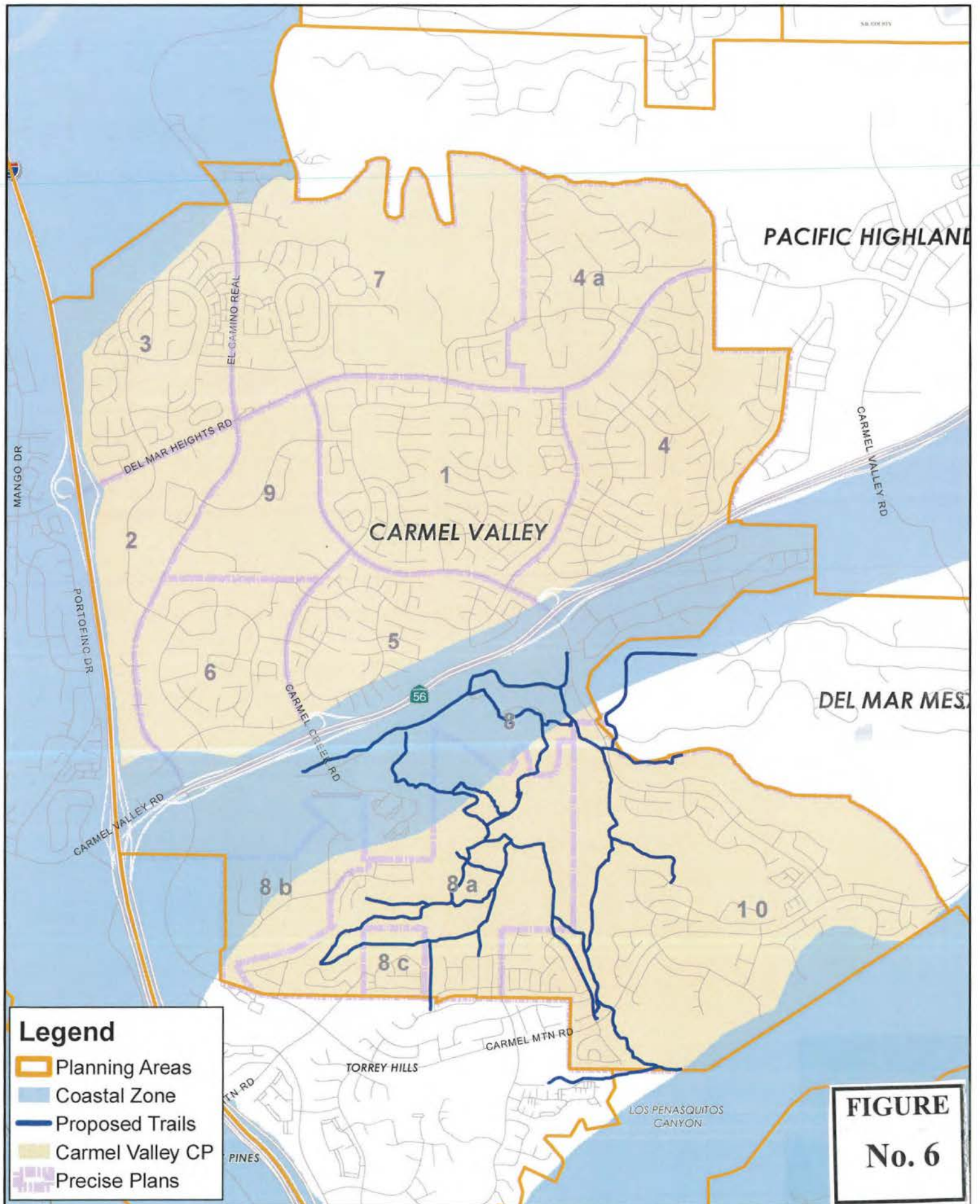
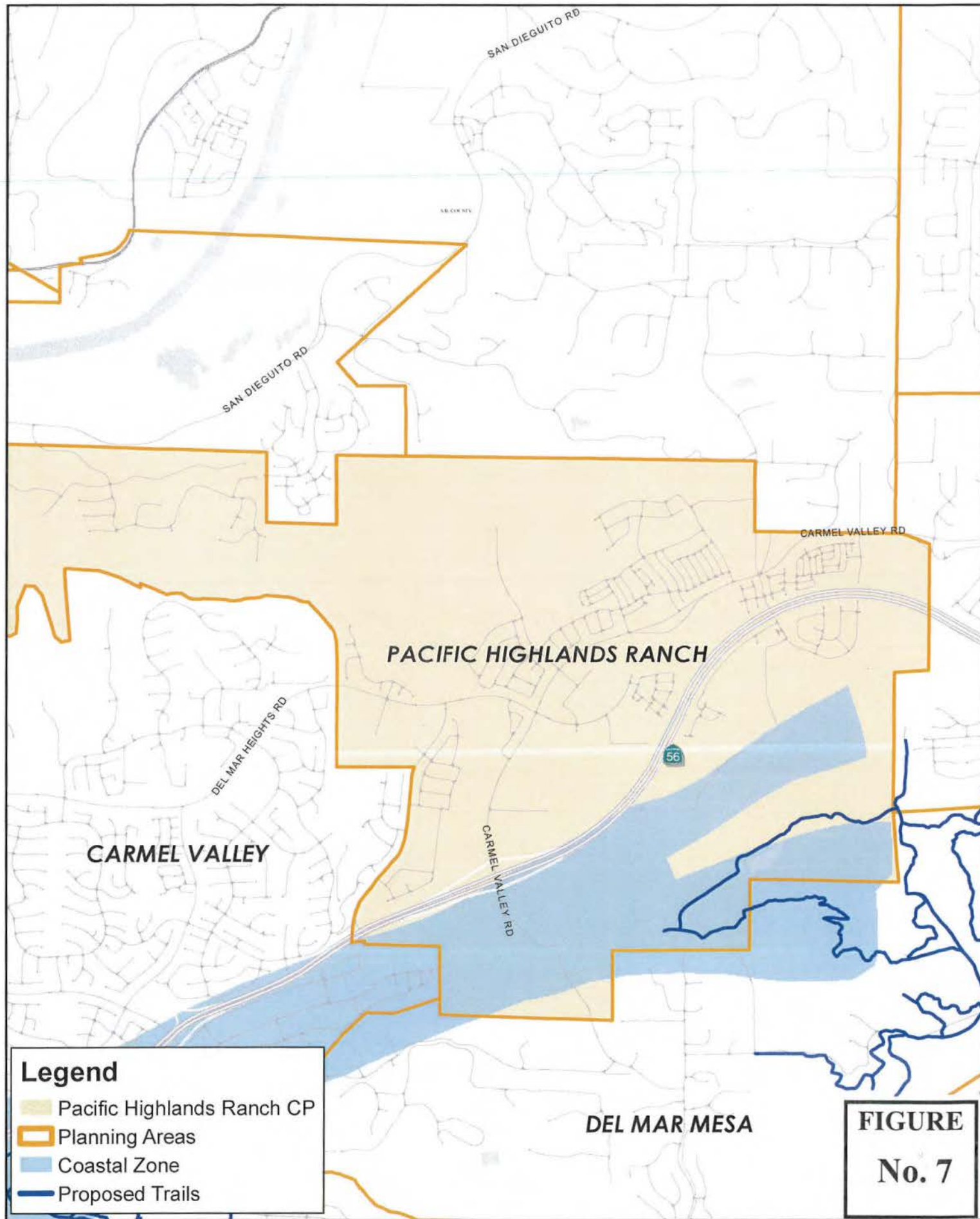


FIGURE
No. 4a







North City Local Coastal Program - Carmel Valley Community Plan Area

CITY OF SAN DIEGO • PLANNING DEPARTMENT



SanGIS

SanGIS is a web-based geographic information system (GIS) that provides a platform for the City of San Diego's planning and development departments to share and analyze spatial data. The system is designed to be user-friendly and accessible to a wide range of users, from staff to the public. It includes a variety of tools and features that allow users to view, query, and analyze data in a variety of ways. The system is also designed to be scalable and flexible, allowing it to grow and evolve as the City's needs change over time.

Date: 2/2/2015

Initial Study Checklist

1. Project title/Project number: CARMEL MOUNTAIN/DEL MAR MESA TRAILS COMMUNITY PLAN AMENDMENTS; AMENDMENTS TO THE NORTH CITY, DEL MAR MESA AND PACIFIC HIGHLANDS RANCH LOCAL COASTAL PROGRAMS (LCP); PUBLIC ACCESS EASEMENT VACATIONS AND ADOPTION OF THE NATURAL RESOURCES MANAGEMENT PLAN. (SCH No. 2014031065)
2. Lead agency name and address:
CITY OF SAN DIEGO
PLANNING DEPARTMENT
1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101
3. Contact person and phone number: Myra Herrmann, (619) 445-5372
4. Project location: The southern portion of Carmel Valley; much of Del Mar Mesa; the southeastern portion of Pacific Highlands Ranch; the southwestern portion of Rancho Peñasquitos and the southern portion of Torrey Highlands and is within the City of San Diego's Multi-Habitat Planning Area (Figures 1 and 2).
5. Project applicant/sponsor's name and address:
CITY OF SAN DIEGO
PARK AND RECREATION DEPARTMENT – OPEN SPACE DIVISION
ATTN: BETSY MILLER
202 C STREET, MS 5D
SAN DIEGO, CA 92101
6. General plan designation: OPEN SPACE
7. Zoning: OPEN SPACE (OR-1-2/OC-1-1, CVPD-OS) & AGRICULTURAL (A-1-10)
8. Description of project:
CITY COUNCIL APPROVAL to allow for the adoption of Amendments to the following land use plans: Del Mar Mesa, Carmel Valley (Neighborhood 8A), Pacific Highlands Ranch, Rancho Peñasquitos, and Torrey Highlands to revise the planned trail system in five northern communities; adoption of amendments for this segment of the North City Local Coastal Program (LCP): the Carmel Valley Neighborhood 8A Specific/Precise Plan, the Del Mar Mesa Specific Plan, and the Pacific Highlands Ranch Subarea Plan. The Del Mar Mesa Specific Plan and Pacific Highlands Ranch Subarea Plans are certified LCP Land Use Plans and the amendments to the text and figures to incorporate the proposed trail alignments also constitute LCP amendments. The Carmel Valley Neighborhood 8A Specific/Precise Plan was never submitted to the Coastal Commission for certification. The proposed amendment would add a text reference in the plan's trail discussion to the Natural Resources Management Plan; adoption of the Carmel Mountain and Del Mar Mesa Natural Resources Management Plan (NRMP) and Public Access Easement Vacations within the Preserves.

