

Exhibit 5

Bayshore Bikeway/San Diego Coastal Trail
Final Mitigated Negative Declaration/Initial Study
(May, 2009)
Addenda and Second Addenda

**BAYSHORE BIKEWAY
PROJECT
(Segments 4,5,7, and 8A)**

**Final Mitigated Negative Declaration/
Initial Study**

May 2009



401 B Street, Suite 800 • San Diego, CA 92101-4231 • (619) 699-1900

PREFACE

This is a Final Mitigated Negative Declaration (MND), prepared pursuant to the California Environmental Quality Act (CEQA), addressing potential environmental consequences of the implementation of the Bayshore Bikeway Project (Segments 4,5,7, and 8A). The Draft MND/Initial Study (IS) was circulated for public review from February 24, 2009 to March 25, 2009 (State Clearinghouse No. 2009021106). During the public review period, comments were received from the following public agencies and organizations:

- State of California, Governor's Office of Planning and Research, State Clearinghouse;
- San Diego County Archaeological Society, Inc.;
- California Native American Heritage Commission;
- California Department of Toxic Substances Control;
- California Regional Water Quality Control Board, San Diego Region;
- California Public Utilities Commission;
- City of Chula Vista, Planning and Building Department; and
- San Diego Gas & Electric Company.

The comments, along with responses addressing the issues of concern, are provided on the pages following this Preface. The comments are provided on the left half of the page with each specific comment numbered in the left-hand margin, and the corresponding numbered response is provided on the right side of the page.

In response to comments received on the Draft MND, minor revisions have been made to the IS. Revisions to the text are shown in ~~strikeout~~ and underline; if no strikeout or underline is indicated, information remains unchanged.



ARNOLD SCHWARZENEGGER
GOVERNOR

March 26, 2009

Rob Rundle
San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Subject: Bayshore Bikeway Project
SCH#: 2009021106

Dear Rob Rundle:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on March 25, 2009, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Director, State Clearinghouse



CYNTHIA BRYANT
DIRECTOR

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

A1

A1. Comment noted.

Document Details Report
State Clearinghouse Data Base

SCH# 2009021106
Project Title Bayshore Bikeway Project
Lead Agency San Diego Association of Governments

Type MND Mitigated Negative Declaration
Description SANDAS proposes to construct an ~4.5 mile long portion of the planned Bayshore Bikeway along the eastern San Diego Bay front in the cities of San Diego, National City, and Chula Vista. The proposed alignment for this portion of the bikeway would extend from 32nd Street in the City of San Deigo along Harbor Drive; through the City of National City along Tidelands Avenue, Civic Center Drive, and West 32nd Street; and within the City of Chula Vista from H Street to Stella Street.

Lead Agency Contact

Name Rob Rundle
Agency San Diego Association of Governments
Phone 619-699-6949 **Fax**
email
Address 401 B Street, Suite 800
City San Diego **State** CA **Zip** 92101

Project Location

County San Diego
City San Diego, National City, Chula Vista
Region
Lat / Long - -
Cross Streets 32nd Street and Harbor Drive; Tidelands Ave, Civic Center Dr, W. 32nd Street, H St to Stella St
Parcel No.

Township	Range	Section	Base

Proximity to:

Highways I-5, 15, 805, SR 54
Airports
Railways BNSF, SD&AE
Waterways Pacific Ocean, Sweetwater River, and Otay River
Schools Several
Land Use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Geologic/Seismic; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Water Quality

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

Date Received 02/24/2009 **Start of Review** 02/24/2009 **End of Review** 03/25/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.



San Diego County Archaeological Society, Inc.

Environmental Review Committee

14 March 2009

To: Mr. Rob Rundle
Principal Regional Planner
SANDAG
401 B Street, Suite 800
San Diego, California 92101-4231

Subject: Draft Mitigated Negative Declaration
Bayshore Bikeway Project

Dear Mr. Rundle:

I have reviewed the subject DMND, including the cultural and historical resources report that you provided in response to our request, on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the documents, we agree with the impact analysis and mitigation measures for sites SDI-13073H and SDI-16385H. However, the comments on Section 5.c of the initial study indicate that portions of the bike path will see excavation of five feet.

The cultural resources report does not address what, if any, areas hold the potential for buried resources. While some of the bikeway route is indeed on fill, not all of it is. Furthermore, the possibility that excavations may exceed the depth of the fill needs to be considered. The project archaeologists should determine which locations will see excavations and whether archaeological monitoring is required in any of them.

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

Sincerely,

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

cc: ASM Affiliates
SDCAS President
File

P.O. Box 81106 • San Diego, CA 92138-1106 • (658) 538-0935

B1

B1. The potential to encounter unknown subsurface cultural resources during project construction is extremely low given the disturbed nature of the project site resulting from urban development, railroad uses, and utility corridors. While the Draft MND indicates that the maximum depth of excavation would be five feet (in Item 5c), this maximum was estimated during the early planning and design phase of the project. Refinements to the project design have since been made, and it is anticipated that maximum excavation depths would be less than five feet, with the deepest cuts occurring in the southern portion of the alignment along Bay Boulevard for a proposed storm drain box culvert beneath the bike path. In the unlikely event that subsurface cultural resources are accidentally discovered during construction, appropriate provisions would be followed, pursuant to Section 15064.5 of the State CEQA Guidelines. These provisions generally include an evaluation of the discovered resources by a qualified archaeologist and any associated investigations, recovery/collection, and recordation/curation. Additionally, the project would be required to comply with Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98 regarding the accidental discovery of any human remains.

STATE OF CALIFORNIA
 915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-4082
 (916) 657-5390 - Fax

Arnold Schwarzenegger, Governor



March 17, 2009

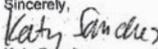
Rob Rundle
 San Diego Association of Governments (SANDAG)
 401 B Street, Suite 800
 San Diego, CA 92101

RE: SCH#2009021106 Bayshore Bikeway Project; San Diego County

Dear Mr. Rundle:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All 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.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per 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.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - 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,

 Katy Sanchez
 Program Analyst

CC: State Clearinghouse

C1. As discussed in Item 5 in the Draft MND, a cultural resources study was conducted for the project (*Cultural and Historical Resources Study for the Bayshore Bikeway Project, San Diego County, California*), which included a records search at the South Coastal Informational Center, a field survey, an historical evaluation, and Native American consultation. The Native American Heritage Commission (NAHC) was requested to conduct a search of their Sacred Lands files. In addition, Native American representatives in the project area (based on a list provided by the NAHC) were contacted to notify them of the project and solicit concerns. No responses were received. Please refer to response B1 regarding accidental discovery of unknown subsurface cultural resources.

Native American Contact
 San Diego County
 March 17, 2009

<p>Ewiiapaayp Tribal Office Chairperson PO Box 2250 Alpine, CA 91903-2250 wmicklin@leaningrock.net (619) 445-6315 - voice (619) 445-9126 - fax</p>	<p>Kumeyaay</p>	<p>Kumeyaay Cultural Historic Committee Ron Christman 56 Viejas Grade Road Alpine, CA 92001 (619) 445-0385</p>	<p>Diegueno/Kumeyaay</p>
<p>Manzanita Band of Kumeyaay Nation Leroy J. Elliott, Chairperson PO Box 1302 Boulevard, CA 91905 (619) 766-4930 (619) 766-4957 Fax</p>	<p>Kumeyaay</p>	<p>Campo Kumeyaay Nation Monique LaChappa, Chairperson 36190 Church Road, Suite 1 Campo, CA 91906 chairman@campo-nsn.gov (619) 478-9046 (619) 478-5818 Fax</p>	
<p>Sycuan Band of the Kumeyaay Nation Danny Tucker, Chairperson 5459 Sycuan Road El Cajon, CA 92021 sslva@sycuan-nsn.gov 619 445-2613 619 445-1927 Fax</p>	<p>Diegueno/Kumeyaay</p>	<p>Jamul Indian Village Kenneth Meza, Chairperson P.O. Box 612 Jamul, CA 91935 jamulrez@sctdv.net (619) 669-4785 (619) 669-48178 - Fax</p>	<p>Diegueno/Kumeyaay</p>
<p>Viejas Band of Mission Indians Bobby L. Barrett, Chairperson PO Box 908 Alpine, CA 91903 daguilar@viejas-nsn.gov (619) 445-3810 (619) 445-5337 Fax</p>	<p>Diegueno/Kumeyaay</p>	<p>Kumeyaay Cultural Heritage Preservation Paul Cuero 36190 Church Road, Suite 5 Campo, CA 91906 chairman@campo-nsn.gov (619) 478-9046 (619) 478-9505 (619) 478-5818 Fax</p>	<p>Diegueno/ Kumeyaay</p>

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

Distribution of this list does not relieve any person of 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 Native Americans with regard to cultural resources for the proposed SCH# 2009021106 Bayshore Bikeway Project, San Diego County.

Native American Contact
San Diego County
March 17, 2009

<p>Kumeyaay Cultural Repatriation Committee Steve Banegas, Spokesperson 1095 Barona Road Lakeside, CA 92040 (619) 742-5587 (619) 443-0681 FAX</p>	<p>Diegueno/Kumeyaay Campo Kumeyaay Nation ATTN: Fidel Hyde, EPA Supervisor 36190 Church Road, Suite 1 Campo, CA 91906 (619) 478-9369 (619) 478-5818 Fax</p>
<p>Ewiaapaayp Tribal Office Will Micklin, Executive Director PO Box 2250 Alpine, CA 91903-2250 wmicklin@leaningrock.net (619) 445-6315 - voice (619) 445-9126 - fax</p>	<p>Kumeyaay Diegueno/Kumeyaay Clint Linton P.O. Box 507 Santa Ysabel, CA 92070 (760) 803-5694 cjlinton73@aol.com</p>
<p>Ewiaapaayp Tribal Office Michael Garcia, Vice-Chairman/EPA Director PO Box 2250 Alpine, CA 91903-2250 michaelg@leaningrock.net (619) 445-6315 - voice (619) 445-9126 - fax</p>	<p>Kumeyaay Diegueno/Kumeyaay Sycuan Band of the Kumeyaay Nation Sydney Morris, Environmental Coordinator 5459 Sycuan Road El Cajon, CA 92021 (619) 445-2613 (619) 445-1927-Fax</p>
<p>Manzanita Band of Mission Indians ATTN: Keith Adkins, EPA Director PO Box 1302 Boulevard, CA 91905 (619) 766-4930 (619) 766-4957 Fax</p>	<p>Kumeyaay Manzanita Band of the Kumeyaay Nation Nick Elliott, Cultural Resources Coordinator P.O. Box 1302 Boulevard, CA 91905 (619) 766-4930 (619) 925-0952 - cell (919) 766-4957</p>

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

Distribution of this list does not relieve any person of 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 Native Americans with regard to cultural resources for the proposed SCH# 2009021106 Bayshore Bikeway Project; San Diego County.



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi, Acting Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor

March 23, 2009

Mr. Rob Rundle
San Diego Association of Governments (SANDAG)
401 B Street, Suite 800
San Diego, California 92101

DRAFT MITIGATED NEGATIVE DECLARATION (ND) FOR BAYSHORE BIKEWAY
PROJECT (SCH# 2009021106)

Dear Mr. Rundle:

The Department of Toxic Substances Control (DTSC) has received your submitted document for the above-mentioned project. As stated in your document: "SANDAG proposes to construct an approximately 4.5-mile-long portion of the planned Bayshore Bikeway along the eastern San Diego Bay front in the cities of San Diego, National City, and Chula Vista. The proposed alignment for this portion of the bikeway would extend from 32nd Street in the city of San Diego along Harbor drive; through the City of National City along Tidelands Avenue, Civic Center Drive, and West 32nd Street; and within the City of Chula Vista from H Street to Stella Street".

Based on the review of the submitted document DTSC has the following comments:

- 1) The ND should identify and determine whether current or historic uses at the project area may have resulted in any release of hazardous wastes/substances.
- 2) The document states that the ND would identify any known or potentially contaminated sites within the proposed project area. For all identified sites, the ND should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).

Printed on Recycled Paper

D1 []
D2 []

D1. An Initial Site Assessment (ISA) was completed (Initial Site Assessment, Bayshore Bikeway, San Diego, California) to evaluate potential hazardous materials and wastes in the project study area. The results and conclusions of the ISA are summarized in Item 7 in the Draft MND. The ISA identified current and previous uses that may have resulted in hazardous waste/materials releases, as well as known and potentially contaminated sites within the project area. The ISA also included a regulatory agency database/files review. The Draft MND concluded that contaminated soil may be encountered during project construction, and the MND identifies mitigation (Mitigation Measure HAZ-1 and HAZ-2) to reduce impacts to below a level of significance.

D2. Refer to response D1 above.

COMMENTS

RESPONSES

Mr. Rob Rundle
March 23, 2009
Page 2

D2
cont.

- EnviroStor, a database primarily used by the California Department of Toxic Substances Control, at www. Envirostor.dtsc.ca.gov.
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

D3

3) The ND should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state laws, regulations and policies.

D4

4) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another

D3. As discussed above in response D1 above, the Draft MND concludes that contaminated soil may be encountered during project construction due to past uses in the project area. Mitigation Measures HAZ-1 and HAZ-2 identified in the Draft MND require soil sampling/soil vapor surveys, and any necessary remediation. Regulatory oversight would be provided by the County of San Diego Department of Environmental Health and, if necessary, the California Department of Toxic Substances Control.

COMMENTS

RESPONSES

Mr. Rob Rundle
March 23, 2009
Page 3

D4 cont. location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.

D5 5) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

D6 6) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the ND should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.

D7 7) If weed abatement occurred, onsite soils may contain herbicide residue. If so, proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.

D8 8) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

D9 9) DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

D4. Refer to response D3 above.

D5. Refer to responses D1 and D3 above.

D6. Refer to responses D1 and D3 above.

D7. As identified in Item 7 of the Draft MND, former agricultural uses occurred in the southern portion of the alignment within Chula Vista. As a result, residual pesticides and herbicides may be present in soils. Implementation of Mitigation Measures HAZ-1 and HAZ-2 identified in the Draft MND would reduce impacts to below a level of significance.

D8. The project consists of a bike path and would not generate hazardous waste.

D9. Comment noted.

COMMENTS

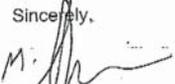
RESPONSES

Mr. Rob Rundle
March 23, 2009
Page 4

10) For future CEQA documents, please provide the email address of the person to whom comments should be sent.

If you have any questions regarding this letter, please contact me at (714) 484-5472 or at "ashami@DTSC.ca.gov".

Sincerely,


Al Shami
Project Manager
Brownfields and Environmental Restoration Program - Cypress

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

CEQA #2481

D10. Comment noted.



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from U.S. EPA



Arnold Schwarzenegger
Governor

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<http://www.waterboards.ca.gov/sandiego>

March 23, 2009

Rob Rundle
County of San Diego
401 B Street, Suite 800
San Diego, CA 92101

SUBJECT: Comments on the Mitigated Negative Declaration for Segments (4,5,7, and 8A) of the Bayshore Bikeway Project, County of San Diego, California (SCH#2009021106).

Dear Mr. Rundle:

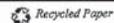
The California Regional Water Quality Control Board, San Diego Region (Regional Board) appreciates the opportunity to comment on the Mitigated Negative Declaration (MND) for Segments (4,5,7, and 8A) of the Bayshore Bikeway Project. The project is located along the western San Diego Bay front in the cities of San Diego, National City, and Chula Vista, within the county of San Diego, California.

The Bayshore Bikeway project (segments 4,5,7, and 8A) proposes to construct an approximately 4.5 mile long portion of the planned Bayshore Bikeway along the eastern San Diego Bay front in the cities of San Diego, National City, and Chula Vista (herein referred to as proposed project).

The Regional Board regulates the discharge of waste to protect the quality of waters of the State, broadly defined as "the chemical, physical, biological, bacteriological, radiological, and other properties and characteristics of water which affects its use". The project proponent is required to obtain a permit from the Regional Board if the project has any of the following discharges:

Discharge Type	Types of Permits involved
<ul style="list-style-type: none"> Discharge of dredged or fill materials 	<ul style="list-style-type: none"> Clean Water Act (CWA) §401 water quality certification for federal waters and/or Waste Discharge Requirements for non-federal waters.

California Environmental Protection Agency



E1

E1. The Draft MND identifies anticipated permits required from the Regional Water Quality Control Board (RWQCB), including a Section 401 Water Quality Certification and a National Pollutant Discharge Elimination System General Construction Activity Storm Water Permit. All necessary permits will be obtained prior to construction of the project.

Rob Rundle
 County of San Diego
 Bayshore Bikeway Project

- 2 -

March 23, 2009

Discharge Type	Types of Permits involved
<ul style="list-style-type: none"> Wastewater discharges 	<ul style="list-style-type: none"> CWA §402 National Pollutant Discharge Elimination System permit.
<ul style="list-style-type: none"> Storm water discharges 	<ul style="list-style-type: none"> NPDES General Municipal Permit NPDES Construction Storm Water General Permit NPDES Industrial Storm Water General Permit
<ul style="list-style-type: none"> Other discharges 	<ul style="list-style-type: none"> Waste Discharge Requirements or other permits for discharges that may affect groundwater quality and other waters of the State, such as operation of proposed solid waste transfer facilities, and other proposed project activities.

Addressing the protection of water resources and water quality at this stage in the project offers the most cost effective strategy for minimizing the impacts of pollutants from on-site runoff to downstream surface waters and for reducing physical impacts to down slope streams and wetlands. Our review of the proposed project is limited to potential impacts to surface water quality. The following comments include treatment criteria, and a review of regulatory requirements applicable to your project:

1) SUSMP Requirements

- a) As a Priority Development Project, the project must comply with the local Standard Urban Storm Water Mitigation Plan (SUSMP) and other requirements of the Municipal Storm Water Permit (R9-2007-0001).

2) Water Course Alterations

- a) Section 401 of the Clean Water Act requires any applicant for a federal license or permit to conduct any activity which may result in any discharge into the navigable waters, to provide the licensing or permitting agency a certification from the State water pollution control agency having jurisdiction over the navigable waters at which the discharge originates or will originate, that any such discharge will comply with water quality standards and implementation plans.

California Environmental Protection Agency



E2

E3

E2. As required, the project would comply with the requirements of the Municipal Storm Water Permit (RWQCB Order No. R9-2007-0001) and related water quality guidelines adopted by local jurisdictions. Refer to Item 8 in the Final MND.

E3. The Draft MND identifies that a Section 401 Water Quality Certification would be required for the project (under Project Approvals in the Project Description and Item 4c).

Rob Rundle
County of San Diego
Bayshore Bikeway Project

March 23, 2009

- E4 [b) If water courses are to be altered in any way, the project proponent must perform a wetland delineation in accordance with the US Army Corps of Engineers (USACE) delineation manual and arid west supplement, and obtain a Jurisdictional Determination (JD) from the USACE, in order to determine if the impacted water courses are considered Federal or non-Federal waters of the State.
- E5 [c) For projects that propose alterations or impacts to non-federal waters of the State, the discharger should apply for individual or general Waste Discharge Requirements issued by the State.
- E6 [d) In any case, the project should avoid all impacts to water courses, minimize impacts that cannot be avoided, and mitigate for any remaining impacts in accordance with the State's "No-Net-Loss" policy (Executive Order W-59-93).
- E7 [3) After ensuring that impacts have been avoided and then minimized to the maximum extent, any necessary mitigation should be on-site and in kind. If on-site mitigation is not feasible, the chosen mitigation site should be as near to the project site as possible.
- E8 [4) Discharges to impaired water bodies
a) If the project site is tributary to a 303(d)-listed impaired water body, the project should implement appropriate BMPs to ensure compliance with the impaired water body's total maximum daily load (TMDL) for the identified pollutants.

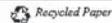
The above comments do not constitute approval of your project nor are they intended as a complete list of regulatory requirements. The above comments are intended as suggestions for the protection of storm water quality although adherence to some suggestions may in fact be required.

If you would like clarification on any of our comments or if we may be of further assistance, please contact Eric Becker, at (858) 492-1785 or email EBecker@waterboards.ca.gov.

Respectfully,

Eric Becker
Senior WRC Engineer
Southern Watershed Protection Unit

California Environmental Protection Agency



- E4. As identified in Item 4c of the Draft MND, a jurisdictional delineation was conducted for the project to identify wetland areas under the jurisdiction of the U.S. Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG). Project impacts would require a federal Clean Water Act Section 404 Permit from the Corps. As part of the permit process, a Jurisdictional Determination from the Corps would be obtained.
- E5. Refer to response E1 above.
- E6. Project impacts to jurisdictional wetlands would be mitigated through implementation of the applicable mitigation measures related to biological resources identified in the Draft MND. Compensatory biological mitigation would be provided in accordance with the State's No-Net-Loss policy, as required by the resource agencies during the permitting process (e.g., Section 404 Permit, Section 401 Certification, and CDFG Section 1602 Agreement).
- E7. As identified in Item 4 in the Draft MND, the mitigation for project impacts to jurisdictional wetlands would occur through purchase of credits at an approved wetland mitigation bank.
- E8. As discussed in Item 8a in the Draft MND, downstream receiving waters, namely the San Diego Bay, is a 303(d)-listed impaired water body. Appropriate Best Management Practices would be implemented in accordance with the NPDES guidelines for municipal storm water runoff.

COMMENTS

RESPONSES

STATE OF CALIFORNIA
PUBLIC UTILITIES COMMISSION
350 WEST 4TH STREET, SUITE 800
LOS ANGELES, CA 90013

ARNOLD SCHWARZENEGGER, Governor



March 25, 2009

Rob Rundle
San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Rundle:

Re: SCH# 2009021106; Mitigated Negative Declaration for the Bayshore Bikeway Project

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission's Rail Crossings Engineering Section (RCES) staff is in receipt of the Mitigated Negative Declaration (MND) for Bayshore Bikeway Project through the Cities of San Diego, National City, and Chula Vista. The San Diego Association of Governments (SANDAG) proposes to construct an approximately 4.5 mile long portion of the planned Bayshore Bikeway along the eastern San Diego Bay front in the cities of San Diego, National City, and Chula Vista. The proposed alignment for this portion of the bikeway would extend from 32nd Street in the City of San Diego along Harbor Drive; through the City of National City along Tidelands Avenue, Civic Center Drive, and West 32nd Street; and within the City of Chula Vista from H Street to Stella Street.

The project may impact the highway-rail grade crossings of Harbor, Civic Center and Tidelands. Please provide me with more detail on the proposed bike path, including the distance of the proposed bike path alignment to any at-grade railroad crossing. Commission General Order (GO) 88-B requires a GO 88-B request to be submitted to our office for any modification to an existing highway-rail crossing. The creation of a bike path adjacent to a highway-rail crossing would greatly change the characteristics of a crossing and the crossing would need to be evaluated to mitigate any possible safety impact the bike path might have on the crossing.

If you have any questions or if you would like to discuss these recommendations further, you may contact me at (213) 576-7076 or ldi@cpuc.ca.gov

Sincerely,

Laurence Michael
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

F1. The Draft MND identifies that the project would require approval from the California Public Utilities Commission for any new railroad crossings (page 26 under Project Approvals). SANDAG will coordinate with the Public Utilities Commission throughout the project design process regarding approval of new crossings, as well as use of, and proximity to existing crossings.

F1



CITY OF CHULA VISTA
PLANNING & BUILDING DEPARTMENT

April 2, 2009

Rob Rundle, Principal Regional Planner
SANDAG
401 B Street, Suite 800
San Diego, CA 92101

RE: Comments on the Draft Mitigated Negative Declaration (MND) for the Bayshore Bikeway Project

Dear Mr. Rundle:

Thank you for providing the City of Chula Vista the opportunity to comment on the draft Bayshore Bikeway Mitigated Negative Declaration (MND). The City supports the proposal of a regional bicycle facility and is excited to be a participant in this important regional planning effort. Provided below are comments on the draft Bayshore Bikeway MND. These comments are generally minor in nature and are meant to provide further clarification for those portions of the bikeway within the City's jurisdiction. The comments are as follows:

- G1 [1. Page 21: It is our understanding that there will be a need to acquire a new PUC crossing at the L Street extension site for Segment 8A. Please clarify this on the bottom of pages 21 and/or top of page 22. In general for all segments and proposed railroad crossings, it would be helpful to disclose whether or not there is a PUC crossing authorized already. In some instances, there may already be a crossing but the width may need to be expanded. Please clarify this issue in the document.
- G2 [2. Page 26 (Project Approvals): Segments 4, 5, 7 & 8A of the project could potentially be financed and constructed on independent timelines. As such, each of these segments would have to go through their own permitting process. On page 26 of the MND, the required permits are listed by each jurisdiction. It would be extremely helpful if the Project Approvals section of the MND could be revised in table format to list the Jurisdiction, Segment number, the type of permit required, and trigger.
- G3 [3. Project Approvals (page 26): Biological impacts within the City of Chula will need to comply with the City's Habitat and Incidental Take and Loss (HLIT) ordinance for areas covered within the City's Multiple Species Conservation Program (MSCP) area. Please list the HLIT permit as a potential discretionary permit within the City of Chula Vista.

- G1. A new railroad crossing would be required at L Street, which would require approval from the California Public Utilities Commission. The discussion of the SDG&E Easement and SD&AE Railroad ROW Alignment in Segment 8A has been revised accordingly.
- G2. A table has been added to the Project Approval discussion in the Final MND that lists required permits/approvals, permitting/approving agencies, and permit/approval triggers for each segment of the proposed bike path (Table 1, Required Permits and Approvals).
- G3. The project would not impact any special status plant or animal species and therefore, would not require Habitat and Incidental Take and Loss permit.

Page 2
April 2, 2009

G4 [

4. Biological Resources (page 35): The MND states that "most" of the project impacts to sensitive vegetation occur within the City of Chula Vista. Please further clarify this statement. The MND should clarify in tabular format impact acreages that occur within the City and outside the City. This MND should also clarify in tabular format, which impacts occur within the City's MSCP area versus the Port of San Diego's area. It is suggested that this clarification be made in Table 1 on page 36 of the MND. A table should also be provided that list impacts in further detail by Segment Number.

G5 [

5. Biological Resources (page 36): Please provide a discussion of the City's MSCP program. Despite the fact the project does not impact any preserve areas, the project is still subject to the mitigation ratios and applicable MSCP requirements (i.e., HLIT requirements etc.) for impacts within development areas. For any wetland impacts within the City's MSCP Subarea, the project must also demonstrate consistency with the City's wetland protection program.

G6 [

6. Biological Resources (page 36): Please clarify how impact ratios/permitting requirements on Port tidelands may differ from the City's MSCP program requirements.

G7 [

7. Land Use and Planning (page 53 – part c): Please explain further how the project complies with the City's MSCP program specifically: 1) impacts within MSCP development areas, 2) HLIT requirements and 3) the City's MSCP wetlands protection program.

Should you have any questions, please do not hesitate to call me at (619) 409-5922 or call Frank Rivera at (619) 691-5045.

Sincerely,



Marisa Lundstedt
Principal Planner
City of Chula Vista Planning and Building Department



Frank Rivera
Principal Civil Engineer
City of Chula Vista Public Works Department

(File: STL-337)

cc: Scott Tulloch, Assistant City Manager
Gary Halbert, Deputy City Manager/Development Services Director
Ed Batchelder, Advance Planning Manager

G4. Two tables have been added to the biological resources discussion (Item 4) of the Final MND that summarize impacts by jurisdiction and segment number (Table 2b, Summary of Project Impacts to Sensitive Vegetation and Required Mitigation by Jurisdiction; Table 2c, Summary of Project Impacts to Sensitive Vegetation and Required Mitigation by Segment).

G5. The following discussion has been incorporated into Item 4 (Biological Resources) and referenced in Item 9 (Land Use and Planning) of the Final MND:

A portion of the proposed bike path alignment is located within in the City of Chula Vista MSCP Subarea Plan (Subarea Plan) boundary. The bike path alignment within Chula Vista occurs in an area designated as a Development Area in the Subarea Plan, but is not located within a strategic preserve or conservation area. Pursuant to the Subarea Plan, the project is subject to the requirements of the City of Chula Vista Habitat Loss Incident Take (HLIT) Ordinance. In accordance with the HLIT Ordinance, those projects that are greater than one acre, contain sensitive biological resources, and are located outside the "Covered Projects," must demonstrate compliance with the HLIT Ordinance and obtain Take authority from the City of Chula Vista for impacts to Subarea Plan covered species. The proposed project would not involve the take of any covered species and therefore, a HLIT permit would not be required.

The City of Chula Vista Wetland Protection Program is included in the Subarea Plan and intended to provide an evaluation of wetlands avoidance and minimization and ensure compensatory mitigation for unavoidable impacts to wetlands, thereby achieving no overall net loss. Projects that contain wetlands are required to demonstrate that impacts to wetlands have been avoided and minimized to the greatest extent practicable, and mitigated accordingly for unavoidable impacts. Consistent with the Wetland Protection Program, unavoidable project impacts to wetlands would be mitigated pursuant to applicable mitigation ratios identified in the Subarea Plan. No associated impacts would occur.

G6. Mitigation ratios identified in the Draft MND are based on the ratios in the Subarea Plan. No project impacts to sensitive habitat would occur within Port tidelands.

G7. Refer to response G5 above.



April 1, 2009

Mr. Rob Rundle, Principle Regional Planner
 SANDAG
 401 B Street, Suite 800
 San Diego, CA 92101

RE: Comments on the Mitigated Negative Declaration for the Bayshore Bikeway Project
 (segments 4, 5, 7 and 8A)

Dear Mr. Rundle:

San Diego Gas and Electric Company (SDG&E) respectfully submits this letter in response to the San Diego Association of Governments (SANDAG) Draft Mitigated Negative Declaration (MND) for the Bayshore Bikeway Project (Segments 4, 5, 7 and 8A). Segments 7 and 8 of the Bayshore Bikeway Project (Bikeway) propose a bike path within existing SDG&E easements from H Street to J Street, and Segment 8A from J Street to just south of the South Bay Power Plant. SDG&E is a utility regulated by the California Public Utilities Commission (CPUC) that provides electric and gas services to customers throughout San Diego County. The CPUC mandates that SDG&E maintain its utility infrastructure and easements, and several facilities are located in this area including underground electric transmission lines (230kV and 138kV), overhead electric transmission lines proposed to be removed in 2009, overhead 12kV and 69kV lines, and access roads, and an oil pipeline that is operated and maintained by Duke Energy for the South Bay Power Plant. It is critical that the bikeway project appropriately addresses SDG&E's facilities and CPUC licensing process, including what is known as the "851" process.

SDG&E submits the following comments for consideration and incorporation into the Final MND:

- Any grading, construction, and installation of the bike path and drainage system within the SDG&E easements should consider the existing underground facilities and

H1

H1. SANDAG will continue to coordinate with SDG&E throughout the project design process to avoid potential conflicts between existing/future planned SDG&E utilities and the proposed bike path.

COMMENTS

RESPONSES

- H1 cont. [transmission lines including access routes and maintenance pads. Advance coordination with SDG&E is required to avoid impacts to electric facilities and ongoing maintenance.
- H2 [• Terms and conditions of any approval that SDG&E may grant for recreational pedestrian and bike path will be negotiated by SDG&E Land Management. These terms and conditions may include, but are not limited to building and land use restrictions, landscaping, irrigation, drainage, lighting, fencing, pergolas, etc. The Final MND should reflect these obligations.
- H3 [• In addition, an encumbrance on any utility easement may require a Section 851 filing with the CPUC for an order by the CPUC authorizing the third-party use of utility property for trail or active recreational purposes or designations. This should be reflected with the permits and approvals that may be required under the "Project Approval" section in the Final MND.
- H4 [• On Figures 8, 9, 14 and 15, the bike path is depicted as being directly over an underground electric transmission line between "H" Street and Marina Parkway, and south of Marina Parkway. In order to minimize potential conflicts with underground facilities, the bike path should be located outside (to the east) of the alignments, or at a minimum, straddle the two alignments. Some electric vault lids are raised and could be a potential hazard to users of the bike path.
- H5 [• Segment 8A proposes that the bike path would also function as an SDG&E access road (page 21). Coordination with SDG&E is imperative to determine whether this is feasible. An eight-foot fence just south of L Street is proposed, and this has the potential to block SDG&E access to property for a future planned substation.
- H6 [• SDG&E will need to cross the bike path in several locations to access and conduct maintenance on its facilities. Signage should be placed along the bike path and within the SDG&E easements alerting the public of this. In addition, SDG&E may need to have the bikeway closed intermittently to conduct utility maintenance.
- H7 [• The proposed bike path lighting within the SDG&E easements should not be located on top of existing electrical trenches and should be placed a minimum of 10 feet away from underground trenches and vaults. Any tall lighting structures shall also comply with CPUC General Order 95 vertical and radial clearances from overhead distribution and transmission lines. Lighting systems, fencing, and any other structure installed within the transmission easements may need to be grounded.
- H8 [• The MND should be revised to state the type of paving material to be used for the bike path. In areas where SDG&E must use the bike path to access facilities, the bike path should be compacted to 90% and be able to accommodate H20 loading requirements for commercial vehicle loads.
- H9 [• Segment 8A - Figures 10 and 15 illustrate the bike path between Stella Street north to the entrance of the bike path on the Power Plant Property. SDG&E has an overhead electric

- H2. The MND has been revised to identify that the project requires approval from SDG&E regarding use of the utility corridor for a portion of the bike path.
- H3. The MND has been revised to identify that the project may be required to complete a Section 851 filing with the California Public Utilities Commission.
- H4. Refer to response H1 above.
- H5. Refer to response H1 above.
- H6. Refer to response H4 above.
- H7. Refer to response H1 above.
- H8. Comment noted. Refer to response H1 above.
- H9. Refer to response H1 above.

COMMENTS

RESPONSES

H9 cont. transmission line with 12kV underbuild on the west side of Bay Blvd. This pole line is very close to the proposed bike path, and there is some anchorage that may need to be relocated for safety.

H10 • Where SDG&E has overhead facilities, specifically, three poles just north of "L" Street where the bike path crosses from east to west, the proposed bike path should not limit or prevent SDG&E access and maintenance activities, including areas around poles necessary to use as work pads.

H11 • Proposed fencing, particularly for Segment 4 between 32nd St. and West 8th Street, National City within the Burlington Northern & Santa Fe Railroad right-of-way, would restrict SDG&E access to an existing overhead electric transmission line on the westerly edge of the railroad right-of-way. In addition, overhead electric transmission lines have poles and anchors that could be in conflict with the bike path. Coordination with SDG&E is imperative to ensure that SDG&E access and maintenance activities are not impacted.

H12 • Any landscaping or vegetation for the Bikeway project within or adjacent to SDG&E easements shall not inhibit SDG&E's access to facilities for purposes of construction, upgrading, repair, operation or maintenance, among other things.

H13 • SDG&E must maintain full and complete access to its easements as well as transmission and distribution facilities during and after any construction associated with the Proposed Project. Access is critical to the continued maintenance, repair, upgrade, -and construction of SDG&E's utility facilities. Any grading or improvements that affect access to and along the easements and/or gas and electric distribution and transmission facilities will require prior written consent from SDG&E in the form of a "Permission to Grade" letter and a "Consent to Use of Land Agreement, and an Indemnification Agreement from the Cities of National City and Chula Vista."

H14 • The MND states on page 21 that "Although the existing transmission towers and overhead lines within the SDG&E easement are planned to be undergrounded by SDG&E, the bike path would avoid the existing towers." The bridge structures and lines supported by those structures are the only overhead transmission facilities planned to be undergrounded. The other overhead facilities would remain overhead for the time being.

H10. Refer to response H1 above.

H11. Refer to response H1 above.

H12. Refer to response H1 above.

H13. Refer to response H1 above.

H14. The MND has been revised to clarify the existing facilities to be undergrounded by SDG&E (see description of the SDG&E Easement Alignment in Segment 8A).

SDG&E thanks you for this opportunity to comment on the SANDAG Bayshore Bikeway Draft MND. SDG&E looks forward to working with the Project Proponents.

Sincerely,



Shannon Turek
Senior Environmental Specialist
Environmental Management South
San Diego Gas & Electric Company

CC: Grant Frost, Manager, Environmental Management South, SDG&E
Tom Acuna, Team Lead - Land Planning, SDG&E
Jill Larson, Senior Counsel, Sempra Energy
Darren Weim, Project Manager, SDG&E
Kathy Babcock, Land Manager, SDG&E
Ahmad Solomon, Government Affairs Manager San Diego, Sempra Energy



San Diego Association of Governments

FINAL MITIGATED NEGATIVE DECLARATION PURSUANT TO: CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: Bayshore Bikeway Project (Segments 4,5,7, and 8A)
LEAD AGENCY: San Diego Association of Governments (SANDAG)
PROJECT SPONSOR: SANDAG
PROJECT LOCATION: The project is located along the eastern San Diego Bay in the cities of San Diego, National City, and Chula Vista. The proposed alignment for this portion of the bikeway would extend from 32nd Street in the City of San Diego along Harbor Drive; through the City of National City along Tidelands Avenue, Civic Center Drive, and West 32nd Street; and within the City of Chula Vista from H Street to Stella Street.

PROJECT DESCRIPTION: SANDAG proposes to construct an approximately 4.5-mile-long portion of the planned Bayshore Bikeway along the eastern San Diego Bay front in the cities of San Diego, National City, and Chula Vista (herein referred to as proposed project). The proposed project includes the portion of Bayshore Bikeway identified within segments 4, 5, 7 and 8A within the updated Bayshore Bikeway Plan.

Within Segment 4, a Class I bike path, which provides for a two-way bicycle travel on a paved right-of-way completely separated from streets, would be constructed along the eastern edge of Harbor Drive, between 32nd Street to West 8th Street, where it would cross Harbor Drive and continue southward to Civic Center Drive. At the Burlington Northern Santa Fe (BNSF) railroad crossing near the intersection of Harbor Drive and Civic Center Drive, the proposed bike path would either traverse the BNSF right-of-way (ROW) and Naval Base, or continue along the west side of Harbor Drive. If the bike path would continue along Harbor Drive, it would follow the free right-turn lane at the Harbor Drive/Civic Center Drive intersection.

Within Segment 5, a Class I bike path would be constructed along the north side of Civic Center Drive to Tidelands Avenue, where it would continue southward along the west side of the road to West 32nd Street. At West 32nd Street, it would extend eastward along the south side of the road and connect to an existing segment of the Bayshore Bikeway that crosses over the Sweetwater River on the Gordy Shields Bridge and into Chula Vista.

Within Segment 7, a Class I bike path would be constructed southward from H Street within an existing San Diego Gas and Electric (SDG&E) easement to J Street. The bike path would cross J Street at an existing crossing at the J Street/Bay Boulevard intersection.

Within Segment 8A, a Class I bike path would be constructed southward between J Street and just north of the South Bay Power Plant entrance via one of three alternative alignments: (1) within the SDG&E easement; (2) within a San Diego and Arizona Eastern (SD&AE) Railroad ROW and Bay Boulevard; or (3) within the SDG&E easement and SD&AE Railroad ROW and Bay Boulevard. From the South Bay Power Plant entrance, the bike path would continue south to Stella Street within the SD&AE Railroad ROW and Bay Boulevard.

Additional proposed improvements would include road re-striping, possible widening of the Paleta Creek bridge, up to two culvert crossings, an underground storm drain, installation of signage and stenciling, landscaping, and lighting.

FINDINGS

SANDAG finds that the Bayshore Bikeway Project (Segments 4,5,7, and 8A) WILL NOT have a significant effect on the environment for the following reasons:

- a. The proposed project would be consistent with existing surrounding land uses.
- b. The proposed project would not violate any air quality standard, or substantially contribute to an existing or projected air quality violation.
- c. The proposed project would result in potentially significant impacts to sensitive vegetation communities. Implementation of the mitigation measures listed below would reduce associated impacts related to biological resources to below a level of significance.
- d. The proposed project would result in potentially significant impacts related to hazardous materials due to the potential presence of contaminated soil along the proposed bike path alignment. Implementation of the mitigation measures listed below would reduce associated impacts to below a level of significance.
- e. The proposed project will not create a substantial increase in traffic on area roadways.
- f. The proposed project would comply with National Pollutant Discharge Elimination System (NPDES) guidelines for municipal storm water runoff in accordance with the San Diego Regional Water Quality Control Board (RWQCB) Order No. R9-2007-0001.
- g. The proposed project would not result in significant impacts to aesthetics, agriculture resources, air quality, cultural resources, geology and soils, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems.
- h. The proposed project could contribute to cumulative effects associated with light and glare. The project's contribution, however, would not be cumulatively considerable.

MITIGATION MEASURES

Implementation of the project-specific mitigation measures identified below would reduce potentially significant impacts to below a level of significance.

Biological Resources

Two or more measures are included for impacts to some vegetation communities to account for the Harbor Drive bridge widening option in the northern portion of the alignment and three alternatives in the southern portion of the alignment (SDG&E easement, SD&AE railroad ROW, or SDG&E easement and SD&AE Railroad ROW). Measures are identified by number and in some cases are followed by the letter "A," "B," or "C" and superscript "1" or "2." Measures with the "A" designator apply specifically to the SDG&E easement alternative, the "B" designator specifically applies to the SD&AE railroad ROW alternative, and "C" applies to the SDG&E easement and SD&AE railroad ROW alternative. Similarly, measures with the superscript "1" apply to the widened Harbor Drive Bridge option, and the "2" superscript applies to use of the existing Harbor Drive Bridge for the bike path.

BIO-1A. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.02 acre of freshwater marsh (including disturbed) shall be mitigated at a 4:1 ratio through the purchase of credits equal to 0.08 acre of freshwater marsh at an approved wetland mitigation bank.

BIO-1B/C. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.01 acre of freshwater marsh (including disturbed) shall be mitigated at a 4:1 ratio through the purchase of credits equal to 0.04 acre of freshwater marsh at an approved wetland mitigation bank.

BIO-2A/B/C. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.01 acre of disturbed coastal salt marsh shall be mitigated at 4:1 ratio through the purchase credits equal to 0.04 acre of coastal salt marsh at an approved wetland mitigation bank.

BIO-3A¹/C¹. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.03 acre of open water shall be mitigated at a 2:1 ratio through the purchase of credits equal to 0.06 acre of open water at an approved wetland mitigation bank.

BIO 3A²/C². Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.01 acre of open water shall be mitigated at a 2:1 ratio through the purchase of credits equal to 0.02 acre of open water at an approved wetland mitigation bank.

BIO-3B¹. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.02 acre of open water shall be mitigated at a 2:1 ratio through the purchase of credits equal to 0.04 acre of open water at an approved wetland mitigation bank.

BIO-4A/B/C. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.02 acre of disturbed wetland shall be mitigated at a 2:1 ratio through purchase of credits equal to 0.04 acre of wetland at an approved wetland mitigation bank.

BIO-5A. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.2 acre of non-native grassland shall be mitigated at a 0.5:1 ratio through purchase of credits equal to 0.1 acre in an approved upland mitigation bank.

BIO-5B/C. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.4 acre of non-native grassland shall be mitigated at a 0.5:1 ratio through purchase of credits equal to 0.2 acre in an approved upland mitigation bank.

Hazards and Hazardous Materials

HAZ-1. Prior to ground disturbance associated with the construction of the proposed bike path, a limited shallow-soil subsurface investigation shall be conducted along the project alignment to assess the presence/absence of residual herbicide/pesticide chemicals from the former agricultural areas in Chula Vista, as well as petroleum hydrocarbons, metals, and VOCs potential associated with fill material throughout the project alignment. The project proponent shall conduct any necessary remediation identified by the shallow-soil subsurface investigation prior to commencement of ground disturbing activities associated with the project.

HAZ-2. Prior and during ground disturbance associated with the construction of the proposed bike path, a soil-vapor survey shall be conducted to assess potential subsurface contamination along the portions of the project alignment adjacent to the listed sites on the Naval Base, Pepper Oil Company, Southern California Truck Stop, and Goodrich Aero Structures properties. The project proponent shall conduct any necessary remediation identified by the soil-vapor survey prior to commencement of ground disturbing activities within the immediate vicinity of these properties.

Utilities and Service Systems

The project would include installation of an underground storm drain beneath the proposed bike path in the southern portion of the alignment along Bay Boulevard. This area contains sensitive vegetation communities, which would be impacted by the bike path and storm drain. Implementation of the applicable mitigation measures identified above under Biological Resources would reduce impacts resulting from the proposed storm drain installation to below a level of significance.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

Form Prepared By:

Rob Rundle, Principal Regional Planner

SANDAG

401 B Street

San Diego, CA 92101

Phone: (619) 699-6949 E-mail: rru@sandag.org

Signature

Date

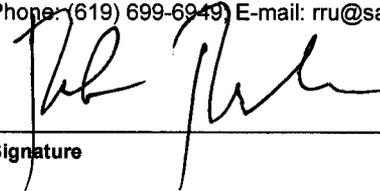
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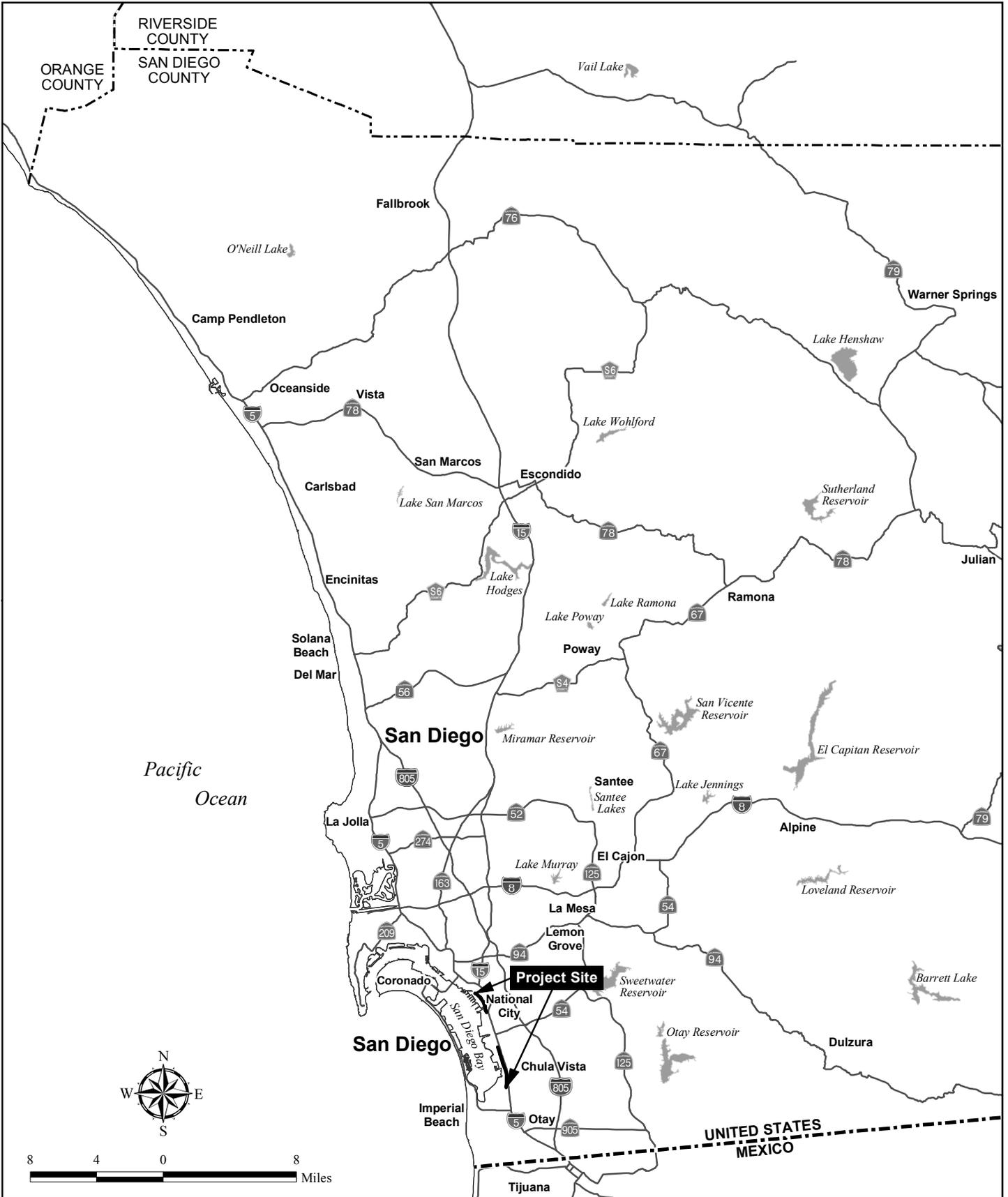
ENVIRONMENTAL CHECKLIST FORM

I. PROJECT INFORMATION

1. Project Title: Bayshore Bikeway (Segments 4,5,7, and 8A)
2. Lead Agency Name and Address: San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101-4231
3. Contact Person and Phone Number: Rob Rundle
Principal Regional Planner
(619) 699-6949
4. Project Location: Along the eastern San Diego Bay in the cities of San Diego, National City, and Chula Vista. The proposed alignment for this portion of the bikeway would extend from 32nd Street in the City of San Diego along Harbor Drive; through the City of National City along Tidelands Avenue, Civic Center Drive, and West 32ⁿ Street; and within the City of Chula Vista from H Street to Stella Street.
5. Project Sponsor's Name/Address: The same as lead agency.
6. General Plan Designation: Military Use in City of San Diego; Military Reservation and Tidelands Manufacturing Coastal Zone, Unified Port District and Tourist Commercial, Coastal Zone, Unified Port District in the City of National City; General Industrial within the City of Chula Vista; Street designation within San Diego Unified Port District Tidelands.
7. Zoning: Route passes through industrial and manufacturing zones including: industrial (IH-2) zones in the City of San Diego; Light Manufacturing, Planned Development Coastal Zone (PL-MD-CZ), Tidelands Manufacturing Coastal Zone, Unified Port District (MT-CZ-UPD), and Tourist Commercial, Coastal Zone, Unified Port District (CT-CZ-UPD) in the City of National City; General Industrial Zone within the City of Chula Vista; and Street designation within the San Diego Unified Port District Tidelands.

II. PROJECT DESCRIPTION

The San Diego Association of Governments (SANDAG) proposes to construct an approximately 4.5-mile-long portion of the planned Bayshore Bikeway along the eastern San Diego Bay front in the cities of San Diego, National City, and Chula Vista (herein referred to as proposed project). The proposed alignment for segments 4, 5, 7 and 8A would extend from 32nd Street in the City of San Diego along Harbor Drive; through the City of National City along Tidelands Avenue, Civic Center Drive, and West 32nd Street; and within the City of Chula Vista from H Street to Stella Street (Figures 1 and 2).



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Regional Location Map

BAYSHORE BIKEWAY

Figure 1





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Project Vicinity Map

BAYSHORE BIKEWAY

Figure 2

Environmental Setting

The eastern San Diego Bay front largely contains industrial land uses. The proposed bike path alignment traverses the Naval Base San Diego and railroad and trolley corridors within the City of San Diego; industrial uses and the San Diego Unified Port District (Port of San Diego) Marine Terminal within the City of National City; and industrial uses, the South Bay Power Plant, San Diego Gas and Electric (SDG&E) easements and railroad corridors within the City of Chula Vista.

The proposed project is located within the Coastal Zone.

Project Background

The Bayshore Bikeway is a designated 24-mile bikeway loop route around San Diego Bay. The route starts at the Broadway Pier near the intersection of Broadway and Harbor Drive in San Diego and extends through the cities of San Diego, National City, Chula Vista, Imperial Beach, and Coronado, where it ends at the Coronado Ferry Terminal at the intersection of 1st Street and B Street. The San Diego-Coronado Ferry provides the connecting link between the Broadway Pier and the Coronado Ferry Terminal. The Bayshore Bikeway currently consists of a combination of off-street bicycle paths and on-street bicycle lanes and routes, but the entire route is planned as a Class I off-street bicycle path. These three types of bikeway facilities, pursuant to the California Department of Transportation's (Caltrans) Highway Design Manual, are illustrated in Figure 3 and generally defined as follows:

- Class I Bikeway: Bike paths that provide for two-way bicycle travel on a paved right-of-way completely separated from streets or highways.
- Class II Bikeway: Bike lanes that provide a striped and stenciled lane for one-way bicycle travel on a street or highway.
- Class III Bikeway: Bike routes that provide for shared use with vehicular traffic and are identified by signage only.

Planning for the Bayshore Bikeway began in 1975 with preparation of Bay Route Bikeway Planning Study (Caltrans 1976) by Caltrans that recommended 11 miles of bicycle paths and 14 miles of bike lanes and routes around the San Diego Bay. Since then, a number of key bike path segments have been constructed, including a nine-mile-long bike path within the former railroad corridor along the Silver Strand between Imperial Beach and Coronado, a bike path through Coronado Tidelands Park connecting Glorietta Bay to the Coronado Ferry Landing, and the Gordy Shields bridge over the Sweetwater Channel. The Bayshore Bikeway route was updated in 2006 by the *Bayshore Bikeway Plan* (SANDAG 2006) to focus on connecting gaps in the route with new off-street bike path segments. The proposed project includes the portion of the bikeway identified as Segments 4 (southern portion), 5, 7, and 8A in the updated *Bayshore Bikeway Plan*.

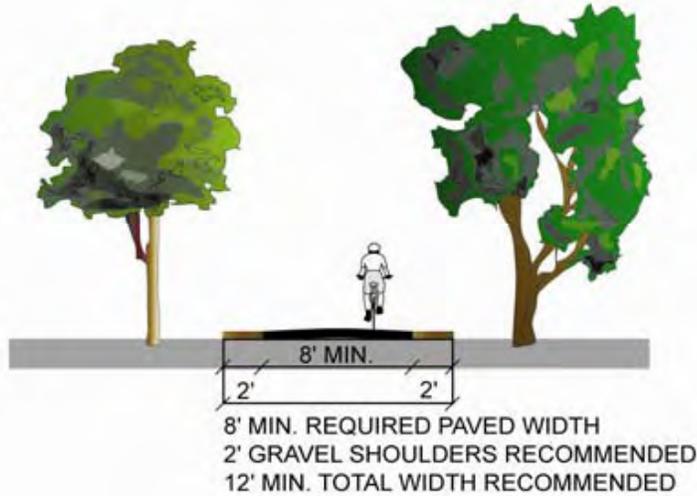
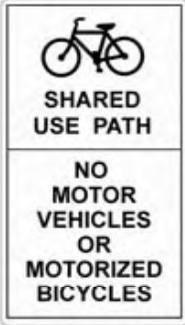
Project Characteristics

The following section describes existing conditions and proposed project improvements along the proposed alignment within Segments 4, 5, 7, and 8A of the Bayshore Bikeway. Additionally, proposed alignment alternatives within these segments are described (Figures 4 through 10).

CLASS I

Shared Use Path

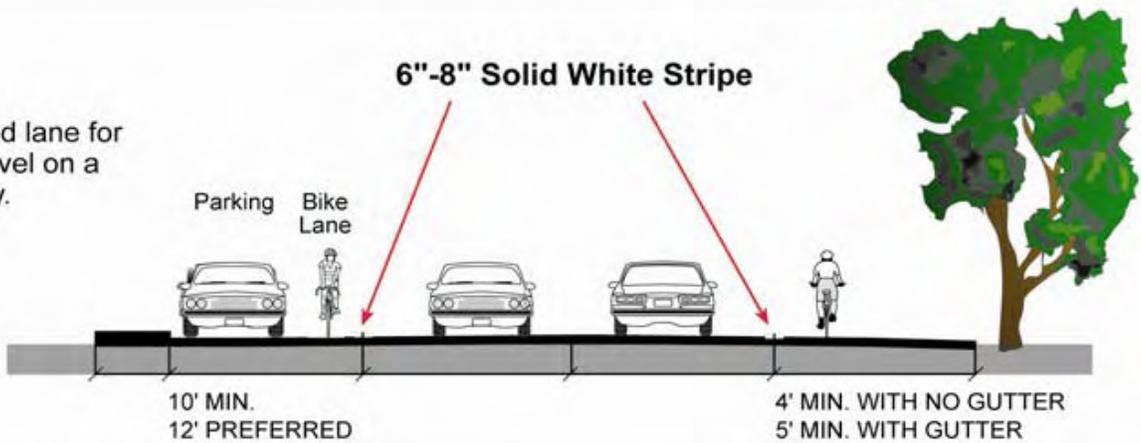
Provides a completely separated right of way for the exclusive use of bicycles and pedestrians with crossflow minimized.



CLASS II

Bike Lane

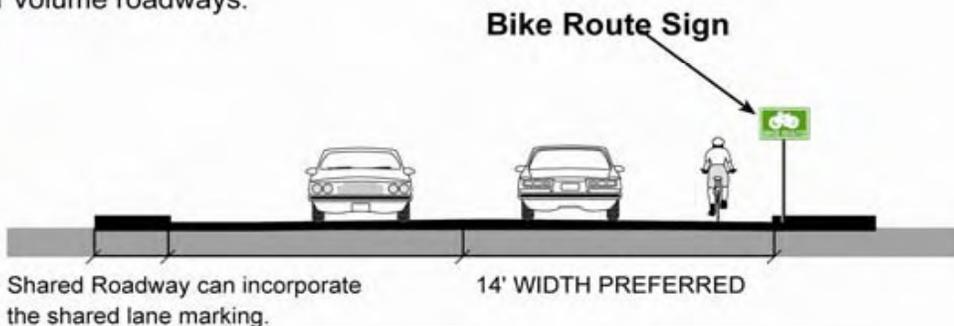
Provides a striped lane for one-way bike travel on a street or highway.



CLASS III

Bike Route Signed Shared Roadway

Provides for shared use with pedestrian or motor vehicle traffic, typically on lower volume roadways.



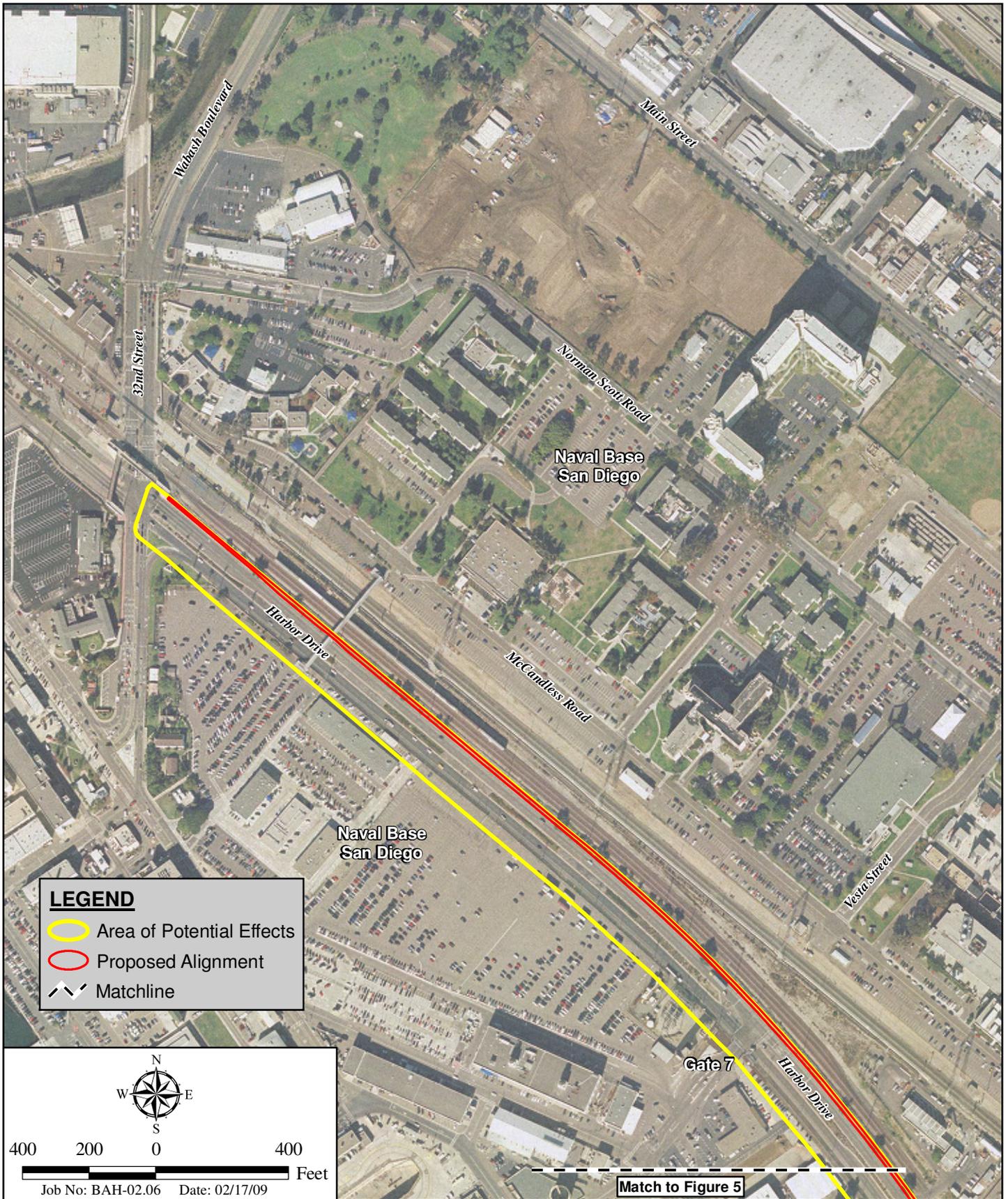
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Source: Bayshore Bikeway Plan.

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Caltrans Bikeway Classifications

BAYSHORE BIKEWAY



Proposed Bike Path Alignment (Segment 4)

BAYSHORE BIKEWAY



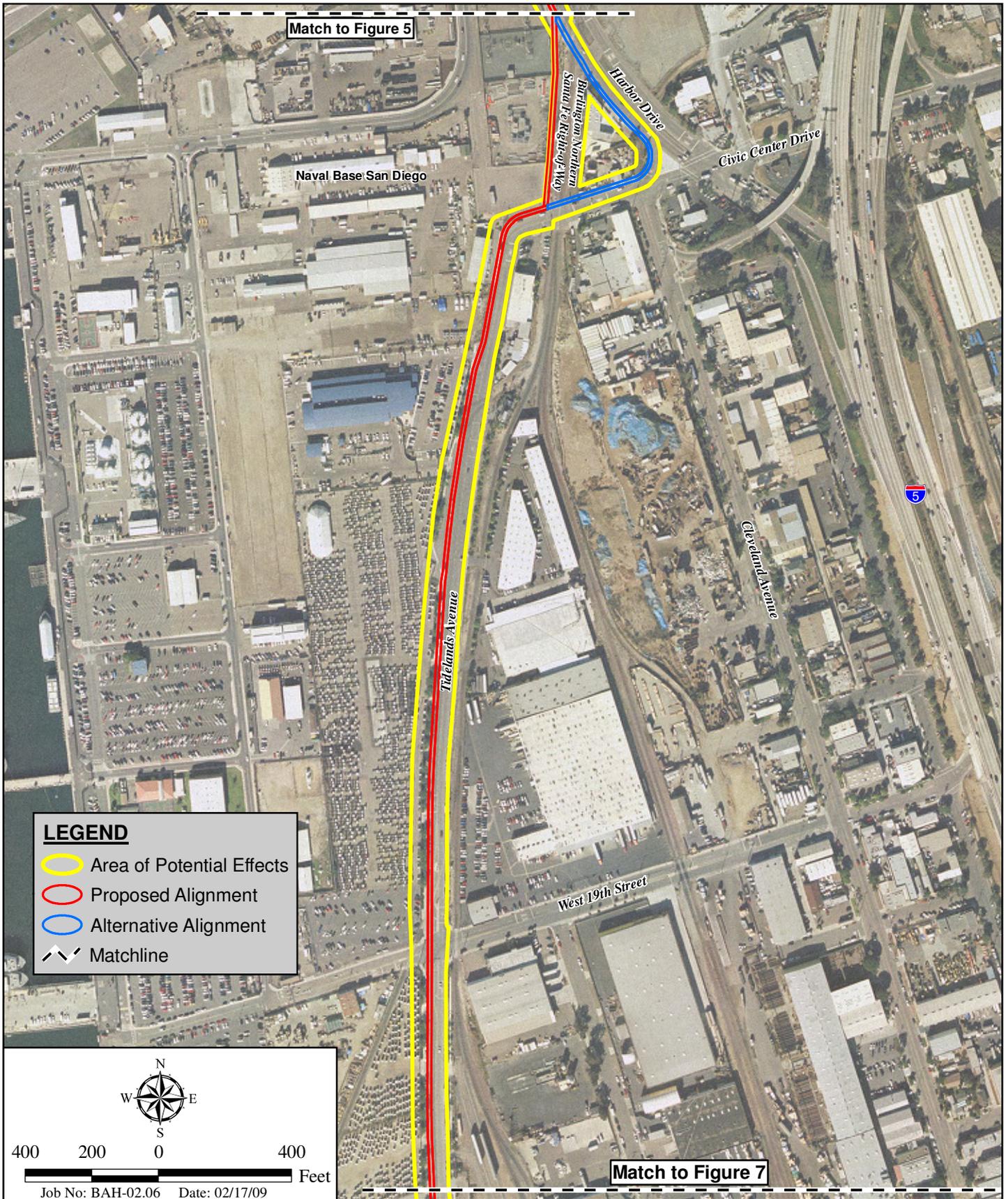
Figure 4



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Proposed Bike Path Alignment (Segment 4)

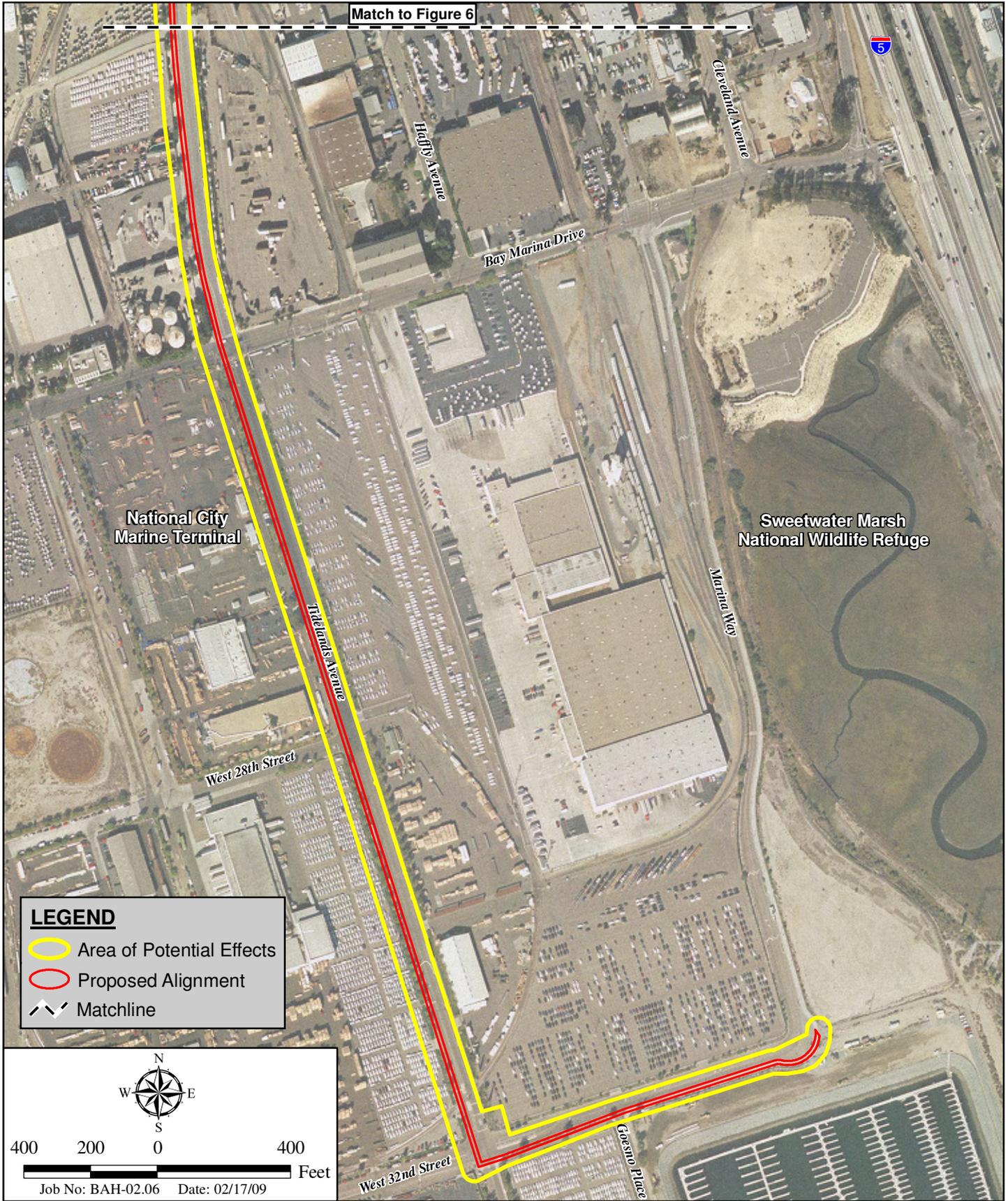
BAYSHORE BIKEWAY



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Proposed Bike Path Alignment (Segments 4 and 5)