The purpose of the Community Plan Amendments (CPA) and LCP Amendments is to incorporate a trail system that will be implemented in accordance with the Carmel Mountain Preserve and Del Mar Mesa Preserve (Preserves) NRMP, including establishing linkages to areas adjacent to the Preserves. The trails within the Preserves provide recreational opportunities consistent with the policies of the General Plan and applicable community plans. Alignments within the revised trail system generally follow existing paths and access roads.

~~Public access easement vacations are required as part of the CPA and NRMP adoption included in this analysis may be vacated at a later date, or are being proposed with this project.~~ This involves vacating ~~five (5)~~ three (3) (Nos. 1, 3, and 4) of the five (5) public access easements (Nos. 1, 3, and 4) recorded with Torrey Santa Fe Units 2-4 (Map Nos. 14274 and 14275). The two remaining public access points are shown on the trail plan for the Del Mar Mesa Preserve. The conserved, City of San Diego-owned parcels immediately to the south of the Torrey Santa Fe development were added to the area within the Natural Resource Management Plan. Therefore, City staff reviewed existing public access easements for this area to ensure trail connections between public access points and the Del Mar Mesa Preserve. Field inspection by City staff revealed that four of these are in use, and one has been fenced and planted over.

Based on the existing use patterns, the City proposed to include the four, currently used public access easements in the trails plan. However, input was requested from the Home Owner's Association (HOA) at Torrey Santa Fe prior to finalizing the northern area trail plan. The HOA was notified of the NRMP process and presented with alternatives on October, 29, 2010, resulting in a vote against allowing public access across easements 1, 3, and 4. Easements for access voted for closure are and not included in the trail plan and will may be vacated through the Plan adoption process at a later date.

The NRMP has been prepared to provide guidelines for the protection and maintenance of preserved natural open space on the Preserves as well as assuring compliance with Area Specific Management Directives (ASMDs) which satisfy the requirements of the City's Multiple Species Conservation Program (MSCP) Subarea Plan Implementing Agreement for The Preserves. The City of San Diego MSCP provides a framework for preserving and protecting natural resources in the San Diego region. The City of San Diego prepared a Subarea Plan under the MSCP to meet the requirements of the California Natural Communities Conservation Planning (NCCP) Act of 1992. The Preserves NRMP describes the tasks that will ensure management and maintenance of the Preserves in accordance with the MSCP and the Subarea Plan. The natural open space of the Preserves harbors extremely sensitive and depleted vegetation communities and species unique to the San Diego region. The primary resources to be protected on these Preserves are vernal pools; southern maritime chaparral; the continuity of habitat for wildlife movement and gene flow and the federally and state listed flora and fauna (particularly the short-leaved dudleya, *Dudleya blochmaniae* ssp. *brevifolia*).

Adoption of the CPAs, LCP amendments and the NRMP does not ~~authorize construction prior to or without subsequent approval in accordance with the Land Development Code.~~ Implementation of future projects identified in the NRMP may require submittal and review

for issuance of a Site Development Permit (SDP) and/or Coastal Development Permit (CDP) prior to ~~any plan implementation~~; construction-related activities, ~~but~~ are not being proposed at this time. Opening and use of existing trails within the Preserves does not require issuance of a permit or further environmental review.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:
The areas covered by the CPA, NRMP and Easement Vacations are generally described as the southern portion of Carmel Valley; much of Del Mar Mesa; the southeastern portion of Pacific Highlands Ranch; the southwestern portion of Rancho Peñasquitos and the southern portion of Torrey Highlands (Figures 1 & 2). These project areas are ~~primarily~~ within City-owned open space with surrounding residential land uses, Interstate 5 to the west, Interstate 56 to the north and northeast and Los Peñasquitos Canyon Preserve to the south.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) No other approvals are anticipated to be required at this time.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial evaluation:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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

a) AESTHETICS – Would the project:

- a) Have a substantial adverse effect on a scenic vista?

☐
☐
☒
☒

The Project is located within two MHPA Open Space Preserves. Topography within the Carmel Mountain Preserve can be generally described as level coastal terraces that tilt slightly westward. The central portion of the Preserve is a fairly level mesa varying from 380 to 430 feet AMSL with several small drainages dissecting the margins of the mesas. The Del Mar Mesa Preserve is more diverse with level mesa tops, steep slopes, major drainages, and undulating mima mounds and intervening depressions (vernal Pools). Elevations in this Preserve range from 420 feet AMSL on the mesa to 200 feet AMSL in the bottom of Deer Canyon which runs along the northern edge of the Preserve.

Overall, the character of the Preserves would not change with adoption of the CPA Trails Plan, NRMP or Easement Vacations. The existing uses within the Preserves would generally be unchanged although implementation would result in future trails closures and/or revegetation/restoration of degraded/damaged areas to protect and preserve sensitive biological and cultural resources. Scenic qualities within the Preserves would not be affected and users would still have unobstructed views throughout the area. Therefore, the project would not cause a significant impact to a scenic vista.

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

☐
☐
☐
☒

There are no designated scenic highways in the project vicinity. The closest eligible State Scenic Highway, I-5, is located west of the Preserve areas. Thus, the project would not impact a state scenic highway. The Project is within the MHPA and there are no designated trees or historic buildings within the Preserves which would be considered scenic resources. No rock outcroppings would be disturbed with implementation of the Project.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

☐
☐
☒
☒

Adoption of the CPA Trails Plan and NRMP will allow the City's Park & Recreation Department to implement management guidelines and directives for maintenance of the Preserve while protecting natural and cultural resources without degrading the visual character of the area. The revised trails plan for the Preserves would allow current and future users continued access for recreational opportunities. No significant change in landform or grading would occur. The Project would not reduce the diversity of

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

elements associated with the Preserves and implementation of future projects would not result in an aesthetic that is significantly different from the existing aesthetic within the Preserves.

- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

☐
☐
☐
☒

Lighting within or adjacent to the MHPA must meet specific standards using the lowest illumination allowed for human safety, selectively placed, shielded, and directed away from preserved habitat in accordance with the MSCP Subarea Plan, Land Use Adjacency Guidelines. However, this project does not include any elements or other facilities that would require lighting. Therefore, the Project would not result in significant light or glare impacts.

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

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project: | | | | |
| a) Converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>Both Preserve areas are located within City-owned Open Space with both open-space and agricultural zoning. However, neither area is classified as Prime, Unique, or Statewide Important Farmlands, nor would the Project convert farmlands to a non-agricultural use. Thus, no impact to important farmlands would occur with adoption of the CPA Trails Plan, NRMP or Easement Vacations.</i> | | | | |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>The Preserve areas are zoned Agricultural (A-1-10) and Open Space (OR-1-2, OC-1-1 and CVPD-OS). Although agricultural uses are allowed in certain areas by right, the project sites are not under a Williamson Act contract and are not currently utilized for agricultural purposes, nor are there any future plans for agricultural uses within either Preserve. No impact would occur.</i> | | | | |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

Code section 51104(g))?

No forest land, timberland, or timberland zoned Timberland Production areas are located within or adjacent to the project sites, nor would the Project propose any changes to the zoning of the site to such uses. Thus, implementation of the Project would not impact land zoned for forest land.

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

☐
☐
☐
☒

No forest land would be lost, nor would forest land be converted to non-forest use with implementation of the Project.

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

☐
☐
☐
☒

As discussed in response II(b) above, the Project areas are within City-owned Open Space and not currently used for or planned for agricultural purposes, nor are there any current or planned agricultural or forest uses within the Preserves. Only minimal changes to the environment would result when future projects are implemented in accordance with the Project. These minimal changes would not conflict with any existing agricultural or forest land or result in the conversion of agricultural or forest land to other uses. Thus, no impact would occur.

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

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

☐
☐
☐
☒

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

Federal and state laws regulate the criteria air pollutants emitted into the ambient air by stationary and mobile sources. Criteria pollutants are defined by state and federal law as a risk to the health and welfare of the general public. The United States Environmental Protection Agency (USEPA) is responsible for enforcing the Federal Clean Air Act (CAA) of 1970 and its 1977 and 1990 Amendments. The CAA required the USEPA to establish National Ambient Air Quality Standards (NAAQS), which identify concentrations of pollutants in the ambient air below which no adverse effects on the public health and welfare are anticipated. The NAAQS regulate six criteria pollutants: carbon monoxide (CO), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), ozone (O₃), respirable particulate matter (PM₁₀), fine particulate matter (PM_{2.5}), and lead (Pb). The California Air Resources Board (CARB) has established the more stringent California Ambient Air Quality Standards (CAAQS) for the six criteria pollutants through the California CAA of 1988, and also has established CAAQS for additional pollutants, including sulfates, hydrogen sulfide, vinyl chloride and visibility-reducing particles. Areas that do not meet the NAAQS or the CAAQS for a particular pollutant are considered to be "nonattainment areas" for that pollutant.