BAYSHORE BIKEWAY



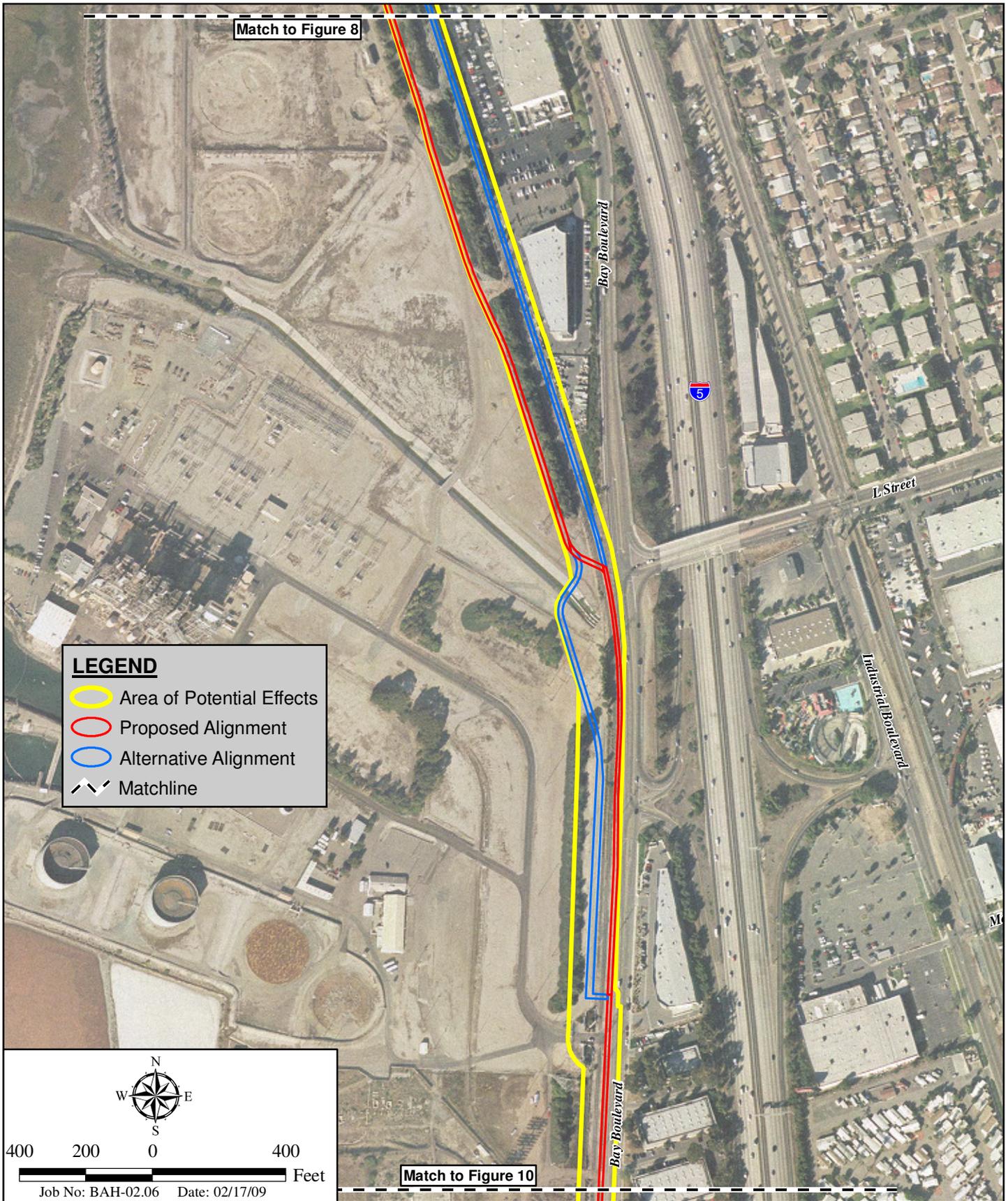
Proposed Bike Path Alignment (Segment 5)

BAYSHORE BIKEWAY



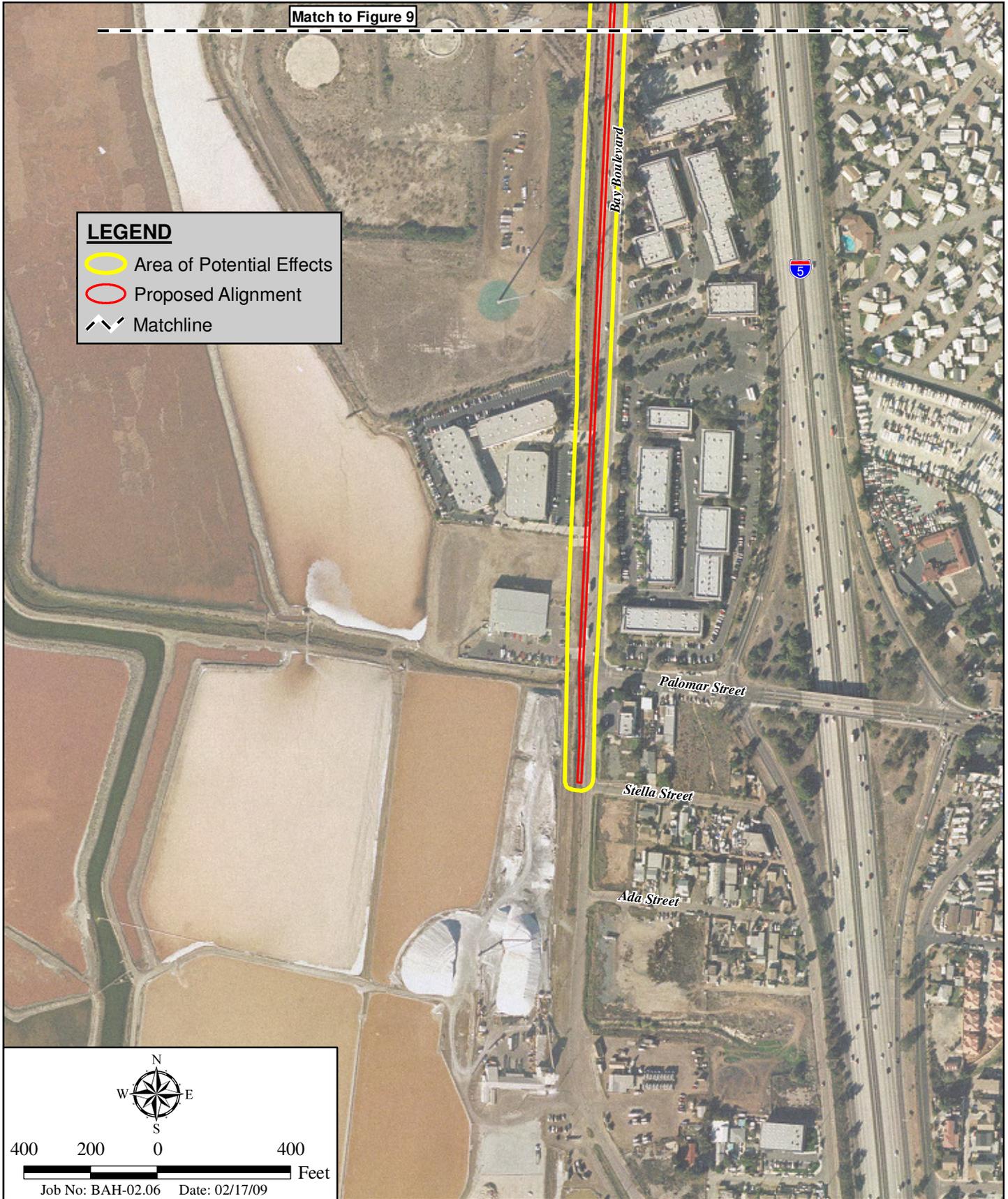
Proposed Bike Path Alignment (Segments 7 and 8A)

BAYSHORE BIKEWAY



Proposed Bike Path Alignment (Segment 8A)

BAYSHORE BIKEWAY



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Proposed Bike Path Alignment (Segment 8A)

BAYSHORE BIKEWAY

Segment 4

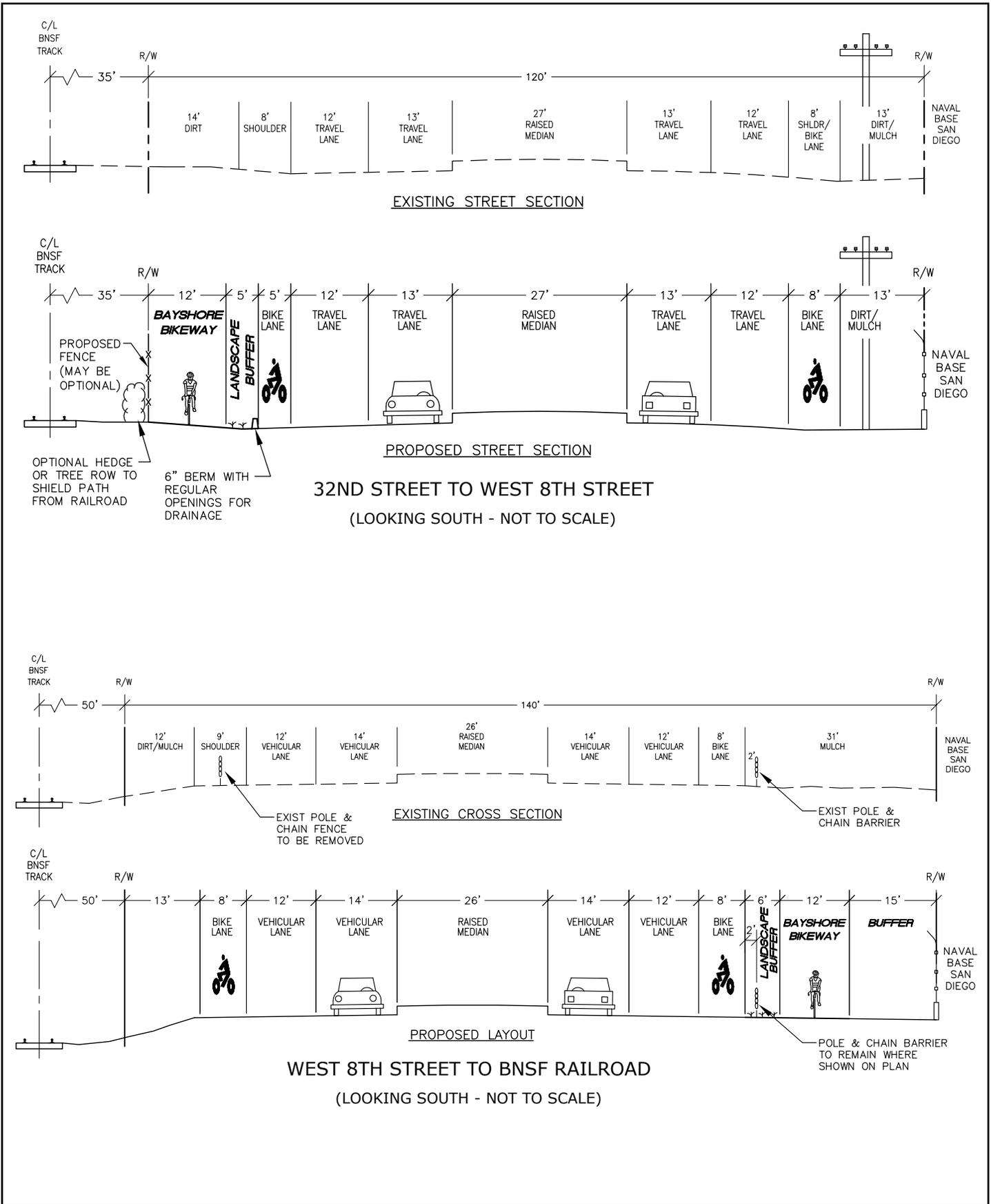
Segment 4 begins at the intersection of 32nd Street and Harbor Drive in San Diego at the main entrance to the Naval Base San Diego, and continues south along Harbor Drive to Civic Center Drive in National City (Figures 4, 5, and 6). Segment 4 is characterized by a wide roadway (i.e., Harbor Drive) that traverses the Naval Base, railroad and trolley corridors adjacent to the east side of Harbor Drive, and bridge structures over Paleta Creek in the southern portion of the segment.

The proposed bike path alignment within Segment 4 would extend along the eastern side of Harbor Drive from 32nd Street to West 8th Street, and then it would cross to the west side of Harbor Drive to Civic Center Drive. The segment of Harbor Drive, between 32nd Street and West 8th Street currently has a right-of-way (ROW) width of 120 feet and contains one 12-foot-wide and one 13-foot-wide travel lane in each direction, a center raised median, and an eight-foot-wide paved shoulder on each side of the road. A bike lane also occurs on the west side of the road within the shoulder. Harbor Drive, between West 8th Street and Civic Center Drive has a ROW width of 140 feet with one 12-foot-wide and one 14-foot-wide travel lane in each direction, a center raised median, an eight-foot-wide bike lane on the west side of the road, and a nine-foot-wide paved shoulder on the east side of the road.

A Class I bike path would be constructed along the eastern edge of the Harbor Drive ROW. The bike path would be 12 feet wide, except for the first 400 feet extending from 32nd Street, where it would transition to eight feet. Starting at the transition, the bike path would be separated from the Harbor Drive travel lanes by a five-foot-wide landscaped buffer and a five-foot-wide bike lane. Near the southern end of the Naval Base, Harbor Drive crosses over Paleta Creek on a bridge structure. The proposed bike path would either be located on the existing bridge (and narrowed down to 10 feet wide), or the bridge would be widened on the east side by a maximum of 7.5 feet to accommodate a 12-foot-wide bike path. Figure 11 illustrates existing and proposed typical cross-sections along this segment of Harbor Drive.

The proposed bike path would cross Harbor Drive at West 8th Street and continue south along the west side of the road. The proposed bike path would be 12 feet wide with the exception of the first 120 feet, which would transition to 10 feet to accommodate an existing bus stop that would be realigned. The bike path would be buffered from the travel lanes by a six-foot-wide landscaped buffer and an eight-foot-wide bike lane. In addition, a 15-foot-wide landscape buffer from the Naval Base would be provided west of the bike path (Figure 11). Proposed roadway improvements to this segment of Harbor Drive would include provision of an eight-foot-wide bike lane within the east paved shoulder. Additionally, the existing free right-turn lane and raised median at the westbound approach of the Harbor Drive/West 8th Street intersection may be removed.

At the Burlington Northern Santa Fe (BNSF) railroad crossing near the intersection of Harbor Drive and Civic Center Drive, the proposed bike path would either continue along the west side of Harbor Drive, or traverse the BNSF ROW and Naval Base. The preferred alignment would be through the BNSF ROW and Naval Base, where a 12-foot-wide bike path would be constructed along the western edge of the railroad ROW with a portion extending onto the Naval Base. Fencing would be installed along the eastern side of the bike path along this approximately 550-foot-long segment of the bike path.



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Typical Cross-sections - Harbor Drive

BAYSHORE BIKEWAY



Figure 11

If the bike path would continue along Harbor Drive, its width would taper to 10 feet and follow the free right-turn lane at the Harbor Drive/Civic Center Drive intersection.

Provision of the bike path along the frontage of the Naval Base would be subject to compliance with the Navy's clear zone requirements from the perimeter of Navy property. Any vegetation planted along the bike path and adjacent to the Naval Base would need to be maintained at less than two feet in height. Another barrier option for separation could include tubular steel fencing approved by the Navy. Coordination with the Navy would be necessary for implementation of this portion of the bike path.

Segment 4 of the proposed bike path would cross West 8th Street as well as driveways providing access to parking areas and naval facilities along Harbor Drive. The bike path at these intersections would be designed with safety features including: a traffic signal head at a height clearly visible to path users at signalized intersections; a stop sign along the path or road requiring path users or motorists to stop at unsignalized intersections; pedestrian pushbuttons and bicycle detection loops at signalized intersections; caution signage for motorists warning of the path crossing; crosswalks at all crossing locations; and curb ramps, where necessary.

Additional proposed improvements would include installation of signage and stenciling of the existing Class II bike lanes along both sides of Harbor Drive, Bayshore Bikeway destination signage, and Class I signage (e.g., warning, crossing, directional signage).

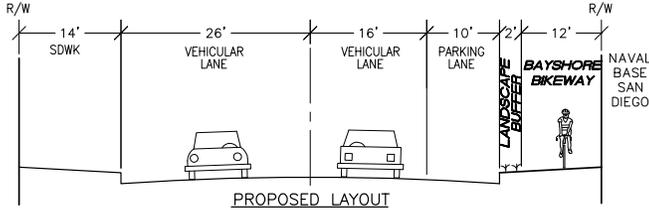
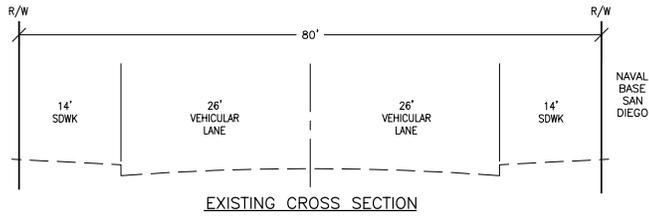
Segment 5

Segment 5 extends from Civic Center Drive to West 32nd Street in National City via Tidelands Avenue (Figures 6 and 7). The proposed bike path would extend west along the north side of Civic Center Drive (either from Harbor Drive or the BNSF ROW/Naval Base, as described above) to Tidelands Avenue, where it would continue southward along the west side of road to West 32nd Street. At West 32nd Street, it would extend eastward along the south side of West 32nd Street and connect to an existing segment of the Bayshore Bikeway. Portions of this segment traverse Port Tidelands within private streets.

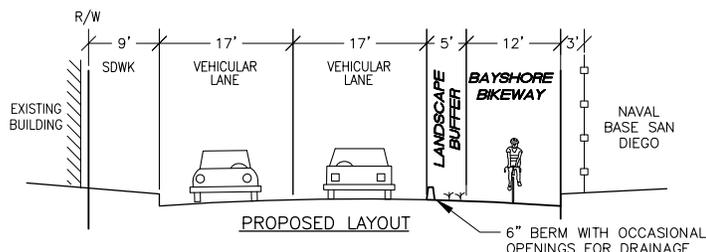
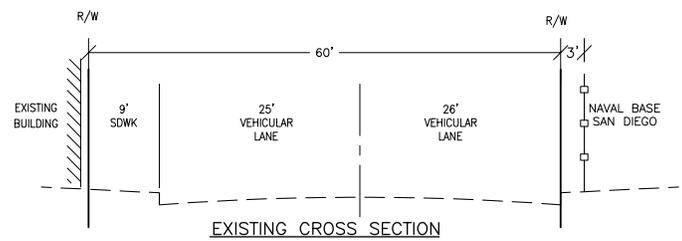
Civic Center Drive has an existing ROW width of 80 feet and contains one 26-foot-wide travel lane in each direction, which includes a parking lane, and 14-foot-wide sidewalks on each side of the road. The proposed bike path along Civic Center Drive would be 12 feet wide and would replace the existing sidewalk on the north side of the roadway. As Civic Center Drive turns into Tidelands Avenue, the parking lane would end and a landscape buffer would be provided between the bike path and the travel lane. No other improvements to Civic Center Drive would be required. Figure 12 illustrates a typical cross-section along this segment of the bike path.

Most of Tidelands Avenue has a ROW width of 94 feet that contains one 20-foot-wide travel lane in each direction, truck parking on portions of both sides, and sidewalks on portions of both sides of the road. The segment of Tidelands Avenue that fronts the Naval Base (an approximately 350-foot-long-segment extending from Civic Center Drive) has a ROW width of 60 feet that contains one 25-foot-wide northbound travel lane, one 26-foot-wide southbound travel lane, and a nine-foot-wide sidewalk along the east side of the road.

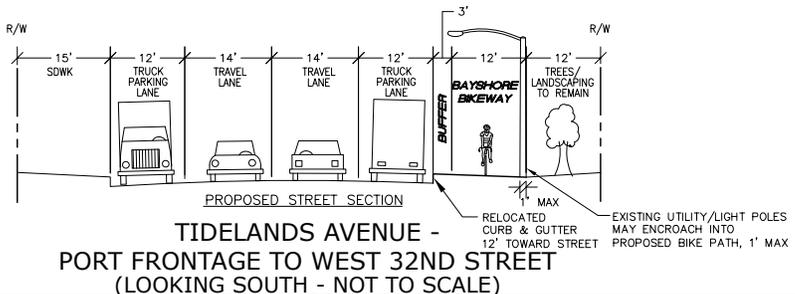
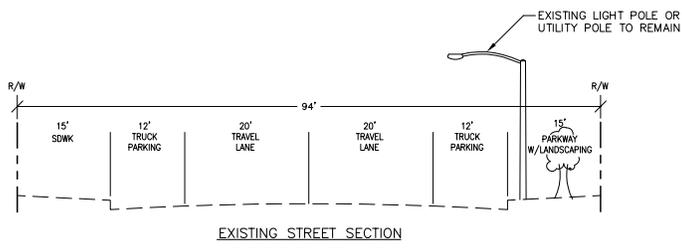
The proposed Class I bike path along Tidelands Avenue would be 12 feet wide. A 12-foot-wide landscape buffer would be provided along the northern 1,000 feet of the alignment on Tidelands Avenue.



CIVIC CENTER DRIVE
(LOOKING WEST - NOT TO SCALE)



TIDELANDS AVENUE - NAVAL BASE FRONTAGE
(LOOKING SOUTH - NOT TO SCALE)



TIDELANDS AVENUE - PORT FRONTAGE TO WEST 32ND STREET
(LOOKING SOUTH - NOT TO SCALE)

Typical Cross-sections - Civic Center Drive and Tideland Avenue

BAYSHORE BIKEWAY



Figure 12

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Where the landscape buffer would end, a parking lane would begin and a new curb would be constructed along the eastern edge of the parking lane. The bike path would be set back from the curb and parking lane by a three- to five-foot-wide buffer. To accommodate the proposed bike path, most of the roadway would be re-striped to include one 14-foot-wide travel lane and one 12-foot-wide parking lane in each direction. The segment of Tidelands Avenue that fronts the Naval Base (as described above) would be re-striped to include one 17-foot-wide travel lane in each direction. The existing sidewalk and curb/gutter on the east side of the road would not be affected. Typical cross-sections of the bike path along Tidelands Avenue are illustrated in Figure 12.

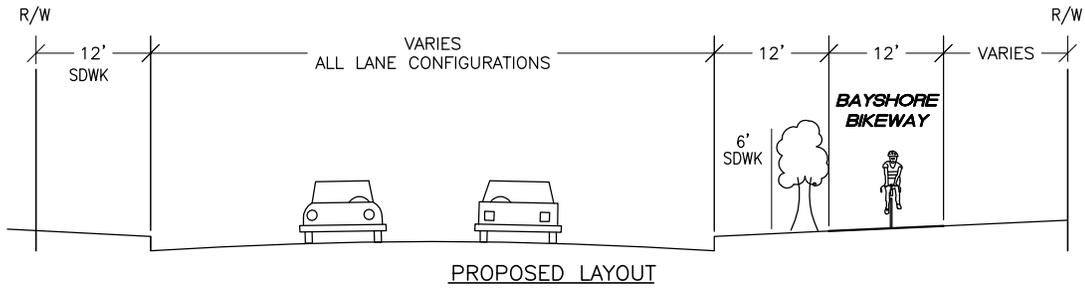
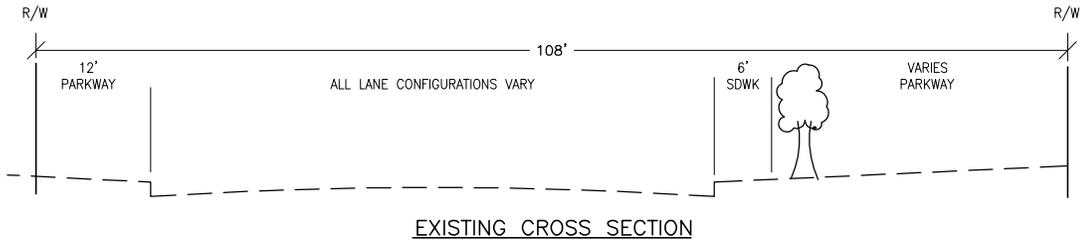
This segment of the bike path along Tidelands Avenue would cross West 19th Street, Bay Marina Drive, and West 28th Street, as well as several entrance driveways associated with Port properties and other commercial/industrial uses along both sides of the roadway. The bike path at these intersections would be designed with safety features, as discussed earlier for Segment 4.

West 32nd Street, between Tidelands Avenue and Goesno Place, consists of a 108-foot-wide ROW that contains one travel lane in each direction (varying widths) and a six-foot-wide sidewalk along the south side of the road. East of Goesno Place, West 32nd Street includes a 78-foot-wide ROW with one 20-foot-wide travel lane in each direction with a 12-foot-wide center median lane. The proposed bike path would be 12 feet wide and constructed along the south side of West 32nd Street. The bike path would be separated from the travel lanes by a two-foot-wide buffer from the curb. Figure 13 illustrates cross-sections of the bike path along West 32nd Street.

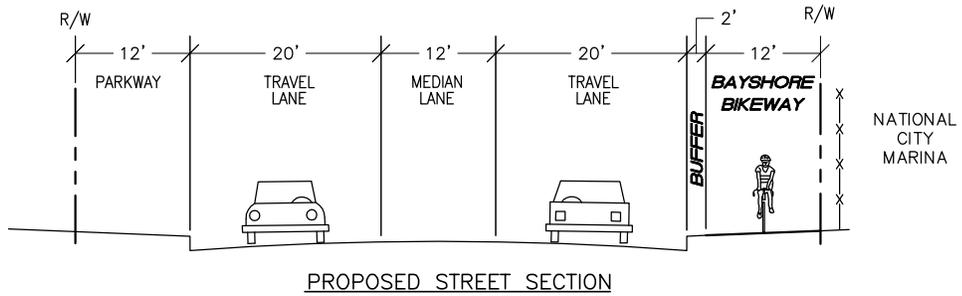
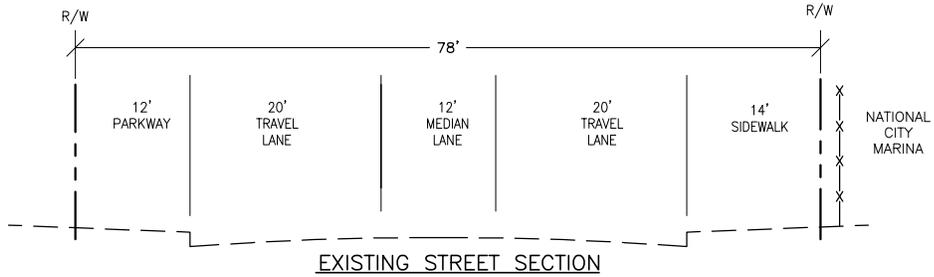
Segment 7

Segment 7 of the Bayshore Bikeway begins at F Street/Lagoon Drive and connects to J Street in Chula Vista. The proposed project would construct a portion of the planned bikeway within Segment 7, including H Street southward to J Street (Figure 8). Proposed Segments 5 and 7 would be connected via an existing Class I segment of the Bayshore Bikeway that begins at the West 32nd Street/Marina Way intersection in National City, crosses over the Sweetwater River on the Gordy Shields Bridge into Chula Vista, and continues southward and transitions to a bike lane along Bay Boulevard. At H Street, the proposed bike path would connect to this existing bike lane along Bay Boulevard. Signage would be installed at the Bay Boulevard/ H Street intersection to direct bicyclists to H Street and the proposed Class I bike path.

The proposed bike path would extend southward from H Street within an existing SDG&E easement to J Street. Although the transmission towers and overhead lines are planned to be undergrounded by SDG&E, the bike path would avoid the existing towers. The bike path would parallel the Coronado Beltline Railroad line within the San Diego and Arizona Eastern (SD&AE) Railroad ROW. This segment of the proposed bike path would be 14 feet wide and set back from the railroad ROW by approximately 58 feet. Lighting would be provided along this portion of the bike path within the SDG&E easement. The bike path would cross J Street at an existing crossing at the J Street/Bay Boulevard intersection. Figure 14 illustrates a typical cross-section along this segment.



TIDELANDS AVENUE TO GOESNO PLACE
(LOOKING SOUTH - NOT TO SCALE)

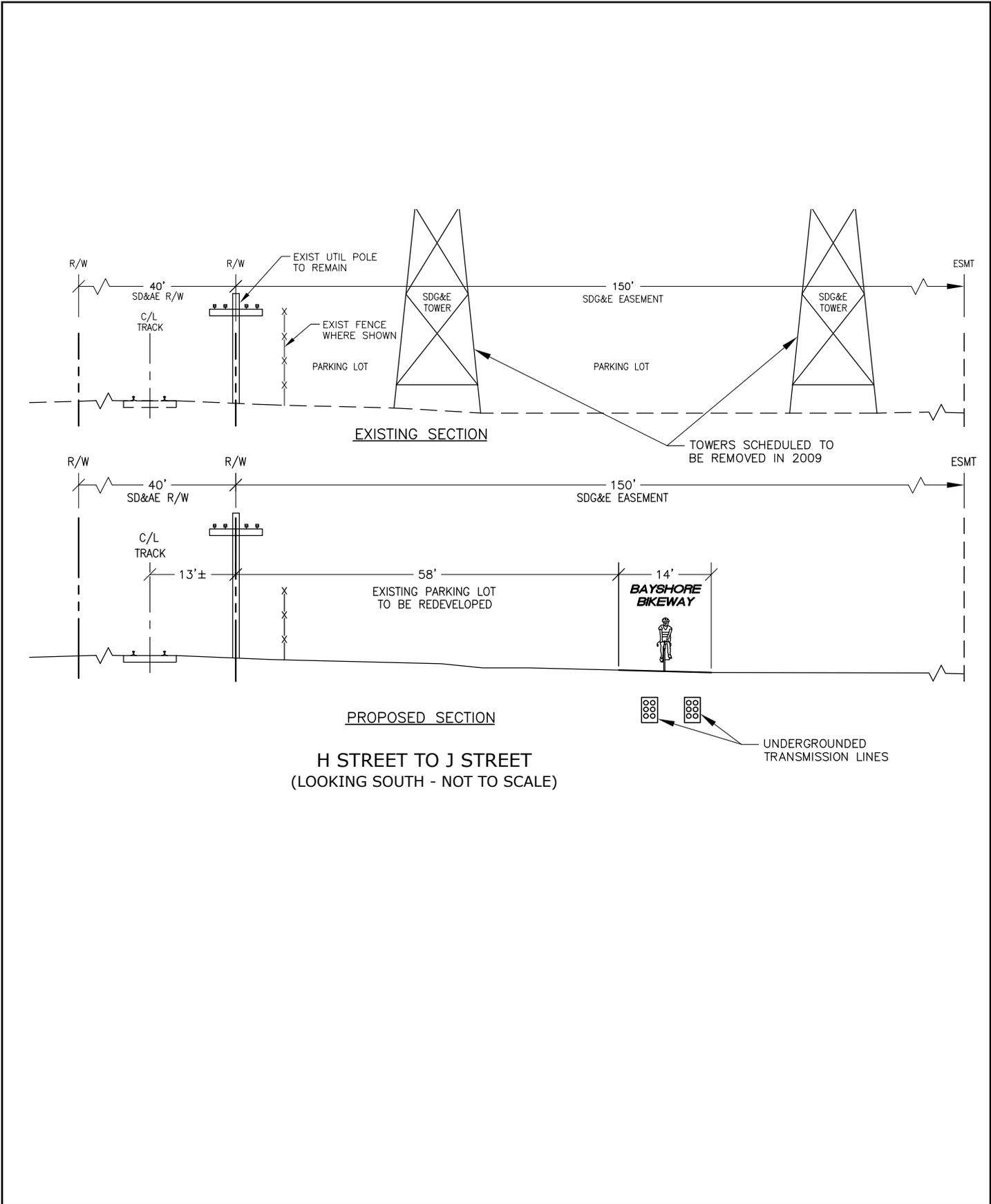


GOESNO PLACE TO MARINA WAY
(LOOKING SOUTH - NOT TO SCALE)

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Typical Cross-sections - West 32nd Street

BAYSHORE BIKEWAY



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Typical Cross-sections - SDG&E Easement

BAYSHORE BIKEWAY

Figure 14



Segment 8A

Segment 8A begins at the intersection of Bay Boulevard and J Street and extends south to Stella Street. As discussed below, the proposed bike path would extend southward between J Street and just north of the South Bay Power Plant entrance via one of three alternative alignments: (1) within the SDG&E easement; (2) within the SD&AE Railroad ROW and Bay Boulevard; or (3) within the SDG&E easement and SD&AE Railroad ROW and Bay Boulevard. From the South Bay Power Plant entrance, the bike path would continue south to Stella Street within the SD&AE Railroad ROW and Bay Boulevard (Figures 8, 9, and 10).

SDG&E Easement Alignment

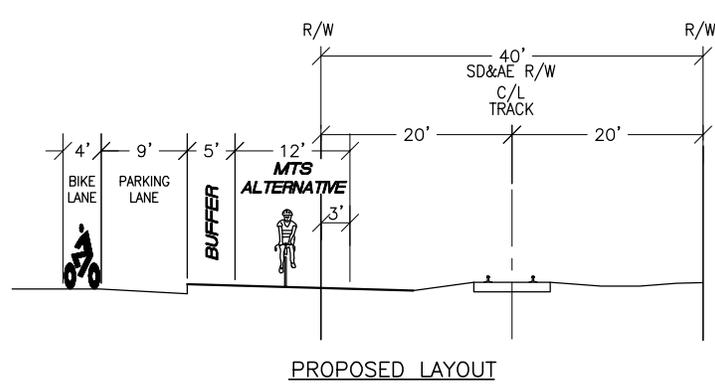
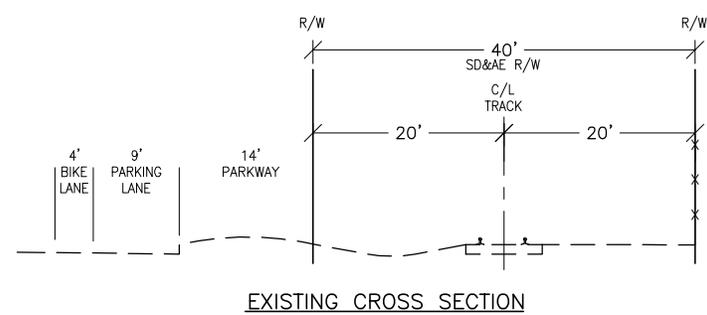
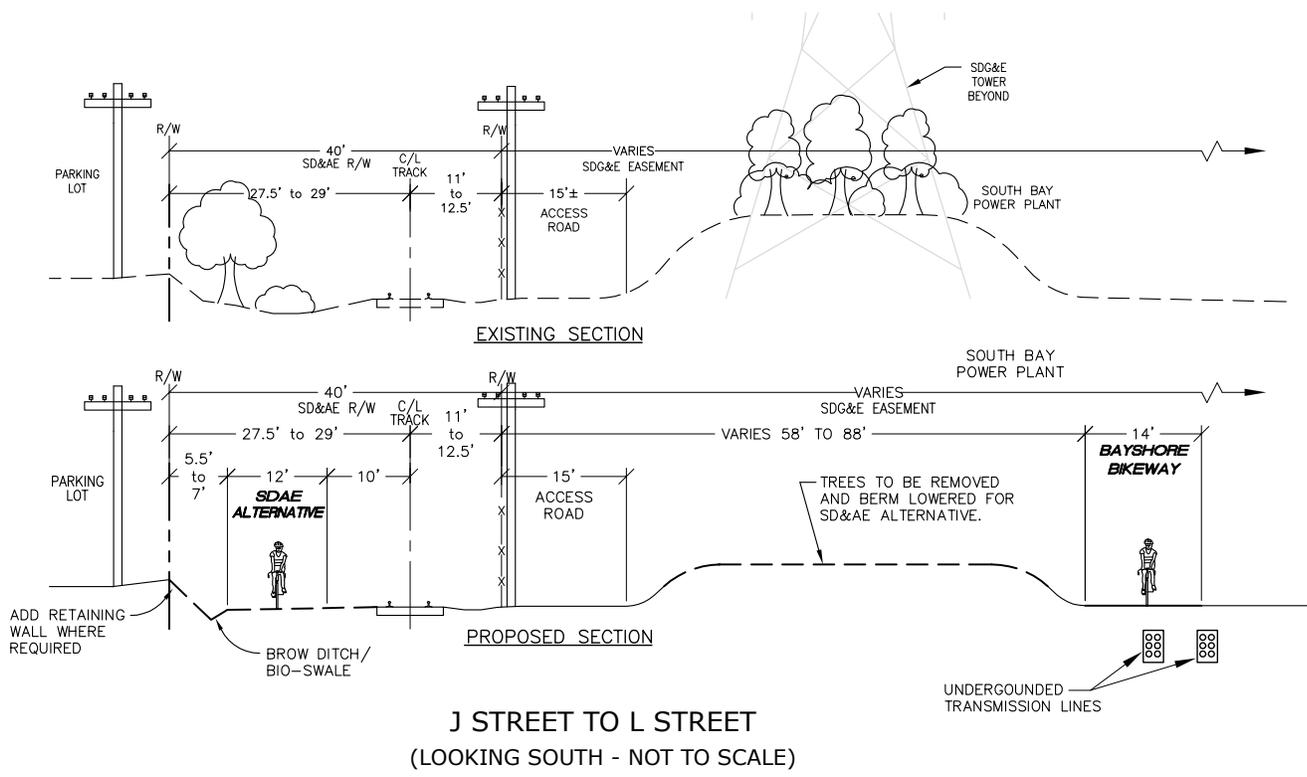
The portion of the bike path within the SDG&E easement would be 14 feet wide between J Street and the Interstate 5 (I-5) southbound (SB) ramps south of L Street. From the I-5 SB ramps to the South Bay Power Plant entrance, the width of bike path would increase to 20 feet and would also function as an SDG&E access road. Just south of L Street, eight-foot-high fencing would be constructed along the west side of the bike path to fence off the South Bay Power Plant. Although ~~the existing transmission towers~~bridge structures and overhead lines supported by the bridge structures within the SDG&E easement are planned to be undergrounded by SDG&E, the bike path would avoid the existing ~~towers~~structures. A new bridge or culvert would be constructed over two existing drainage channels: one south of J Street and one south of L Street. Approximately 100 feet north of the South Bay Power Plant entrance, the proposed bike path would cross the railroad tracks within the SD&AE railroad, which would require approval of a new railroad crossing from the California Public Utilities Commission (CPUC). Figure 15 illustrates cross-sections along this portion of the bike path.

SD&AE Railroad ROW Alignment

With the SD&AE Railroad ROW alignment, the proposed bike path would be 12 feet wide, except for the segment approximately 150 feet north of L Street to the I-5 SB ramps, where it would narrow to 10 feet. The bike path would be set back from the railroad tracks by a minimum of 10 feet. From J Street to L Street, the existing berm located along the west side of the railroad tracks would be lowered to provide a more open setting for bicyclists. Lighting would be provided along this segment of the bike path. At the I-5 SB ramps, the bike path would begin to transition eastward towards Bay Boulevard. Between the transition at the I-5 SB ramps and Palomar Street, approximately three feet of the bike path would remain in the SD&AE Railroad ROW, and nine feet would be located within the Bay Boulevard ROW. At Palomar Street, the bike path would shift slightly to the east and would be entirely within the Bay Boulevard ROW. The bike path also would be separated from Bay Boulevard by a five- to 12-foot-wide buffer. Provision of the bike path would not require re-striping or other roadway improvements to Bay Boulevard. Figures 15 and 16 illustrate cross-sections along this portion of the bike path.

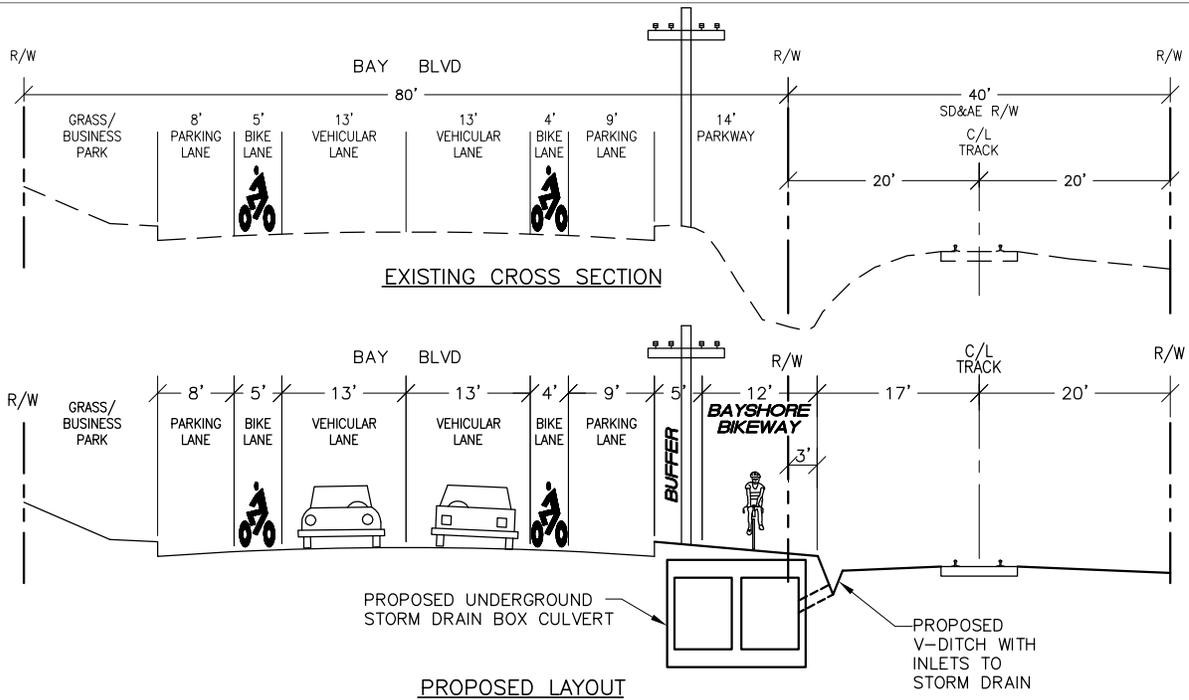
SDG&E Easement and SD&AE Railroad ROW Alignment

Under the SDG&E easement and SD&AE Railroad ROW alignment, the proposed bike path would be constructed within the SDG&E easement between J Street and L Street. The features of this segment of the bike path would be the same as described above for the SDG&E easement alignment (see Figure 15). At L Street (extension), the bike path would cross the railroad tracks and continue southward within the SD&AE Railroad ROW, which would require approval of a new railroad crossing from the CPUC. Proposed features along this segment of the bike path would be the same as described above for the SD&AE Railroad ROW alignment (see Figures 15 and 16). This alignment would avoid construction of a bridge or culvert over the drainage channel south of L Street.

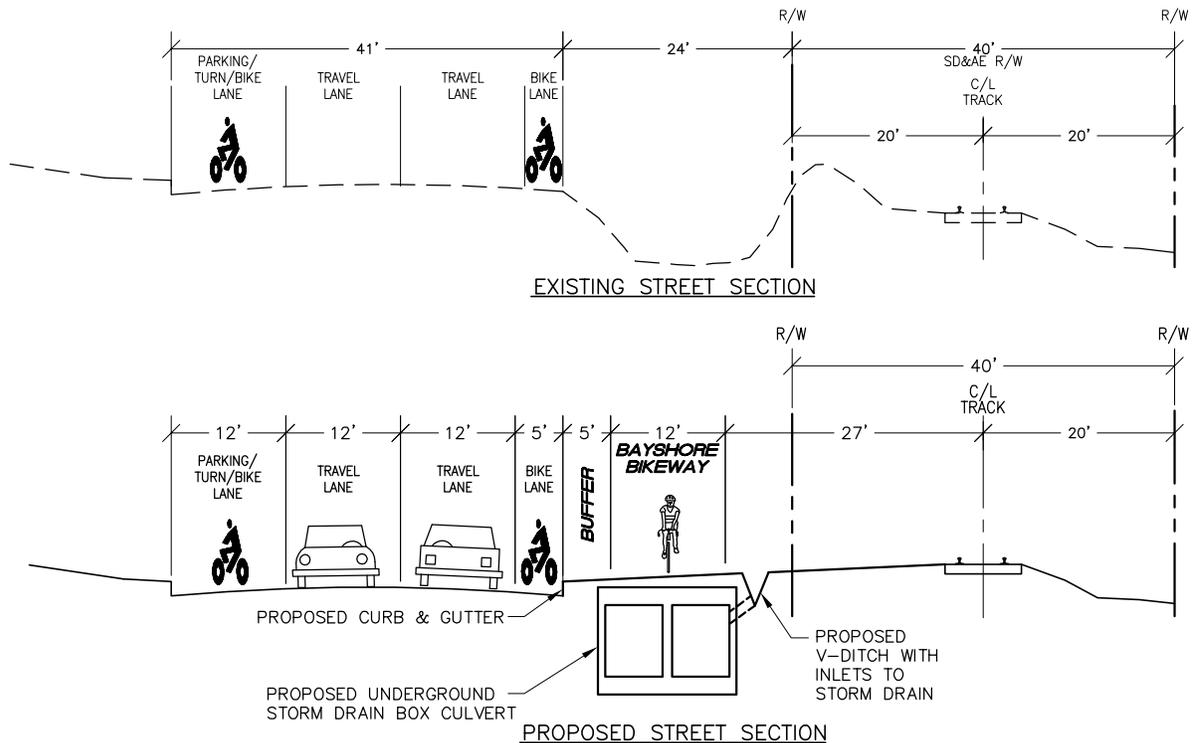


L STREET TO SOUTH BAY POWER PLANT ENTRANCE
(LOOKING SOUTH - NOT TO SCALE)

Typical Cross-sections - SDG&E Easement and SD&AE Railroad ROW



SOUTH BAY POWER PLANT TO PALOMAR STREET
(LOOKING SOUTH - NOT TO SCALE)



PALOMAR STREET TO STELLA STREET
(LOOKING SOUTH - NOT TO SCALE)

Typical Cross-sections - Bay Boulevard

BAYSHORE BIKEWAY

Figure 16

Drainage Improvements

Proposed drainage improvements would include installation of an underground storm drain box culvert beneath the proposed bike path in the southern portion of the alignment along Bay Boulevard. The box culvert would consist of two cells measuring three feet high and six feet wide. Inlets would be provided along the western edge of Bay Boulevard to direct flows into the storm drain. Additional drainage improvements may include curb inlets along Harbor Drive and brow ditches or bio swales within the SD&AE Railroad ROW.

Construction Operations

The project would be constructed in several phases over an approximately nine-month period. The northern section of the proposed alignment (32nd Street in the City of San Diego to West 32nd Street in National City) would be constructed within existing road ROW in the following construction phases:

- Re-striping: Existing and proposed bike lanes and travel lanes would be re-striped, which may require some lanes closures, but roadways would remain open during the construction period. Temporary traffic control measures, such as signage, temporary pavement delineation or markers, portable flashing beacons, and barricades may be utilized. Pedestrians may not be affected but could be detoured to the other side of the street, if necessary.
- Clearing, Grubbing, and Rough Grading: This phase would entail demolition, clearing, and rough grading, including removal of fencing, barricades, asphalt concrete pavement, gravel, Portland Cement Concrete sidewalk, and landscaping.
- Installation of Bike Path Pavement and Crossing Structures: Final grading, installation of the bike path, and widening of the Paleta Creek crossing would occur during this phase. Traffic lanes and truck parking lanes may be temporarily closed to accommodate staging and construction of the Paleta Creek crossing.
- Landscaping and Signage: Landscaping, irrigation, and signage would be installed and the bike path would be striped.

The southern section of the proposed alignment within Chula Vista (H Street to Stella Street) would be constructed within the SDG&E easement or SD&AE Railroad ROW in the following phases:

- Clearing and Drainage: Some clearing and grubbing would occur as well as installation of a new storm drain along Bay Boulevard.
- Clearing, Grubbing, and Rough Grading: Most clearing and grubbing would occur during this phase. Rough grading for the bike path also would occur.
- Installation of Bike Path Pavement and Crossing Structures: Final grading, installation of the bike path, and installation of the culvert crossings at J Street and L Street would occur during this phase.
- Landscaping and Signage: Landscaping, irrigation, and signage would be installed and the bike path would be striped.

Staging areas for construction vehicles and equipment storage would occur within the Area of Potential Effect (APE), as shown in Figures 4 through 10.

Project Approval

SANDAG is the Lead Agency under CEQA and is responsible for reviewing and approving this Mitigated Negative Declaration/Initial Study. Permits and approvals from the following responsible agencies under CEQA also would be required for the proposed project. Additional permits may be required from agencies upon review of construction documents.

City of National City

- Right of Way Permit
- Traffic Control Plan

City of Chula Vista

- Grading and Construction Permit
- Coastal Development Permit

California Coastal Commission

- Coastal Development Permit (for the portion of the bike path along Harbor Drive located within the City of San Diego)

California Public Utilities Commission

- Approval for new railroad crossing(s)
- Section 851 filing

California Department of Fish and Game (CDFG)

- 1602 Streambed Alteration Agreement

State Water Resources Control Board/Regional Water Quality Control Board (RWQCB)

- Section 401 Water Quality Certification

U.S. Army Corps of Engineers (Corps)

- Section 404 Permit

San Diego Gas and Electric

- Approval for use of utility corridor for the bike path

Table 1 below summarizes these required permits and approvals for each segment of the proposed bike path.

**Table 1
REQUIRED PERMITS AND APPROVALS**

<u>Permit/Approval</u>	<u>Permitting/Approving Agency</u>	<u>Permit/Approval Trigger</u>
Segment 4		
Coastal Development Permit	California Coastal Commission	Location within the coastal zone. This only applies for the portion of the bike path along Harbor Drive located within the City of San Diego.
Right of Way Permit	City of National City	Improvements within the City of National City's right-of-way.
Traffic Control Plan	City of National City	Construction activities within the City of National City.
1602 Streambed Alteration Agreement	CDFG	Impacts to jurisdictional open water under the widened Harbor Drive Bridge (over Paleta Creek) option.
Section 401 Water Quality Certification	RWQCB	Impacts to jurisdictional open water under the widened Harbor Drive Bridge (over Paleta Creek) option.
Section 404 Permit	Corps	Impacts to jurisdictional open water under the widened Harbor Drive Bridge (over Paleta Creek) option.
NPDES General Construction Activity Permit	RWQCB	Construction activities.
Segment 5		
Right of Way Permit	City of National City	Improvements within the City of National City's right-of-way.
Traffic Control Plan	City of National City	Construction activities within the City of National City.
NPDES General Construction Activity Permit	RWQCB	Construction activities.
Segment 7		
Grading and Construction Permit	City of Chula Vista	Grading and construction activities within the City of Chula Vista.
Coastal Development Permit	City of Chula Vista	Location within the coastal zone.
Approval for use of utility corridor for the bike path	SDG&E	Use of utility corridor.
Section 851 filing	CPUC	Use of utility corridor.
NPDES General Construction Activity Permit	RWQCB	Construction activities.
Segment 8A		
Grading and Construction Permit	City of Chula Vista	Grading and construction activities within the City of Chula Vista.
Coastal Development Permit	City of Chula Vista	Location within the coastal zone.
Approval for new railroad crossing	CPUC	New railroad crossing at L Street under the SDG&E Easement and SD&AE Railroad ROW Alignment.
Approval for a new railroad crossing	PUC	New railroad crossing north of the South Bay Power Plant under the SDG&E Easement Alignment.
Approval for use of utility corridor for the bike path	SDG&E	Use of utility corridor.
Section 851 filing	CPUC	Use of utility corridor.
1602 Streambed Alteration Agreement	CDFG	Impacts to jurisdictional freshwater marsh, disturbed coastal salt marsh and disturbed wetland.
Section 401 Water Quality Certification	RWQCB	Impacts to jurisdictional freshwater marsh and disturbed coastal salt marsh.
Section 404 Permit	Corps	Impacts to jurisdictional freshwater marsh and disturbed coastal salt marsh.
NPDES General Construction Activity Permit	RWQCB	Construction activities.

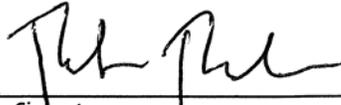
III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

IV. DETERMINATION

On the basis of this initial evaluation that follows:

<input type="checkbox"/> The proposed project is exempt from CEQA pursuant to the general exemption (CEQA Guidelines, 15061 (b)(3)), a statutory exemption, and/or a categorical exemption, and that if a categorical exemption, none of the exceptions to the exemption apply. A NOTICE OF EXEMPTION will be prepared.	
<input type="checkbox"/> I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
<input checked="" type="checkbox"/> I find that 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.	
<input type="checkbox"/> I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
<input type="checkbox"/> I find that 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 NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental document is required. FINDINGS consistent with this determination will be prepared.	
 _____ Signature Rob Rundle, Principal Regional Planner	2-23-09 _____ Date For: San Diego Association of Governments

V. EVALUATION OF ENVIRONMENTAL IMPACTS

This section evaluates the potential environmental effects of the proposed project using the environmental checklist from the State CEQA Guidelines as amended. The definitions of the response column headings include:

- A. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- B. "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).
- C. "Less Than Significant Impact" applies where the project creates no significant impacts, only Less than Significant impacts.
- D. "No Impact" applies where a project does not create an impact in that category. "No Impact" answers do not require an explanation if they are adequately supported by the information sources cited by the lead agency which show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project specific screening analysis).

1. Aesthetics

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. The project is located on relatively level topography and traverses highly urbanized areas primarily consisting of industrial uses, military facilities, rail and utility corridors, and roadways within the cities of San Diego, National City, and Chula Vista. No designated scenic views, vistas, or resources are located along the proposed bike path alignment within the cities of San Diego or National City. The *Chula Vista General Plan* designates Marina Parkway/J Street (between Marina Parkway and Interstate 5) as a scenic roadway in the Land Use and Transportation Element due to its location and access to the Chula Vista Harbor. The bike path would cross the designated portion of J Street at either the existing crossing at the J Street/Bay Boulevard intersection, or at a proposed signalized mid-block crossing to the west. Use of the existing crossing or the proposed mid-block crossing would not adversely affect views from this scenic roadway because no views of San Diego Bay or Chula Vista Harbor are visible from these J Street crossing locations.

Although the project is located within the Coastal Zone, views of the coast and San Diego Bay are obstructed along most of the proposed alignment due to intervening structures and vegetation. Views of the bay are provided along portions of the alignment, namely at the Paleta Creek bridge on Harbor Drive, portions of Tidelands Avenue and West 32nd Street, portions within the SDG&E Easement, and points along Bay Boulevard in the southern portion of the alignment. The proposed project would not result in the construction of new structures at a bulk or scale that would obstruct these views. Therefore, no impacts to scenic vistas would occur.

- b. Segments of State Route 75 (SR-75), including the Coronado Bridge and along the Silver Strand (between Imperial Beach and Avenida Del Sol in the City of Coronado) are officially designated as a California state scenic highway. However, the project would not result in any changes to views along SR-75. Much of the bike path would occur within existing road rights-of-way, and visual aboveground features associated with the bike path would consist of signage, lighting, and limited security fencing. These project features would not be visible by drivers along the designated segments of SR-75 because of distance (across the San Diego Bay) and intervening topography, structures and vegetation. No historic structures/resources, landmarks, or rock outcroppings would be removed as a result of project development.

Within the SD&AE railroad ROW, an existing landscaped berm located between J Street and L Street would be lowered to provide a more open setting for bicyclists. Lowering the berm would remove existing ornamental landscaping and expand views into the SDG&E easement and South Bay Power Plant from development to the east. Removal of the landscaping would not be considered significant because the ornamental landscaping is not considered a significant scenic resource and project landscaping would be installed along this and other portions of the bike path alignment. No significant impacts to scenic resources would occur.

- c. Visual changes that would occur along the alignment as a result of the project include the addition of bike surface, signage, lighting, fencing, culvert crossings, and landscaping for the proposed bike path, as well as storm drain improvements, removal/addition of curbs, and the addition or modification of street markings for the proposed bike path. None of these changes would substantially alter the existing visual character of the project area because they would be compatible with the existing visual environment of a developed area. Provision of a bike path in a developed urban setting along or adjacent to existing paved roadways would be visually consistent and compatible with surrounding

uses. No large structures or dominant visual elements would be introduced into the visual environment. Overall, the project would cause a low level of visual change to the existing visual environment. Impacts would be less than significant.

- d. The proposed project would include the installation of lighting along portions of the bike path, namely between H Street and J Street within the SDG&E easement, and between J Street and the South Bay Power Plant entrance within the SD&AE Railroad ROW. While the project would introduce new lighting sources in the area, the project alignment is located in a developed area with many existing lighting sources, including street lighting along roadways. The addition of lighting along the bike path alignment would contribute incrementally to urban light sources, but would not create a new source of substantial light or glare. Proposed lighting would be directional and/or shielded to minimize spillover and associated glare effects onto surrounding land uses. Additionally, no sensitive species were observed or detected within the project area during biological surveys (refer to Item 4) that could be affected by the additional light or glare. For these reasons, impacts associated with new sources of lighting would be less than significant.

2. Agricultural Resources

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</p>				
a. Convert 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"/>
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"/>
c. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. The proposed project route is located in a highly urbanized area primarily developed with industrial uses, military facilities, roadways, and utility and railroad corridors. No agricultural resources exist along or adjacent to the proposed bike path alignments. The California Department of Conservation Farmland Mapping and Monitoring Program indicate that the only farmland category mapped along the project alignment is Urban and Built-up Land. No Prime Farmland, Unique Farmland or Farmland

of Statewide Importance is mapped in the project vicinity. Therefore, no impacts related to loss of farmland would occur.

- b. The proposed project route does not contain agricultural resources, is not zoned for agricultural uses, and is not the subject of a Williamson Act contract. No impacts to agricultural resources would occur.
- c. Because no Farmland is present in the project vicinity, no project-related changes to the existing environment would result in the conversion of Farmland to non-agricultural uses.

3. Air Quality

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. The proposed project is located within the San Diego Air Basin (SDAB). The San Diego Air Pollution Control District (APCD) manages air quality in the SDAB. Air quality plans applicable to the SDAB include the San Diego Regional Air Quality Strategy (RAQS) and applicable portions of the State Implementation Plan (SIP). The RAQS and SIP outline the APCD's plans and control measures designed to attain state and federal air quality standards. The RAQS and SIP rely on information from the California Air Resources Board (CARB) and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in the County, to project future emissions and then determine the strategies necessary for the reduction of emissions through regulatory controls. The CARB mobile-source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by jurisdictions (i.e. cities and County). Projects that propose development consistent with the growth anticipated by the applicable

general plan(s) would be consistent with the RAQS and applicable portions of the SIP. The project would be consistent with the *San Diego General Plan*, the *National City General Plan*, and the *Chula Vista General Plan* (refer to Issue 9, Land Use). Additionally, the proposed project consists of a bicycle facility, which does not generate air emissions. The project, therefore, would not conflict or obstruct implementation of the RAQS or applicable portions of the SIP.

- b. During project construction, emissions associated with fugitive dust and construction equipment would be generated. Such emissions would be temporary and would not substantially contribute to air quality violations currently experienced in the SDAB. The construction contractor would be required to implement dust control measures as part of contract specifications to minimize fugitive dust emissions. Contract specifications would also require construction equipment and vehicles to be properly tuned and maintained to reduce exhaust emissions. Air quality impacts related to construction emissions would be less than significant.

There would be no substantial operational emissions generated by the proposed project. The proposed bike path would not generate traffic trips or include other sources of mobile or stationary emissions. Negligible amounts of emissions may be generated by periodic maintenance activities associated with vehicles and equipment. However, these negligible amounts would not substantially contribute to current SDAB air quality violations. Air quality impacts related to operational emissions would be less than significant.

- c. The SDAB is currently classified as a non-attainment area under state standards (California Ambient Air Quality Standards) for ozone and particulate matter less than 10 microns in diameter (PM₁₀ and PM_{2.5}) and ozone (eight-hour standard) under national standards (National Ambient Air Quality Standards). As discussed above, no substantial operational emissions would be generated by the proposed project. Air emissions associated with the project would only occur during the construction period. These emissions would be temporary and would be localized within the immediate project vicinity. Construction emissions generated by the proposed project, in combination with other projects that could be under construction at the same time in the vicinity, would not contribute to a cumulatively considerable increase of criteria pollutants. Additionally, because the proposed project would be consistent with the RAQS and applicable portions of the SIP, emissions of ozone precursors generated by the proposed project have been accounted for in the ozone attainment demonstration. Cumulative air quality impacts would be less than significant.
- d. Uses adjacent to the proposed bike path primarily consist of industrial operations, which are not considered sensitive receptors. The proposed bike path alignment is not located near any residences, schools, or hospitals. Sensitive receptors in the project vicinity are limited to park users of Pepper Park in National City and Marina View Park in Chula Vista. Pepper Park is located at the terminus of Tidelands Avenue, just north of the Sweetwater River mouth. The proposed bike path would be located approximately 500 feet north of Pepper Park. Marina View Park is located in the Chula Vista Harbor near J Street. The proposed bike path would extend through the easternmost portion of Marina View Park where it crosses J Street. Users at these parks may be exposed to short-term emissions during construction activities; however, emissions would be negligible and temporary. As discussed above, the project would not generate substantial concentrations of operational emissions. Diesel particulate matter would be emitted during project construction from equipment used in the construction process. Diesel exhaust particulate matter is known to contain carcinogenic compounds. The risks associated with carcinogenic effects are typically evaluated

based on a lifetime of chronic exposure (i.e., 24 hours per day, seven days a week, 365 days a year for 70 years). Because emissions of diesel exhaust would be temporary, the construction phase of the project would not result in long-term chronic lifetime exposure to diesel exhaust from construction equipment. Therefore, air quality impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

- e. The project does not include any proposed uses typically associated with objectionable odors. The potential for some construction-related odors (vehicle exhaust, asphalt, coatings for stenciling of bikeway lanes on roadway) to occur is present; however, these odors would be temporary and would cease following completion of the construction period. Additionally, as these odors would occur along existing roadways for much of the alignment, they would be typical of odors already occurring (vehicle exhaust) in the project area. For these reasons, impacts associated with objectionable odors would be less than significant.

4. Biological Resources

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

A project-specific biological resources report was prepared by HELIX Environmental Planning, Inc. (*Bayshore Bikeway Segments 4, 5, 7, and 8A Natural Environment Study*, February 2009) to evaluate biological resources and the potential for the project to impact such resources. The results and conclusions are summarized herein.

- a. The United States Fish and Wildlife Service (USFWS) identified one special status plant species and seven special status animal species with the potential to occur within the Biological Study Area (BSA). These include: salt marsh bird's beak (*Cordylanthus maritimus* ssp. *maritimus*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), western snowy plover (*Charadrius alexandrinus nivosus*), California brown pelican (*Pelecanus occidentalis californicus*), coastal California gnatcatcher (*Polioptila californica californica*), light-footed clapper rail (*Rallus longirostris levipes*), California least tern (*Sternula antillarum browni*), and least Bell's vireo (*Vireo bellii pusillus*). None of these or other special status plant or animal species were observed or detected within the BSA during a general biological survey. Although coastal salt marsh, the preferred habitat for the salt marsh bird's beak, occurs within the BSA, the small size of this habitat (0.10 acre) within the BSA, the disturbed nature of this habitat within the BSA, and the urban setting make the likelihood of this sensitive plant species occurring within the BSA very low. No habitat for San Diego fairy shrimp, California coastal gnatcatcher, or least Bell's vireo occurs within the BSA. Habitat for the western snowy plover, California brown pelican, light-footed clapper rail, and California least tern occurs within the BSA; however, given the urban setting of the BSA and generally disturbed nature of habitat within the BSA, the potential for these species to occur within the BSA is low. No biological resource impacts related to special status species would occur.
- b. The BSA contains seven vegetation communities in addition to developed land, including freshwater marsh (including disturbed), disturbed coastal salt marsh, open water, disturbed wetland, non-native grassland, non-native vegetation, and disturbed habitat. Of these vegetation communities, freshwater marsh (including disturbed), disturbed coastal marsh, open water, disturbed wetland, and non-native grassland are considered sensitive. The project would directly impact these five sensitive vegetation communities. Specific project impacts depend on the alignment alternatives in the northern and southern portions of the alignment (e.g., use of the BNSF ROW and Naval Base along Harbor Drive, SDG&E easement, or SD&AE railroad ROW). Most of the project impacts to sensitive vegetation would occur in the southern portion of the bike path within the City of Chula Vista. Within National City, 0.02 acre of open water may be impacted if the Harbor Drive Bridge over Paleta Creek is widened. No project impacts to sensitive vegetation would occur along the portion of the bike path within the City of San Diego. Impacts associated with the various alternatives and required mitigation are presented in [Table 42a](#). [Table 2b summarizes project impacts to sensitive vegetation and required mitigation by jurisdiction, and Table 2c summarizes project impacts by segment number.](#)

Table 12a
SUMMARY OF PROJECT IMPACTS AND REQUIRED MITIGATION
(acres)

Vegetation Community	Existing	Impacts			Mitigation Ratio	Required Mitigation		
		SDG&E Easement	SD&AE Railroad ROW	SDG&E Easement and SD&AE Railroad ROW		SDG&E Easement	SD&AE Railroad ROW	SDG&E Easement and SD&AE Railroad ROW
Freshwater marsh (including disturbed)	0.17	0.02	0.01	0.01	4:1	0.08	0.04	0.04
Disturbed coastal salt marsh	0.10	0.01	0.01	0.01	4:1	0.04	0.04	0.04
Open water	0.19	0.03 ¹ /0.01 ²	0.02 ¹ /-- ²	0.03 ¹ /0.01 ²	2:1	0.06 ¹ /0.02 ²	0.04 ¹ /-- ²	0.06 ¹ /0.02 ²
Disturbed wetland	0.11	0.02	0.02	0.02	2:1	0.04	0.04	0.04
Non-native grassland	3.4	0.2	0.4	0.4	0.5:1	0.1	0.2	0.2
Non-native vegetation	0.8	0.2	0.2	0.2	--	--	--	--
Disturbed habitat	7.8	2.1	1.4	2.0	--	--	--	--
Developed land	59.1	4.4	4.6	3.8	--	--	--	--
Total	71.7	7.0	6.7	6.5	--	0.32	0.36	0.38

¹ Includes bike path on widened Harbor Drive Bridge over Paleta Creek.

² Includes bike path on existing Harbor Drive Bridge over Paleta Creek.

Source: *Bayshore Bikeway (Segments 4, 5, 7, and 8A) NES*, February 2009.

Table 2b
SUMMARY OF PROJECT IMPACTS TO SENSITIVE VEGETATION COMMUNITIES AND REQUIRED MITIGATION BY JURISDICTION
(acres)

Sensitive Vegetation Community	Impacts by Jurisdiction				Mitigation Ratio	Required Mitigation by Jurisdiction			
	San Diego	Chula Vista	National City	Port of San Diego		San Diego	Chula Vista	National City	Port of San Diego
SDG&E Easement									
Freshwater marsh (including disturbed)	--	0.02	--	--	4:1	--	0.08	--	--
Disturbed coastal salt marsh	--	0.01	--	--	4:1	--	0.04	--	--
Open water	--	0.01	0.02 ¹ /-- ²	--	2:1	--	0.02	0.04 ¹ /-- ²	--
Disturbed wetland	--	0.02	--	--	2:1	--	0.04	--	--
Non-native grassland	--	0.2	--	--	0.5:1	--	0.1	--	--

Table 2b (cont.)									
SUMMARY OF PROJECT IMPACTS TO SENSITIVE VEGETATION COMMUNITIES AND REQUIRED MITIGATION BY JURISDICTION									
(acres)									
Sensitive Vegetation Community	Impacts by Jurisdiction				Mitigation Ratio	Required Mitigation by Jurisdiction			
	San Diego	Chula Vista	National City	Port of San Diego		San Diego	Chula Vista	National City	Port of San Diego
SDG&E Easement									
SD&AE Railroad ROW									
Freshwater marsh (including disturbed)	=	0.01	=	=	4:1	=	0.04	=	=
Disturbed coastal salt marsh	=	0.01	=	=	4:1	=	0.04	=	=
Open water	=	=	0.02 ^{1/-2}	=	2:1	=	=	0.04 ^{1/-2}	=
Disturbed wetland	=	0.02	=	=	2:1	=	0.04	=	=
Non-native grassland	=	0.4	=	=	0.5:1	=	0.2	=	=
SDG&E Easement and SD&AE Railroad ROW									
Freshwater marsh (including disturbed)	=	0.01	=	=	4:1	=	0.04	=	=
Disturbed coastal salt marsh	=	0.01	=	=	4:1	=	0.04	=	=
Open water	=	0.01	0.02 ^{1/-2}	=	2:1	=	0.02	0.04 ^{1/-2}	=
Disturbed wetland	=	0.02	=	=	2:1	=	0.04	=	=
Non-native grassland	=	0.4	=	=	0.5:1	=	0.2	=	=

¹ Includes bike path on widened Harbor Drive Bridge over Paleta Creek.