The CARB is the state regulatory agency with authority to enforce regulations to achieve and maintain the NAAQS and CAAQS. The CARB is responsible for the development, adoption, and enforcement of the state's motor vehicle emissions program, as well as the adoption of the CAAQS. In San Diego, the Air Pollution Control District (SDAPCD) is responsible for attainment planning required by the California CAA. The SDAPCD develops the Regional Air Quality Strategy (RAQS) to address strategies within the San Diego Air Basin (SDAB) to attain and maintain air quality standards (June 30, 1992, as amended). The local RAQS, in combination with those from all other California nonattainment areas with serious (or worse) air quality problems, are used by CARB to develop the California State Implementation Plan (SIP). The SIP was adopted by the CARB in 1994 and approved by the USEPA in mid-1996. Since that date, the SDAB has achieved its attainment goals in a timely manner.

The Project involves adoption of the CPA Trails Plan, NRMP and public access easement vacations which will allow the City's Park & Recreation Department to implement management guidelines and directives for maintenance of the Preserves while protecting natural and cultural resources. Future projects implemented in accordance with the Project are not anticipated to generate pollutants into the local airshed. For the most part, activities associated with future trail closures involving revegetation/restoration efforts would only require the use of hand tools and /or limited use of small machinery (e.g. small bobcat). In those cases, standard dust control measures and Best Management Practices would be implemented. However, these types of projects do not have the scope which would conflict with applicable air quality plans for the area and therefore, no impact would result.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

On April 15, 2004, the SDAB was classified as a basic nonattainment area for the 8-hour NAAQS for O₃. The SDAB is an attainment area for the NAAQS for all other criteria pollutants. The SDAB currently falls under a national "maintenance plan" for CO, following a 1998 redesignation as a CO attainment area (SDAPCD 2008b). The SDAB is currently classified as a nonattainment area under the CAAQS for O₃ (serious nonattainment), PM₁₀, and PM_{2.5} (CARB 2008). As noted above in Section III.a, the types of projects that would be implemented once the CPA and NRMP are adopted do not have the scope which would violate any air quality standard and therefore, no impact would result.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

☐
☐
☐
☒

The SCAQMD's approach for assessing cumulative impacts is based on forecasts of attainment of ambient air quality standards in accordance with the requirements of the federal and state CAAs. As discussed in response III(a), the project would not conflict with the RAQS or applicable portions of the SIP and would maintain the attainment goals of the SDAB for all criteria pollutants. In addition, as discussed in response III(b), any future project-related construction would be limited to small machinery and hand-tools, would be short-term in nature, and would not result in a cumulatively considerable net increase of O₃ precursors (ROG and NO_x), PM₁₀ or PM_{2.5} (refer to Table 1). Therefore, the Project would not result in cumulatively considerable contributions to criteria pollutants within the SDAB.

- d) Expose sensitive receptors to substantial pollutant concentrations?

☐
☐
☐
☒

Sensitive receptors include schools (preschool through 12th grade), hospitals, resident care facilities, day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. None of these types of uses occur adjacent to the Preserves nor would implementation of the Trails Plan or NRMP result in any substantial levels of pollutants. As discussed earlier, the Project does not propose any uses which are not already occurring within the City-owned open space Preserves. Furthermore, none of these ongoing activities generate pollutant concentrations which would be adverse to sensitive receptors if they did occur near the Preserves. Lastly, health risks from pollutants generally require prolonged exposure of decades. Chronic exposure is

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

defined in the California Air Pollution Control Officers Association (CAPCOA) Air Toxics "Hot Spots" Program Risk Assessment Guidelines as 24 hours per day, seven days per week, 365 days per year, for 70 years. Persons using the open space or surrounding areas would not experience this level of exposure. It is not anticipated that the recreational uses within the Preserves would result in the formation of CO hotspots. In the absence of any localized health risk posed by air pollutants in the project vicinity, it is determined that the Project would not result in a significant health risk.

- e) Create objectionable odors affecting a substantial number of people?

☐
☐
☐
☒

Implementation of the CPA Trails Plan and NRMP, along with continued operation of existing trails, closure of trails and revegetation/restoration efforts would not have the potential to create objectionable odors that could affect a substantial number of people.

IV. BIOLOGICAL RESOURCES

– Would the project:

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

☐
☒
☐
☐

Numerous biological field surveys have been conducted during development of the Preserves trail system between June 2009 and January 2014. The results of the surveys are presented in the project biological technical report prepared for the Project by RECON Environmental Inc., and the City of San Diego Park & Recreation Department (RECON 2001, City of San Diego 2014). The field surveys included vegetation mapping and mapping of sensitive plant and animal species. Southern Maritime Chaparral, Southern Mixed Chaparral, and Chamise Chaparral are the dominant plant communities within the NRMP boundary (Figures 3 and 4 of the City Biology Assessment, 2014). Vernal pools, Southern Willow Scrub, Scrub Oak Chaparral, Coastal Sage Scrub, Non-native Grassland and Eucalyptus Woodland habitats are also found within the ~~Park~~ Preserves.

No federally or state listed plant species were observed within the GDP project boundary; however, one

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

~~Multiple Species Conservation Program (MSCP) Narrow Endemic species, aphanisma (Aphanisma blitoides) was identified during the field survey. The following nine other sensitive plant species were observed within the project boundary: Nuttall's scrub oak (Quercus dumosa), south coast saltseale (Atriplex pacifica), San Diego barrel cactus (Ferocactus viridescens), sea dahlia (Coreopsis maritima), cliff spurge (Euphorbia misera), red sand verbena (Abronia maritima), San Diego sagewort (Artemisia palmeri), California box thorn (Lycium californicum), and woolly seablite (Suaeda taxifolia).~~

The following sensitive species have been identified in the area where trail improvements are proposed: aphanisma, south coast saltseale, sea dahlia, cliff spurge, California box-thorn, and woolly seablite. In order to minimize impacts to these species, locations of these plants would be identified in the field and efforts made to design the trails in a way that minimizes potential impacts to these plants. Although impacts any impacts to aphanisma would be considered significant due to its status as a narrow endemic, avoidance and minimization efforts implemented in accordance with the NRMP would ensure no direct impacts to this species. Impacts to the other species would not be considered significant given their low sensitivity. Furthermore, some of these species would may be included in the native planting proposed as part of the GDP future restoration efforts.

Animal species noted during surveys for the NRMP and the project-specific biology surveys demonstrate that the ~~Park Preserves~~ supports a functioning chaparral ecosystem as expected within an MSCP Core Biological Area. The Preserves support diverse wildlife species: Carmel Mountain surveys detected 11 mammal, 51 bird, 4 reptile, 1 amphibian, and 1 invertebrate species; while, Del Mar Mesa Preserve surveys detected 12 mammal, 62 bird, 7 reptile, 4 amphibian, and 14 invertebrate species. The diversity of animals observed and expected to occur are typical of relatively undisturbed native habitat in coastal San Diego County and include California ground squirrel, southern pocket gopher, woodrats, bush rabbits, coyote, gray fox, southern mule deer, red-tailed hawks, California quail, mourning doves, Anna's hummingbirds, California towhees, western fence lizard, San Diego horned lizard, red diamond rattlesnake and San Diego fairy shrimp.

The NRMP does not propose adverse impacts to biologically sensitive resources and has been created to maintain and improve the quality of conserved lands within the project area by providing Area Specific Management Directives (ASMDs) to guide management and monitoring actions in conformance with the MSCP. The NRMP contains general sections detailing the location, ownership, and mitigation status of parcels within the preserve; detailed survey information on existing environmental conditions necessary for management; information on existing land uses and management challenges relevant to natural resource management; and resource management, maintenance and recreation guidelines for implementation by Park staff. The NRMP also identifies and prioritizes enhancement (e.g. invasive weed removal), education, and research needs and includes an implementation schedule with responsible parties.

The proposed trail system which is within the City's MHPA will close and restore of 13.29 miles of existing trails, including areas of vernal pools and riparian habitat, resulting in an overall net benefit to the Preserves. In addition, the proposed trail plan for Del Mar Mesa system has been approved by discussed with the U.S. Fish and Wildlife Service (USFWS) and by the California Department of Fish and

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

Wildlife (CDFW) as part of the development of the draft NRMP and the City's Vernal Pool Habitat Conservation Plan, and is expected to result in an overall net benefit to vernal pools within the NRMP area. Although a ~~Adoption~~ of the CPA Trails Plan and NRMP will not result in impacts to biological resources, ~~future projects implemented in accordance with the adopted NRMP have the potential to result in direct and/or indirect impacts to sensitive species and habitat.~~ Therefore, a The Mitigation Framework for Biological Resources, including the ASMDs contained within the NRMP have been incorporated into the Mitigation, Monitoring and Reporting Program (MMRP) detailed in Section V of the Mitigated Negative Declaration (MND). These measures are included to assure compliance for future activities within the Preserve for the protection and preservation of sensitive biological resources and to reduce potential impacts to below a level of significance.

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



As presented in the project biological technical reports the Preserves support a number of wetland and upland plant communities which are identified as important in local, state and federal planning efforts. These habitats within Del Mar Mesa include: vernal pools, southern maritime chaparral, southern mixed chaparral, southern willow scrub, scrub oak chaparral, chamise chaparral (including disturbed and sparse areas), Diegan coastal sage scrub (including disturbed and sparse areas), non-native grassland, eucalyptus woodland, and non-native vegetation; within Carmel Mountain include: Diegan coastal sage scrub, southern maritime chaparral, mesic meadow, seeps and Selaginella, and disturbed areas.