² Includes bike path on existing Harbor Drive Bridge over Paleta Creek.

Table 2c										
SUMMARY OF PROJECT IMPACTS TO SENSITIVE VEGETATION COMMUNITIES AND REQUIRED MITIGATION BY SEGMENT NUMBER										
(acres)										
Sensitive Vegetation Community	Impacts by Segment				Mitigation Ratio	Required Mitigation by Segment				
	4	5	7	8A		4	5	7	8A	
SDG&E Easement										
Freshwater marsh (including disturbed)	=	=	=	0.02	4:1	=	=	=	=	0.08
Disturbed coastal salt marsh	=	=	=	0.01	4:1	=	=	=	=	0.04
Open water	0.02 ^{1/-2}	=	=	0.01	2:1	0.04 ^{1/-2}	=	=	=	0.02
Disturbed wetland	=	=	=	0.02	2:1	=	=	=	=	0.04
Non-native grassland	=	=	0.01	0.2	0.5:1	=	=	0.005	=	0.1
SD&AE Railroad ROW										
Freshwater marsh (including disturbed)	=	=	=	0.01	4:1	=	=	=	=	0.04
Disturbed coastal salt marsh	=	=	=	0.01	4:1	=	=	=	=	0.04
Open water	0.02 ^{1/-2}	=	=	=	2:1	0.04 ^{1/-2}	=	=	=	=
Disturbed wetland	=	=	=	0.02	2:1	=	=	=	=	0.04
Non-native grassland	=	=	0.01	0.4	0.5:1	=	=	0.005	=	0.2

Table 2c (cont.)									
SUMMARY OF PROJECT IMPACTS TO SENSITIVE VEGETATION COMMUNITIES AND REQUIRED MITIGATION									
BY SEGMENT NUMBER									
(acres)									
Sensitive Vegetation Community	Impacts by Segment				Mitigation Ratio	Required Mitigation by Segment			
	4	5	7	8A		4	5	7	8A
SDG&E Easement and SD&AE Railroad ROW									
Freshwater marsh (including disturbed)	--	--	--	0.01	4:1	--	--	--	0.04
Disturbed coastal salt marsh	--	--	--	0.01	4:1	--	--	--	0.04
Open water	0.02 ^{1/-} / ₂	--	--	0.01	2:1	0.04 ^{1/-} / ₂	--	--	0.02
Disturbed wetland	--	--	--	0.02	2:1	--	--	--	0.04
Non-native grassland	--	--	0.01	0.4	0.5:1	--	--	0.005	0.2

¹Includes bike path on widened Harbor Drive Bridge over Paleta Creek.

²Includes bike path on existing Harbor Drive Bridge over Paleta Creek.

Implementation of the mitigation measures below would reduce direct impacts to sensitive vegetation communities to below a level of significance. Two or more measures are included for impacts to some vegetation communities to account for the Harbor Drive bridge widening option in the northern portion of the alignment and three alternatives in the southern portion of the alignment (SDG&E easement, SD&AE railroad ROW, or SDG&E and SD&AE railroad ROW). Measures are identified by number and in some cases are followed by one or more of the letters “A,” “B,” or “C” and superscript “1” or “2.” Measures with the “A” designator apply specifically to the SDG&E easement alternative, the “B” designator specifically applies to the SD&AE railroad ROW alternative, and “C” applies to the SDG&E easement and SD&AE railroad ROW alternative. Similarly, measures with the “1” superscript apply to the widened Harbor Drive Bridge option, and the “2” superscript applies to use of the existing Harbor Drive Bridge for the bike path.

BIO-1A. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.02 acre of freshwater marsh (including disturbed) shall be mitigated at a 4:1 ratio through the purchase of credits equal to 0.08 acre of freshwater marsh at an approved wetland mitigation bank.

BIO-1B/C. Prior to issuance of grading permits by the City of Chula Vista, impacts to 0.01 acre of freshwater marsh (including disturbed) shall be mitigated at a 4:1 ratio through the purchase of credits equal to 0.04 acre of freshwater marsh at an approved wetland mitigation bank.

BIO-2A/B/C. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.01 acre of disturbed coastal salt marsh shall be mitigated at 4:1 ratio through the purchase credits equal to 0.04 acre of coastal salt marsh at an approved wetland mitigation bank.

BIO-3A¹/C¹. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.03 acre of open water shall be mitigated at a 2:1 ratio through the purchase of credits equal to 0.06 acre of open water at an approved wetland mitigation bank.

BIO 3A²/C². Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.01 acre of open water shall be mitigated at a 2:1 ratio through the purchase of credits equal to 0.02 acre of open water at an approved wetland mitigation bank.

BIO-3B¹. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.02 acre of open water shall be mitigated at a 2:1 ratio through the purchase of credits equal to 0.04 acre of open water at an approved wetland mitigation bank.

BIO-4A/B/C. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.02 acre of disturbed wetland shall be mitigated at a 2:1 ratio through purchase of credits equal to 0.04 acre of wetland at an approved wetland mitigation bank.

BIO-5A. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.2 acre of non-native grassland shall be mitigated at a 0.5:1 ratio through purchase of credits equal to 0.1 acre in an approved upland mitigation bank.

BIO-5B/C. Prior to issuance of grading permits from the City of Chula Vista, impacts to 0.4 acre of non-native grassland shall be mitigated at a 0.5:1 ratio through purchase of credits equal to 0.2 acre in an approved upland mitigation bank.

- c. A jurisdictional delineation was conducted within the BSA to identify wetland areas under the U.S. Army Corps of Engineers (Corps) jurisdiction, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), and habitats under the California Department of Fish and Game (CDFG) jurisdiction, pursuant to Section 1600 of the California Fish and Game Code. Corps jurisdictional areas total 0.46 acre and include 0.17 acre of freshwater marsh (including disturbed), 0.10 acre of disturbed coastal salt marsh, and 0.19 acre of open water. CDFG jurisdictional areas within the BSA total 0.48 acre and include 0.17 acre of freshwater marsh (including disturbed), 0.10 acre of disturbed coastal salt marsh, 0.11 acre of disturbed wetland, and 0.10 acre of open water. Project impacts to these jurisdictional wetland areas associated with the various alternatives and required mitigation are presented in Table 23.

Impacts would require compensatory mitigation, as well as a federal Clean Water Act Section 404 Permit from the Corps, a Section 401 Water Quality Certification from the State Water Resources Control Board, and a 1602 Streambed Alteration Agreement from the CDFG. Implementation of mitigation measures BIO-1 through 4 (A, B, or C, and superscript 1 or 2, as applicable) identified earlier would reduce impacts to jurisdictional wetland areas to below a level of significance.

- d. The proposed alignment is not located within any reported local or regional wildlife corridors. The BSA is primarily developed with small areas of native wetland habitat and open water. The open water within the BSA (Paleta Creek and a drainage channel south of J Street) could potentially act as a local corridor to areas of native habitat upstream. However, the proposed project would cross over this drainage on an existing bridge and, thus, would not interfere with wildlife movement. The BSA is not adjacent to the Multi-Habitat Planning Area (MHPA), which is the City of San Diego's biological preserve intended to link all core biological areas into a regional open space. A very small portion of the BSA (1.3 acres) located within the City of Chula Vista is identified as open space in the City of *Chula Vista General Plan*. Because of the highly developed setting and the lack of connectivity of native habitats with large area of habitat outside the BSA, the vast majority of the BSA is not anticipated to support a viable wildlife corridor. No associated impacts would occur.

Table 23 CORPS AND CDFG JURISDICTIONAL AREA IMPACTS AND REQUIRED MITIGATION (acres)								
Habitat	Existing	Impacts			Mitigation Ratio	Required Mitigation		
		SDG&E Easement	SD&AE Railroad ROW	SDG&E Easement and SD&AE Railroad ROW		SDG&E Easement	SD&AE Railroad ROW	SDG&E Easement and SD&AE Railroad ROW
Corps Jurisdictional Areas								
Wetland								
Freshwater marsh (including disturbed)	0.17	0.02	0.01	0.01	4:1	0.08	0.04	0.04
Disturbed coastal salt marsh	0.10	0.01	0.01	0.01	4:1	0.04	0.04	0.04
Non-wetland								
Open water	0.19	0.03 ¹ /0.01 ²	0.02 ¹ /-- ²	0.03 ¹ /0.01 ²	2:1	0.06 ¹ /0.02 ²	0.04 ¹ /-- ²	0.06 ¹ /0.02 ²
Total Corps	0.46	0.06	0.04	0.05	--	0.18	0.12	0.14
CDFG Jurisdictional Areas								
Wetland								
Freshwater marsh (including disturbed)	0.17	0.02	0.01	0.01	4:1	0.08	0.04	0.04
Disturbed coastal salt marsh	0.10	0.01	0.01	0.01	4:1	0.04	0.04	0.04
Disturbed wetland	0.11	0.02	0.02	0.02	2:1	0.04	0.04	0.04
Non-wetland								
Open water	0.10	0.02	0.02 ¹	0.03 ¹	2:1	0.04 ¹	0.04 ¹	0.06 ¹
Total CDFG	0.48	0.07	0.06	0.07	--	0.2	0.16	0.18

¹ Includes bike path on widened Harbor Drive Bridge over Paleta Creek.

² Includes bike path on existing Harbor Drive Bridge over Paleta Creek.

Source: *Bayshore Bikeway (Segments 4, 5, 7, and 8A) NES*, February 2009.

- e. The project would not conflict with any local policies/ordinances protecting biological resources. The cities of San Diego and Chula Vista have adopted Habitat Conservation Plans as part of the subregional *Multiple Species Preservation Program* (MSCP). The project would not conflict with the conservation goals of these plans (refer to Item 4f below).
- f. The proposed bike path alignment would not conflict with the subregional MSCP or the City of San Diego's or Chula Vista's MSCP Subarea Plans. The alignment is not located within any preservation areas identified in these plans. The portion of the proposed bike path that traverses the City of San Diego is not located within the City of San Diego's Multi-Habitat Planning Area (MHPA), which is the City of San Diego's planned habitat preserve in the MSCP Subarea. No impacts would occur.

A portion of the proposed bike path alignment is located within in the City of Chula Vista MSCP Subarea Plan (Subarea Plan) boundary. The bike path alignment within Chula Vista occurs in an area designated as a Development Area in the Subarea Plan, but is not located within a strategic preserve

or conservation area. Pursuant to the Subarea Plan, the project is subject to the requirements of the City of Chula Vista Habitat Loss Incident Take (HLIT) Ordinance. In accordance with the HLIT Ordinance, those projects that are greater than one acre, contain sensitive biological resources, and are located outside the "Covered Projects," must demonstrate compliance with the HLIT Ordinance and obtain Take authority from the City of Chula Vista for impacts to Subarea Plan covered species. The proposed project would not involve the take of any covered species and therefore, a HLIT permit would not be required.

The City of Chula Vista Wetland Protection Program is included in the Subarea Plan and intended to provide an evaluation of wetlands avoidance and minimization and ensure compensatory mitigation for unavoidable impacts to wetlands, thereby achieving no overall net loss. Projects that contain wetlands are required to demonstrate that impacts to wetlands have been avoided and minimized to the greatest extent practicable, and mitigated accordingly for unavoidable impacts. Consistent with the Wetland Protection Program, unavoidable project impacts to wetlands would be mitigated pursuant to applicable mitigation ratios identified in the Subarea Plan. No associated impacts would occur.

5. Cultural Resources

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

A cultural resources study was conducted for the project by ASM Affiliates (*Cultural and Historical Resources Study for the Bayshore Bikeway Project, San Diego County, California*; November 2008). The study included records search, field survey, historical evaluation, and Native American consultation. The results and conclusions are summarized herein.

- a. Records searches were conducted at the South Coastal Information Center for the project area of potential effects (APE) and a surrounding one-half-mile radius. The results of the records search documented that two cultural resource sites are located in the project APE and an additional 10 are located within the one-half mile radius. The two resources within the APE include CA-SDI-16385H, a

segment of the BNSF/Atchison, Topeka and Santa Fe (AT&SF) railroad line, and CA-SDI-13073H, a segment of the Coronado Belt Line. No additional resources were identified during the field survey.

Two sections of the inactive BNSF/AT&SF rail line (CA-SDI-16385H) occur within the APE along Tideland Avenue. This resource was previously determined to be not eligible for the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR) because of its disturbed condition and the fact most of its components have been replaced. Because this resource is not eligible for the NRHP or the CRHR, no project impacts to this historical resource would occur.

A segment of the Coronado Belt Line (CA-SDI-13073H) is located within the APE in the southern portion of the alignment adjacent to Bay Boulevard. This resource was previously determined to be not eligible for the NRHP and recommended not eligible for the CRHR. However, it has been determined eligible for and is listed in the City of San Diego Register of Historic Places. The referenced cultural resources study recommends this segment of the Coronado Belt Line as eligible for the CRHR based on the history of previous evaluations of this resource. The proposed bike path would be set back from the railroad tracks of the Coronado Belt Line by a minimum distance of 10 feet, with one exception. Under the SDG&E easement alternative, the bike path would cross the railroad tracks along this line approximately 100 feet north of the South Bay Power Plant entrance. This crossing would not compromise the integrity of the historic railroad line. Project impacts to this historic resource would be less than significant.

- b. As discussed in Item 5.a, two cultural sites were identified within the APE during the records searches, and the proposed project would not impact these resources. No additional cultural resources were identified during the field survey. No impacts to archaeological resources would occur.
- c. Surficial and underlying deposits along the proposed alignment include artificial fill, alluvium, and Bay Point Formation (Kennedy and Tan, 1977). The portion of the alignment within the cities of San Diego and National City is underlain by artificial fill, which exhibits no potential for paleontological resources. Most of the alignment within Chula Vista lies on alluvium, which has a low potential for paleontological resources. The final 1,500 feet at the southernmost end of the alignment occurs on the Bay Point Formation, which exhibits high potential for paleontological resources. The portion of the bike path on this formation would occur within Bay Boulevard and SD&AE railroad ROW, with maximum excavation depths of five feet. Given the developed and disturbed nature of this area and the limited grading required for construction of a bike path, no significant impacts to paleontological resources would occur.
- d. The California Native American Heritage Commission (NAHC) was requested to conduct a search of their Sacred Lands files to determine if any traditional cultural properties or Native American heritage sites are located within or near the bike path alignment. The NAHC replied that no known resource sites are recorded in the project area. In addition, Native American representatives in the project area were contacted to notify them of the proposed project and solicit any concerns. No responses were received. Given the results of the Native American consultation and developed urban setting of the project area, the potential to encounter human remains is extremely low.

6. Geology and Soils

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a.i. No active faults traverse the project area, as mapped by the California Division of Mines and Geology (CDMG 1999). The nearest known fault is the Newport-Inglewood-Rose Canyon Fault Zone, located approximately 0.7 mile west of the project site. Additional mapped active faults in the region include the Elsinore and San Jacinto fault zones. While the potential for on-site rupture cannot be completely discounted (e.g., unmapped faults could conceivably underlie the site), the likelihood for such an occurrence is considered low due to the absence of known faulting within or adjacent to the site. Therefore, impacts related to fault rupture from implementation of the proposed project would be less than significant.
- a.ii. The project site is located in seismically active southern California and is likely to be subjected to moderate to strong seismic ground shaking. Seismic shaking at the site could be generated by events on any number of known active and potentially active faults in the region, including the Rose

Canyon, Elsinore, and San Jacinto fault zones. Faulting in the region generally comprises a number of northwest-trending, predominantly right-lateral strike-slip faults at the boundary between the Pacific and North American tectonic plates. An earthquake along any of these known active fault zones could result in severe ground shaking and consequently cause injury and/or property damage in the project vicinity. However, as the proposed project does not include construction of any structures, it would not pose a significant risk to people associated with building failure or damage during a seismic event. For this reason, potential impacts associated with seismic ground shaking would be less than significant.

- a.iii. Liquefaction is the phenomenon whereby soils lose shear strength and exhibit fluid-like flow behavior. Severe or extended liquefaction can result in significant effects to surface and subsurface facilities through the loss of support and/or foundation integrity. Loose, granular soils are most susceptible to these effects, with liquefaction generally restricted to saturated or near-saturated soils at depths of less than 100 feet. Soil types underlying the project alignment consist of Huerhuero loam and Salinas clay loam. Due to its proximity to the Bay, the project alignment is within an area that could be potentially susceptible to liquefaction. However, given that the project does not include the construction of any habitable structures, and that the construction of the proposed bike path would incorporate standard engineering procedures, impacts associated with liquefaction would be less than significant.
- a.iv. The project site occurs adjacent to developed roadways and within a utility and railroad corridor in a developed area. These areas have been graded and are level. No landslide-prone areas are located along or adjacent to the proposed alignment. Given the absence of active faults and the relatively level topography in the project area, the potential for seismically induced landslides is very low to nonexistent. No impacts related to landslides would occur.
- b. Erosion potential within the project site is considered low, due to the level nature of on-site topography. Improvements would occur on level topography within existing ROW. Areas proposed for development would be paved and some portions would be landscaped and therefore, would not be susceptible to significant long-term erosion and sedimentation. No other significant long-term erosion impacts would occur.

Short-term grading and construction activities would not result in substantial erosion or loss of topsoil due to the level site topography. Conformance with a National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit would be required, including the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which incorporates Best Available Technology (BAT) and/or best conventional pollutant control technology (BCT) through the use of best management practices (BMPs). Implementation of a General Construction Activity Storm Water Permit (and associated SWPPP) would avoid or reduce potential short-term erosion and sedimentation impacts.

- c. As discussed in Items 6.a.iii and 6.a.iv, the project site is not located within an area prone to landslides, but is located within an area that could be potentially susceptible to liquefaction. However, given that the proposed project does not include the construction of habitable structures, and that the construction of the proposed bike path would incorporate standard engineering procedures, impacts associated with liquefaction would be less than significant. Therefore, potential impacts related to unstable geologic units or soils would be less than significant.
- d. Expansive soils are generally high in clays or silts that shrink or swell with variation in moisture. The project alignment traverses different soil types, including Huerhuero series and Salinas series soils.

Although some of these are considered expansive soils, much of the bike path would occur within existing developed road rights-of-way, which were designed and built to account for effects of expansive soils. Portions of the bike path to be developed on unpaved, non-engineered areas would incorporate standard engineering techniques in accordance with the International Building Code to avoid adverse effects of expansive soils. Therefore, impacts related to expansive soils would be less than significant.

- e. No wastewater disposal systems involving the use of septic tanks, leach fields or alternative sewage disposal systems that depend upon appropriate soil regimes are currently in use at the project site, or are proposed as part of the project. No associated impacts would occur.

7. Hazards and Hazardous Materials

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. During the project construction period, hazardous substances used to maintain and operate construction equipment (such as fuel and lubricants) would be present. The transport, use, and disposal of such hazardous materials would be conducted in accordance with applicable State and Federal laws. Additionally, implementation of a SWPPP and standard construction BMPs would prevent the use of these materials from causing a significant hazard to the public or environment. Compliance with applicable laws and regulations would ensure that associated hazardous materials impacts during project construction would be less than significant.

Operation of the proposed project would not involve the routine use, transport, and/or disposal of substantial amounts of hazardous materials. The proposed project would consist of a paved and landscaped bike path. Application of pesticides on project landscaping along the alignment may periodically occur, but the amount required for routine landscape maintenance that would be transported and used on site would be minimal and would not pose a risk to people or the environment. Therefore, no significant long-term operational impacts would result from project implementation.

- b. Construction of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Construction-related hazardous materials (fuels, lubricants, etc.) would be used that could potentially result in adverse environmental impacts through accidental discharges associated with storage, vehicle operation (e.g., refueling) or maintenance. Potential impacts associated with the use of hazardous materials for project construction would be avoided, however, through implementation of a SWPPP and standard construction BMPs and through compliance with applicable State and Federal laws.

Significant project-related impacts would be avoided or adequately minimized with implementation of regulatory requirements, industry standards and BMPs. Construction activities would be required to comply with existing regulatory requirements related to hazardous waste disposal and water quality. Therefore, related impacts would be less than significant.

- c. One existing school is located within 0.25 mile of the project route: Robert L. Mueller Charter Elementary (715 I Street, Chula Vista). The project does not include any proposed uses which would store or require the use of hazardous materials, substances, or waste. While small amounts of hazardous materials (such as paints, lubricants, etc.) would be present on the site during project construction, these materials would be typical of those used at construction sites and would be handled in accordance with applicable local, State, and Federal requirements. Additionally, as amounts of these materials present during the construction period would be small, any release of these materials would be small and easily contained. As the project would not emit hazardous emissions and would handle hazardous materials in accordance with applicable requirements, no significant impacts would occur.
- d. An Initial Site Assessment (ISA) was prepared for the proposed project by Bureau Veritas North America, Inc. (*Initial Site Assessment Bayshore Bikeway, San Diego, California*; October 31, 2008). The ISA determined that the following recognized environmental conditions (RECs) were present along the project alignment:

- Former agricultural uses consisting of orchards occurred in the southern portion of the alignment within Chula Vista. Based on past agricultural uses in the project vicinity, residual pesticides and herbicides may be present.
- As a result of the shoreline expansion in San Diego, National City, and Chula Vista, fill material is present throughout the project alignment and adjoining properties. Due to the historical presence of major industrial and manufacturing operations along the coastline (and known hazardous chemical releases associated with these uses), there is potential for fill materials present along the alignment to have been impacted by chemicals including petroleum hydrocarbons, volatile organic compounds (VOCs), and materials.
- Due to the railroad spurs that cross the project alignment at the Civic Center Drive/Tidelands Avenue and along Tidelands Avenue, there is potential that a past release of hazardous materials associated with rail freight transport occurred in the project area.
- Four hazardous sites listed in the Naval Base San Diego Installation Restoration Program (IRP) are located adjacent to the project alignment (within Segment 4). Two of the listed sites have been closed (IRP Sites 7 and 9) and two remain open (IRP Sites 3 and 4). These listed sites may have impacted underlying soils and groundwater due to the presence of hazardous chemicals, including dioxins/dibenzofurans, lead, metals, waste petroleum, oils, lubricants, and polychlorinated biphenyls (PCBs).
- A known chemical release occurred at the Southern California Truck Stop, located at 2250 Tidelands Avenue, adjacent to the project alignment in National City (within Segment 5). This site poses an environmental concern due to an ongoing site investigation and unknown extent of subsurface contamination to soil and groundwater associated with a 1988 release from a 20,000-gallon diesel underground storage tank (UST). Soil and groundwater contamination have been detected at the site. Reports identified soil contamination at the central and northeastern portion of the site; however, contamination had not been fully defined to the east, south, and northeast.
- Pepper Oil Company, located at 2300 Tidelands Avenue in National City and adjacent to the bike path alignment (Segment 5), poses an environmental concern due to an ongoing site investigation and unknown extent of subsurface contamination to soil and groundwater. Subsequent to the removal of a 2,000-gallon diesel UST and 550-gallon waste oil UST (in 1999), groundwater sampling indicated the presence of liquid petroleum.
- Goodrich Aero Structures/ROHR Industries, Inc., which is located just north of H Street in Chula Vista (within Segment 7), poses an environmental concern due to noted trichloroethylene (TCE) soil contamination between 5 and 25 feet below ground surface within the SDG&E easement. Other contamination is present, including VOC, total petroleum hydrocarbons, TCE, and hexavalent chromium in soil and groundwater on the western portion of this property. Although groundwater flow is to the west, tidal fluctuations may carry impacted groundwater beneath the project alignment.

The RECs identified for the project could result in significant impacts associated with hazardous materials and contamination. Implementation of the following mitigation measures would reduce potential impacts associated with these RECs to below a level of significance:

HAZ-1. Prior to ground disturbance associated with the construction of the proposed bike path, a limited shallow-soil subsurface investigation shall be conducted along the project alignment to assess the presence/absence of residual herbicide/pesticide chemicals from the former agricultural areas in Chula Vista, as well as petroleum hydrocarbons, metals, and VOCs potential associated with fill material throughout the project alignment. The project proponent shall conduct any necessary remediation identified by the shallow-soil subsurface investigation prior to commencement of ground disturbing activities associated with the project.

HAZ-2. Prior and during ground disturbance associated with the construction of the proposed bike path, a soil-vapor survey shall be conducted to assess potential subsurface contamination along the portions of the project alignment adjacent to the listed sites on the Naval Base, Pepper Oil Company, Southern California Truck Stop, and Goodrich Aero Structures properties. The project proponent shall conduct any necessary remediation identified by the soil-vapor survey prior to commencement of ground disturbing activities within the immediate vicinity of these properties.

- e. The project site is approximately four miles southeast of the San Diego International Airport and is outside the airport's Influence Area as identified in the Airport Land Use Compatibility Plan for San Diego International Airport (San Diego County Regional Airport Authority 1992). In addition, North Island Naval Air Station is located approximately four miles to the west in Coronado. No hazards impacts associated with these airport facilities would occur.
- f. The proposed project site is not located in the vicinity of any private airstrips. Therefore, no associated hazards impacts would occur.
- g. The proposed project would not impair or physically interfere with an adopted emergency response or evacuation plan. Primary access to all major roads would be maintained during construction of the proposed project. Therefore, no associated impacts would occur.
- h. The proposed project is located in a developed area. No wildlands are located in the project vicinity. Therefore, no impacts related to wildland fires would occur.

8. Hydrology and Water Quality

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

8. Hydrology and Water Quality (cont.)

Issues	Less Than			
	Potentially Significant Impact	Significant With Mitigation Incorporated	Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area, structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. Potential water quality impacts associated with the proposed project would include short-term construction related erosion/sedimentation and long-term operational storm water discharge. As discussed in Item 6.b, short-term water quality impacts related to erosion/sedimentation would be less than significant based on conformance with existing regulatory requirements (i.e., acquisition of a NPDES General Construction Activity Storm Water Permit and implementation of a SWPPP). Conformance with applicable requirements and SWPPP implementation would ensure that water quality violations would not occur.

Long-term water quality impacts associated with the project would include generation of minor quantities of urban contaminants along the bike path (such as trash and sediment). The transport of urban contaminants from the project site potentially could affect water quality at downstream receiving waters, namely San Diego Bay. The San Diego Bay and portions along its shoreline are included on the 2006 Clean Water Act (CWA) Section 303(d) List of Water Quality Limited Segments as an impaired water body due to the presence of polychlorinated biphenyls bacteria indicators, copper, benthic communities, and toxic sediments. Long-term water quality impacts associated with

these pollutants of concern (POC) would be addressed through compliance with NPDES guidelines for municipal storm water runoff in accordance with the San Diego RWQCB Order No. 2004-04R9-2007-0001 and related water quality guidelines adopted by local jurisdictions. ~~This Order requires~~ These guidelines require that pollutant discharges and runoff from development are reduced to the maximum extent practicable and that receiving water quality objectives are not violated throughout the life of project through implementation of source control and structural post-construction BMPs. Implementation of required BMPs would ensure that water quality violations would not occur and associated long-term water quality impacts would be less than significant.

- b. The project does not propose the use of groundwater, nor do any uses along the proposed bike path alignment rely on groundwater. Much of the proposed bike path would be constructed within existing paved roadways that are currently covered with impervious surfaces. While the proposed project would result in the addition of some impervious surfaces, the new impervious surfaces proposed as part of the project would encompass a relatively small area (approximately 2.5 acres) within the larger project area. The project would not significantly impact local groundwater recharge due to the relatively small development area involved and the fact that the project would not substantially increase the impervious surface area. Additionally, proposed project landscaping would provide additional pervious areas. Therefore, impacts would be less than significant.
- c-d. The proposed project would not substantially alter the existing drainage pattern of the site or vicinity. Whenever possible, on-site surface runoff would be collected in existing drainage facilities such as concrete curb, gutter and drainage inlets, and conveyed into the existing municipal storm water drainage system. Where existing curb, gutter and/or inlets would be removed to accommodate the new bike path, similar facilities would be constructed near the same location. A new storm drain would be constructed in the southern portion of the alignment along Bay Boulevard. Runoff quantities within the watershed would not substantially change because no substantial net increase in impervious surfaces would occur. Water quality impacts related to erosion/sedimentation, runoff rates and quantities, and/or flooding would be less than significant.
- e. Since there would be no substantial net increase of impervious surfaces upon project construction, runoff volumes would not substantially increase and thus would not exceed the capacity of existing and proposed storm drain facilities. As discussed above, the project could result in polluted runoff; however, the potential for water quality impacts would be minimized through compliance with the requirements of the San Diego Municipal Storm Water Permit (RWQCB Order No. 2004-04R9-2007-0001, NPDES No. CAS0108758) and related water quality guidelines adopted by local jurisdictions. Therefore, water quality impacts related to stormwater capacity and/or polluted runoff would be less than significant.
- f. No additional water quality impacts other than those described earlier in this section are anticipated.
- g. and h. The proposed project does not involve construction of residential units or any other structures. Based on Federal Emergency Management Agency (FEMA) maps, the bike path alignment would not be located within a mapped 100-year floodplain. No impacts associated with flooding would occur.
- i. As discussed above, the bike path alignment would not be located within a mapped 100-year floodplain. No reservoir dam structures are located within the vicinity of the bike path alignment. The closest dam structure is located approximately seven miles inland at the Sweetwater Reservoir;

however, the Sweetwater River, which flows from the reservoir, outfalls into the San Diego Bay near the proposed alignment. Due to the alignment's coastal location and proximity to the Sweetwater River outfall, it is possible that portions of the bike path alignment could become inundated in the event of a dam failure. Given the distance from the dam structure, resultant flooding from this unlikely event would not expose people or structures to a significant risk of loss, injury, or death. Similarly, some levees and jetties occur within eastern San Diego Bay, particularly at harbors and salt evaporation ponds. The function of these levees and jetties is not to retain water, but to control tidal movement within harbors or salt evaporation ponds. Failure of these levees or jetties would not create flood hazard conditions along the bike path alignment that could cause significant loss, injury, or death. No associated flooding impacts would occur.

- j. The project route is located along the eastern San Diego Bay (Pacific Ocean) and therefore, could potentially be inundated in the event of a large catastrophic tsunami or seiche. Although the likelihood of such an event is extremely low, it cannot be completely discounted given the seismically active region of southern California. However, given that the proposed project does not include the construction of any structures, such as residences or businesses where people would be for long periods of time and given the low potential for an actual catastrophic tsunami or seiche to occur, impacts would be less than significant. Additionally, the project site would not be subject to impacts related to inundation by mudflow based on the location and topography in the project area.

9. Land Use and Planning

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. The proposed bike path alignment would traverse highly urbanized areas primarily consisting of industrial uses, military facilities, rail and utility corridors, and roadways. Much of the alignment would occur within existing roadways. The proposed project does not include the construction of roads, structures, or other improvements that would physically divide or separate neighborhoods within an established community. Moreover, implementation of the proposed project would not change existing land uses. Therefore, no associated land use impacts would occur.

- b. The proposed project traverses through three jurisdictions: the City of San Diego, the City of National City, and the City of Chula Vista. Additionally, the Port of San Diego has jurisdiction over tideland areas within the mean high tide line along San Diego Bay. Portions of Harbor Drive, south of West 8th Street, and Tidelands Avenue in National City lie within the Port's jurisdiction. The proposed project would not conflict with applicable land use plans, policies, or regulations, including the *City of San Diego General Plan*, *Barrio Logan/Harbor 101 Community Plan*, *San Diego Bicycle Master Plan*, *National City General Plan*, *Chula Vista General Plan*, or the *Port Master Plan*. The proposed project would be consistent with applicable goals and guidelines contained in these land use plans.

Specifically, the proposed bike path would not conflict with policies pertaining to bicycles in the Mobility Element (Section F, Bicycling) of the *City of San Diego General Plan*. The Conservation Element also contains a specific policy (Policy CE-C.9) that calls for development of a bicycle system that connects major coastal activity centers.

The *Barrio Logan/Harbor 101 Community Plan* recommends a major bicycle facility along Harbor Drive that would connect to surrounding communities (Pedestrian/Bicycle/Open Space-related Transportation section of the Transportation Element). The proposed bike path would be consistent with this policy in that a portion would occur along Harbor Drive and would connect to communities to the south.

The proposed project would be consistent with the goals of the *San Diego Bicycle Master Plan*, including promote bicycle transportation, increase bicycle transportation, improve local and regional bicycle network, and increase the benefits of bicycle. The proposed bike path would provide additional and improved/enhanced bicycle facilities within the project area that connect to a larger bicycle route around San Diego Bay. Provision of this facility would create a public benefit to bicyclists in the community and larger region that would help promote ridership.

The *National City General Plan* (Transportation and Circulation Element, Figure 3) identifies an existing recreational trail route along Harbor Drive and Tidelands Avenue from Civic Center Drive south to Bay Marina Drive. Proposed routes are identified between a future Harbor Drive connection to Tidelands (adjacent to the BNSF ROW between Harbor Drive and Civic Center Drive), and along Tidelands Avenue, from Bay Marina Drive to the Sweetwater River flood channel. The National City Transportation and Circulation Element also notes that changes to the recreational trails plan may be adopted as the Bayshore Bikeway linkages are carried out. The alignment of the proposed bike path within the City of National City would be consistent with the existing and planned routes.

The Land Use and Transportation Element of the *Chula Vista General Plan* (Figure 5-16) and the *Chula Vista Bikeway Master Plan* identify existing and proposed bikeways within the Chula Vista Bayfront and an existing route along portions of Bay Boulevard. The Bayshore Bikeway is identified in Section 5.7 of the Land Use and Transportation Element and planned to route through Chula Vista Bayfront. The proposed project does not include an alignment through the bayfront portion of Chula Vista, but does not preclude future segments that would connect to the proposed alignment. In addition, Planning Factor 7.11 of the Land Use and Transportation Element is to increase mobility through the use of bicycles and walking. The proposed project would be consistent with this goal as it would provide additional and improved bicycle facilities in Chula Vista that would connect to facilities in surrounding communities.

The *Port Master Plan* identifies bicycle routes as a permitted use within the Port's jurisdiction, and encourages linking the Bay Route (i.e., Bayshore Bikeway) onto tidelands. Portions of the proposed bike path would be located within Port Tidelands and are designated as Street in the *Port Master Plan*. A bike path would be compatible within this designation.

Additionally, the project is located within the Coastal Zone and would be subject to conformance with applicable certified Local Coastal Programs (LCPs). The portion of the proposed bike path along Harbor Drive within the City of San Diego lies within the City's Coastal Overlay Zone and within the California Coastal Commission's Permit Jurisdiction. Pursuant to Sections 126.0702 and 132.0402 of the City of San Diego Municipal Code, the project would require a Coastal Development Permit issued by the California Coastal Commission.

The *National City Local Coastal Program Land Use Plan* calls for the Bay Route Bikeway (i.e. Bayshore Bikeway) to connect with Chula Vista and other recreational areas to provide enhanced public access to coastal areas. The proposed project would provide such connections to an existing portion of the Bayshore Bikeway in Chula Vista, as well as the Sweetwater River bike path. As identified in the *National City Local Coastal Program Implementation*, the project is not located within the California Coastal Commission's Permit Jurisdiction Area, and therefore a Coastal Development Permit issued by the City of National City would be required for the project. In addition, a very small portion of the proposed bike path in National City lies within the boundaries of the Harbor District Specific Area Plan, specifically the intersection of West 32nd Street and Marina Drive.

The Public Access Element of the *City of National City Local Coastal Program Harbor District Specific Area Plan* identifies the Bayshore Bikeway along Cleveland Avenue, West 23rd Street, Harrison Avenue (Marina Way), West 32nd Street, and across the Sweetwater River. Section 2.5.6(b) of the referenced plan recommends construction of the Bayshore Bikeway along this alignment. The proposed bike path deviates from this recommended this alignment, as it would be located along Tidelands Avenue and West 32nd Street and then would connect to an existing segment of the Bayshore Bikeway. While the proposed alignment would be consistent with the intent to provide enhanced public access to recreational and coastal areas, the Public Access Element would need to be amended to reflect the proposed alignment.

The portion of the proposed bike path located within the City of Chula Vista would be consistent with Chula Vista's LCP, which consists of the General Plan Land Use Diagram and the associated goals, objectives, and policies that relate to coastal areas within Chula Vista. As discussed above in this section, the project would be consistent with the *Chula Vista General Plan*.

Because each of the jurisdictions that the proposed bike path alignment would traverse has planned for the Bayshore Bikeway, and the proposed bike path would not conflict with applicable land use plans adopted by these jurisdictions (with an amendment to the *City of National City Local Coastal Program Harbor District Specific Area Plan*), land use impacts related to plan consistency would be less than significant.

- c. The proposed bike path alignment would not conflict with the subregional MSCP or the City of San Diego's or Chula Vista's MSCP Subarea Plans. The alignment is not located within any preservation areas identified in these plans. Refer to Items 4e and 4f for additional discussion. No impacts would occur.

10. Mineral Resources

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a-b. The project lies within existing roadway rights of way and within utility and rail corridors. The bike path alignment traverses Aggregate Mineral Resource Classification Zone Categories 1 and 3 (MRZ-1 and MRZ-3). MRZ-1 indicates that no significant mineral resources are present, and MRZ-3 indicates significance of mineral deposits cannot be evaluated from available data. The proposed bike path alignment has not been used for mineral resource recovery and is not delineated as a mineral resource recovery site on any land use plans. As the project site does not contain any known significant mineral resources, and is not currently used (or planned for use) as a mineral resource recovery site, no impacts to mineral resources would not occur as a result of project implementation.

11. Noise

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

11. Noise (cont.)

Issues	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 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. Noise sensitive land uses are associated with indoor and/or outdoor activities that may be subject to stress and/or substantial interference from noise and often include residential dwellings, mobile homes, hotels, motels, hospitals, nursing homes, educational facilities, libraries, parks, and nature/wildlife preserves. Industrial, commercial and agricultural land uses are generally considered not sensitive to noise. Noise sensitive uses located in close proximity to the project site include two public parks: Pepper Park, which is located in National City at the terminus of Tidelands Avenue just north of the Sweetwater River outfall, and Marina View Park, which is located in the Chula Vista Harbor near J Street. Activities associated with a bike path are not substantial noise generators, and would not likely result in any perceptible increase in existing noise levels in the area, especially considering the existing noise environment along the project alignment associated with industrial uses and vehicular traffic. The long-term operation of the bike path would not contribute to or result in the exposure of any persons or noise sensitive uses along the project alignment to excessive noise levels. While persons utilizing the bike path would be exposed to noise occurring in the area, including traffic noise on adjacent roadways, these noise levels would also be typical of an urban environment and similar to noise levels experienced by users along other portions of the Bayshore Bikeway. No significant noise impacts would occur.
- b. The proposed project does not include any components that would result in excessive groundborne vibration. While equipment in use during construction may result small levels groundborne vibration, these would be temporary, and likely indistinguishable from vibration generated by nearby traffic on area roadways. No impacts associated with groundborne vibration would occur.
- c. The long-term operation of the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity. Noise associated with the proposed bike path would be limited to noise generated by users on the bike path, such as conversational noise. Given the urban setting of the proposed project and associated existing noise environment, and the minimal noise that would be generated by users along the bike path, no associated noise impacts would occur.
- d. Construction of the proposed project would occur in four phases: re-striping of existing and proposed bike lanes and travel lanes; clearing, grubbing, and rough grading; instillation of bike path pavement

and crossing structures; and landscaping and signage. The use of equipment and machinery during these construction phases would result in temporary noise increases in the project vicinity. However, much of the project alignment is located within existing road rights-of-way, where traffic-related noise is already occurring. The proposed bike path alignment is located in an area that contains noise generating uses (e.g., industrial operations). As discussed above in Item 11.a, no noise sensitive uses occur along the proposed alignment, with the exception of two public parks. Additionally, the noise generated by construction activities would be temporary in nature. Construction activities that would occur as part of the project would be required to comply with applicable construction noise requirements of the appropriate jurisdiction where activities are taking place (City of San Diego, City of National City, and City of Chula Vista). Compliance with the applicable city's noise ordinance would ensure impacts remain less than significant.

e-f. The project alignment is approximately four miles southeast of the San Diego International Airport and is outside its Airport Influence Area as identified in the Airport Land Use Compatibility Plan for San Diego International Airport (San Diego County Regional Airport Authority 1992). The project alignment is not located within the 60 dB CNEL for the Airport, and, therefore, would not result in the exposure of excessive airport noise to persons using the bike path. The project alignment is also located approximately four miles east of North Island Naval Air Station. The project alignment is also not located within any of the identified noise contours for North Island Naval Air Station. Therefore, no impacts related to airport noise would occur.

12. Population and Housing

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a. Implementation of the proposed project would not directly induce population growth due to the fact that no housing or job-generating uses are proposed. The bike path alignment is located along the eastern San Diego Bay, which is developed primarily with industrial uses. The project would not result in the construction or extension of any roads or infrastructure to previously undeveloped or inaccessible areas. For these reasons, no impacts associated with population growth would occur.

b-c. The project would occur largely within existing road rights-of-way and within existing utility and railroad corridors. Thus, the project would not result in the removal of any existing houses, or the displacement of any residents or businesses. No associated impacts would occur.

13. Public Services

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision 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 ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

The project site is located in a developed, urban area currently served by existing public services, including fire and police protection, schools and parks. The proposed project would not generate population growth, and, therefore, would not substantially increase demand for these public services.

The proposed project crosses through three jurisdictions, and accordingly, would be served by three fire departments: the City of San Diego Fire Department, the Chula Vista Fire Department, and the National City Fire Department. Each of these fire departments would provide fire protection and emergency medical services within the appropriate portion of the bike path alignment. Due to the linear nature of the project, the distance to the nearest fire station would vary, depending on what portion of the bike path a user may be on. Several fire stations are located within one and a half miles of the project alignment, including San Diego's Station 19 at 3434 Ocean View Boulevard, National City's Station 34 at 333 East 16th Street, and Chula Vista's Station 5 at 391 Oxford Street. Police protection is also provided by three separate departments along the project alignment: the San Diego Police Department, the Chula Vista Police Department, and the National City Police Department. Police and fire protection for the proposed project would be handled by those agencies already providing these services to the immediate area. The project would not result in the construction of any new residences or businesses which would generate a service need from police and fire protection agencies. Implementation of the proposed bike path in an existing developed area would not result in a substantial demand for any new or altered police or fire protection services and no impacts to these public services would occur.

The proposed project would not generate students and, therefore, it would not affect schools in the area.

Two public parks are located in close proximity to the proposed bike path alignment. Pepper Park is located in National City at the terminus of Tidelands Avenue, just north of the Sweetwater River outfall, and Marina View Park is located in the Chula Vista Harbor, near J Street. The proposed project could minimally increase use of these parks due to an anticipated increase in bicyclists within the area. This could potentially result in an increased demand for park and recreation services, but it is unlikely that any such increase would be large enough to require facility upgrades or increased services.

The proposed project would not substantially increase the demand for public services, including fire and police protection, schools, parks or other public services and therefore, no significant impacts to public services would occur.

14. Recreation

Issues	Less Than			
	Potentially Significant Impact	Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>

Discussion

a. Existing recreational facilities located within close proximity to the proposed project alignment include Pepper Park, which is located in National City at the terminus of Tidelands Avenue just north of the Sweetwater River outfall, and Marina View Park, which is located in the Chula Vista Harbor near J Street. A number of other recreational facilities are located within a mile of the project alignment, including: Memorial Community Park and the Naval Base Golf Course in San Diego; Kimball Park in National City; and the Sweetwater Marsh Wildlife Refuge, the Chula Vista Nature Center, Bayside Park, and Harborside Park in Chula Vista. The proposed project consists of a bike path with recreational value, and would result in the construction of an approximately 4.5-mile portion of the 24-mile Bayshore Bikeway. While the proposed project may serve to improve bicycle access to some of these nearby facilities, especially those in close proximity to the bike path such as Pepper Park and Marina View Park, the proposed project would not substantially increase the use of these existing facilities, nor would it result in an increase in the demand for any new or altered park facilities. The proposed project could provide increased opportunities for local park access and, therefore, a negligible increase in demand for park and recreation services at parks near the new bike path alignment, but it is unlikely that any such increase would be large enough to require facility upgrades or increased services. Therefore, impacts related to recreational facilities would be less than significant.

- b. The proposed project entails the construction of a bike path that would serve as a transportation facility with recreational value. Potential environmental effects resulting from the proposed bike path are analyzed in this document. As discussed in Item 5, Biological Resources, and Item 7, Hazards and Hazardous Materials, the proposed project could result in potentially significant impacts related to biological resources and hazardous materials. Implementation of the mitigation measures identified in the referenced issue areas would reduce impacts to below a level of significance.

15. Transportation/Traffic

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a-b. The proposed project does not include any components that would result in substantial long-term traffic generation. Some additional trips may occur in the general area from vehicles driving to the area and unloading their bicycles to access the bike path. These additional trips, however, would not contribute to a substantial traffic increase such that roadway capacities would be exceeded. Moreover, the proposed bike path could potentially result in a reduction of vehicular trips, as it would provide an additional transportation facility along the project corridor and could encourage more bicycle trips by commuters. While construction activities would likely generate a small number of trips associated with construction equipment and worker vehicles, these trips would be temporary during the construction period, and would not be considered substantial in relation to the existing traffic load

in the project vicinity. For this reason, impacts associated with increases in traffic and levels of service at nearby intersections are less than significant.

- c. The proposed project does not include any aviation components or structures where height would be an aviation concern and, therefore, would not affect air traffic patterns. No associated traffic impacts would occur.
- d. The project would not increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). During the re-stripping phase of construction, temporary traffic control measures, such as signage, temporary pavement delineation or markers, portable flashing beacons, and barricades may be utilized. These temporary traffic control measures would serve to reduce the potential for construction related hazards. Because the proposed bike path alignment would cross roadways and driveways, safety features would be incorporated into the project design to ensure that the project would not create safety hazards for bicyclists. These safety features include installation of traffic signal heads at a height clearly visible to path users at signalized intersections; a stop sign along the path or road requiring path users or motorists to stop at unsignalized intersections; pedestrian pushbuttons and bicycle detection loops at signalized intersections; caution signage for motorists warning of the path crossing; crosswalks at crossing locations; and curb ramps, where necessary. In addition, the existing free right-turn lane and raised median at the westbound approach of the West 8th Street/Harbor Drive intersection may be removed as part of the project. Removal of the free right-turn lane would improve safety conditions for bicyclists, pedestrians, and motorists at this intersection by eliminating an uncontrolled vehicular lane that intersects with a pedestrian/bicycle crossing. Based on a traffic analysis completed for this proposed improvement (*Bayshore Bikeway 8th Street and Harbor Drive Improvements Traffic Evaluation*; January 2009), removal of the free right-turn lane would not significantly impact the intersection operations. As the proposed project includes the incorporation of safety features to protect users against design related hazards, associated traffic impacts would be less than significant.
- e. Temporary construction activities would not hinder access to roadways in the project area by emergency vehicles. Road re-stripping may require some lane closures and truck parking lanes may be temporarily closed to accommodate staging and construction; however, roadways would remain open during the construction period. Emergency access to businesses and other uses along roadways within and adjacent to the proposed bike path alignment would be maintained during the construction period. Operation of the project would not impact emergency access. Much of the bike path would occur within existing roadways so emergency access would be provided via these roadways. Part of the bike path would be located with an existing SDG&E easement or the SD&AE railroad ROW. The bike path within these areas would be 12 to 14 feet wide, which could accommodate emergency vehicles. Access to the SDG&E easement and railroad ROW are provided via service roads, which also are wide enough for emergency vehicles. Thus, adequate emergency access would be provided to the project site at all times. No associated impacts would occur.
- f. The proposed project does not include any uses that would generate substantial traffic trips. As previously stated in Item 15.a, a minor amount of trips may occur as a result of vehicles driving to the area and unloading their bicycles to use the bike path. Parking for these vehicles is provided along area roadways and surface parking lots. Implementation of the bike path would not permanently remove existing on-street parking. On-street parking along Civic Center Drive and Tidelands Avenue

may be temporarily displaced during the construction period. Loss of this parking, however, would not be considered significant due to the short period it would be unavailable. Temporary vehicular and parking lane closures during the construction period would be addressed in the construction contractor's traffic control plan. Impacts to parking would be less than significant.

- g. The proposed project consists of a bike path and would promote the use of alternative modes of transportation by connecting existing gaps in the Bayshore Bikeway. Operation of the proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation. No associated traffic impacts would occur.

16. Utilities and Service Systems

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. No restrooms or other facilities that would generate wastewater are proposed. No impacts associated with wastewater treatment facilities would occur.
- b. The proposed project is located in a developed area served by existing utilities. Operation of the bike path would include connections to existing water lines in the project vicinity for irrigation of proposed

landscaping. With the exception of water required for landscaping, the project would not create a need for additional water or wastewater services. Therefore, the demand for water and wastewater service associated with the project would not require any new or expanded facilities. Associated impacts would be less than significant.

- c. The proposed project would not substantially alter the existing drainage pattern of the site or vicinity. Whenever possible, on-site surface runoff would be collected in existing drainage facilities such as concrete curb, gutter and drainage inlets, and conveyed into the existing municipal storm water drainage system. Where existing curb, gutter and/or inlets would be removed to accommodate the bike path, similar facilities would be constructed at nearby locations. Proposed storm drain facilities would include installation of an underground storm drain beneath the proposed bike path in the southern portion of the alignment along Bay Boulevard. Although portions of this area contain sensitive vegetation, project impacts to sensitive vegetation have been identified in Item 4, Biological Resources. Implementation of the applicable mitigation measures identified in Item 4, Biological Resources, would reduce impacts resulting from the proposed storm drain installation to below a level of significance.
- d. The proposed project would result in a negligible increased demand for water associated with facility irrigation of proposed landscaping. This increase, however, would not be substantial and would not require construction or expansion of existing water supply facilities or entitlements. Therefore, no impacts related to water supply would occur.
- e. The proposed project would not generate wastewater, and, therefore, would not affect the applicable wastewater treatment provider. No impacts related to wastewater treatment capacity would occur.
- f-g. The proposed project is not a solid waste generating use. While some users of the bike path may have solid waste to dispose of while using the facility (e.g., food wrappers, beverage bottles, etc.), no significant quantity of trash would be generated and thus, the project would not significantly impact regional landfills. The proposed project would comply with all applicable federal, state, and local statutes and regulations related to solid waste. Therefore, no impacts would occur.

17. Mandatory Findings of Significance

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

17. Mandatory Findings of Significance (cont.)

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. Implementation of the proposed project would impact sensitive vegetation communities. Any degradation of the quality of the environment would be reduced to below a level of significance through implementation of mitigation measures identified in Item 4, Biological Resources.
- b. The proposed project could contribute to cumulative effects associated with light and glare. Project lighting would be provided along portions of the bike path, namely between H Street and J Street within the SDG&E easement, and between J Street and the South Bay Power Plant entrance within the SD&AE Railroad ROW. Proposed lighting would be directional to minimize spillover into the night sky. In combination with other existing and proposed projects in the area, the project’s contribution would not be cumulatively considerable. The project would not contribute to any other cumulative effects.
- c. As discussed in Item 7, Hazards and Hazardous Materials, there is potential for the presence of contaminated soil along or near the proposed bike path alignment. Exposure to contaminants could adversely affect humans. Implementation of the mitigation measures identified in Item 7 would reduce impacts to below a level of significance.

FISH AND GAME DETERMINATION

Based on the information above, there is evidence that the project has a potential for a change that would adversely affect wildlife resources or the habitat upon which the wildlife depends.

- Yes (Certificate of Fee Exemption)
- No (Pay fee)

VI. DISTRIBUTION LIST

FEDERAL AGENCIES

- United States Army Corps of Engineers
16885 West Bernardo Road, Suite 300A
San Diego, CA 92127
- United States Department of the Interior
Fish and Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92009
- Naval Base San Diego
Attention: Robert Ripley
1220 Pacific Highway, B-121
San Diego, CA 92132-5100

STATE AGENCIES

- California Department of Fish and Game
4949 Viewridge Avenue
San Diego, CA 92123
- California Regional Water Quality Control Board, San Diego Region 9
9174 Sky Park Court, Suite 100
San Diego, CA 92123
- California Public Utilities Commission
Attention: Jose Pereyra
320 West 4th Street, Ste. 500
Los Angeles, CA 90013
- Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814
- California Department of Toxic Substances Control
9174 Sky Park Court, Suite 150
San Diego, CA 92123
- California Coastal Commission
San Diego Coast District Office
7575 Metropolitan Drive, Ste. 103
San Diego, CA 92108

LOCAL AGENCIES/ORGANIZATIONS

- City of San Diego, Planning Department
Lara Gates
202 C Street, 4th Floor
San Diego, CA 92101
- City of San Diego, Council District 8
202 C Street, 10th Floor
San Diego, CA 92101
- City of Chula Vista
Planning and Building Department
276 Fourth Avenue
Chula Vista, CA 91910
- City of National City
Planning and Building Department
1243 National City Boulevard
National City, CA 91950
- San Diego Unified Port District
Attention: Lesley Nishihira
Land Use and Planning Department
3165 Pacific Highway
San Diego, Ca 92101
- County of San Diego Air Pollution Control District
9150 Chesapeake Drive
San Diego, CA 92123
- SDG&E/Sempra Energy
Planning Department
101 Ash Street
San Diego, CA 92101
- San Diego County Archaeological Society, Inc.
Environmental Review Committee
P.O. Box A-81106
San Diego, CA 92128-1106

LOCAL AGENCIES/ORGANIZATIONS (cont.)

- MTS
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101
- San Diego County Bicycle Coalition
Attention: Kathy Keehan
P.O. Box 34544
San Diego, CA 92163
- Logan Heights Branch Library
811 So. 28th Street
San Diego, CA 92113
- Burling Northern Santa Fe Railroad
Attention: John Hoegemeier
- National City Public Library
1401 National City Boulevard
National City, CA 91950
- Civic Center Branch Library
365 F Street
Chula Vista, CA 91910

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BAYSHORE BIKEWAY PROJECT (SEGMENTS 4, 5, 7, AND 8A)

ADDENDUM TO THE FINAL MITIGATED NEGATIVE DECLARATION/INITIAL STUDY



APRIL 2010



401 B Street, Suite 800 • San Diego, Ca 92101-4231 • (619) 699-1900

**BAYSHORE BIKEWAY PROJECT
(SEGMENTS 4,5,7, AND 8A)**

**ADDENDUM
TO THE
FINAL MITIGATED NEGATIVE DECLARATION/INITIAL STUDY**

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INTRODUCTION

The San Diego Association of Governments (SANDAG) proposes to modify plans for implementation of the Bayshore Bikeway Project (herein referred to as the Project). This Project was described in the Bayshore Bikeway Project (Segments 4,5,7, and 8A) Final Mitigated Negative Declaration/Initial Study (Final MND/IS), adopted by SANDAG in May 2009. The purpose of this Addendum is to provide environmental clearance of the proposed Project modifications under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 *et seq.*). This Addendum describes the Project, summarizes existing CEQA documentation, describes the proposed modifications, provides appropriate CEQA documentation for the Project modifications, evaluates Project-specific environmental impacts, and makes a determination that an addendum is the appropriate level of CEQA documentation for the proposed Project modifications.

PROJECT DESCRIPTION

Environmental Setting

SANDAG proposes to construct the Project along the eastern San Diego Bay in the cities of San Diego, National City, and Chula Vista (Figures 1 and 2). The eastern San Diego Bay front largely contains industrial land uses. The proposed bike path alignment traverses the Naval Base San Diego and railroad and trolley corridors within the City of San Diego; industrial uses and the San Diego Unified Port District (Port of San Diego) Marine Terminal within the City of National City; and industrial uses, the South Bay Power Plant, San Diego Gas and Electric (SDG&E) easements and railroad corridors within the City of Chula Vista. The Project is located within the Coastal Zone.

Project Characteristics

The Bayshore Bikeway is a designated 24-mile bikeway loop route around San Diego Bay. The route starts at the Broadway Pier near the intersection of Broadway and Harbor Drive in San Diego and extends through the cities of San Diego, National City, Chula Vista, Imperial Beach, and Coronado, where it ends at the Coronado Ferry Terminal at the intersection of 1st Street and B Street. The San Diego-Coronado Ferry provides the connecting link between the Broadway Pier and the Coronado Ferry Terminal. The Bayshore Bikeway currently consists of a combination of off-street bicycle paths and on-street bicycle lanes and routes, but the entire route is planned as a Class I¹ off-street bicycle path.

The Project includes the portion of the bikeway identified as Segments 4,5,7, and 8A in the *Bayshore Bikeway Plan* (SANDAG 2006) and entails construction of an approximately 4.5-mile-long portion of the planned Bayshore Bikeway along the eastern San Diego Bay front. The proposed alignment for segments 4,5,7, and 8A would extend from 32nd Street in the City of San Diego along Harbor Drive; through the City of National City along Civic Center Drive, Tidelands Avenue, and West 32nd Street; and within the City of Chula Vista from H Street to Stella Street. These proposed segments are described below.

¹ A Class I bikeway is a shared-use path that provides a separated right-of-way for the exclusive use of bicycles and pedestrians with minimized crossflow.

Segment 4

Segment 4 begins at the intersection of 32nd Street and Harbor Drive in San Diego at the main entrance to the Naval Base San Diego, and continues south along Harbor Drive to Civic Center Drive in National City. A 12-foot-wide Class I bike path would be constructed along the eastern side of Harbor Drive from 32nd Street to West 8th Street, where it would cross to the west side of Harbor Drive and continue to Civic Center Drive.

Segment 5

Segment 5 extends from Civic Center Drive to West 32nd Street in National City via Tidelands Avenue. The proposed bike path would extend west for a short distance along the north side of Civic Center Drive to Tidelands Avenue, where it would turn southward along the west side of road to West 32nd Street. At West 32nd Street, it would extend eastward along the south side of West 32nd Street and connect to an existing segment of the Bayshore Bikeway that begins at the West 32nd Street/Marina Way intersection in National City, crosses over the Sweetwater River on the Gordy Shields Bridge into Chula Vista, and continues southward and transitions to a bike lane along Bay Boulevard.

Segment 7

Segment 7 of the Bayshore Bikeway begins at F Street/Lagoon Drive and connects to J Street in Chula Vista. The Project would construct a portion of the planned bikeway within Segment 7, including H Street southward to J Street. Proposed Segment 7 would be connected to the above-described Class I segment of the Bayshore Bikeway at H Street, where the proposed bike path would connect to this existing bike lane along Bay Boulevard. The proposed bike path would extend southward from H Street within an existing SDG&E easement to J Street.

Segment 8A

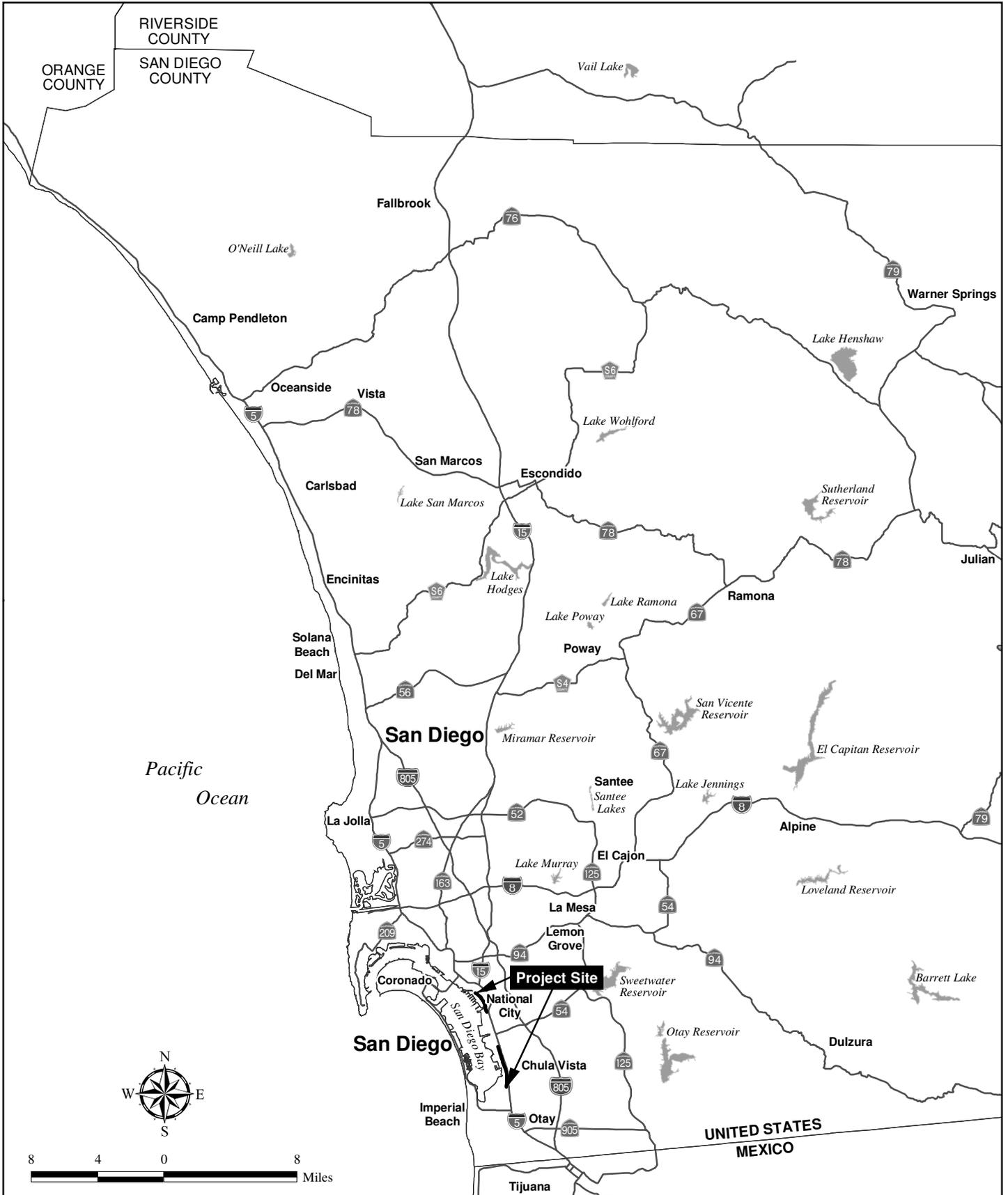
Segment 8A begins near the intersection of Bay Boulevard and J Street and extends south to Stella Street. The bike path would cross J Street at an existing crossing at the J Street/Bay Boulevard intersection. The proposed bike path would be constructed within a SDG&E easement, the San Diego and Arizona Eastern (SD&AE) railroad right-of-way (ROW), and along the west side of Bay Boulevard.

Other Improvements

Additional proposed improvements would include road re-striping, and installation of signage and stenciling, landscaping, lighting, an underground storm drain, and curb inlets.

SUMMARY OF EXISTING CEQA DOCUMENTATION

In February 2009, SANDAG completed a Draft MND/IS for the Project, and adopted the Final MND/IS in May 2009. The Final MND/IS addressed potential environmental effects of the Project with regard to the following issues: (1) aesthetics, (2) agricultural resources, (3) air quality, (4) biological resources, (5) cultural resources, (6) geology and soils, (7) hazards and hazardous materials, (8) hydrology and water quality, (9) land use and planning, (10) mineral resources, (11) noise, (12) population and housing, (13) public services, (14) recreation, (15) transportation/traffic, and (16) utilities and service systems.



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Regional Location Map

BAYSHORE BIKEWAY

Figure 1





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Project Vicinity Map

BAYSHORE BIKEWAY

Figure 2



Potentially significant impacts were identified in the Final MND/IS relating to biological resources, hazards and hazardous materials, and utilities and service systems. All potentially significant impacts would be reduced to less than significant levels with the implementation of mitigation measures identified in the Final MND/IS.

PROPOSED MODIFICATIONS TO THE BAYSHORE BIKEWAY PROJECT

Proposed modifications to the Project consist of selection among alternatives and/or changes to the alignment of the proposed bike path. The adopted Final MND/IS evaluated a proposed alignment and possible alternative alignments within Segments 4 and 8A.

Within Segment 4, alternative alignments were identified for the portion of the bike path along Harbor Drive that crosses over Paleta Creek, and at the Harbor Drive/Civic Center Drive intersection. At the Paleta Creek crossing, the Final MND/IS described widening the bridge on the east side to accommodate a 12-foot-wide bike path or alternatively, locating the bike path on the existing bridge structure (and narrowing it down to 10 feet in width). At the Harbor Drive/Civic Center Drive intersection, the Final MND/IS described the bike path as traversing the Burlington Northern Santa Fe (BNSF) railroad ROW and Naval Base or alternatively, continuing along Harbor Drive.

Within Segment 8A, the Final MND/IS identified three potential alternative alignments between J Street and the South Bay Power Plant, including: (1) within the SDG&E easement; (2) within the SD&AE railroad ROW and Bay Boulevard; or (3) within the SDG&E easement and SD&AE railroad ROW and Bay Boulevard.

Subsequent to adoption of the Final MND/IS and completion of additional design refinements, the alignment of the bike path within Segments 4 and 8A has been modified. The following section briefly describes the modified alignment of the bike path, which is depicted in Figures 3 through 9.

Segment 4

The proposed modified alignment within Segment 4 would extend along the eastern side of Harbor Drive from West 32nd Street in San Diego and would cross Paleta Creek on the existing bridge. As previously stated, the Final MND/IS identified this route on the existing bridge as an alternative alignment. At West 8th Street, the free-right turn lane and raised median at the westbound approach of the West 8th Street/Harbor Drive intersection would be removed, and bicyclists and pedestrians would cross West 8th Street and Harbor Drive at existing crosswalks. The bike path would continue southward on the west side of Harbor Drive until the BNSF railroad crossing near the intersection of Harbor Drive and Civic Center Drive. At the railroad crossing, the bike path would traverse the Naval Base parallel to the railroad tracks and connect to Civic Center Drive in National City. The modified alignment along this southern portion of Segment 4 (between the railroad crossing and Civic Center Drive) shifted slightly to the west to avoid encroachment into the BNSF railroad ROW, and is located entirely within the Naval Base.

Segment 5

No changes are proposed to the bike path alignment within Segment 5. The route remains as described on page 2 of this Addendum.

Segment 7

No changes are proposed to the bike path alignment within Segment 7. The route remains as described on page 2 of this Addendum.

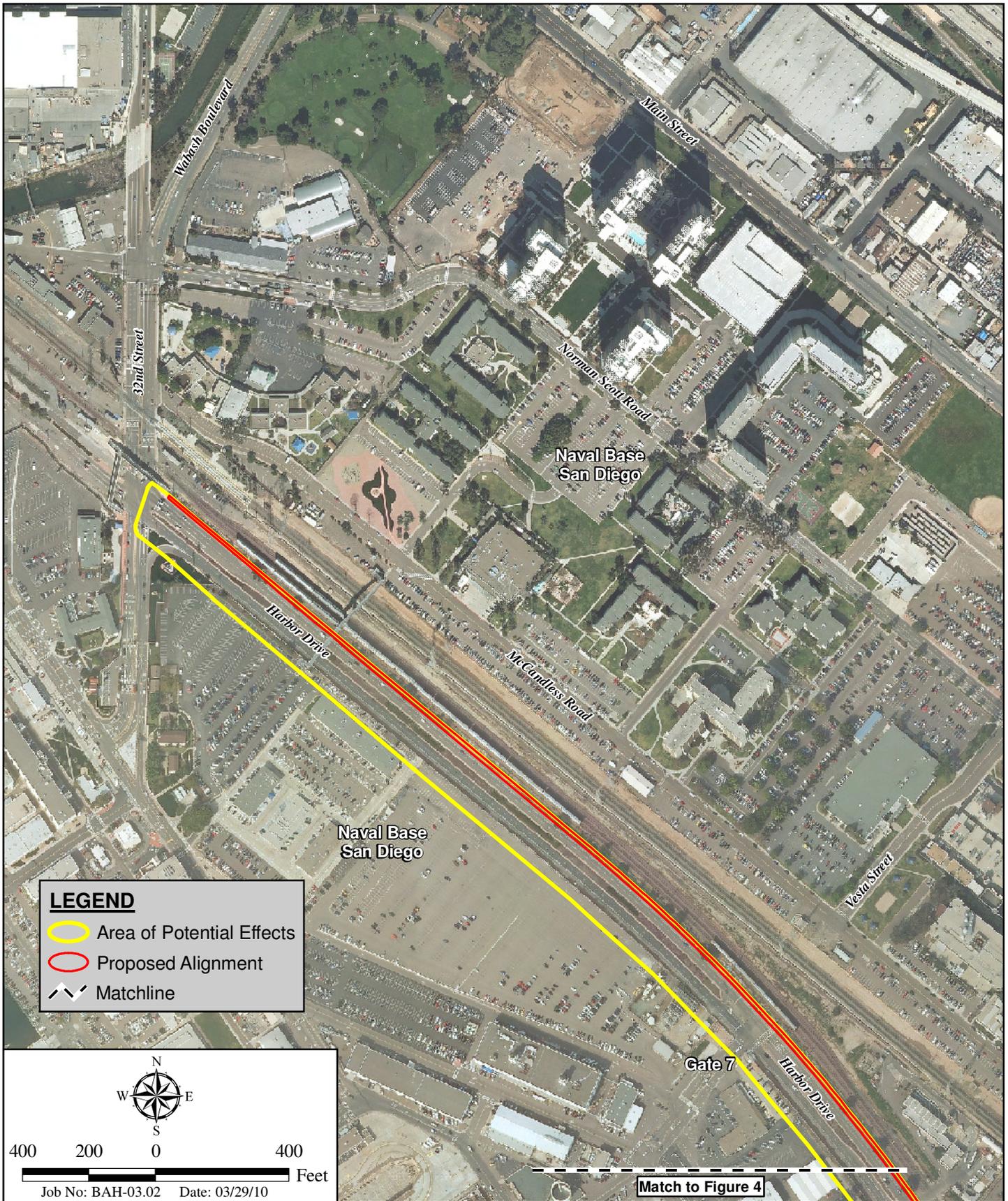
Segment 8A

The proposed modified alignment within Segment 8A would extend from J Street to Stella Street in Chula Vista. The bike path would cross J Street at an existing crossing at the J Street/Bay Boulevard intersection. At J Street, the bike path would briefly extend into the SD&AE railroad ROW and then would curve onto Bay Boulevard to avoid an existing drainage channel just south of J Street. Immediately past the drainage channel, the bike path would curve back to rejoin the SD&AE railroad ROW and continue southward until the I-5 southbound freeway ramps at Bay Boulevard, where the bike path would transition into the Bay Boulevard road ROW and continue to Palomar Street. From Palomar Street, the bike path would continue south to Stella Street, adjacent to Bay Boulevard. An underground storm drain box culvert would be constructed beneath the proposed alignment between Palomar Street and Stella Street.