The proposed trail system which is within the City's MHPA will close and restore of 13.29 miles of existing trails, including areas of vernal pools and riparian habitat, resulting in an overall net benefit to the Preserves. In addition, the proposed trail plan for Del Mar Mesa system has been ~~approved by~~ discussed with the U.S. Fish and Wildlife Service (USFWS) and by the California Department of Fish and Wildlife (CDFW) as part of the development of the draft NRMP and the City's Vernal Pool Habitat Conservation Plan, and is expected to result in an overall net benefit to vernal pools within the NRMP area. As noted above, although impacts to sensitive vegetation communities are considered significant, ~~implementation of the adopted adoption of the CPA Trails Plan and NRMP~~ would not result in significant impacts; however, a Mitigation Framework has been incorporated into the MND to assure that future projects implemented in accordance with the NRMP avoid, ~~minimize and/or mitigate~~ potential impacts to below a level of significance.

All revegetation and restoration of closed trails as described in the CPA Trails Plan, NRMP and Biology Assessment (2014) will occur within the MHPA and will not require submittal of individual plans for review ~~in accordance with the City's Biology Guidelines, MSCP Subarea Plan and ASMD's contained in~~

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

the NRMP and subject to monitoring requirements and success criteria. In addition, implementation Appendix 6 of the NRMP, which is specific to vernal pool restoration and enhancement elements requires consultation and approval of a detailed restoration plan by the Wildlife Agencies prior to implementation. As such, impacts to biological resources would be reduced to below a level of significance following mitigation-compliance with the management goals and directives of the NRMP.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

☐
☒
☐
☐

Adoption and implementation of the NRMP, The Project would not directly impact any naturally occurring wetland habitat. Buffers would be provided from all wetland habitats as part of the trail restoration/revegetation efforts. With Strict adherence to the NRMP Management Guidelines, Biology Guidelines ESL Regulations, and the MSCP Subarea Plan requirements identified in the Mitigation Framework, would assure that impacts to wetlands, as defined by Section 404 of the Clean Water Act, would be reduced to below a level of significance.

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

☐
☐
☒
☐

Project implementation would not impact any wildlife corridors, would not block wildlife movement within the MHPA Preserves or fill any tributary canyons, nor would it block any part of the wildlife corridor to the Pacific Ocean.

- e) Conflict with any local policies or ordinances protecting biological resources, such as tree

☐
☐
☐
☒

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

preservation policy or ordinance?

The Project would be in compliance with the City's policy on public tree protection. No designated tree resources would be removed and no impact would occur. The Project would comply with all applicable polices and regulations which protect biological resources.

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

☐
☒
☐
☐

The City's MSCP Subarea Plan has been prepared to meet the requirements of the California Natural Communities Conservation Planning (NCCP) Act of 1992. This Subarea Plan describes how the City's portion of the MSCP Preserve, the MHPA, would be implemented. The MSCP identifies a MHPA that is intended to link all core biological areas into a regional wildlife preserve. The City's MSCP Subarea Plan Land Use Adjacency Guidelines contain a number of guidelines designed to minimize the impact of adjacent development on resources within the MHPA. Because the Preserves are entirely within the MHPA, these guidelines are applicable to the Project. Per the guidelines, issues pertaining to habitat insularization, drainage and toxins, lighting, noise, barriers, invasive plant species, grading/land development and increased trash must not adversely affect the Preserve area.

The NRMP has been created to maintain and improve the quality of conserved lands within the project area by providing Area Specific Management Directives (ASMDs) to guide management and monitoring actions in conformance with the MSCP. The NRMP contains general sections detailing the location, ownership, and mitigation status of parcels within the preserve; detailed survey information on existing environmental conditions necessary for management; information on existing land uses and management challenges relevant to natural resource management; and resource management, maintenance and recreation guidelines for implementation by Park staff. The NRMP also identifies and prioritizes enhancement (e.g. invasive weed removal), education, and research needs and includes an implementation schedule with responsible parties.

The MMRP detailed in Section V of the MND includes a Mitigation Framework describing the MHPA Land Use Adjacency Guidelines which would be applicable to any activities within the Preserves. Implementation of these measures would reduce the indirect impacts to below a level of significance.

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

V. CULTURAL RESOURCES

– Would the project:

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

☐
☐
☐
☒

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

No historical "built environment" resources have been identified within the Preserves and none are expected to be encountered. Therefore, for the purpose of the built environment, the Project would have no impacts and no mitigation framework has been included in the MND.

Archaeological resources are further addressed below in Section V.b.

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

☐
☒
☐
☐

A Phase I inventory of the project site was conducted by RECON in 2001 and most recently by Affinis in 2013, which included a records search conducted at the South Coastal Information Center (SCIC) and the San Diego Museum of Man. Both investigations included an intensive pedestrian survey performed by an archaeologist and Native American Monitor to relocate previously recorded sites or identify new sites within the CPA Trails Plan. The records search for Del Mar Mesa documented 38 previously recorded prehistoric and historic archaeological sites within the Preserve boundaries; and 27 prehistoric and historic archaeological sites within the Carmel Mountain Preserve. It should be noted that additional archaeological data was also obtained from prior investigations for the Carmel Valley Neighborhood 8A Specific Plan and Del Mar Mesa Subarea V projects. As such, sites that had already been previously determined to be not significant were not further evaluated for this effort.

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

Within the Carmel Mountain Preserve 14 of the 27 recorded sites and one homestead had been previously evaluated for importance under CEQA. Three of the 14 sites evaluated were considered important under CEQA and the 11 remaining sites were not significant. Four previously identified sites were not relocated during the 2001 surveys and could be the result of incorrect mapping during recording or incorrect identification of natural materials as prehistoric artifacts. The 2013 study by Affinis and Red Tail Monitoring and Research further investigated one site within City-ownership in the southern portion of the Carmel Mountain Preserve. Site CA-SDI-11696 was recorded in 1990 and described as an early period habitation site. Site integrity was noted as good, except for natural erosion. The current study noted a mano fragment and angular debris (debitage) during the field survey. Equestrian use of the trail causing severe erosion was also noted, but the most severe erosion is outside the actual archaeological site. According to the Affinis report, the portion of the site outside the trail does not appear to be suffering any adverse effects from trail use.

The portion of the site in this Preserve area is just west of the trail, not crossed by the trail. The trail does cross the northern portion of the site, which is in private ownership. Because the portion of the trail within this Preserve area is actually east of the archaeological site, no artifacts were observed in the trail, and no surface collection was conducted. An aerial photograph of the area shows unauthorized trails that appear to be subject to some use. At least one of these trails crosses the portion of CA-SDI-11,696, but most of the site appears to be relatively undisturbed. Artifacts were observed in the portion of the site within the NRMP, outside the trail. As discussed above, the portion of CA-SDI-11,696 within this Preserve area is west of the trail and not subject to direct impacts. Therefore, the site was not evaluated to assess significance. However, the site appears to retain good integrity and research potential and it is a potentially significant resource. The trail crossing the portion of the site in private ownership north of this Preserve area and is an authorized trail. Continued use of this trail could damage the site, which appears to retain good integrity. In order to avoid such impacts, the archaeological consultant has recommended that split rail fence or other deterrents be placed at the points where this unauthorized trail intersects the main trail. As such archaeological monitoring would be required during excavation of post holes for the installation of protective fencing and placement of container plants.

Within the Del Mar Mesa Preserve area, site CA-SDI-14,131 was recorded and described as "a flaking station or lithic raw material prospect (small quarry area)" in 1995. Artifacts noted included two cores and three quartzite and volcanic flakes concentrated in an area with a diameter of 10 m. The survey report noted, "The site is intact and has not been disturbed" (Schroth et al. 1996:4-46). During the March 2013 field check by Affinis and Red Tail Monitoring and Research, it was noted that the site was in fair condition. During the fieldwork for the testing program in July 2013 which was conducted in accordance with the City's Historical Resources Guidelines, a wooden stake and metal tag from the 1995 survey were found, marked with the site's temporary number and the date. The mapped site area and its immediate surroundings were surveyed in tight transects, in order to identify any surface artifacts. The only artifacts observed were one core fragment and one piece ofdebitage. Another quartzite cobble was collected as a possible core, but upon further examination it was determined not to be cultural. Four test units were excavated within the mapped area of the site, each unit measuring 1 m by ½ m. Unit 1 was placed just south of the existing trail, in an area where the surface soils have been eroded, exposing the cobble conglomerate. The other three test units were placed on the north side of the trail. This portion of the site is in better condition, as it has not been subject to impacts from hiking and biking use. Existing

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

sandstone and cobble conglomerate made excavation the units somewhat difficult and due to the lack of subsurface cultural material, each unit was terminated at a depth of 30 cm. As noted, two artifacts were collected from the surface of the site: a core fragment and a flake. Based on the testing results, the site's research potential has essentially been exhausted through the testing program, including documentation of the site and curation of the artifacts collected. CA-SDI-14,131 is not a significant resource under CEQA or the City's HRG; therefore, no mitigation measures are required.

Other than the recommendations for protective fencing along the trail near CA-SDI-11,696 ~~to~~ no additional mitigation measures are required. However, for future projects within the Preserves, implemented in accordance with the CPA Trails Plan and NRMP, some excavation may be required for the installation of container plants and given the archaeological sensitivity of the area, impacts to currently unknown resources may occur. Therefore, implementation of the Mitigation Framework for Historical Resources detailed in Section V of the MND along with the recommendations contained in the Cultural Resources Management Guidelines of the NRMP would reduce potentially significant impacts to historical (archaeological) resources to below a level of significance. Any future mitigation would require participation by a qualified archaeologist and Native American monitor during any ground-disturbing activities within the Preserves.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The City of San Diego's CEQA Significance thresholds state that grading which exceeds 1,000 cubic yards with 10 feet of depth/cut (high sensitivity) or 2,000 cubic yards with 10 feet of depth/cut (moderate sensitivity) has the potential to adversely affect paleontological resources and monitoring would be required. Based on the scope of the CPA Trails Plan, NRMP and Easement Vacations, impacts to paleontological resources are not anticipated and therefore, no mitigation is required.

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| d) Disturb and human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

No human remains have been documented within the project area; however, should human remains be encountered during ground disturbance activities for any future projects implemented in accordance with the CPA Trails Plan and NRMP, all required provisions/protocols would be implemented for the treatment of human remains as detailed in the Mitigation Framework contained within Section V of the MND and in accordance with the California Public Resources Code and the California Health and Safety Code including consultation with the state designated Native American MLD. Adherence to these provisions will reduce potential impacts to below a level of significance.

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

VI. GEOLOGY AND SOILS –
Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

☐
☐
☒
☐

There are no known active faults crossing the Preserves. The nearest known active fault is the Rose Canyon fault southwest of this area. The potential for ground surface rupture due to fault movement is considered low within the Preserves. The actions associated with adoption of the CPA Trails Plan and NRMP would result in less than significant impacts associated with the rupture of a known earthquake fault.

- ii. Strong seismic ground shaking?

☐
☐
☒
☐

See response VI(a.i) with regard to study area seismicity. The project site is subject to ground shaking due to the presence of several active faults in the region, and has historically experienced moderate to high levels of seismicity. The actions associated with adoption of the CPA Trails Plan and NRMP would result in less than significant impacts associated with strong seismic ground shaking to less than significant levels.

- iii. Seismic-related ground failure,

☐
☐
☐
☒

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

including
liquefaction?

Liquefaction is the phenomenon in which loosely deposited, saturated granular soils behave as a fluid for a short period of time during strong earthquake-induced ground shaking. Based on the dense nature of underlying formational materials and lack of near surface groundwater table, the potential for liquefaction within the Preserves does not exist. Thus, significant liquefaction impacts are not anticipated to occur.

iv. Landslides? ☐ ☐ ☒ ☐

Torrey Sandstone, Scripps Formation and the Lindavista Formation have been identified within the Carmel Mountain Preserve. Of these three, the Torrey Sandstone and Scripps Formation are sedimentary rocks that may contain planes of weakness. Within the Del Mar Mesa Preserve, the geology is characterized by Poway Conglomerate built out over the ancient coastal plain 45-40 million years ago. Based on the scope of the Project, there does not appear to be a potential risk associated with landslides for future projects implemented in accordance with the CPA Trails Plan and NRMP. However, any future improvements within the Preserves would be designed to meet current standards and include measures to minimize the risk which would reduce potential landslide risks to below a level of significance.

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

The NRMP includes a detailed discussion of the soil types within each Preserve area with respect to suitability for supporting biologically sensitive habitats and species including vernal pools. Adoption of the Trails Plan and NRMP would not in and of itself result in a substantial soil erosion or loss of topsoil. It should be noted however, that certain areas within the Preserves, erosion is occurring due to continued use of unauthorized trails. Adoption of the CPA Trails Plan and implementation of the management guidelines detailed in the NRMP associated with trail closures, revegetation and restoration will alleviate these conditions. Additionally, the sandstone formations underlying the Preserve areas are subject to erosion as a result of the natural condition within an open space preserve. While these conditions could exist, based on the nature of underlying formational materials and lack of near surface groundwater table, the potential for lateral spreading, subsidence, liquefaction, or collapse is minimal. Therefore, any future improvements within the Preserves would be designed to meet current standards and include measures to minimize the risk which would reduce impacts related to soil erosion to below a level of significance.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the ☐ ☐ ☒ ☐

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

project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

See responses VI(a.iii) and VI(a.iv). The NRMP includes a detailed discussion of the geologic units and soil types within each Preserve area with respect to suitability for supporting biologically sensitive habitats and species including vernal pools. Adoption of the Trails Plan and NRMP would not in and of itself result in a geologic condition as noted. The sandstone formations underlying the Preserve areas are subject to erosion as a result of the natural condition within an open space preserve. While these conditions could exist, based on the nature of underlying formational materials and lack of near surface groundwater table, the potential for lateral spreading, subsidence, liquefaction, or collapse is minimal. Therefore, any future improvements within the Preserves would be designed to meet current standards and include measures to minimize the risk which would reduce potential risks to below a level of significance.

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

☐
☐
☒
☐

Expansive and/or compressible soils may be present on the project site. The soil of the Lindavista Formation typically has low to moderate expansion, while the Scripps Formation typically have moderate to high expansion. Any future improvements within the Preserves would be designed to meet current standards and include measures to minimize the risk associated with expansive or compressible soils encountered during construction. These would be treated in accordance with standard engineering methods (e.g., lime treatment, moisture conditioning, or utilization of special foundations) to reduce impacts to less than significant levels. Implementation of these measures would reduce potentially significant impacts related to expansive or compressible soils to below a level of significance.

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

☐
☐
☐
☒

No septic tanks are proposed. Thus, no impact would occur.

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

VII. GREENHOUSE GAS

EMISSIONS – Would the project:

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

☐
☐
☒
☐

In order to serve as a guide for determining when a project triggers the need for a greenhouse gas (GHG) significance determination, the City has established an interim screening threshold for GHG emission analysis. Based on guidance in the CAPCOA report "CEQA & Climate Change," dated January 2008, the City is using an annual generation rate of 900 metric tons of GHGs to determine when further GHG analysis is required. This emission level is based on the amount of vehicle trips, the typical energy and water use, and other factors associated with projects. Based on this guidance from California Environmental Quality Act (CEQA) Guidelines, the City, and CAPCOA, implementation of the proposed GDP would result in a significant, cumulative climate change impact if it would generate in excess of a screening criterion of 900 metric tons of GHG.

This project does not include any staging or parking areas and would not result in an increase in vehicular traffic as measured in average daily trips, energy consumption or water usage. It is anticipated that the Preserves trail system would continue to be used by the local population by foot, bicycle or on horseback (in designated areas). No substantial operational emissions would be generated. Trail closures would be done by hand; revegetation/restoration efforts could require the use of small machinery (e.g., bobcat), but would be limited in nature, and construction-related GHG emissions would be substantially below the screening criterion of 900 metric tons per year of CO₂ equivalent, and therefore, impacts would be less than significant.

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

☐
☐
☒
☐

As the GHG emissions related to implementation of the Project would fall below the 900 metric tons screening criterion described in response VII(a), the project would not conflict with state and federal plans and policies intended to reduce GHG emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

- a) Create a significant hazard to the public or the

☐
☐
☐
☒

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

environment through routine transport, use, or disposal of hazardous materials?

No storage, transport, use, or disposal of any hazardous materials is proposed as part of the Project. Thus, no impact related to the transport of hazardous materials would occur with adoption of the CPA Trails Plan and NRMP implementation.

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

☐
☐
☐
☒

As discussed in the response to VIII(a), no health risk would result from implementation of the Project.

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

☐
☐
☐
☒

There are no schools located within one-quarter mile of the project site; therefore, no such hazards would result.

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

☐
☐
☐
☒

The Preserve areas are not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

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

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

☐
☐
☐
☒

The project site is not located within an airport land use plan or within two miles of a public airport or public use airport, or private airstrip, but is located within approximately northwest of Marine Corps Air Station (MCAS) Miramar. The federal Department of Defense has established Accident Potential Zones (APZs) for the air station. The established APZs define the areas that would be more likely to be affected by aircraft accidents. The Preserves are not located within any APZs for MCAS Miramar. Therefore, the project would not increase aircraft safety hazards and no safety hazards associated with flight activity have been identified. Accordingly, the project would not result in a safety hazard for people residing or working in the project area.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

☐
☐
☐
☒

The project site is not located within the vicinity of a private airport. Therefore, the project would not increase aircraft safety hazards and no safety hazards associated with flight activity have been identified. Accordingly, the project would not result in a safety hazard for people residing or working in the project area.

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

☐
☐
☐
☒

Emergency access to the Preserves would not change with adoption of the CPA Trails Plan and NRMP. Access currently meets the standards recognized by the City of San Diego Fire –Rescue Department and the Police Department. Thus, no impacts to emergency response plans would result from implementation of the Project.

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

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

☐
☐
☒
☐

Much of the land surrounding the Preserves has been developed into residential communities and commercial establishments. The interface between the wildlands of the Preserves and the urban development creates several management issues regarding fire, sensitive species and habitats, and conflicts between those who want to preserve San Diego's wildlands and those who buy homes adjacent to the wildlands. The NRMP dedicates an entire chapter to Fire Management and includes plans, programs and policies to address fire effects on biological and cultural resources within the Preserves as well as Fire-Rescue Department roles and responsibilities. Nevertheless, open space within the Preserves contains vegetation that could be susceptible to wildland fires. Adoption of the NRMP will assure that implementation of future projects comply with all fire safety regulations and code requirements established by the City of San Diego Fire-Rescue Department as further detailed in the NRMP to ensure the potential for wildland fires is less than significant.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

- a) Violate any water quality standards or waste discharge requirements?

☐
☐
☒
☐

Adoption of the CPA Trails Plan and NRMP would result in the closure of 13.29 miles of existing trails. This will require revegetation/restoration with native plants and would reduce erosion. The restoration efforts would therefore improve the existing condition within the Preserves by reducing sediment discharge into local water bodies. Standard best management practices (BMPs) would be implemented to reduce soil erosion and runoff. Potential water quality impacts would be avoided or reduced to less than significant levels through conformance with National Pollutant Discharge Elimination System (NPDES) Permit conditions, when applicable, to address erosion control measures that would be implemented to avoid erosion impacts to exposed soil associated with revegetation and/or restoration activities.

- b) Substantially deplete groundwater supplies or interfere substantially with

☐
☐
☐
☒

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

groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

The proposed project does not involve any long-term use of groundwater, with no associated impacts related to groundwater supplies or aquifer drawdown. The project is not anticipated to cause or contribute to an exceedence of applicable groundwater receiving water quality objectives. As such, no impacts to long-term infiltration or groundwater recharge would occur.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?