APPROPRIATE CEQA DOCUMENTATION FOR THE PROPOSED MODIFICATIONS

In accordance with Section 15164(b) of the State CEQA Guidelines, "An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred." Specifically, these conditions include:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or



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Proposed Bike Path Alignment (Segment 4)

BAYSHORE BIKEWAY



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Proposed Bike Path Alignment (Segment 4)

BAYSHORE BIKEWAY



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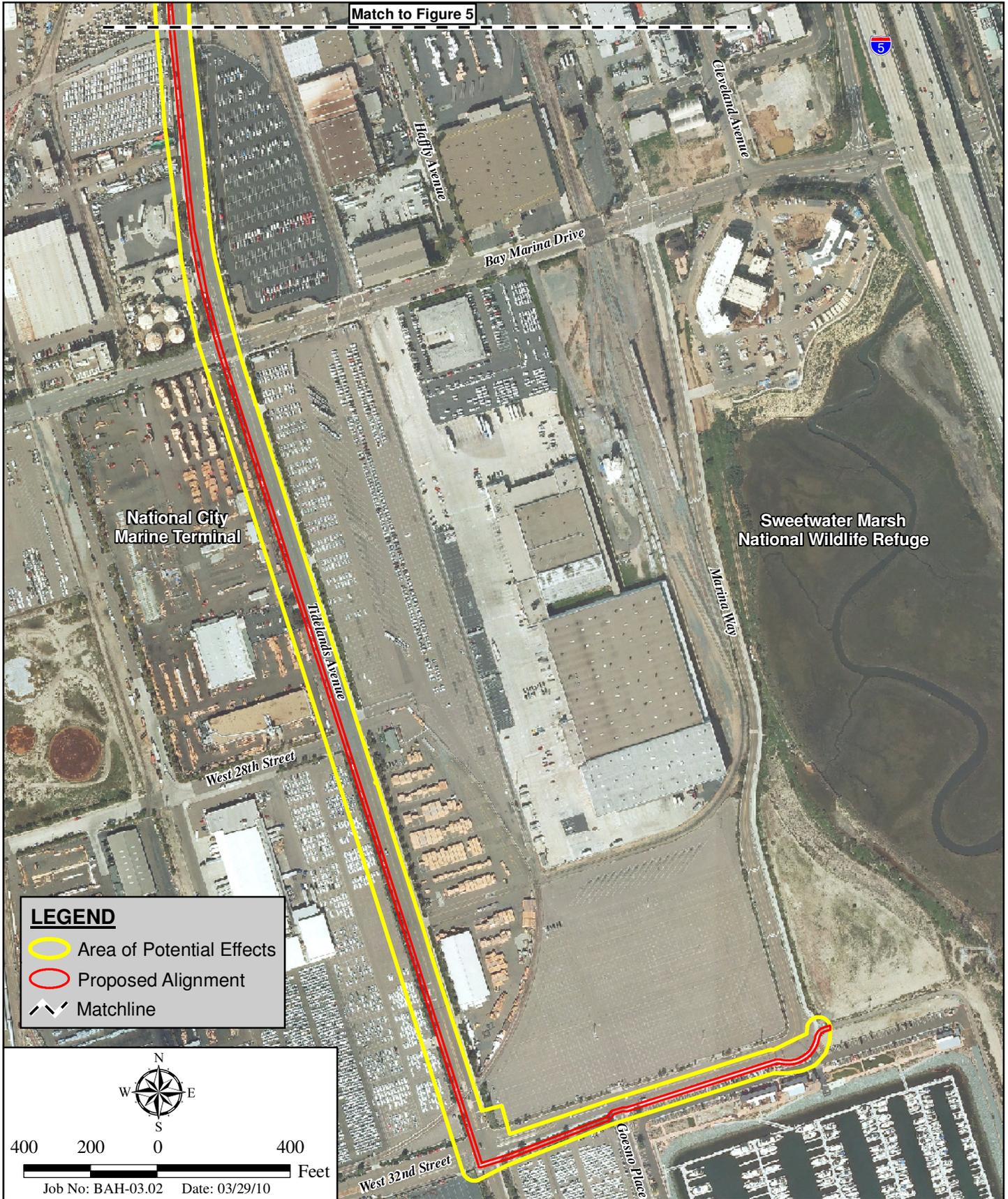
Proposed Bike Path Alignment (Segments 4 and 5)

BAYSHORE BIKEWAY

HELIX

Figure 5

Match to Figure 5



Proposed Bike Path Alignment (Segment 5)

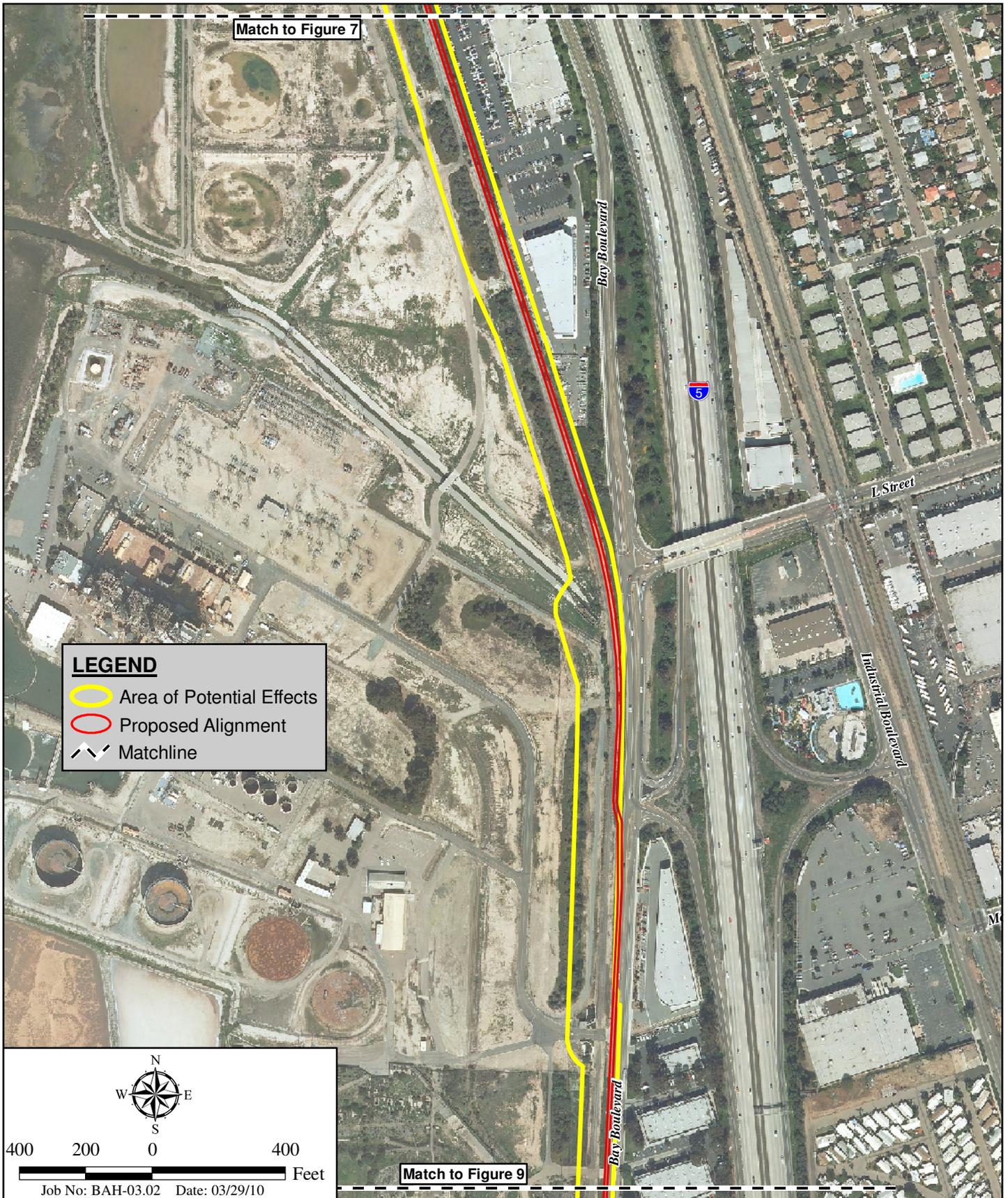
BAYSHORE BIKEWAY





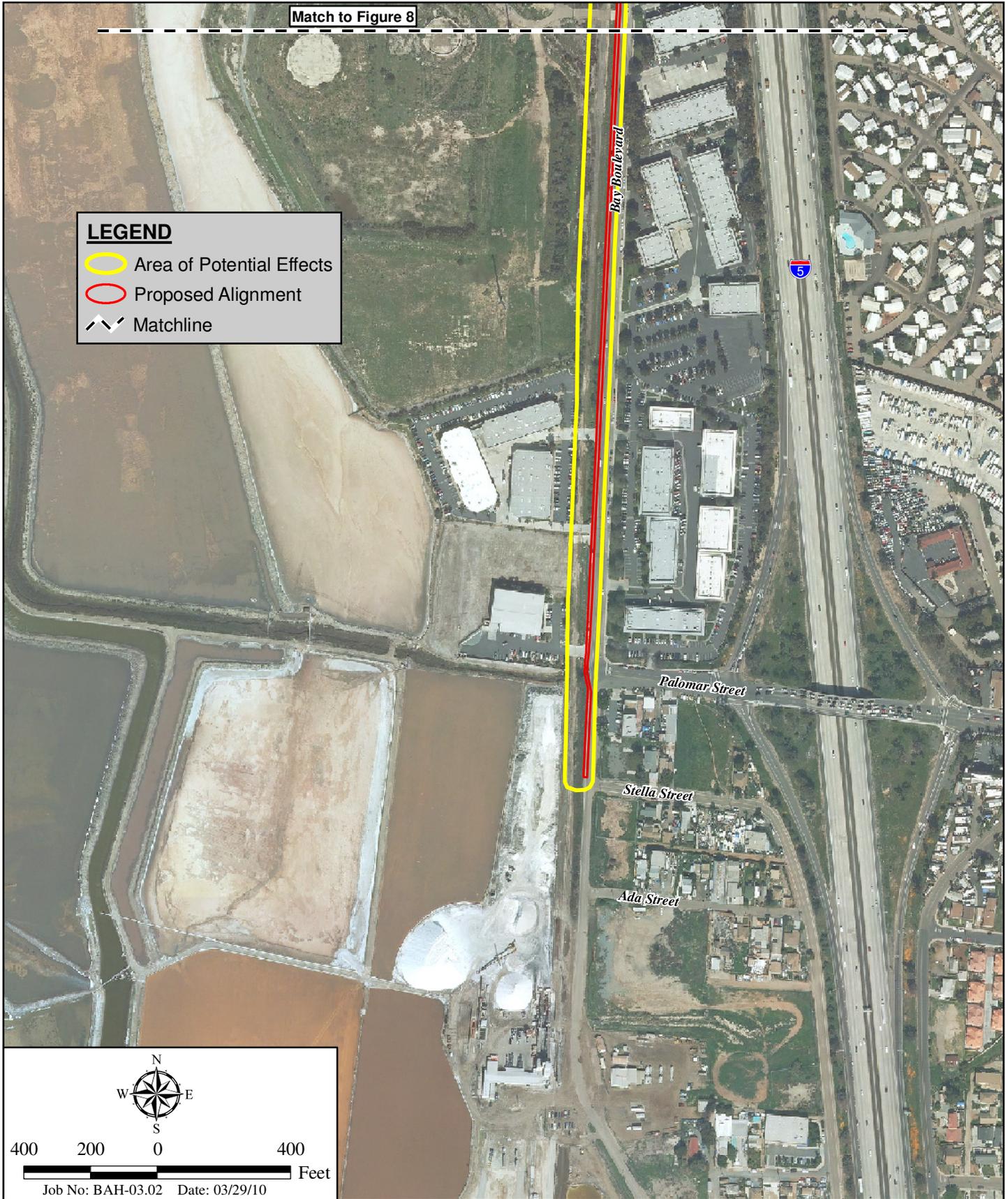
Proposed Bike Path Alignment (Segments 7 and 8A)

BAYSHORE BIKEWAY



Proposed Bike Path Alignment (Segment 8A)

BAYSHORE BIKEWAY



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Proposed Bike Path Alignment (Segment 8A)

BAYSHORE BIKEWAY

- D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.

In order to utilize an addendum as the appropriate CEQA document for the proposed modifications to the Project, SANDAG, as the lead agency, must make a finding that changes to the Final MND/IS are necessary and that the Project would not result in any new significant environmental effects.

ENVIRONMENTAL ANALYSIS

As previously stated, potentially significant impacts were identified in the Final MND/IS with respect to biological resources, hazards and hazardous materials, and utilities and service systems. Implementation of the mitigation measures identified in the Final MND/IS would reduce these potentially significant impacts to below a level of significance. These mitigation measures, as applicable, would be incorporated into the refined proposed Project, as modified. The proposed modifications to the Bayshore Bikeway Project (Segments 4,5,7, and 8A) would not result in any new significant environmental effects, nor would they substantially increase the severity of previously identified significant effects. This determination is based on the analysis below.

Biological Resources

Dependent upon segment alternative ultimately selected, the Final MND/IS concluded that implementation of the Project could potentially result in direct impacts to five sensitive vegetation communities (freshwater marsh, disturbed coastal salt marsh, open water, disturbed wetland, and non-native grassland), depending on the identified alignment alternatives. Several mitigation measures were identified in the Final MND/IS to reduce such impacts to below a level of significance. For some vegetation communities, two or more measures were identified to appropriately address impacts associate with the various alignment alternatives evaluated in the Final MND/IS.

Because the final proposed alignment has been selected, and remaining segment modifications reduce potential, impacts to sensitive vegetation communities have been reduced from those identified in the Final MND/IS. Notable differences include lack of impacts to open water, which were previously identified due to the Paleta Creek bridge widening in Segment 4 and a proposed culvert crossing over the drainage channel south of J Street in Segment 8A. These potential impacts have been avoided with the final proposed route due to selection of segment alternative without bridge widening or a culvert crossing.

Other direct impacts identified in the Final MND/IS within Segment 8A have been avoided by a modified alignment, including impacts to freshwater marsh (disturbed) at the drainage channel near L Street, and disturbed wetland, freshwater marsh, and non-native grassland adjacent to Bay Boulevard and north of Palomar Street. North of Palomar Street, the alignment of the bike path is now proposed within the existing Bay Boulevard roadway, which would avoid impacts to these sensitive vegetation communities. Direct impacts would still occur to sensitive vegetation communities between Palomar Street and Stella Street because the width of the paved Bay Boulevard narrows at Palomar Street on the west side, and there is not adequate area to locate a Class 1 bike path within the roadway.

Project impacts to sensitive vegetation and required mitigation resulting from implementation of the Project (Segment 8A in the City of Chula Vista), as modified, are summarized in Table 1. No impacts to

sensitive vegetation communities would occur within Segments 4,5, and 7 in the cities of San Diego or National City.

Table 1 SUMMARY OF PROJECT IMPACTS AND REQUIRED MITIGATION				
Vegetation Community	Existing (acres)	Impacts (acres)	Mitigation Ratio	Required Mitigation (acres)
Freshwater marsh (including disturbed)	0.14	<0.01	4:1	0.03
Disturbed coastal salt marsh	0.10	0.01	4:1	0.04
Open water	0.18	--	2:1	--
Disturbed wetland	0.11	--	2:1	--
Non-native grassland	3.4	0.3	0.5:1	0.15
Non-native vegetation	0.8	0.2	--	--
Disturbed habitat	7.1	1.3	--	--
Developed land	58.6	4.7	--	--
Total	70.43	6.5	--	0.22

Implementation of the mitigation measures identified below would reduce direct impacts to sensitive vegetation communities to below a level of significance. These measures are lesser than, and supersede those related to biological resources that are identified in the Final MND/IS.

BIO-1. Prior to issuance of grading permits from the City of Chula Vista for the construction of the portion of the bike path between Palomar Street and Stella Street within Segment 8A, impacts to 332 square feet (less than 0.01 acre) of freshwater marsh (including disturbed) shall be mitigated at a 4:1 ratio through purchase of credits equal to 0.03 acre of freshwater marsh at an approved wetland mitigation bank.

BIO-2. Prior to issuance of grading permits from the City of Chula Vista for the construction of the portion of the bike path between Palomar Street and Stella Street within Segment 8A, impacts to 0.01 acre of disturbed coastal salt marsh shall be mitigated at a 4:1 ratio through purchase of credits equal to 0.04 acre of coastal salt marsh at an approved wetland mitigation bank.

BIO-3. Prior to issuance of grading permits from the City of Chula Vista for construction of Segment 8A, impacts to 0.3 acre of non-native grassland shall be mitigated at a 0.5:1 ratio through purchase of credits equal to 0.15 acre of non-native grassland at an approved upland mitigation bank.

The Final MND/IS also identified Project impacts to wetland areas under the U.S. Army Corps of Engineers (Corps) jurisdiction and habitats under the California Department of Fish and Game (CDFG) jurisdiction. Impacts to jurisdictional areas resulting from the Project, as modified, would be reduced from those identified in the Final MND/IS. Impacts to these areas would be reduced or avoided for the same reasons discussed above for sensitive vegetation communities. Impacts to jurisdictional areas and required mitigation resulting from implementation of the Project, as modified, are summarized in Table 2.

Impacts to jurisdictional areas would occur within Segment 8A, between Palomar Street and Stella Street, and would require compensatory mitigation, as well as a federal Clean Water Act Section 404 Permit from the Corps, a Section 401 Water Quality Certification from the State Water Resources Control Board, and

a 1602 Streambed Alteration Agreement from the CDFG. Implementation of mitigation measures BIO-1 and BIO-2 above would reduce impacts to jurisdictional wetland areas to below a level of significance.

Table 2 CORPS AND CDFG JURISDICTIONAL AREA IMPACTS AND REQUIRED MITIGATION				
Habitat	Existing (acres)	Impacts (acres)	Mitigation Ratio	Required Mitigation (acres)
Corps Jurisdictional Areas				
<i>Wetland</i>				
Freshwater marsh (including disturbed)	0.14	<0.01	4:1	0.03
Disturbed coastal salt marsh	0.10	0.01	4:1	0.04
<i>Non-wetland</i>				
Open water	0.18	--	--	--
Total Corps	0.42	0.01	--	0.07
CDFG Jurisdictional Areas				
<i>Wetland</i>				
Freshwater marsh (including disturbed)	0.13	<0.01	4:1	0.03
Disturbed coastal salt marsh	0.10	0.01	4:1	0.04
Disturbed wetland	0.11	--	--	--
<i>Non-wetland</i>				
Open Water	0.10	--	--	--
Total CDFG	0.44	0.01	--	0.07

The Final MND/IS did not identify any other potentially significant impacts to biological resources resulting from the Project, and the proposed modifications would not result in new significant impacts to biological resources. In addition, impacts to biological resources due to the proposed modifications would not substantially increase the severity of biological resource impacts previously identified in the Final MND/IS because impacts would be reduced with the proposed modifications, as discussed above.

Hazards and Hazardous Materials

The Final MND/IS concluded that the Project could result in potentially significant impacts related to hazardous materials. Due to the potential presence of contaminated soil and/or groundwater associated with accidental releases of hazardous materials and former and/or current industrial, manufacturing agricultural, and railroad uses in the Project area, hazardous materials potentially could be encountered during Project construction. Mitigation identified in the Final MND/IS would require soil sampling in areas with the potential to encounter hazardous materials.

The selection of build alternative and proposed modifications in Segments 4 and Segment 8A would not result in new significant hazards/hazardous materials impacts. Neither of the alignment segments would extend outside of the study area evaluated for hazards and hazardous materials. Potential impacts related to hazards and hazardous materials would remain the same, and the mitigation measures identified in the Final MND/IS and reiterated below would be implemented to reduce impacts to below a level of significance. The proposed modifications would neither substantially increase the severity of

hazardous materials impacts previously identified in the Final MND/IS, nor result in new significant environmental hazardous materials impacts.

HAZ-1. Prior to ground disturbance associated with the construction of the proposed bike path, a limited shallow-soil subsurface investigation shall be conducted along the Project alignment to assess the presence/absence of residual herbicide/pesticide chemicals from the former agricultural areas in Chula Vista, as well as petroleum hydrocarbons, metals, and volatile organic compounds (VOCs) potential associated with fill material throughout the project alignment. The Project proponent shall conduct any necessary remediation identified by the shallow-soil subsurface investigation prior to commencement of ground disturbing activities associated with the Project.

HAZ-2. Prior to and during ground disturbance associated with the construction of the proposed bike path, a soil-vapor survey shall be conducted to assess potential subsurface contamination along the portions of the Project alignment adjacent to the listed sites on the Naval Base, Pepper Oil Company, Southern California Truck Stop, and Goodrich Aero Structures properties. The Project proponent shall conduct any necessary remediation identified by the soil-vapor survey prior to commencement of ground disturbing activities within the immediate vicinity of these properties.

Utilities and Service Systems

No direct impacts to utility systems were identified in the adopted Final MND/IS. The Final MND/IS concluded that the Project would result in potentially significant environmental impacts related to construction of a storm drain box culvert beneath the bike path in the southern portion of the alignment along Bay Boulevard. Portions of the area where the storm drain would have been constructed contain sensitive vegetation that would be directly impacted. Mitigation measures were identified in the Final MND/IS to reduce impacts to sensitive vegetation to below a level of significance.

The proposed selected build alternative and modifications in Segments 4 and 8A would neither result in new impacts resulting from utilities and service systems installation, nor substantially increase the severity of impacts previously identified in the Final MND/IS. The proposed modifications would in fact reduce impacts to sensitive vegetation north of Palomar Street. The alignment of the bike path is now proposed within the existing Bay Boulevard roadway, which would not require the storm drain box culvert along this portion of the bike path and thus, avoids impacts to sensitive vegetation. A new storm drain would still be constructed beneath the portion of the bike path between Palomar Street and Stella Street, which would impact sensitive vegetation. Although impacts would be reduced from those identified in the Final MND/IS, the proposed modifications would still result in potentially significant impacts related to construction of new utilities. Implementation of mitigation measures BIO-1 and BIO-2 would reduce impacts to below a level of significance.

DETERMINATION OF APPROPRIATE CEQA DOCUMENTATION

The following discussion lists the appropriate subsections of Sections 15162 and 15164 of the State CEQA Guidelines and provides justification for SANDAG to make a determination of the appropriate CEQA document for the Project, based on the environmental analysis above.

Section 15162 - Subsequent EIRs and Negative Declarations

- (a) "When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one of more of the following:"
- (1) "Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;"

SANDAG proposes to modify the Project, as described in this Addendum to the adopted Final MND/IS. Specifically, SANDAG proposes to select from among previously analyzed build alternatives and to modify the alignment of the bike path in Segments 4 and 8A to minimize impacts. As discussed above in the Environmental Analysis section of this Addendum, no new significant environmental effects would occur.

- (2) "Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or"

The selected and modified alignment would occur in the same general area as identified in the Final MND/IS, and would not extend into areas that were not previously evaluated for environmental effects. No major revisions to the Final MND/IS are required, and the proposed modifications would not result in new significant environmental effects.

- (3) "New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
- (A) "The project will have one or more significant environmental effects not discussed in the previous EIR or negative declaration;"

No new significant environmental effects were identified compared to those identified in the adopted Final MND/IS.

- (B) "Significant effects previously examined will be substantially more severe than shown in the previous EIR;"

Significant project-related effects previously examined would be lessened as a result of the proposed modifications than were disclosed in the Final MND/IS. Potentially significant impacts associated with hazards and hazardous materials would remain the same as disclosed in the adopted Final MND/IS and would be mitigated to less than significant levels through the implementation of proposed mitigation measures identified in the Final MND/IS. Potentially significant impacts to biological resources would decrease with the proposed modifications. Revised mitigation measures are identified in this Addendum that would reduce potentially significant direct impacts to biological resources to below a level of significance. These same mitigation measures also would reduce potentially significant impacts related

to construction of new utilities (i.e., storm drain box culvert). Implementation of the proposed project, therefore, would not substantially increase the severity of these impacts.

As determined in this Addendum, the proposed modifications would not result in new significant impacts.

- (C) "Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or"

No mitigation measures or evaluated alternatives were previously found to be infeasible in the adopted Final MND/IS.

- (D) "Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative."

Impacts have been avoided to the extent feasible. The Project, as modified, would reduce impacts to biological resources compared to those identified in the adopted Final MND/IS. No other mitigation measures or feasible alternatives have been identified that would substantially reduce impacts.

The Final MND/IS included alignment alternatives within Segments 4 and 8A; however, none of the alternatives that were not included as part of the modified alignment would substantially reduce significant effects.

- (b) "If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation."

Subsequent to adoption of the Final MND/IS in May 2009, revisions were made to the alignment of the bike path. These revisions are the subject of this Addendum to the Final MND/IS. Based on the analysis in this document, the proposed modifications would not result in new significant environmental effects. None of the conditions listed under subsection (a) would occur that would require preparation of a subsequent EIR or MND.

- (c) "Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other Responsible Agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted."

None of the conditions listed in subsection (a) would occur due to the proposed modifications. No subsequent negative declaration is required.

Section 15164 - Addendum to an EIR or Negative Declaration

- (a) “The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

This section of the State CEQA Guidelines does not apply, as an EIR was not prepared for the proposed Project.

- (b) “An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.”

Minor additions to the adopted Final MND/IS are necessary; however, none of the conditions described in Section 15162 calling for preparation of a subsequent EIR would occur as a result of the proposed modifications. Therefore, an addendum to the adopted Final MND/IS is the appropriate CEQA document for the proposed Project modifications.

- (c) “An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.”

This Addendum will be attached to the Final MND/IS and maintained in the administrative record files at SANDAG.

- (d) “The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.”

SANDAG will consider this Addendum with the Final MND/IS prior to making a decision on the proposed Project modifications.

- (e) “A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency’s required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.”

This document provides substantial evidence for SANDAG records to support the preparation of this Addendum for the proposed Project modifications.

CONCLUSION

This Addendum has been prepared in accordance with the provisions of the State CEQA Guidelines, and it documents that none of the conditions or circumstances that would require preparation of a subsequent EIR or MND, pursuant to Sections 15162 and 15164 of the State CEQA Guidelines, exist in connection with the currently proposed Project. No major revisions would be required to the Final MND/IS as a result of the proposed modifications. No new significant environmental impacts have been identified. Therefore, preparation of a subsequent MND is not required, and the appropriate CEQA document for the proposed Project modifications is this Addendum to the Bayshore Bikeway Project (Segments 4,5,7, and 8A) Final Mitigated Negative Declaration/Initial Study. No additional environmental analysis or review is required for the proposed Project. This document will be maintained in the administrative record files at SANDAG offices.

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BAYSHORE BIKEWAY PROJECT (SEGMENTS 4, 5, 7, AND 8A)

SECOND ADDENDUM TO THE FINAL MITIGATED NEGATIVE DECLARATION/INITIAL STUDY



OCTOBER 2010



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**BAYSHORE BIKEWAY PROJECT
(SEGMENTS 4, 5, 7, AND 8A)**

**SECOND ADDENDUM
TO THE
FINAL MITIGATED NEGATIVE DECLARATION/INITIAL STUDY**

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INTRODUCTION

The San Diego Association of Governments (SANDAG) proposes to modify plans for implementation of the Bayshore Bikeway Project (herein referred to as the Project). This Project was described in the *Bayshore Bikeway Project (Segments 4, 5, 7, and 8A) Final Mitigated Negative Declaration/Initial Study* (Final MND/IS), adopted by SANDAG on May 1, 2009 and amended in April 2010 in the *Bayshore Bikeway Project (Segments 4, 5, 7, and 8A) Addendum to the Final Mitigated Negative Declaration/Initial Study* (Addendum). The Final MND/IS and Addendum (in their entirety) are hereby incorporated by reference into this environmental document pursuant to CEQA Guidelines Section 15150. The purpose of this Second Addendum is to provide environmental clearance of the proposed Project modifications under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 *et seq.*). This Second Addendum describes the Project, summarizes existing CEQA documentation, describes the proposed modifications, provides appropriate CEQA documentation for the Project modifications, evaluates Project-specific environmental impacts, and makes a determination if an addendum is the appropriate level of CEQA documentation for the proposed Project modifications.

PROJECT DESCRIPTION

Environmental Setting

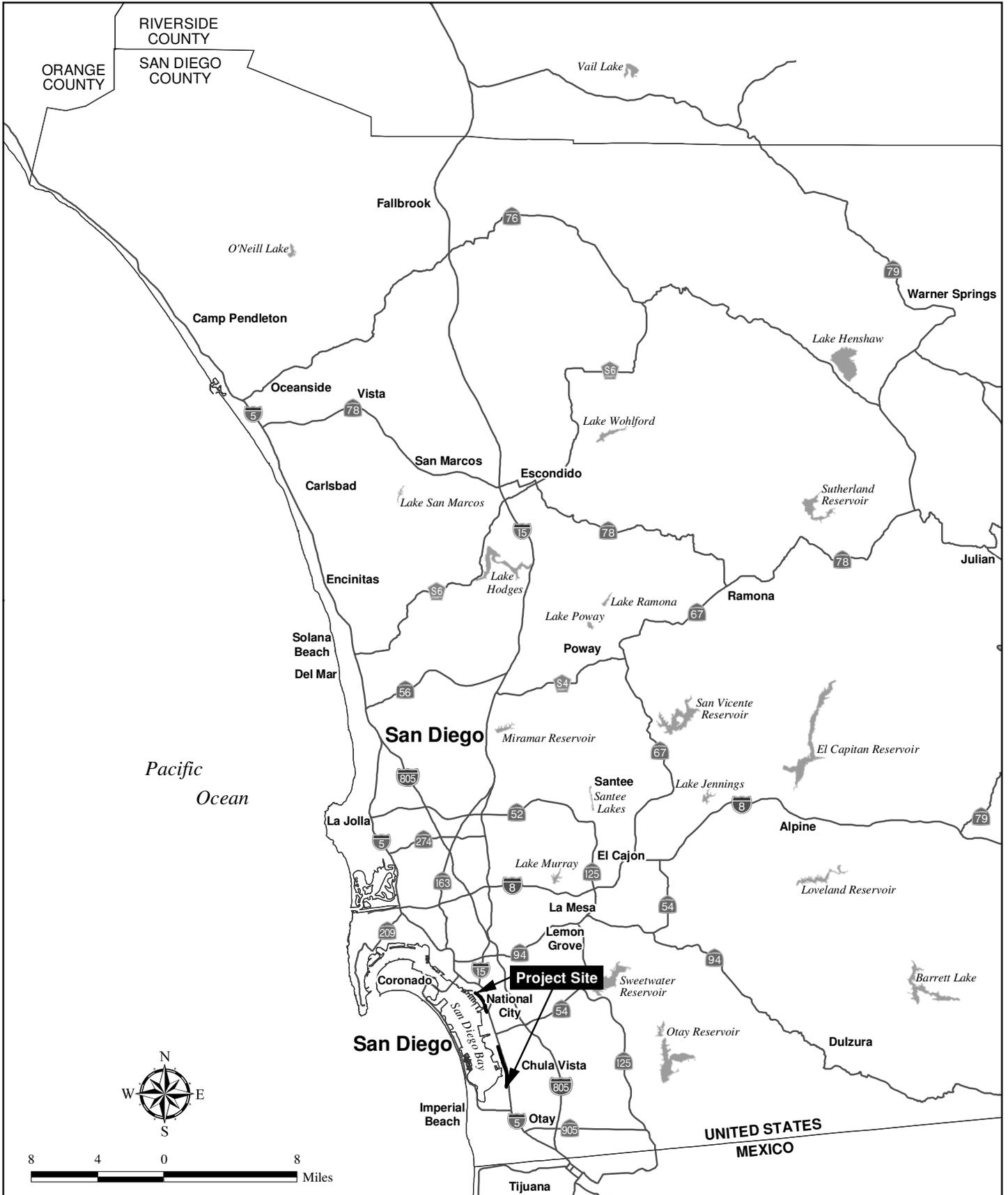
SANDAG proposes to construct the Project along the eastern San Diego Bay in the cities of San Diego, National City, and Chula Vista (Figures 1 and 2). The eastern San Diego Bay front largely contains industrial land uses. The proposed bike path alignment traverses the Naval Base San Diego and railroad and trolley corridors within the City of San Diego; industrial uses and the San Diego Unified Port District (Port of San Diego) Marine Terminal within the City of National City; and industrial uses, San Diego Gas and Electric (SDG&E) easements, and railroad corridors within the City of Chula Vista. The Project is located within the Coastal Zone.

Project Characteristics

The Bayshore Bikeway is a designated 24-mile bikeway loop route around San Diego Bay. The route starts at the Broadway Pier near the intersection of Broadway and Harbor Drive in San Diego and extends through the cities of San Diego, National City, Chula Vista, Imperial Beach, and Coronado, where it ends at the Coronado Ferry Terminal at the intersection of 1st Street and B Street. The San Diego-Coronado Ferry provides the connecting link between the Broadway Pier and the Coronado Ferry Terminal. The Bayshore Bikeway currently consists of a combination of off-street bicycle paths and on-street bicycle lanes and routes, but the entire route is planned as a Class I¹ off-street bicycle path.