☐
☐
☒
☐

The CPA Trails plan has been designed to augment and use existing drainage patterns and discharge locations within the Preserves. In addition, the Preserves do not contain any drainage infrastructure. The overall drainage patterns within both Preserves would not be altered with adoption or implementation of the CPA Trails Plan and NRMP. Thus, impacts to on-site drainage would be less than significant.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or

☐
☐
☐
☒

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

off-site?

Please see IX(c). The Project would not substantially alter the existing drainage patterns within the Preserves and would not alter the course of a stream or river. As a result of the reduction in surface water and the lack of impacts to existing drainage, implementation of the Project would not result in flooding on-site or downstream.

- e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

☐
☐
☐
☒

As discussed in response IX(d), implementation of the Project (trail closures, revegetation and restoration efforts) would result in a net reduction in surface runoff, especially in areas which have severe erosion. The project does not represent a substantial source of polluted runoff, and site design and source control BMPs in accordance with the City's Stormwater Standards would prevent the generation of potential pollutants and exposure of storm water to pollutants. Thus, the Project would not result in significant water pollutants.

- f) Otherwise substantially degrade water quality?

☐
☐
☐
☒

As discussed in responses IX(a), (c) and (e), no significant impacts to water quality would occur with implementation of the Project.

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

☐
☐
☐
☒

The Project involves adoption of a CPA Trails Plan, NRMP and Easement Vacations. No existing or planned housing within the Preserves boundaries is proposed.

- h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?

☐
☐
☐
☒

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

As indicated in response IX(g), the Project involves adoption of a CPA Trails Plan, NRMP and Easement Vacations. No existing or planned housing within the Preserves boundaries is proposed and there are no risks related to flooding with approval of the Project.

- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

☐
☐
☐
☒

The project site is not located within a dam inundation zone, and thus would not be subject to flooding due to a dam failure. The Project would not result in the exposure of people or structures to a significant risk or loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam

- j) Inundation by seiche, tsunami, or mudflow?

☐
☐
☐
☒

While the presence of steep, unvegetated slopes could increase the potential for mudflows within the Preserves, the revegetation and restoration efforts would incorporate design measures to reduce the potential such conditions. Additionally, there is a low potential for significant tsunami effects within the Preserves based on the elevation above mean sea level (AMSL) and the distance from enclosed bodies of water. Therefore, there is no risk associated with inundation by seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING – Would the project:

- a) Physically divide an established community?

☐
☐
☐
☒

The CPA Trails Plan and NRMP is designed to enhance the quality and character of the Preserve, and improve conservation efforts for natural resources. Although the Project will vacate three public access easement into the Del Mar Mesa Preserve, two easements will remain and continue to provide connectivity and linkage to the existing trail system. It should also be noted that trail closures are intended where they have not been authorized within the Preserves or have severely degraded sensitive habitat through illegal access. As noted in the comment, although many of these unauthorized trails may be currently used by residents, they have been created illegally and have resulted in impacts to sensitive habitat within the Preserves. While trails are an allowed use in the MHPA, compliance with the requirements of the Environmentally Sensitive Lands Regulations (ESL) and the MSCP Subarea Plan for

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

the preservation and protection of sensitive habitat must be weighed against the recreational or social actions that have created the illegal trails resulting in habitat degradation within the Preserves. These actions have been taken into consideration in consultation with Park & Recreation Department-Open Space Staff and the Wildlife Agencies in determining which trails should be maintained and which would be closed. Closing unauthorized trails and discouraging illegal activities within the Preserves would not physically divide the community. The Project would not introduce new uses or involve improvements which would physically divide an established community. Thus, Project would not physically divide an established community.

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?



The CPA Trails Plan would add trail alignments and associated policy language to the Carmel Valley, Del Mar Mesa Pacific Highlands Ranch, Torrey Highlands and Rancho Penasquitos community plans to ensure consistency with the Carmel Mountain/ Del Mar Mesa NRMP. Both preserves are within MHPA Open Space and have regional significance with respect to habitat and species diversity. The NRMP would be consistent with the applicable goals and policies of the City's General Plan, Conservation Element which addresses design, construction, relocation and maintenance of trails. The Project would also help to implement the General Plan Recreation Element policies which address the need to balance passive recreation needs of trail use with environmental preservation. As such, no conflict would result.

The proposed project has complied with Senate Bill 18 requirements regarding Native American consultation by providing letters offering an opportunity to consult to 19 Native American individuals and organizations identified by the Native American Heritage Commission. No responses were received.

Adoption of the CPA Trails Plan and NRMP does not require deviation findings in accordance with the ESL Regulations, as no development is proposed at this time. However, as stated above, when future projects are submitted to implement any element of the NRMP, review in accordance with the ESL Regulations and approval of a Site Development Permit (SDP) would be required. Therefore, approval of the Project would not conflict with applicable land use plans.

For purposes of developing a Local Coastal Program, the City of San Diego's coastal zone was divided into twelve segments, each with their own land use plan. The North City Local Coastal Program (LCP)

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

includes Mira Mesa, Sorrento Hills, Torrey Pines, University, Via de la Valle, and the North City Future Urbanizing Area. The North City LCP was adopted by the City Council in 1981 with amendments in 1985, 1987, 1988, and 1990 and certified by the California Coastal Commission.

The North City Future Urbanizing Area Framework Plan was prepared to provide general guidance for the preparation of subarea plans for the North City Future Urbanizing Area. The framework plan indentified five subareas. Portions of Subarea II, Subarea III (Pacific Highlands Ranch) and Subarea V (Del Mar Mesa) are located within the Coastal Zone and are subject to the North City LCP. The Framework Plan is supplemented by the policies in the North City LCP. These policies address filling and development within the 100-year floodplain, the treatment of sensitive and scenic slopes and other issues. Land Use Plans have been certified by the Coastal Commission for Subarea III (Pacific Highlands Ranch) and Subarea V (Del Mar Mesa). Amendments to the land use plans (Subarea Plans) require certification by the California Coastal Commission in order for the amendments to become effective in the Coastal Zone areas.

The Carmel Valley (North City West) community plan area is divided into 14 neighborhoods, each with its own precise plan. In 1990, the Coastal Commission certified the portions of the Neighborhood 8 Precise Plan that lie within the coastal zone. The Precise Plan was subsequently amended to include trail alignments. In October 2012, the Coastal Commission certified the Gables/Peppertree amendment to the Neighborhood 8 Precise Plan.

The proposed project would amend the following land use plans to include alignments and language to relevant figures and sections to allow for future trail use consisting of multi-use, equestrian, and hiking trails within the Carmel Valley, and Neighborhood 8A Precise Plan, Del Mar Mesa (Subarea V) Specific Plan, and Pacific Highlands Ranch (Subarea III) Subarea Plan. Portions of the identified trials would be within the Coastal Zone.

The City has not submitted the Neighborhood 8A Precise Plan to the Coastal Commission for certification of areas within the Coastal Zone. The area of the Neighborhood 8A Precise Plan in the Coastal Zone is identified as Open Space. The Neighborhood 8A Precise Plan would be amended to include a discussion of trails with a reference to the Del Mar Mesa/Carmel Mountain Natural Resources Management Plan.

Pacific Highlands Ranch Subarea

- Within the southeastern area of the Pacific Highlands Ranch Subarea, a 1.38 mile multi-use trail alignment is proposed within the Coastal Zone. The Subarea Plan also identifies the area as Multiple Habitat Preservation Area (MHPA).

Del Mar Mesa Subarea

- Within the northeastern area of the Del Mar Mesa Subarea, a 1.11 mile multi-use trail alignment is proposed within the Coastal Zone. The Subarea Plan also identifies the area as Resource Base Open Space/MHPA.
- Within the northwestern area of the Del Mar Mesa Subarea, a 0.36 mile multi-use trail alignment is

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

proposed within the Coastal Zone. The Subarea Plan identifies the area as either Resource Based Open Space or Estate Residential.

Carmel Valley -Neighborhood 8 Precise Plan

- Within the central area of the Carmel Valley Neighborhood 8 Precise Plan , a 0.31 mile equestrian trail alignment is proposed within the Coastal Zone. The Precise Plan identifies the area as Open Space.
- Within the central area of the Carmel Valley Neighborhood 8 Precise Plan, a 1.69 mile multi use trail alignment is proposed within the Coastal Zone. The Precise Plan identifies the area as Open Space.
- Within the central area of the Carmel Valley Neighborhood 8 Precise Plan, a 0.7 mile hiking trail alignment is proposed within the Coastal Zone. The Precise Plan identifies the area as Open Space.

Neighborhood 8A Precise Plan

- The amendment to the Carmel Valley Neighborhood 8A Precise Plan would add language to the text referencing the Natural Resources Management Plan trail plan which would allow future 0.27 mile multi-use trail within the Coastal Zone.

Future projects implemented in accordance with the Trails Plan and NRMP will require review/approval of a Coastal Development Permit (CDP) in accordance with the City's Land Development Code as it applies in the Coastal Zone. Compliance with all provisions of the ESL Regulations for projects within the Coastal Zone and preparation of CDP findings will be required.

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

☐
☐
☒
☐

As discussed earlier, the NRMP has been developed to provide ASMDs that meet the requirements of the City's MSCP. In addition, as discussed in response IV(f), this Project and future projects implemented in accordance with the NRMP would be required to comply with the Land Use Adjacency Guidelines established to protect adjacent MHPA land from unauthorized activities.

In addition to compatible use considerations, the project will conform to the City's MSCP Subarea Plan Framework Management Plan General Management Directives (Section 1.5.2) requirements for access, trails, and recreation, as follows (requirement in italics, explanation of project conformance in regular font):

- 1. Provide sufficient signage to clearly identify public access to the MHPA. Barriers such as vegetation, rocks/boulders or fencing may be necessary to protect highly sensitive areas. Use appropriate type of*

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

barrier based on location, setting and use.

Existing trailheads are marked with signage and informational/educational kiosks. Directional signage and barriers are provided throughout the trail system to guide users to their desired destination, and additional signage/barriers would be installed as needed based on trail monitoring results. The proposed trail system will remove trail segments adjacent to sensitive habitats and species (e.g. vernal pools, deer bedding areas) in favor of segments in less sensitive areas.

2. Locate trails, view overlooks, and staging areas in the least sensitive areas of the MHPA. Locate trails along the edges of urban land uses adjacent to the MHPA, or the seam between land uses (e.g., agriculture/habitat), and follow existing dirt roads as much as possible rather than entering habitat or wildlife movement areas. Avoid locating trails between two different habitat types (ecotones) for longer than necessary due to the typically heightened resource sensitivity in those locations.

No new parking lots or view overlooks are proposed. The proposed trail system utilizes existing trail segments and utility access roads. The proposed trail segments do not follow the ecotone except for the shortest distance necessary to cross habitat types.

3. In general, avoid paving trails unless management and monitoring evidence shows otherwise. Clearly demarcate and monitor trails for degradation and off-trail access and use. Provide trail repair/maintenance as needed. Undertake measures to counter the effects of trail erosion including the use of stone or wood crossjoints, edge plantings of native grasses, and mulching of the trail.

The proposed trails permitted through this project would not be paved. All trails are surveyed by Park staff on a rotating basis throughout the year, with a complete trail maintenance survey occurring at the end of each rainy season. Actions to repair trail damage from erosion, inappropriate use, or other factors will be taken promptly as needed.

4. Minimize trail widths to reduce impacts to critical resources. For the most part, do not locate trails wider than four feet in core areas or wildlife corridors. Provide trail fences or other barriers at strategic locations when protection of sensitive resources is required.

The proposed trail segments would remain less than four feet in width except for access roads. If off-trail use is noted during trail maintenance surveys, areas of concern will be signed and/or barriers will be installed as necessary.

5. Limit the extent and location of equestrian trails to the less sensitive areas of the MHPA. Locate staging areas for equestrian uses at a sufficient distance (e.g., 300-500 feet) from areas with riparian and coastal sage scrub habitats to ensure that the biological values are not impaired.

No equestrian staging areas are proposed. Trails are collocated with existing utility access roads and existing paths.

6. Limit recreational uses to passive uses such as birdwatching, photography and trail use... Where

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

permitted, restrain pets on leashes.

Only passive recreational activities will be allowed on the proposed trail system. Pursuant to the Municipal Code and the MSCP Framework Management Plan, pets would be required to be on leash at all times.

7. Design and maintain trails where possible to drain into a gravel bottom or vegetated (e.g., grasslined) swale or basin to detain runoff and remove pollutants.

Existing trails selected for retention in the trail system are sited at appropriate grades to minimize erosion and sedimentation.

The MSCP Subarea Plan Section 1.5.8, Specific Management Policies and Directives for the Northern Area, contains management directives for Del Mar Mesa (NCFUA Subarea 5) and Carmel Mountain (Carmel Valley Neighborhood 8A):

NCFUA Subarea 5

1. Clearly demarcate all trails through the Del Mar Mesa area and provide split rail fencing or barriers and signage along sensitive portions to discourage off-trail use. Trails through this area should use the existing disturbed roads as much as possible. No new trails should be cut through existing habitat. Assess existing dirt and disturbed roads and trails for restoration over the long-term.

Del Mar Mesa is patrolled regularly by City ranger staff. Upon approval of the NRMP, signs would be posted on Del Mar Mesa directing users to the approved trail system, and maps would be provided at entrance kiosks. The proposed trail system utilizes existing access roads with some additional segments of existing dirt paths. No new trails are proposed to be cut through existing habitat. As part of the development of the proposed trail system, 13.29 miles of existing paths were identified for closure and restoration.

2. Develop an equestrian use plan for the Del Mar Mesa area that avoids the vernal pool habitat and their associated watershed areas. If possible, the Del Mar Mesa are should be managed as a single unit rather than split into separate entities according to ownership (County, various City departments, easements).

The NRMP and proposed trail plan fulfill this MSCP requirement for development of an equestrian use plan. The proposed trail system does not include direct impacts to vernal pool basins. The NRMP also discusses the alternatives for joint management in Section 1.2.2.

3. Protect sensitive areas of Del Mar Mesa area from impacts from adjacent development. Use signage to inform people of the sensitivity of the vernal pools and the Del Mar Mesa are in general, and restrict off-road vehicle use in the area.

Upon approval of the NRMP, additional educational signage will be installed. Off-road vehicle use has

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

been restricted through installation of gates and a guardrail by the City of San Diego’s Park and Recreation Department. Landowners within Del Mar Mesa have not reported any off-road activity following the installation of the guardrail.

Carmel Valley Neighborhood 8A

1. Redirect human access from vernal pools and dudleya populations through signage and fencing as necessary to delineate and protect the sensitive species.

The proposed trail plan proposes closure of trails that are near vernal pools and dudleya populations. Fencing and educational signage are in place in critical areas to limit impacts to these habitats.

2. Develop an equestrian use plan including a trail system so as to avoid as much as possible wetlands and other highly sensitive areas.

The NRMP and proposed trail plan fulfill this MSCP requirement for development of an equestrian use plan. The proposed trail system does not include direct impacts to wetlands, vernal pools, or other sensitive vegetation.

3. Monitor this sensitive area for off-road and off-trail use, and take necessary measures to prevent such use, and repair damage (at minimum, closure of areas) as soon as feasible. Also assess for invasive plant species and remove as soon as possible.

Carmel Mountain is patrolled regularly by City ranger staff. Vehicle gates and fences have been installed where necessary to prevent off-road and off-trail use. Invasive species removal is recommended by the NRMP.

4. Use some of the existing dirt roads for trails, and avoid cutting new trails through habitat areas. Restore/revegetate dirt roads (not used as trails) and other disturbed areas to the appropriate habitat (maritime chaparral, vernal pool, grassland, coastal sage scrub, as determined by biologists.

The proposed trail system utilizes existing access roads with some additional segments of existing dirt paths. No new trails are proposed to be cut through existing habitat. As part of the development of the proposed trail system, 13.29 miles of existing paths were identified for closure and restoration.

The proposed trail system was evaluated based on the criteria included in these management directives (e.g. sensitive species, erosion, appropriate use type and frequency), and will be signed both at access points and at trail intersections. Complete trail surveys are conducted annually by Park staff and trail maintenance projects are implemented as necessary based on survey results. The proposed project, if approved, will complete implementation of the above management directives through significantly lowering the number of trail-miles within the Preserves from existing conditions and providing increased buffers for sensitive species.

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

Therefore, implementation of the Mitigation Framework for Biological Resources, MHPA Land Use Adjacency Guidelines and the Biological Resources Management Guidelines in the NRMP would reduce potential impacts to below a level of significance.

XI. MINERAL RESOURCES –
Would the project?

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

☐
☐
☐
☒

The Preserve areas are underlain by the surficial soils, the Scripps Formation, Torrey Sandstone and the Poway Conglomerate, which do not contain mineral resources. The loss of known mineral resources, valuable locally or regionally, would not occur as a result of the project. Therefore, the Project would not result in any impacts associated with mineral loss.

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

☐
☐
☐
☒

The project site is not currently mined and is not designated for future mining activities. As such, no impacts to mineral resources would occur.

XII. NOISE – Would the project result in:

- a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

☐
☐
☐
☒

Uses associated with the Project would be consistent with current passive recreational uses of the

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

Preserves. The Project would not generate excessive noise levels beyond what is allowed in accordance with the General Plan, associated community plans, and the Municipal Code. Impacts would be less than significant.

- b) Exposure of persons to, or generation of, excessive ground borne vibration or ground borne noise levels?

☐
☐
☐
☒

NRMP implementation would not include drilling, mechanical hammering, or pile driving, so vibration and ground-borne noise would not be generated. Thus, no exposure to ground vibration or noise would occur.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

☐
☐
☒
☐

Project-related noise generation would be limited to short-term construction activities and minor noise resulting from operation of a small bobcat during revegetation/restoration efforts associated with implementation of future trail closures. As noted above in response XII(a), the Project would not generate excessive noise levels beyond what is allowed in accordance with the General Plan, associated community plans, and the Municipal Code, and no significant increases in permanent ambient noise levels would occur.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing without the project?

☐
☐
☒
☐

As discussed in response XII(c), the Project would result in temporary increases in ambient noise levels when the use of small mechanized equipment is necessary to complete revegetation/restoration efforts associated with trail closures; however, such impacts would be within the limits specified in the Noise Ordinance. Impacts related to temporary or periodic noise increases would be less than significant.

- e) For a project located within an airport land use plan, or, where such a plan has not been adopted,

☐
☐
☐
☒

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

within two miles of a public airport or public use airport would the project expose people residing or working in the area to excessive noise levels?

The Preserves are not located within an airport land use plan for a public or public use airport. Thus, users would not be exposed to excessive aircraft noise.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

☐
☐
☒
☐

The Preserves are not located within the vicinity of a private airstrip and therefore, excessive aircraft noise levels would not be experienced by persons within and adjacent to the Preserves.

XIII. POPULATION AND HOUSING – Would the project:

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

☐
☐
☐

The Project would not directly or indirectly induce population growth.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

☐
☐
☐
☒

There is no existing or planned housing within the project boundaries. Thus, no housing would be

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

displaced by approval of the Project.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

☐
☐
☐
☒

As discussed in responses XIII.a. and XIII.b, implementation of the Project would not displace any persons or housing.

XIV. PUBLIC SERVICES

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

- i) Fire Protection

☐
☐
☐
☒

The Project would not affect or generate a need for new or altered fire protection; effects on fire protection would not occur. Thus, no new facilities would be required which could result in physical changes to the environment.