The Project includes the portion of the bikeway identified as Segments 4, 5, 7, and 8A in the *Bayshore Bikeway Plan* and entails construction of an approximately 4.5-mile-long portion of the planned Bayshore Bikeway along the eastern San Diego Bay front. The proposed alignment for segments 4, 5, 7, and 8A would extend from 32nd Street in the City of San Diego along Harbor Drive; through the City of National City along Civic Center Drive, Tidelands Avenue, and West 32nd Street; within the City of Chula Vista from H Street to Palomar Street; and the cities of San Diego and Chula Vista from Palomar Street to Stella Street. These proposed segments are briefly described below.

¹ A Class I bikeway is a shared-use path that provides a separated right-of-way for the exclusive use of bicycles and pedestrians with minimized crossflow.



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Regional Location Map

BAYSHORE BIKEWAY

Figure 1





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Project Vicinity Map

BAYSHORE BIKEWAY

Figure 2



Segment 4

Segment 4 begins at the intersection of 32nd Street and Harbor Drive in San Diego at the main entrance to the Naval Base San Diego, and continues south along Harbor Drive to Civic Center Drive in National City. A 12-foot-wide Class I bike path would be constructed along the eastern side of Harbor Drive from 32nd Street to West 8th Street, where it would cross to the west side of Harbor Drive and continue to Civic Center Drive.

Segment 5

Segment 5 extends from Civic Center Drive to West 32nd Street in National City via Tidelands Avenue. The proposed bike path would extend west for a short distance along the north side of Civic Center Drive to Tidelands Avenue, where it would turn southward along the west side of road to West 32nd Street. At West 32nd Street, it would extend eastward along the south side of West 32nd Street and connect to an existing segment of the Bayshore Bikeway that begins at the West 32nd Street/Marina Way intersection in National City, crosses over the Sweetwater River on the Gordy Shields Bridge into Chula Vista, and continues southward and transitions to a bike lane along Bay Boulevard.

Segment 7

Segment 7 of the Bayshore Bikeway begins at F Street/Lagoon Drive and connects to J Street in Chula Vista. The Project would construct a portion of the planned bikeway within Segment 7, including H Street southward to J Street. The proposed bike path would extend southward from H Street at an existing section of the Bayshore Bikeway along Bay Boulevard and continue within an existing SDG&E easement to J Street.

Segment 8A

Segment 8A begins near the intersection of Bay Boulevard and J Street and extends south to Stella Street. The bike path would cross J Street at an existing crossing at the J Street/Bay Boulevard intersection. The proposed bike path would be constructed within the San Diego and Arizona Eastern (SD&AE) railroad right-of-way (ROW) and along the west side of Bay Boulevard.

Other Improvements

Additional proposed improvements would include road re-striping, road widening, and installation of signage and stenciling, landscaping, lighting, and curb inlets.

SUMMARY OF EXISTING CEQA DOCUMENTATION

Mitigated Negative Declaration/Initial Study

On February 24, 2009, SANDAG completed a Draft MND/IS for the Project, and adopted the Final MND/IS on May 1, 2009. The adopted Final MND/IS evaluated a proposed alignment and possible alternative alignments within Segments 4 and 8A.

The Final MND/IS addressed potential environmental effects of the Project with regard to the following issues: (1) aesthetics, (2) agricultural resources, (3) air quality, (4) biological resources, (5) cultural resources, (6) geology and soils, (7) hazards and hazardous materials, (8) hydrology and water quality,

(9) land use and planning, (10) mineral resources, (11) noise, (12) population and housing, (13) public services, (14) recreation, (15) transportation/traffic, and (16) utilities and service systems.

Potentially significant impacts were identified in the Final MND/IS related to biological resources, hazards and hazardous materials, and utilities and service systems. All potentially significant impacts would be reduced to less than significant levels with the implementation of mitigation measures identified in the Final MND/IS.

Addendum to the Final Mitigated Negative Declaration/Initial Study

In April 2010, SANDAG approved an Addendum to the Final MND/IS that addressed selection among alternatives evaluated in the Final MND/IS and/or changes to the alignment of the proposed bike path. The Addendum documented that the proposed modifications would not result in conditions or circumstances requiring the preparation of a subsequent Environmental Impact Report (EIR) or negative declaration, pursuant to Sections 15162 and 15164 of the State CEQA Guidelines.

PROPOSED MODIFICATIONS TO THE BAYSHORE BIKEWAY PROJECT

This Second Addendum addresses proposed modifications to the alignment of the proposed bike path within Segments 7 and 8A. No changes are proposed within Segments 4 and 5.

Subsequent to adoption of the Final MND/IS and approval of the Addendum to the Final MND/IS, additional design refinements to the alignment of the bike path within Segments 7 and 8A have been completed to avoid impacts to wetlands and sensitive biological habitat. The following section briefly describes the modified alignment of the bike path, which is depicted in Figures 3 through 9.

Segment 4

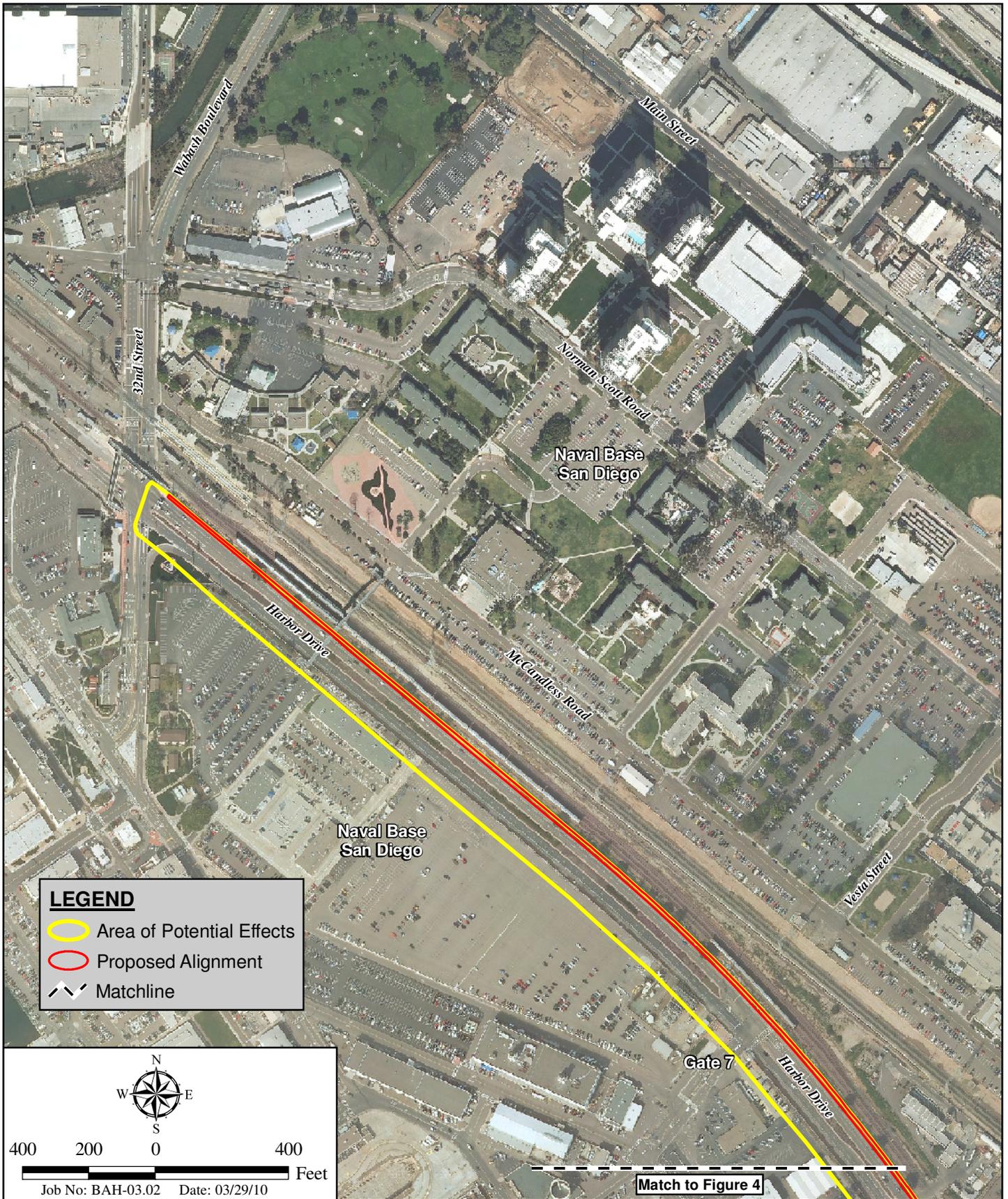
No changes are proposed to the bike path alignment within Segment 4. The route remains as described on page 4 of this Second Addendum.

Segment 5

No changes are proposed to the bike path alignment within Segment 5. The route remains as described on page 4 of this Second Addendum.

Segment 7

Proposed modifications to the alignment within Segment 7 would include the realignment of the southerly end of the bike path as it approaches J Street. The bike path would extend southward within the SDG&E easement and would curve eastward to the J Street road ROW. The modified alignment would avoid impacts to sensitive habitat (i.e., non-native grassland) within the SD&AE easement near the intersection of J Street and Bay Boulevard.



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Proposed Bike Path Alignment (Segment 4)

BAYSHORE BIKEWAY

Figure 3





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Proposed Bike Path Alignment (Segment 4)

BAYSHORE BIKEWAY

Figure 4



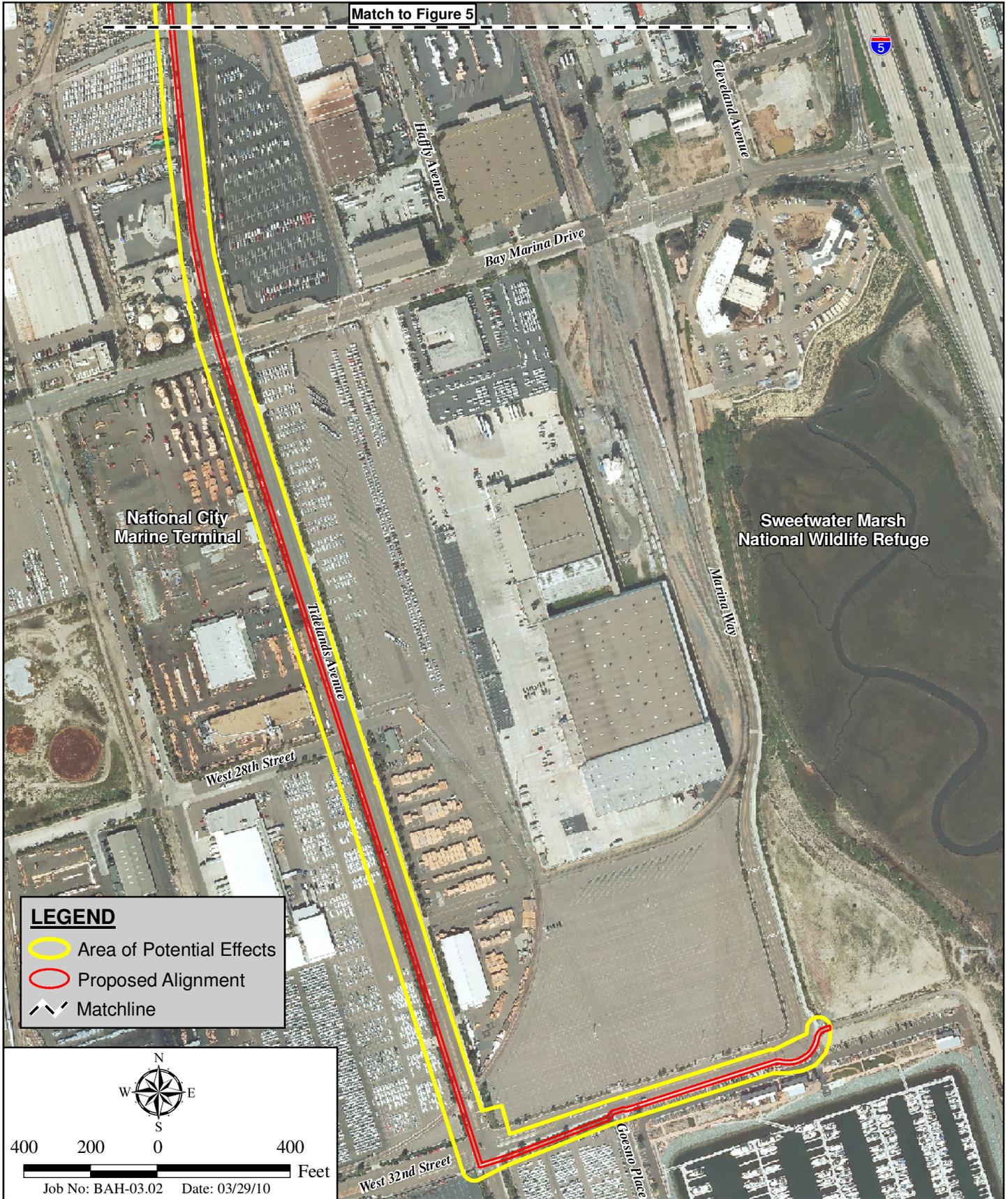
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Proposed Bike Path Alignment (Segments 4 and 5)

BAYSHORE BIKEWAY

HELIX

Figure 5



Proposed Bike Path Alignment (Segment 5)

BAYSHORE BIKEWAY

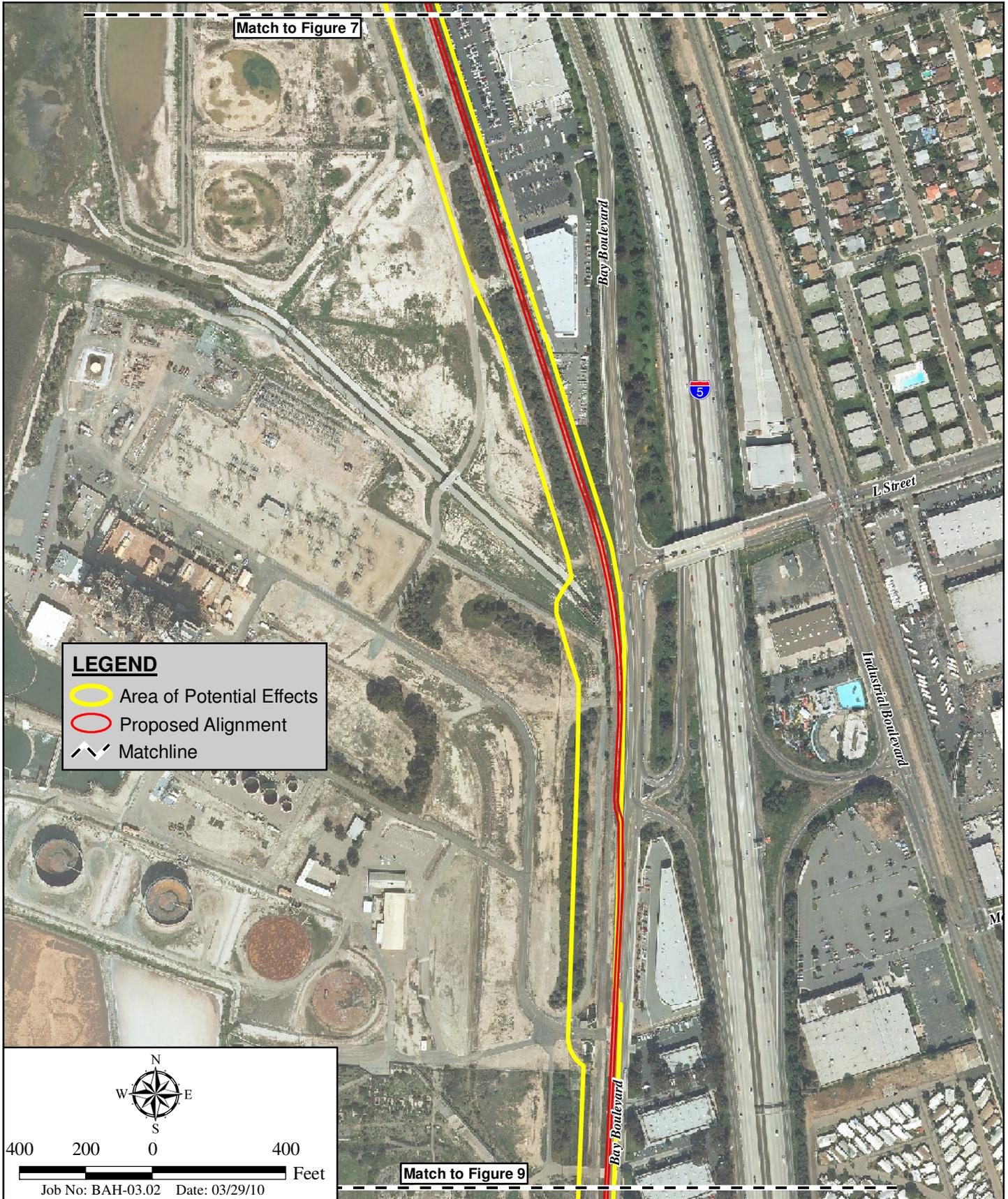


Proposed Bike Path Alignment (Segments 7 and 8A)

BAYSHORE BIKEWAY

HELIX

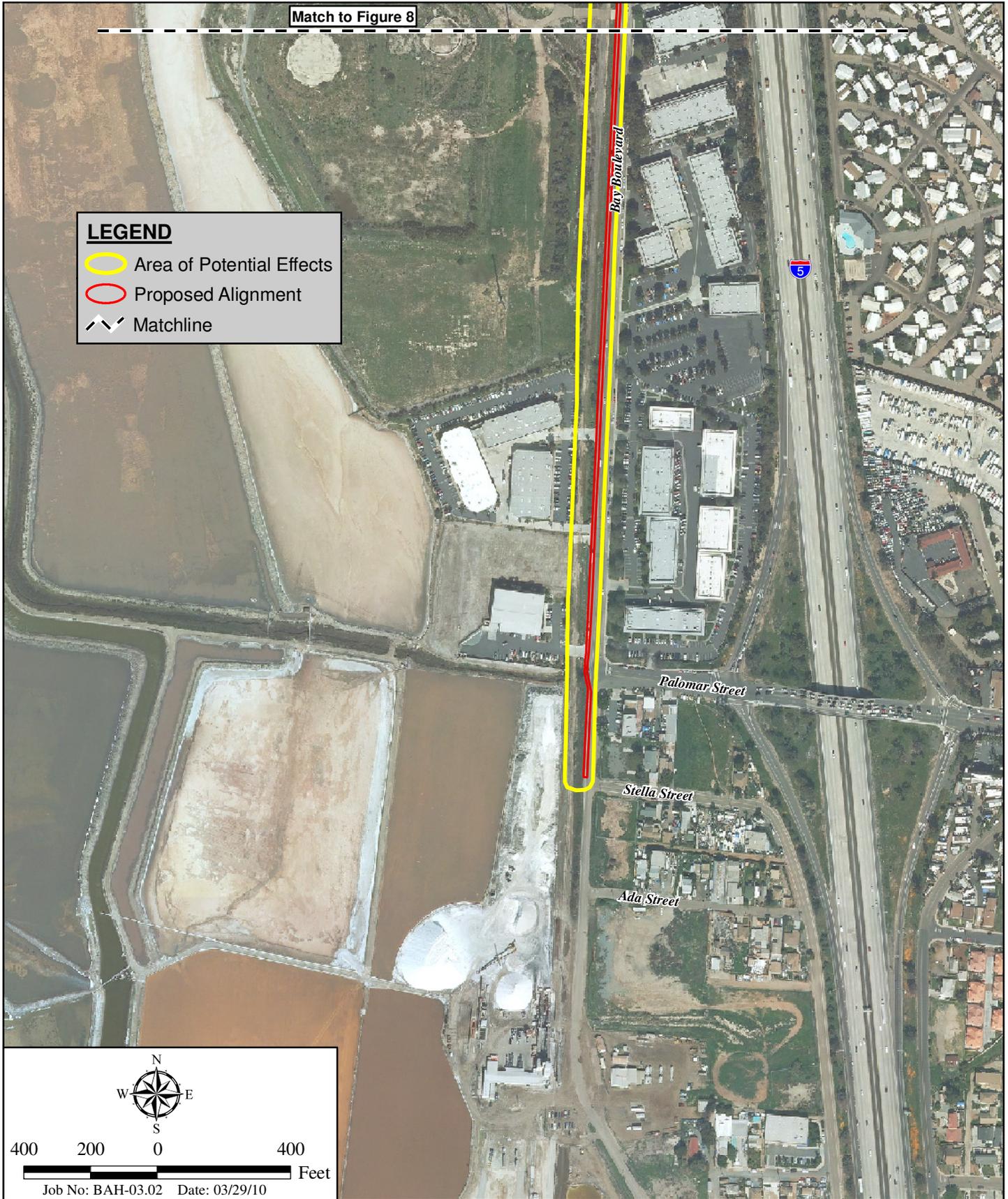
Figure 7



Proposed Bike Path Alignment (Segment 8A)

BAYSHORE BIKEWAY

Figure 8



Proposed Bike Path Alignment (Segment 8A)

BAYSHORE BIKEWAY

Figure 9

Segment 8A

The proposed modified alignment within Segment 8A would extend from J Street to Stella Street in the cities of San Diego and Chula Vista. The bike path would cross J Street at an existing crossing at the J Street/Bay Boulevard intersection. At J Street, the bike path would briefly extend into the SD&AE railroad ROW and then would curve onto Bay Boulevard to avoid an existing drainage channel just south of J Street. Immediately past the drainage channel, the bike path would curve back to rejoin the SD&AE railroad ROW and continue southward until the I-5 southbound freeway ramps at Bay Boulevard, where the bike path would transition into the Bay Boulevard road ROW and continue southward to Stella Street. Modifications to the alignment were made to the southern portion of the proposed bike path between Palomar Street and Stella Street to avoid impacts to wetlands and sensitive biological habitat adjacent to the west side of Bay Boulevard. The modified alignment would be constructed within the paved roadway and would require widening the pavement by 2.5 to 9 feet on the east side of Bay Boulevard, between Palomar Street and Stella Street. Other minor alignment changes were made near L Street to avoid impacts to sensitive biological habitat.

APPROPRIATE CEQA DOCUMENTATION FOR THE PROPOSED MODIFICATIONS

In accordance with Section 15164(b) of the State CEQA Guidelines, "An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred." Specifically, these conditions include:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.

In order to utilize an addendum as the appropriate CEQA document for the proposed modifications to the Project, SANDAG, as the lead agency, must make a finding that changes to the Final MND/IS are necessary and that the Project would not result in any new significant or more severe environmental effects than that previously identified in the Final MND/IS and Addendum.

ENVIRONMENTAL ANALYSIS

As previously stated, potentially significant impacts were identified in the Final MND/IS with respect to biological resources, hazards and hazardous materials, and utilities and service systems. Implementation of the mitigation measures identified in the Final MND/IS and Addendum would reduce these potentially significant impacts to below a level of significance. These mitigation measures, as applicable, would be incorporated into the refined proposed Project, as modified. The Final MND/IS identified that all other environmental topical areas were determined to have a less than significant impact or no impact as a result of the Project. The Addendum determined that no new significant environmental effects would occur, nor would a substantial increase in the severity of previously identified significant effects occur. The proposed Project modifications do not result in any new or more severe impacts to these topical areas. Therefore, this environmental evaluation will address those topical areas previously determined to have potentially significant impacts. The proposed modifications to the Bayshore Bikeway Project (Segments 4, 5, 7, and 8A) would not result in any new significant environmental effects, nor would they substantially increase the severity of previously identified significant effects. This determination is based on the analysis below.

Biological Resources

The Final MND/IS addressed three potential alignments of the proposed bike path because the ultimate alignment was not yet determined. Dependent upon the alternative, the Final MND/IS concluded that Project implementation could potentially result in direct impacts to five sensitive vegetation communities, including freshwater marsh, disturbed coastal salt marsh, open water, disturbed wetland, and non-native grassland.

The Addendum was prepared because the alignment alternative was selected and/or changes to the alignment were made. Project modifications addressed in the Addendum would reduce potential impacts to sensitive vegetation communities from those identified in the Final MND/IS. The Addendum concluded the modified Project would potentially result in direct impacts to three sensitive vegetation communities, including freshwater marsh, disturbed coastal salt marsh, and non-native grassland. Impacts to open water and disturbed wetland that were identified in the Final MND/IS would be avoided.

The proposed Project modifications would avoid potential impacts to sensitive vegetation communities due to additional design refinements to the alignment of the bike path within Segments 7 and 8A. Specifically, the alignment of the southernmost portion of the bike path between Palomar Street and Stella Street has been revised to avoid impacts to freshwater marsh and disturbed coastal salt marsh. Previously, this portion of the bike path was proposed to be constructed on the west side of Bay Boulevard partially within a drainage channel. The currently proposed alignment would construct the bike path within the paved roadway and would require widening the east side this block of Bay Boulevard. In addition, impacts to non-native grassland would be avoided with the revised alignment.

Table 1 summarizes and compares Project impacts to vegetation communities between the Final MND/IS, Addendum, and the proposed modifications. Impacts to sensitive vegetation communities are shaded in the table. As shown in Table 1, no impacts to sensitive vegetation communities would occur with the proposed Project modifications. Therefore, the mitigation measures related to biological resources that are identified in the Final MND/IS and Addendum would no longer be required.

Table 1 COMPARISON OF PROJECT IMPACTS TO VEGETATION COMMUNITIES				
Vegetation Community	Existing (acres)	Impacts (acres)		
		Final MND/IS¹	Addendum to the Final MND/IS	Proposed Modifications
Freshwater marsh (including disturbed)	0.14	0.01	<0.01	0
Disturbed coastal salt marsh	0.10	0.01	0.01	0
Open water	0.18	0.01	0	0
Disturbed wetland	0.11	0.02	0	0
Non-native grassland	3.4	0.4	0.3	0
Non-native vegetation	0.8	0.2	0.2	0.2
Disturbed habitat	7.1	2.0	1.3	1.5
Developed land	58.6	3.8	4.7	4.9
Total	70.43	6.5	6.5	6.6

¹ Although the Final MND/IS evaluated three alignment alternatives, impacts identified in Table 1 for the Final MND/IS reflect the alignment that was chosen subsequent to adoption of the Final MND/IS. Shaded cells denote impacts to sensitive vegetation communities.

The Final MND/IS and Addendum identified Project impacts to wetland areas under the U.S. Army Corps of Engineers (Corps) jurisdiction and habitats under the California Department of Fish and Game (CDFG) jurisdiction. Impacts to Corps and CDFG jurisdictional areas would be avoided with the proposed Project modifications. Therefore, compensatory mitigation and regulatory permits (federal Clean Water Act Section 404 Permit from the Corps, a Section 401 Water Quality Certification from the State Water Resources Control Board, and a 1602 Streambed Alteration Agreement from the CDFG) that were identified in the Final MND/IS and Addendum would no longer be required.

The Final MND/IS and Addendum did not identify any other potentially significant impacts to biological resources resulting from the Project, and the proposed modifications would not result in new significant impacts to biological resources. In addition, impacts to biological resources due to the proposed modifications would not substantially increase the severity of biological resource impacts previously identified in the Final MND/IS because previously identified impacts would be avoided with the proposed modifications, as discussed above.

Hazards and Hazardous Materials

The Final MND/IS and Addendum concluded that the Project could result in potentially significant impacts related to hazardous materials. Due to the potential presence of contaminated soil and/or groundwater associated with accidental releases of hazardous materials and former and/or current industrial, manufacturing agricultural, and railroad uses in the Project area, hazardous materials potentially could be encountered during Project construction. Mitigation identified in the Final MND/IS and Addendum would require soil sampling in areas with the potential to encounter hazardous materials.

The proposed modifications in Segments 7 and 8A would not result in new significant hazards/hazardous materials impacts. The proposed Project modifications would not extend outside of the study area evaluated for hazards and hazardous materials. Potential impacts related to hazards and hazardous materials would remain the same, and the mitigation measures identified in the Final MND/IS and reiterated in the Addendum and below would be implemented to reduce impacts to below a level of significance. The proposed modifications would neither substantially increase the severity of hazardous materials impacts previously identified in the Final MND/IS and Addendum, nor result in new or more severe significant environmental hazardous materials impacts.

HAZ-1. Prior to ground disturbance associated with the construction of the proposed bike path, a limited shallow-soil subsurface investigation shall be conducted along the Project alignment to assess the presence/absence of residual herbicide/pesticide chemicals from the former agricultural areas in Chula Vista, as well as petroleum hydrocarbons, metals, and volatile organic compounds (VOCs) potential associated with fill material throughout the project alignment. The Project proponent shall conduct any necessary remediation identified by the shallow-soil subsurface investigation prior to commencement of ground disturbing activities associated with the Project.

HAZ-2. Prior to and during ground disturbance associated with the construction of the proposed bike path, a soil-vapor survey shall be conducted to assess potential subsurface contamination along the portions of the Project alignment adjacent to the listed sites on the Naval Base, Pepper Oil Company, Southern California Truck Stop, and Goodrich Aero Structures properties. The Project proponent shall conduct any necessary remediation identified by the soil-vapor survey prior to commencement of ground disturbing activities within the immediate vicinity of these properties.

Utilities and Service Systems

No direct impacts to utility systems were identified in the adopted Final MND/IS and Addendum. The Final MND/IS and Addendum concluded that the Project would result in potentially significant environmental impacts related to construction of a storm drain box culvert beneath the bike path in the southern portion of the alignment along Bay Boulevard, between Palomar Street and Stella Street. Portions of the area where the storm drain would have been constructed contain sensitive vegetation that would have been directly impacted. Mitigation measures were identified in the Final MND/IS and Addendum to reduce impacts to sensitive vegetation to below a level of significance.

The proposed modifications in Segments 7 and 8A would neither result in new impacts resulting from utilities and service systems installation, nor substantially increase the severity of impacts previously identified in the Final MND/IS and Addendum. The proposed modifications in Segments 7 and 8A would no longer require construction of the storm drain box culvert because the bike path alignment is proposed entirely within the paved roadway of Bay Boulevard. Therefore, impacts associated with construction of new utilities that were identified in the Final MND/IS and Addendum would be avoided.

DETERMINATION OF APPROPRIATE CEQA DOCUMENTATION

The following discussion lists the appropriate subsections of Sections 15162 and 15164 of the State CEQA Guidelines and provides justification for SANDAG to make a determination of the appropriate CEQA document for the Project, based on the environmental analysis above.

Section 15162 - Subsequent EIRs and Negative Declarations

- (a) “When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one of more of the following:”
 - (1) “Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;”

SANDAG proposes to modify the Project, as described in this Second Addendum to the adopted Final MND/IS. Specifically, SANDAG proposes to modify the alignment of the bike path in Segments 7 and 8A to avoid or minimize impacts. As discussed above in the Environmental Analysis section of this Second Addendum, no new or more severe significant environmental effects would occur.

- (2) “Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or”

The modified alignment would occur in the same general area as identified in the Final MND/IS and Addendum, and would not extend into areas that were not previously evaluated for environmental effects. No major revisions to the Final MND/IS are required, and the proposed modifications would not result in new significant environmental effects.

- (3) “New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) “The project will have one or more significant environmental effects not discussed in the previous EIR or negative declaration;”

No new significant environmental effects were identified compared to those identified in the adopted Final MND/IS and Addendum.

- (B) “Significant effects previously examined will be substantially more severe than shown in the previous EIR;”

Significant project-related effects previously examined would be lessened as a result of the proposed modifications than were disclosed in the Final MND/IS and Addendum. Potentially significant impacts associated with hazards and hazardous materials would remain the same as disclosed in the adopted Final MND/IS and Addendum, which would be mitigated to less than significant levels through the implementation of proposed mitigation measures identified in the Final MND/IS and Addendum.

Previously identified potentially significant impacts related to biological resources would be avoided with the proposed modifications. Potentially significant impacts related to construction of new utilities (i.e., storm drain box culvert) that were identified in the Final MND/IS and Addendum also would be avoided with the proposed modifications. Implementation of the proposed modifications, therefore, would not substantially increase the severity of previously identified impacts.

- (C) "Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or"

No mitigation measures or evaluated alternatives were previously found to be infeasible in the adopted Final MND/IS.

- (D) "Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative."

Impacts have been avoided to the extent feasible. The Project, as modified, would avoid impacts to biological resources compared to those identified in the adopted Final MND/IS and Addendum. No other mitigation measures or feasible alternatives have been identified that would substantially reduce impacts.

The Final MND/IS included alignment alternatives within Segments 4 and 8A; however, none of the alternatives that were not included as part of the modified alignment would substantially reduce significant effects.

- (b) "If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation."

Subsequent to adoption of the Final MND/IS in May 2009 and approval of the Addendum in April 2010, revisions were made to the alignment of the bike path. These revisions are the subject of this Second Addendum to the Final MND/IS. Based on the analysis in this document, the proposed modifications would not result in new or more severe significant environmental effects. None of the conditions listed under subsection (a) would occur that would require preparation of a subsequent EIR or MND.

- (c) "Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other Responsible Agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted."

None of the conditions listed in subsection (a) would occur due to the proposed modifications. No subsequent negative declaration is required.

Section 15164 - Addendum to an EIR or Negative Declaration

- (a) “The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

This section of the State CEQA Guidelines does not apply, as an EIR was not prepared for the proposed Project.

- (b) “An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.”

Minor additions to the adopted Final MND/IS are necessary; however, none of the conditions described in Section 15162 calling for preparation of a subsequent EIR would occur as a result of the proposed Project modifications. Therefore, an addendum to the adopted Final MND/IS is the appropriate CEQA document for the proposed Project modifications.

- (c) “An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.”

This Second Addendum will be attached to the Final MND/IS and maintained in the administrative record files at SANDAG.

- (d) “The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.”

SANDAG will consider this Second Addendum with the Final MND/IS prior to making a decision on the proposed Project modifications.

- (e) “A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency’s required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.”

This document provides substantial evidence for SANDAG records to support the preparation of this Second Addendum for the proposed Project modifications.

CONCLUSION

This Second Addendum has been prepared in accordance with the provisions of the State CEQA Guidelines, and it documents that none of the conditions or circumstances that would require preparation of a subsequent EIR or MND, pursuant to Sections 15162 and 15164 of the State CEQA Guidelines, exist in connection with the currently proposed Project. No major revisions would be required to the Final MND/IS as a result of the proposed modifications. No new significant environmental impacts have been identified. Therefore, preparation of a subsequent MND is not required, and the appropriate CEQA document for the proposed Project modifications is this *Second Addendum to the Bayshore Bikeway Project (Segments 4, 5, 7, and 8A) Final Mitigated Negative Declaration/Initial Study*. No additional environmental analysis or review is required for the proposed Project. This document will be maintained in the administrative record files at SANDAG offices.

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