- ii) Police Protection

☐
☐
☐
☒

The project does not propose any uses that would require any increase in police protection services. Thus, no new facilities would be required which could result in physical changes to the environment.

- iii) Schools

☐
☐
☐
☒

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

The project would not generate any students. Thus, the Project would not adversely affect schools.

| | | | | |
|-----------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iv) Parks | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------|--------------------------|--------------------------|--------------------------|-------------------------------------|

The purpose of the project is to provide guidance for the management of the Preserves and protection of the scenic, natural, cultural, and historical resources. The Project is consistent with the existing uses and would not adversely affect passive use of the Preserves. In fact, the Project would have a positive effect both Preserves.

| | | | | |
|----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| v) Other public facilities | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Adequate services are available to support the proposed project.

XV. RECREATION –

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed project does not include housing or schools and would not increase the use of existing parks or recreational facilities in the vicinity of the Preserves. The Project would provide guidance for the management of the Preserves and protection of the scenic, natural, cultural, and historical resources. The Project is consistent with the existing uses and would not adversely affect passive recreational use of the Preserves. In fact, the Project would have a positive effect on both Preserves.

| | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

The NRMP includes provisions for improvement to existing trails and closure of unauthorized trails and is considered a recreational facility within the Preserves. Future improvements as well as revegetation and restoration efforts have the potential to result in significant but mitigable impacts as identified

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

elsewhere in this checklist. Implementation of the applicable Mitigation Framework will reduce potential impacts to below a level of significance.

XVI. TRANSPORTATION/TRAFFIC

Would the project?

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

☐
☐
☐
☒

The Project does not have the scope or scale that would introduce a substantial amount of vehicle trips into the area and therefore no conflicts with existing circulation systems would occur.

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

☐
☐
☐
☒

As discussed in response XVI(a), above, the proposed project would not conflict with an applicable congestion management program, and no impacts would occur.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

☐
☐
☐
☒

The project does not proposed any structures or components that would affect air traffic patterns. As

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

such, no impact would occur.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

☐
☐
☐
☒

The Project does not have the scope or scale that would increase hazards related to traffic; therefore, no impact would occur.

- e) Result in inadequate emergency access?

☐
☐
☐
☒

The project incorporates measures to allow adequate fire and police emergency access to the site. Thus, the project would not result in inadequate emergency access.

- f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

☐
☐
☐
☒

The Project is consistent with the community plan Open Space designation and would not conflict with any adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities. Thus, implementation of the Project would not conflict with policies encouraging alternative forms of transportation and would, in fact, promote those policies.

XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

☐
☐
☐
☒

The project would result in standard consumption and would not exceed wastewater treatment requirements of the RWQCB.

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

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

☐
☐
☐
☒

The Project would not result in uses which would require construction or expansion of water or wastewater treatment facilities. As discussed earlier, the Preserves are not connected to public water or wastewater facilities and adoption of the NRMP would not change this fact. Thus, the Project would not affect existing water and wastewater treatment facilities serving the area.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

☐
☐
☐
☒

The Project would not result in uses which would require construction of new storm water drainage facilities. As discussed earlier, the Preserves are not connected to infrastructure and adoption of the NRMP would not change this fact. Thus, the Project would not significantly impact existing storm drain facilities.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

☐
☐
☐
☒

As discussed in response XVII(b), no new water entitlements would be required, and the project would have no impact on existing water resources.

- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate

☐
☐
☐
☒

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

capacity to serve the project's projected demand in addition to the provider's existing commitments?

Wastewater would not be generated on site. The project would not require or result in the construction of new wastewater treatment facilities or the expansion of existing wastewater treatment facilities. Accordingly, no associated impact would occur.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

☐
☐
☐
☒

While some waste may be generated during trail closure, it would be limited in nature and would be directed to the appropriate City landfill after consultation with Environmental Services Department. The project would comply with Greenbook Section 802. As implementation of the project would not substantially change the ongoing passive recreational uses of the Preserves, there would be no significant increase in the amount of solid waste generated. Thus, the project would not significantly impact the City's solid waste disposal facilities.

- g) Comply with federal, state, and local statutes and regulation related to solid waste?

☐
☐
☐
☒

The proposed project would comply with all applicable, federal, state, and local statutes and regulations related to solid waste. Thus, no impact would occur with respect to compliance with solid waste regulations.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE -

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining

☐
☒
☐
☐

| Issue | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | | | |
| <p><i>The project has a potential to result in impacts to land use (MSCP/MHPA), biological resources, and cultural resources, as described in the applicable sections of this Initial Study. However, implementation of the Mitigation Framework, along with management guidelines and recommendations of the NRMP and MSCP Subarea Plan identified in this Initial Study, would reduce all impacts to a below level of significance.</i></p> | | | | |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p><i>As noted above, future projects implemented in accordance with the Trails Plan and NRMP has the potential to impact Land Use (MHPA), Biological and Cultural Resources. However, implementation of the Mitigation Framework, along with management guidelines and recommendations of the NRMP and MSCP Subarea Plan identified in this Initial Study, would reduce all impacts to a below level of significance. Therefore, impacts associated with this project, combined with other closely related past, present and reasonably foreseeable future projects would not result in a cumulatively considerable incremental effect on biological resources, cultural resources, or land use associated with the MHPA.</i></p> | | | | |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

directly or indirectly?

The City of San Diego conducted this Initial Study which determined that the Project could have a ~~signifecant~~ significant environmental effects in the following issues areas: Land Use (MSCP/MHPA), Biological Resources and Historical Resources (Archaeology); however, none of the effects associated with these issue areas would result in a significant effect on human beings. Implementation of the NRMP would provide a benefit to human beings in the form of improved trail conditions and improved access to quality open space in an otherwise urbanized environment. Any potential environmental effects ~~on human beings~~ resulting from this project could be reduced or eliminated through standard project design measures and/or compliance with applicable local, state or federal regulations. In addition, implementation of the Mitigation Framework, along with management guidelines and recommendations of the NRMP and MSCP Subarea Plan identified in this Initial Study, would reduce all impacts to a below level of significance.

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

- ☒ City of San Diego General Plan.
- ☒ Community Plan.
- ☒ Local Coastal Plan.

II. Agricultural Resources & Forest Resources

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

III. Air Quality

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

IV. Biology

- ☒ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997
- ☒ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" Maps, 1996.
- ☒ City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.
- ☐ Community Plan - Resource Element.
- ☒ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.
- ☐ California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.
- ☒ City of San Diego Land Development Code Biology Guidelines.
- ☒ Site Specific Report: Biological Technical Report for the Carmel Mountain and Del Mar Mesa Natural Resources Management Plan (City of San Diego January 2014); Biological Resources Appendix to the NRMP (RECON 2002) and NRMP (2011).

V. Cultural Resources (includes Historical Resources)

- ☒ City of San Diego Historical Resources Guidelines.
- ☒ City of San Diego Archaeology Library.
- ☐ Historical Resources Board List.

- ___ Community Historical Survey:
- ☒ Site Specific Report: Cultural Resources Study for the Carmel Mountain and Del Mar Mesa Natural Resources Management Plan (Affinis, August 2013); Cultural Resources Appendix to the NRMP (RECON 2002) and NRMP (2011).
- VI. Geology/Soils**
- ☒ City of San Diego Seismic Safety Study.
- ___ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.
- ☒ Site Specific Report: Carmel Mountain and Del Mar Mesa Natural Resources Management Plan (April 2011).
- VII. Greenhouse Gas Emissions**
- ___ Site Specific Report: Air Quality and Greenhouse Gas Technical Report for the Torrey Pines City Park General Development Plan. HELIX. November 29, 2011.
- ___ Site Specific Report:
- VIII. Hazards and Hazardous Materials**
- ___ San Diego County Hazardous Materials Environmental Assessment Listing.
- ___ San Diego County Hazardous Materials Management Division.
- ___ FAA Determination.
- ___ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized.
- ___ Airport Land Use Compatibility Plan.
- ___ Site Specific Report:
- IX. Hydrology/Water Quality**
- ___ Flood Insurance Rate Map (FIRM).
- ___ Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map.
- ___ Clean Water Act Section 303(b) list, http://www.swrcb.ca.gov/tmdl/303d_lists.html.
- ___ Site Specific Report:
- X. Land Use and Planning**
- ☒ City of San Diego General Plan.
- ☒ Community Plan.
- ☒ Airport Land Use Compatibility Plan.
- ☒ City of San Diego Zoning Maps.
- ___ FAA Determination.

XI. Mineral Resources

- ☐ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.
- ☐ Division of Mines and Geology, Special Report 153 - Significant Resources Maps.
- ☐ Site Specific Report:

XII. Noise

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

XIII. Paleontological Resources

- ☒ City of San Diego Paleontological Guidelines.
- ☐ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996.
- ☒ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.
- ☐ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.
- ☒ Site Specific Report: Carmel Mountain and Del Mar Mesa Natural Resources Management Plan (April 2011).

XIV. Population / Housing

- ☒ City of San Diego General Plan.
- ☒ Community Plan.
- ☐ Series 11 Population Forecasts, SANDAG.
- ☐ Other:

XV. Public Services

- ☒ City of San Diego General Plan.
- ☒ Community Plan.

XVI. Recreational Resources

- ☒ City of San Diego General Plan.
- ☒ Community Plan.
- ☒ Department of Park and Recreation
- ☐ City of San Diego - San Diego Regional Bicycling Map
- ☒ Additional Resources: Carmel Mountain and Del Mar Mesa Natural Resources Management Plan (April 2011).

XVII. Transportation / Circulation

- ☐ City of San Diego General Plan.
- ☐ Community Plan.
- ☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.
- ☐ San Diego Region Weekday Traffic Volumes, SANDAG.
- ☐ Site Specific Report:

XVIII. UTILITIES

- ☒ City of San Diego General Plan.
- ☒ Community Plan.

XIX. WATER CONSERVATION

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